

U.S. History Readers: Conflicts and Resolutions

Reconstruction

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Printed in the United States of America.

ISBN: 978-1-56004-363-8

Product Code: ZP466

Reconstruction

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Reconstruction Teacher Introduction

This unit is about a problem as old as the slave trade and as current as the latest round of SAT scores. The unit is based on the premise that the period of Reconstruction after the Civil War marked the first time that Americans made a serious attempt to deal with the legacy of slavery and racism. The victorious North faced two intractable problems that seemed to call for contradictory solutions: how to, as President Lincoln intoned, “achieve and cherish a just and lasting peace among ourselves” while at the same time, in Thaddeus Stevens’s words, to do “justice to all God’s creatures, without distinction of race or color.” This unit engages students on the horns of this dilemma by starting with a description of the South after the Civil War. It asks them to compare the suffering and behavior of whites and blacks, and to appreciate and assess the severity of the laws known as the Black Codes.

The second chapter describes the two major plans for Reconstruction. First was Lincoln’s plan for “presidential reconstruction,” which aimed to quickly restore the Union and offered only the 13th Amendment as a “carrot” for emancipated blacks. Second was “radical reconstruction,” proposed by Republicans in Congress, which was based on assuring justice to the freedmen. Radical Reconstruction eventually produced the 14th Amendment and required Southern states to form governments that, with the support of federal troops, included emancipated slaves. By being challenged to choose between these two plans, students are asked to decide between working to reunite the nation or striving to obtain some form of racial justice. Chapter 3 provides students with the opportunity to discuss or debate the issues involved in the impeachment trial of President Andrew Johnson. A subsequent chapter provides primary source documents for students to use while analyzing the success of the much-maligned “carpetbag” governments. Another chapter tells the sad tale of the disputed election of 1876 that led to the withdrawal of federal troops. The unit points out that without support from the federal government, African Americans were left to the tender mercies of those who once held them as slaves. Blacks made the best deal they could and became sharecroppers. Finally they had to endure the status of a “separate” but definitely not “equal” existence under an avalanche of Jim Crow laws designed to meet the Supreme Court’s verdict in the *Plessy* case. The last chapter of the unit uses the words of Booker T. Washington and W.E.B. Du Bois to present differing views about which paths African Americans needed to follow in order to achieve equality. Washington wanted African Americans to demonstrate that they deserved their rights; Du Bois urged them to demand their rights. Another title in this series, *Unit IX The Civil Rights Movement*, takes the story of the struggle for equality into the 1960s and beyond.

This series of chapters is not to be confused with a traditional text. Instead of striving for complete coverage of Reconstruction, it highlights points of conflict and encourages students to see both sides of the controversies that took place during this period. Students are encouraged to develop their own ideas of the relative merits

of both sides of the issue—Union or racial justice. A series of questions are asked about the Black Codes, the two plans of Reconstruction, the value of carpetbag governments, the wisdom of withdrawing federal troops from the South, the question of providing freedmen with farms of their own, the arguments for and against *Plessy v. Ferguson*, and finally, the debate over two different paths to equality. In the process, student learning is enhanced by the use of graphic organizers, vocabulary lists and I (Inquiry)-charts. Each chapter also provides a “For Further Consideration” section designed for advanced learners, which requires them to do more writing and to use their extra knowledge to enrich class discussion. Finally, each lesson includes vocabulary words and key terms in flash card format; these can be used either for review or reference.

Chapter 1. The Problem of Reconstruction

Teacher Page

Overview

This chapter on Reconstruction describes the war-torn South and, with the use of primary source narratives, describes the suffering and behavior of both white and black Southerners. Examples of the infamous Black Codes are provided along with statements from historians who hold opposing views of these laws. The Graphic Organizer asks students to answer questions about the destruction of the South, the suffering and behavior of members of both races, and the Black Codes from the perspective of a white Southerner, a freedman, or a neutral observer. The “For Further Consideration” section requires students to read and take notes on a review of a book on General Sherman and his infamous march through Georgia.

Objectives:

Students will:

- realize the Civil War caused extensive destruction in the South
- understand that social disorder was one of the problems both races faced, but that freedmen were left destitute, jobless, and victimized
- understand that whites rationalized the Black Codes as necessary for establishing order in society, but actually kept African Americans subservient to whites and totally without legal, political, or social rights
- explore the question of whether land should have been given to ex-slaves so that they could become self-sufficient farmers

Strategies:

Before class: Point out the purpose of this unit as described in the Teacher Introduction. Assign the chapter either up to or including the “For Further Consideration” section and inform students they will be expected to write their answers to all the Student Activities questions covering the assigned section(s).

In class: Ask students whether deliberately damaging civilian property during war can be justified. Have them apply what they said to Sherman’s march through Georgia. Note that Confederate troops burned Richmond to the ground during the waning days of the Civil War. Change the topic to the perspective-taking exercise on the Student Activities page, which uses a graphic organizer to get students to compare the perceptions of whites and African Americans. Note that white Southerners thought of the Black Codes as an attempt to maintain social order, while freedmen saw them as an attempt to “keep them in slavery in every way but name.” Ask which codes supported the freedmen’s perceptions and which could be rationalized as necessary for “keeping the peace.” End by floating the idea that any statute that applies only to one race is a violation of that race’s right to equality before the law.

Chapter 1. The Problem of Reconstruction

I-Chart

	What problems did Southerners face right after the Civil War?	How did slaves respond to being free and how were they treated?	What laws were passed in the South to define the new status of the freed slaves? Were these laws too harsh?
What I already knew			
What I learned from Chapter 1, Part I			
What I learned from Chapter 1, Part II			
What I still want to know			

Vocabulary for Chapter 1—The Problem of Reconstruction

prosperous**homespun****accompanied****squads****destitute****intellectual level****systematic****gainful****vicious**

Vocabulary for Chapter 1—The Problem of Reconstruction

Went with someone or something	Handmade material; spun or woven at home	State of being financially well off
Refers to an amount of intelligence or an ability to think or learn	Left without anything	Small groups of organized people with a purpose, usually military in nature
Having the purpose of hurting others	Something that leaves you with a profit	Done with a careful plan

Chapter 1

The Problem of Reconstruction

Introduction

It was April 9, 1865, and the guns that had been firing for four years were almost silent. At the Appomattox Court House in Virginia, General Robert E. Lee was surrendering 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. After a little more than two weeks, when the last Confederate army finally surrendered, the long war that had divided the country was over at last.



Lee (seated on right) and Grant (on the left) at Appomattox

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 African Americans were out testing the meaning of their new freedom.

Six months earlier, Union General William T. Sherman had marched his army through Georgia from Atlanta to Savannah. His soldiers set fire to houses, barns, and fields along their path. He sent special squads out in all directions to destroy the countryside—and with it, the South's ability to continue fighting. Sherman's soldiers demolished bridges,



Sherman's Troops in Georgia

burned barns, and slaughtered cows, horses, and pigs. Soldiers pulled up train tracks, held them over a fire, and twisted them around trees. It was said that a bird flying over the 60-mile-wide path of destruction 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.

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. Richmond, the Southern capital which lay only 90 miles from Washington D.C., 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 blockaded 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, the South's currency was hardly worth more than the paper on which it was printed; its factories were destroyed, its people were homeless and starving, and its slaves were free. The South had fought to its last ounce of strength and collapsed in defeat.

The most serious price paid by either side was the loss of human life. More than 110,000 soldiers from the North were killed in battle and another 250,000 died from other causes. The South lost a total of 250,000 men. About one out of four soldiers who fought had died by the end of the war. Few families were spared the loss of a father, son, husband, friend, or neighbor.

It is impossible to guess how much money the Civil War cost. Nor can anybody add up the losses 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 only 4.8 billion dollars. A comparative loss today would be more than \$40 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 declared 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 [rudeness] 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.

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 striking change in their lives. Under the best of conditions, the change from slavery to freedom would have been difficult, but coming at the end of a terrible war, the new freedom was bewildering to both the freedmen and their former masters. One African American 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 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.”

Another African American heard a very similar story:

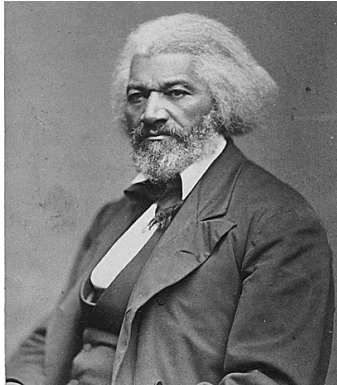
They (the slaves) didn’t have no place to go and nothing to wear. From what she said they had a terrible time. She said it was bad times. Some took sick and had no [attention] and died. Seemed like it was four or five years before they got to places they could live. They all got scattered.

Another freed slave saw the problem in terms of the whites’ refusal to accept the fact that black Americans were free:

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.

Another freedman spoke of the lack of work:

Some stayed at their cabins glad to have one to live in and farmed on. Some running around begging, some hunting work for money, and nobody had no money 'cepting the Yankees, and they had no homes or land and mighty little work for you to do. No work to live on. Some going every day to the city. That winter I heard 'bout them starving and freezing by the wagon loads.



Frederick Douglass

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."

An African American folk song from that period made 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 standing of black people. As soon as new state legislatures met after the war, they drew up codes defining the rights and responsibilities of former slaves. 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.
- Negroes who could not pay the fine may be hired out to work by adults who pay the fine
- 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 former slaves make the difficult adjustment to freedom. Northerners attacked the laws as signs that the South wished to keep blacks as slaves under a different name. Even into the 20th century, the debate over these codes continued, as the following excerpts show:

**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.

Student Activities

A. Student Exercises

1. Do you think black and white Southerners suffered equally during the period following the Civil War? Explain.
2. Do you think the vast damage done to the South means that the North fought the war too viciously? Explain.
3. Define the term “Black Codes” and give five examples.
4. Whose interpretation of the “Black Codes”—Douglass’s or Dunning’s—do you think was correct? Give reasons for your answer.

B. Graphic Organizer

Complete the following chart to tell what happened in the South from the perspective of a freed African American (freedman), or a white Southerner, and a neutral observer.

	Freedman	White Southerner	Neutral observer
Destruction to the South			
Living conditions of whites			
Behavior of whites			
Living conditions of ex-slaves			
Behavior of ex-slaves			
Opinion of Black Codes with examples			

For Further Consideration

Read the review of Lee Kennett's book, *Sherman: A Soldier's Life* in the *New York Times*, July 29, 2001, Sherman: A Soldier's L:), take notes on the article, and be prepared to report to your class what it says about the havoc Sherman caused. You can access this review using Google or Yahoo and entering:

Marching Through Georgia New York Times

Chapter 2. Two Plans of Reconstruction

Teacher Page

Overview:

As the title implies, this chapter focuses on the two plans of Reconstruction: the Presidential Plan proposed by Abraham Lincoln and the Congressional Plan proposed by the radicals in Congress. Both plans are presented in terms of the high aims they were intended to achieve. For Lincoln, it was to restore the union; for the Radicals in Congress, it was “to do justice to all God’s creatures.” In accord with their stated purposes, each plan made contrastingly different provisions for requiring loyalty oaths, pardoning rebels, and helping slaves. Under the first plan, the reading shows that the Southerners abused their former slaves, elected Confederate leaders to office, and passed the Black Codes. Congress responded by preventing representatives of the Southern states from taking their seats in Congress, demanding 50 percent of all qualified voters to take an oath of allegiance, raising the bar on restoring political rights of ex-Confederates, and requiring the passage of the 14th Amendment. These draconian measures, as students will eventually see, marked the beginning of a top-down civil rights revolution which failed to achieve its objectives but laid the constitutional seedbed which bore fruit in the 1960s. The graphic organizer asks students to contrast the two plans of Reconstruction as well as what happened under each. On the basis of this information, they are then asked to decide which of the plans was best for the country. The “For Further Consideration” section provides excerpts from a report on the Joint Committee of Reconstruction and from President Andrew Johnson’s Presidential Address to Congress on its right to set preconditions for readmission of the Southern states to the Union.

Objectives:

Students will:

- understand that the basic philosophical difference between the Presidential and the Congressional Plans was whether the immediate goal of restoring the Union was more important than achieving racial justice
- know the details of each plan of Reconstruction
- know what happened under each plan of Reconstruction

Strategies:

Before class: Assign the chapter either up to or including the “For Further Consideration” section and inform students they will be expected to write their answers to all the Student Activities questions covering the assigned section(s).

In class: Ask students what they remember from the previous class about the treatment of freedmen by Southerners and about the Black Codes. Next, ask them to compare the two plans of Reconstruction according to their purpose, their required

oaths, their pardoning policies, and their provisions for the freedmen. Finally, ask whether Congress went too far in denying representatives of Southern states seats in Congress and imposing the radical plan of Reconstruction. Was there a feasible alternative? Encourage advanced students who read the “For Further Consideration” section to share what they learned from reading the Joint Committee’s report and President Johnson’s speech.

Chapter 2. Two Plans of Reconstruction

I-Chart

	The issue of Union vs. racial justice	Lincoln's plans for Reconstruction	How the North treated the South after the Civil War
What I already knew			
What I learned from Chapter 2, Part I			
What I learned from Chapter 2, Part II			
What I still want to know			

Vocabulary for Chapter 2—Two Plans for Reconstruction

readmit

eloquently

unsuspecting

tender mercies

allegiance

Confiscation Act

feasible

national sin

convened

Vocabulary for Chapter 2—Two Plans for Reconstruction

Let back in	A phrase often used sarcastically; it means submitting to the goodwill of someone who dislikes you	Possible or likely
Well expressed, graceful, or persuasive	Loyalty to a person or thing, such as a country	Refers to something immoral that a nation's citizens as a whole have been responsible for
Taken by surprise	To confiscate is when someone or something (usually a government) takes something away	Met or started, like convening a meeting

Vocabulary for Chapter 2—Two Plans for Reconstruction

qualifications

sympathized

Vocabulary for Chapter 2—Two Plans for Reconstruction

Something people have that
makes them able to do a job

Having felt someone else's pain,
or being sorry for someone

Chapter 2

Two Plans for Reconstruction

Introduction

We have already had a glimpse into the postwar situation in the South that the president and Congress had to handle. More specifically, there were two major problems they had to confront that we will cover in this chapter. First, should Southern states have been quickly readmitted into the Union and what should have been done with, to, or for the men who fought valiantly against their countrymen? Second, what should have been done with and for the four million slaves that supposedly had been freed during and immediately after the war? Should they have been left to the tender mercies of the people who enslaved them, or should a strong effort have been made to give them whatever rights they could exercise? And if so, what rights could they have exercised and who would see to it that those rights were protected?

Two completely different plans emerged to deal with these difficult problems:

1. The president's plan, which emphasized restoring the Union as quickly as possible and showed little concern over what happened to the freedmen
2. Congress' plan, which temporarily banned Southerners who fought against their country from participating in politics and tried to "do justice" to former slaves

You will read about each plan of Reconstruction, learn what happened while they were tried, and decide which of the two would have been best for the country as a whole.

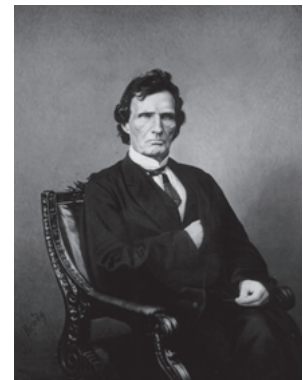
The President's Plan of Reconstruction

Long before President Lincoln was sure the North would win the Civil War, he began making plans for putting the country back together. 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.

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 10 percent 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 citizens—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 readmitted to the Union. Later, Lincoln also required that the reconstructed states ratify the 13th 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 harsh treatment of the rebellious states. Congress wanted to deny public office or the right to vote to anyone who had played an important part in the war against the Union. This requirement would eliminate almost all the South's leaders from politics. Furthermore, Congress demanded that at least 50 percent of each state's voters swear an oath to uphold the Constitution before the state could enter the Union. 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 freedmen the right to vote, hold office, own property, and testify in court.



Thaddeus Stevens

Congressman Stevens stated the high morals that inspired this plan for reconstruction:

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 much more about both plans for Reconstruction and asks the reader to decide which plan would have been best for the country at the time.

The Presidential Plan of Reconstruction in Action



Lincoln-Johnson campaign poster, 1864

Lincoln and Congress clashed over their different plans for Reconstruction. Congress's program was included in the Wade-Davis Bill that was passed in July 1864. Since Congress adjourned shortly after voting for this bill, Lincoln effectively vetoed it by simply not signing it into law. As a result, Lincoln was free to carry out his reconstruction policies in his own way.

In 1864, Lincoln also faced the difficult task of winning reelection. 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 demonstrate that there was a place in the government for a Southerner. Despite considerable war-weariness, the Lincoln-Johnson ticket won the election.

Because Congress was still not in session after the election, Lincoln was able to bring Louisiana, Arkansas, and Tennessee back into the Union under his generous plan of reconstruction. After Richmond, Virginia—the Confederate capital—fell to his victorious armies, Lincoln visited the 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 at the unsuspecting Lincoln, and leapt down onto the stage. Unfortunately for Booth, his spur caught on a flag as he jumped and he 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 tragedy made the former governor of Tennessee President of the United States. While the nation still mourned their beloved leader, Congressmen visited President Johnson to ask him about his plans for Reconstruction. 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. The wealthy Southerners were allowed to come to Washington and ask for a pardon. They were seldom disappointed. Thus pardoned, these men were again able to take part in politics and be elected to office. The lands that had been given to former slaves under the Confiscation Act of 1862 were returned to their former owners. As a result, the freedmen who had benefited from the Confiscation Act lost their lands.

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. The states then elected their own leaders. In many cases, they elected men who had led them during the Civil War. Citizens of Georgia elected the former vice-president of the Confederacy to represent them in Congress. Other states elected former Confederate generals and governors. Mississippi even elected a new governor before Johnson pardoned him.

The Black Codes

As the new Southern states began to govern themselves, they passed a series of laws called the Black Codes. These codes (discussed in the previous chapter) did not allow former slaves to vote or to even take part in government. In some states, freedmen were not allowed to own property, and in others they could be put in jail if they were unemployed. The Black Codes, reports of violence against the freedmen, and widely publicized race riots in Memphis and New Orleans made it seem that the South had not fully accepted the verdict of the Civil War.

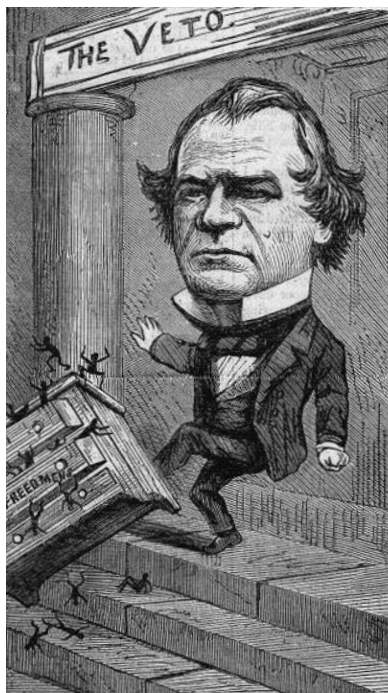
Congress was not in session while Andrew Johnson continued his program of lenient reconstruction. Thaddeus Stevens, Charles Sumner, and many others could do nothing to prevent the election of former Confederate leaders to Congress and were unable to protect freedmen from the Black Codes. When Congress finally convened on December 4, 1865, a 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 prescribe under what conditions the Southern states would be readmitted to the Union.

Congress Clashes With President Johnson

With the Southern states still not represented in Congress, the House and Senate passed two laws:

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 immediately after the war. Many white Southerners hated the Bureau. They claimed that it interfered with the rights of the states and encouraged freedmen to leave their former masters. President Johnson sympathized with the 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. Freed slaves, therefore, had the same rights under the law as white Southerners.



Cartoon showing Johnson using veto to end the life of the Freedman's Bureau

President Johnson vetoed this act too. He justified his action by arguing states' rights: 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 showed the extent of the disagreement between President Johnson and Congress. In his messages to Congress, Johnson would claim to be following the reconstruction plan proposed by Abraham Lincoln. He would quickly restore the rights of the seceding states and reunite the Union. On the other hand, Congress claimed it was following the true purposes of the Civil War—namely providing real meaning to the freedom given to African Americans. By permitting the states to resolve racial issues, Congress argued, Johnson would deliver the ex- slaves back into the hands of their former masters. Johnson pointed out that by insisting on racial justice, Congress would prevent the country from coming back together.

Student Activities

A. Student Exercises

1. What were the two competing principles that marked the difference between the Presidential Plan and the Congressional Plan of Reconstruction?

B. Graphic Organizer

Summarize the basic differences between the Presidential (Lincoln and Johnson) Plan and that of the Congressional (Sumner and Stevens) Plan by using the following categories: A. The Purpose of the plan, B. Percentage of voters required to swear an oath of loyalty, C. Pardoning policy, D. What would be done for former slaves, E. What happened under each plan.

Presidential Plan	Congressional Plan
A. Purpose of plan	A. Purpose of plan
B. % needed to take loyalty oath	B. % needed to take loyalty oath
C. Pardons for Confederates	C. Pardons for Confederates
D. What would be done for freedmen	D. What would be done for freedmen
E. What happened under plan	E. What happened under plan

For Further Consideration

One of the unresolved issues concerning Reconstruction was whether the Southern states could legally be subjected to federal law before their representatives formally took their places in the halls of Congress. The Joint Committee appointed by Congress concluded that the Southern states could only return to the Union under terms dictated by the states that had not seceded. In a message to Congress, President Johnson argued the opposite, claiming that the defeated Southern states maintained their right to choose their own representatives and not be subject to laws they had no hand in making. The following excerpts state the arguments supporting each side of this debate.

Report of the Joint Committee of Reconstruction

It must not be forgotten that the people of these States, without justification or excuse, rose in insurrection against the United States. They deliberately abolished their State governments so far as the same connected them politically with the Union... They opened hostilities and levied war against the government. They continued this war for four years with the most determined and malignant spirit... Whether legally and constitutionally or not, they did, in fact, withdraw from the Union and made themselves subjects of another government of their own creation. And they only yielded when they were compelled by utter exhaustion to lay down their arms... expressing no regret, except that they had no longer the power to continue the desperate struggle... within the limits prescribed by humanity, the conquered rebels were at the mercy of the conquerors. That a government thus outraged had a most perfect right to exact indemnity for the injuries done, and security against the recurrence of such outrages in the future, would seem too clear for dispute...

Your committee came to the consideration of the subject referred to them with the most

Andrew Johnson: Message to Congress

When a civil war has been brought to a close, it is manifestly the first interest and duty of the state to repair the injuries which the war has inflicted, and to secure the benefit of the lessons it teaches as fully and as speedily as possible. This duty was, upon the termination of the rebellion, promptly accepted not only by the executive department, but by the insurrectionary States themselves, and restoration in the first moment of peace was believed to be as easy and certain as it was indispensable. The expectations, however, then so reasonably and confidently entertained were disappointed by legislation from which I felt constrained by my obligations to the Constitution to withhold my assent...

[C]andor compels me to declare that at this time there is no Union as our fathers understood the term, and as they meant it to be understood by us. The Union which they established can exist only where all the States are represented in both Houses of Congress; where one State is as free as another to regulate its internal concerns according to its own will, and where the laws of the central Government, strictly

anxious desire ascertain what was the condition of the people of the States recently in insurrection, and what, if anything, was necessary to be done before restoring them to the full enjoyment of all their original privileges. It was undeniable that the war into which they had plunged the country had materially changed their relations to the people of the loyal States. Slavery had been abolished by constitutional amendment. A large proportion of the population had become, instead of mere chattels, free men and citizens. Through all the past struggle these had remained true and loyal, and had, in large numbers, fought on the side of the Union. It was impossible to abandon them, without securing them their rights as free men and citizens...Hence it became important to inquire what could be done to secure their rights, civil and political.

confined to matters of national jurisdiction, apply with equal force to all the people of every section. That such is not the present "state of the Union" is a melancholy fact, and we must all acknowledge that the restoration of the States to their proper legal relations with the Federal Government and with one another, according to the terms of the original compact, would be the greatest temporal blessing which God, in His kindest providence, could bestow upon this nation...

The Union and the Constitution are inseparable. As long as one is obeyed by all parties, the other will be preserved; and if one is destroyed, both must perish together...

The mere naked will of this Government, or of some one or more of its branches, is the only obstacle that can exist to a perfect union of all the States.

Write a strong paragraph explaining with which argument you agree. Come to class prepared to present your opinion, listen to the opinions of others, and to either defend your own or change your mind.

Chapter 3. President Johnson Impeached

Teacher Page

Overview

This chapter starts by explaining what impeachment is, what needs to be proved to impeach a government official, and who votes to convict. The important issues raised by this trial are: whether President Johnson committed an impeachable offense, whose plan of reconstruction was best for the nation, and what the effects of conviction or acquittal would be on future presidents. The chapter reviews Andrew Johnson's career in politics and goes into detail on his disagreements with Congress. In the process, it covers Johnson's vetoes of measures such as the renewal of the Freedman's Bureau and the Civil Rights bills, and Johnson's use of executive action to hinder the enforcement of laws passed over his veto. The chapter summarizes the Tenure of Office Act and shows that sloppy drafting of this legislation prevented it from being applied to its intended target. However, the chapter points out that a president's failure to perform his constitutional duty of faithfully executing the law could be interpreted as a major crime and thus be considered an impeachable act. In this way, the groundwork is laid to use the information in this chapter to prepare students to debate whether Andrew Johnson should have been convicted on the basis of dereliction of duty. The "For Further Consideration" section provides arguments on both sides of the impeachment question in order to make it easier for students to engage in a meaningful debate.

Objectives

Students will:

- know what the terms "impeach" and "convict" mean, on what charges a federal official can be impeached, and what role the House and Senate play in this process
- understand that even though the charges against Andrew Johnson were politically motivated, they raised important issues of policy and precedent and that strong arguments existed to convict or acquit

Strategies

Before class: Assign the chapter either up to or including the "For Further Consideration" section and inform students they will be expected to write their answers to all the Student Activities questions covering the assigned section(s).

In Class: Review the process of charging a president with high crimes (including a discussion of what exactly constitutes a "high crime") and putting a president on trial before the Senate. Lay out the three issues in the Andrew Johnson case (i.e. impeachable offense, public policy, and precedent), and go over the graphic organizer questions to make sure that students understand the conflict between Congress and the president. Finally, ask students who have prepared for a debate or discussion to

venture their opinions as to whether Johnson should have been convicted as charged for failure to see that the laws were faithfully executed. References to Nixon and Clinton will undoubtedly enliven the discussion if student's historic knowledge extends that far back. Don't tell students that Johnson was acquitted by a single vote in the Senate until they have voted in class.

Chapter 3. President Johnson Impeached I-Chart

	Who impeaches and convicts a president and what must they prove?	Did President Johnson commit an impeachable offense?	What role should political issues and questions of precedent play in impeachment?
What I already knew			
What I learned from reading Chapter 3, Part I			
What I learned from reading Chapter 3, Part II			
What I still want to know			

Vocabulary for Chapter 3—President Johnson Impeached

misdemeanors**executed****apprenticed****literally****technical****underscore****ignoring****brazenly****eloquence**

Vocabulary for Chapter 3—President Johnson Impeached

Put under the care of someone who teaches that person a trade	Minor crimes	Can refer to killing someone, or just to carrying out a plan
Emphasize; could be done by drawing a line under something	Actually; for real	According to a strict interpretation; also, related to a special field such as computers
Speaking with great skill and with the ability to persuade others	Not paying attention to or disregarding	Doing something boldly or without shame

Vocabulary for Chapter 3—President Johnson Impeached

assassinate**vehemently****discriminatory****participate****supervise**

Vocabulary for Chapter 3—President Johnson Impeached

To see that someone carries out
their job or assignment correctly

Treating someone in an unfair
manner, often because of race
or religion

To kill someone,
usually for political purposes

Take part in

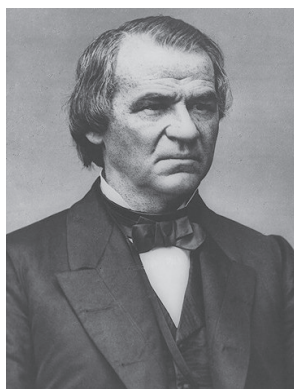
In a heated
or passionate manner

Chapter 3

President Johnson Impeached

Introduction:

Many scholars have called the American presidency the most powerful office in the world. However, the president is not above the law, and the Founding Fathers made it possible to remove a president from office. The Constitution provides that the House of Representatives can impeach the President for “Treason, Bribery, or other High Crimes and Misdemeanors” and that the Senate might then remove the president from office providing two-thirds of its members find him or her guilty as charged.



Andrew Johnson

Three serious attempts have been made to impeach and convict an American president. President Andrew Johnson was impeached by the House of Representatives and stood trial before the Senate. Nearly a century later, in August 1974, President Richard Nixon resigned his office before the House of Representatives could vote a bill of impeachment. Most recently, in 1999, President William Jefferson Clinton was impeached, and like Johnson, faced a trial by the Senate. This chapter tells the story of the Johnson impeachment and asks the reader to decide whether he should have been convicted and removed from office.

Issues to Be Considered

For nearly two years, Congress and the president disagreed sharply over issues related to Reconstruction. These disagreements included readmission of Southern states to the Union, treatment of Confederate leaders, and protections for freedmen. After literally hundreds of angry exchanges, Andrew Johnson gave warring factions in Congress an issue that could unite them. He fired Secretary of War Edwin Stanton, an action many thought violated the Tenure of Office Act. This Act prohibited the president from removing a Cabinet member he had appointed without first getting the Senate’s consent. Ignoring the fact that Lincoln and not Johnson had appointed Stanton, the House of Representatives voted to impeach the president. Later they charged him with 11 counts of “high crimes and misdemeanors” that related primarily to Stanton’s dismissal. However Congress also included the charge that he “did, unlawfully... disregard... requirements of the Constitution that he should take care that the laws be faithfully executed.”

Many historians have pointed out that the case against Andrew Johnson was both flimsy and false. In a technical sense, he had not even violated the Tenure of Office Act because Lincoln and not Johnson had appointed Stanton. However, the issues involved in the impeachment were greater than the mere question of whether Johnson had violated that particular law. For two years, Andrew Johnson had opposed

every effort made by Congress to protect the rights of freedmen. He had encouraged Southerners to violate the rights of blacks while he cavalierly pardoned Confederates. The issue of impeaching and convicting Johnson also pitted the power of Congress against the powers of the president. Which would prevail?

This chapter raises three issues related to the trial of Andrew Johnson:

- Had President Johnson actually committed an impeachable offense?
- Should the Reconstruction policies of the Congress or the president have been followed?
- What effects would conviction on these charges have on the power of future presidents?

A Short Biography of Andrew Johnson

Like President Andrew Jackson, Andrew Johnson was born in poverty in North Carolina, and eventually migrated to Tennessee. Like Abraham Lincoln, he was self-educated. Johnson married a schoolteacher who taught him to read and write. While very young, he was apprenticed to a tailor and made his living at that trade. However, his real love was politics. He was first elected to office at the age of 21, and in quick order, he became a mayor, state legislator, U.S. Representative, and U.S. Senator. He fought for the rights of poor whites in the South who opposed rich plantation owners. Like many who could not afford slaves, he hated and opposed slavery without liking African Americans, wishing to free them, or giving them rights.

When the Civil War began, almost all of the South's Congressmen except Andrew Johnson resigned their seats in the House and Senate. Johnson remained faithful to the Union and continued to hold his seat in the Senate. After his state was occupied by Union troops, Abraham Lincoln rewarded Johnson with an appointment as wartime governor of Tennessee. Johnson's bold and courageous administration of his state's government won him the president's respect. When Lincoln needed a running mate in the election campaign of 1864, to underscore his policy of reuniting the country he chose the governor from Tennessee. Following Lincoln's assassination, Andrew Johnson became President of the United States. Despite a brief political "honeymoon" with Congress, Johnson earned the hatred of the Radical Republicans who wished to use Reconstruction to protect the rights of the freed slaves and strengthen the Republican Party. Instead, Johnson used his powers to pardon Southern leaders, vetoed bills designed to help freedmen, and soon entered into a full-fledged verbal battle with radical leaders like Charles Sumner and Thaddeus Stevens.

Johnson defended his actions as president by claiming to be following Lincoln's Reconstruction policy, but he lacked Lincoln's political skills, eloquence, wisdom, and sense of humor. Where Lincoln was flexible and able to compromise, Johnson was rigid and righteous; while Lincoln sought the support of radical Republicans, Johnson courted the favor of Southern and Northern Democrats; and where Lincoln was able to win the respect of those who disagreed with him, Johnson often antagonized his own

supporters. Within two years of becoming president, Andrew Johnson was impeached and faced trial before the Senate. The following account summarizes the events that led to Johnson's ordeal:

The Road to Impeachment

March 4, 1864: Johnson appeared to be drunk at Lincoln's Inaugural.

April 14, 1865: Lincoln was assassinated.

April 15, 1865: Andrew Johnson became America's 17th president. While passions against the South were still running high following the war and the assassination, Johnson sided with the Radicals.

March 1866: Congress passed a civil rights bill forbidding states to discriminate against citizens on the basis of race or color. This law would have made the Black Codes illegal. In a harshly worded message, Johnson vetoed the Civil Rights Act, arguing (possibly correctly) that the Constitution did not give Congress this power to protect the rights of individuals. That was a power reserved to the states.

June 1866: Congress passed the 14th Amendment to the Constitution and sent it to the states to ratify. The amendment would give Congress the power to prevent states from discriminating against citizens on the basis of race. It would make all men equal under the law, but would also disenfranchise former Confederate leaders and suspend payments of the Confederate debt. Johnson vehemently opposed this amendment and advised Southern states not to ratify it.

July 1866: In New Orleans, white citizens and police killed 37 blacks and three white sympathizers. Again, Johnson took no action.

Fall of 1866: On a political tour of the Midwest, Johnson urged voters to elect Democrats to oppose Radical Republicans. He denounced his opponents in language similar to his February 22nd speech:

“Though the powers of hell, death and Thaddeus Stevens combine, there is no power that can control me save you (the people) and God.”

March 1867: Congress passed the First Reconstruction Act. This law required Southern states to ratify the 14th Amendment. States that refused to ratify this amendment would be occupied by federal troops. The army would be assigned to supervise elections to constitutional conventions. Delegates to these conventions would write constitutions giving equal rights to blacks. The troops would remain until the Southern states formed governments with participation by all American males, including the

freedmen. Johnson vetoed the Reconstruction Act. When it was passed over his veto, he advised Southerners not to obey it by refusing to ratify the 14th Amendment. When military occupation was forced on ten Southern states, Johnson used his influence to prevent the army from encouraging black participation in politics.

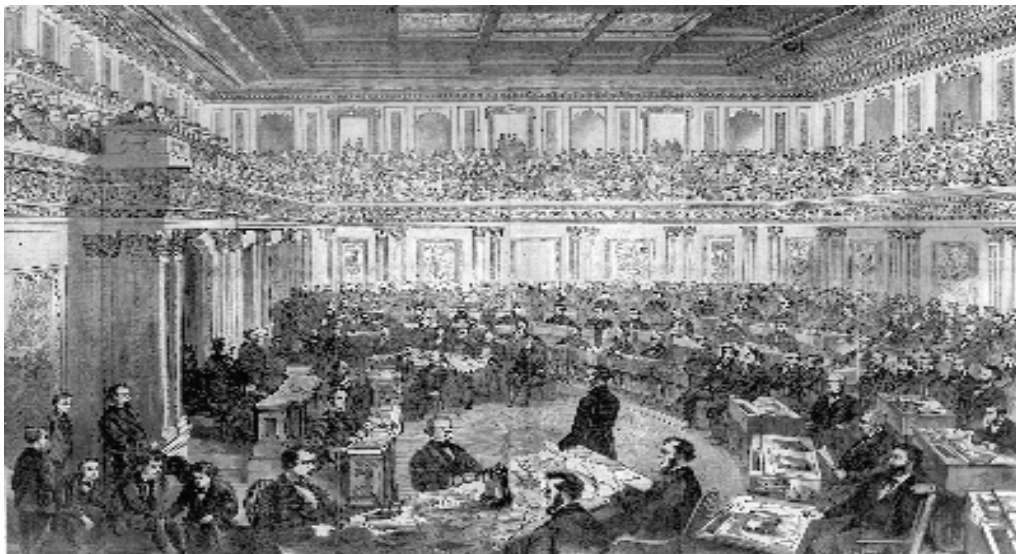
March 1867: Congress passed the Tenure of Office Act. This act stated that without Senate approval, the president could not fire officials whom he had appointed with the advice and consent of the Senate. Johnson vetoed the bill, but it passed over his objections.

February 1868: Johnson fired his Secretary of War, Edwin Stanton, and appointed a successor. There is some question as to whether the Tenure of Office Act covered the Stanton dismissal, since Lincoln had appointed him. Nevertheless, Congress interpreted this action as a violation of the Tenure Act.

At the same time, Johnson replaced several generals who had made strong efforts to protect freedmen's rights in their states. They were replaced with generals who were less likely to help freedmen.

On the question of whether Johnson had actually violated a law, one Republican commented:

“If the great culprit (accused) had robbed a till; if he fired a barn; if he had forged a check; he would have been indicted, prosecuted, condemned, sentenced and punished. But the evidence shows that he only oppressed the Negro; that he only conspired with the rebel; that he only betrayed the Union party; that he only attempted to overthrow the Republic—of course that goes unwhipped of justice (not punished).”



The trial of Andrew Johnson in the U.S. Senate

Student Activities

A. Student Exercises:

1. Who votes to impeach a president and who votes to convict? With what does the president have to be charged?
2. What constitutional responsibility did President Johnson fail to fulfill?
3. What was the law that President Johnson was accused of violating? Did he actually violate this law?

B. Graphic Organizer Exercise: Reviewing Andrew Johnson's pre-impeachment career

Fill in the empty places in the chart with the correct factual information.

Johnson's Biography	Examples
Personal background	
Personal Failings	
Opinion on Congressional Reconstruction	
Legislation Johnson vetoed	
Actions Johnson took that angered Congress	
Three things to consider in trial	

Extra Credit:

Come to class prepared to discuss the question of whether the Senate should have convicted Andrew Johnson of committing "high crimes and misdemeanors" (note: Reading the "For Further Consideration" section will help you prepare your case.)

For Further Consideration

Read the following arguments and decide with which you agree:

The Case to Acquit

Johnson was charged with breaking the Tenure of Office Act, but it is doubtful that he really violated this law. The Act stated that a president may not replace a government official who was appointed with the advice and consent of the Senate without the Senate's approval. Since Lincoln, not Johnson, appointed Stanton, Johnson did not violate the law. Even if Johnson did break this law, it certainly is not very important. The Constitution says that a president can be impeached and convicted only for "high crimes and misdemeanors," not high crimes or misdemeanors. Firing Stanton certainly was not a high crime.

It is true that Johnson opposed Congress' plan of Reconstruction, but so did Abraham Lincoln. All Johnson did was to carry out Lincoln's plan. Is that a crime worthy of removal from office? Johnson was seeking to end the Civil War by bringing the South back into the country as rapidly as possible. Congress was trying to punish the South by putting it under a government of ignorant former slaves who, in many cases, could not even read or write. Is that a crime? Johnson was trying to protect the rights of the states to control their own domestic institutions. Congress was trying to force the dictatorial power of the national government on an unwilling people. Furthermore, Congress did not even represent the country. Southerners were kept out of Congress until they submitted to rule by former slaves.

The Case to Convict

Johnson broke the spirit if not the letter of the Tenure of Office Act when he fired Secretary of War Stanton and appointed a successor without Congress' consent. Furthermore, the Constitution states that the president must see that "the laws are faithfully executed." By failing to enforce the laws passed by Congress, Johnson failed to do his constitutional duty. Since no president should be above the law, Johnson needed to be convicted for this behavior.

Johnson should also have been convicted because all of his actions were directed toward two objectives: to help the traitors who led this country into a disastrous civil war, and to hurt the freedmen. First, he pardoned rebel leaders. Second, he opposed all attempts to give freedmen their rights. He took land from freedmen and gave it to rebels. He advised Southern leaders to disobey the Reconstruction Act, shuffled generals around to prevent enforcement of that act, and vetoed the Civil Rights Bill and the Freedman's Bureau Act. He allowed rioters in Memphis and New Orleans to kill dozens of freedmen.

The Constitution established three branches of government. The legislative makes the law, the executive carries out the law, and the judicial determines whether laws have been broken. Johnson failed to carry out the law. He did not do the job required of him under the Constitution. Not only did he fail to see that the law was faithfully executed, but he advised others not to obey it and he

Finally, if Johnson were convicted because he disagreed with Congress the country would have been in terrible shape. No president in the future would have dared to oppose Congress. Strong presidents such as Roosevelt or Reagan wouldn't have been able to act with the courage to do what they believed was right. Presidents in the future could be removed from office because of some minor disagreement with Congress, or even if they did something in their personal lives that Congress didn't like. Johnson should not have been convicted.

broke the law by appointing a successor to Stanton. If the president is permitted to break laws that he is supposed to enforce, we might as well do away with Congress and get a king. Future presidents could get away with murder. Johnson should have been convicted.

Write a strong paragraph on why you agree with either the case to convict or the case to acquit. Come to class prepared to present your opinion, listen to the opinions of others, and either defend yours or change it.

Chapter 4. South Carolina Under Carpetbag Rule

Teacher Page

Overview:

This chapter presents an historical inquiry into Congressional Reconstruction in South Carolina. We focus on South Carolina because of the popular attention directed on that state in the 1870s, its historical importance, and the availability of documents. After reviewing the terms “carpetbagger,” “scalawag,” and “Congressional Reconstruction,” this chapter introduces students to their task: analyzing documents to help them evaluate the work of the much maligned “carpetbag governments” established under federal rule. In addition to two cartoons, the documents include excerpts from James Pike’s derogatory report on South Carolina, a black legislator’s description of South Carolina’s impressive legislative accomplishments, a record of refreshments (including alcohol and cigars) purchased by this scrutinized legislature, and a summary of corruption under whites compiled by W.E.B. Du Bois. Students are asked to analyze these documents and detect biased reporting, understand the facts, and determine their relevance to the question they are asked to answer. The graphic organizer helps students proceed with their analysis, and the “For Further Consideration” exercise has students write a few strong paragraphs explaining how they reached their conclusions.

Objectives:

Students will:

- know the meaning of the terms “carpetbagger,” and “scalawag” as well as the pejorative ways in which they were used
- learn there are conflicting interpretations of the effectiveness of the governments established in the South under federal supervision
- learn how to analyze documents by detecting bias, gathering facts, and determining relevance

Strategy:

Before class: Assign the chapter either up to or including the “For Further Consideration” section and inform students they will be expected to write their answers to all the Student Activities questions covering the assigned section(s).

In class: Make sure that students know that ten Southern states were divided into five military districts for the purpose of assuring African American participation in their states’ governments and ratifying the 14th Amendment. Let students know that these governments were deeply resented by the vast majority of white Southerners and that their sentiments were widely accepted by historians writing about Reconstruction at the time. You might inform students that historians writing since the civil rights movement have done further research and have presented a far more favorable picture

of carpetbag rule. Tell students their task is to form their own conclusions about this period by analyzing the four documents and two cartoons in the reading, and explain how you expect them to perform this task. Have them share their answers to the graphic organizer questions and help them where they have trouble with this task. Once this exercise is completed, encourage students who wrote paragraphs describing how they reached their own conclusions to explain their thinking, and then use their reports to stimulate a general discussion.

Chapter 4. South Carolina Under Carpetbag Rule

I-Chart

	Carpetbaggers and scalawags	How to analyze a document to help answer a question	How well African Americans did in politics soon after the Civil War
What I already know			
What I learned from Chapter 4, Part I			
What I still would like to learn about this topic			

Vocabulary for Chapter 4—South Carolina Under Carpetbag Rule

implement**document****evaluation****participate****prostrate****deaf and dumb****allegedly****holy rollers****beneficial and
constructive**

Vocabulary for Chapter 4—South Carolina Under Carpetbag Rule

<p>A judgment of something's worth or importance</p>	<p>To carry out a plan</p>	<p>Supposedly; usually describes an accusation that has not been proven; often used in a legal sense</p>
<p>A piece of paper or picture that can be used to prove something</p>	<p>Take part in</p>	<p>Refers to people who practice a religion with a great deal of singing and shouting</p>
<p>Deaf—can't hear; dumb—can't speak</p>	<p>To lie down or lie low, usually in submission</p>	<p>Helpful or useful, likely to lead to a good outcome</p>

Vocabulary for Chapter 4—South Carolina Under Carpetbag Rule

		transmitted
		penitentiary

Vocabulary for Chapter 4—South Carolina Under Carpetbag Rule

To have sent or passed something along		
Prison		

Chapter 4

South Carolina Under Carpetbag Rule

Introduction

Until the election of 1866, President Johnson was able to prevent Congress from carrying out its Reconstruction policy because Congress could not override his veto. The Radicals in Congress lacked the necessary two-thirds majority. However, after scoring victories in the 1866 elections the Radicals had enough votes to start implementing their plan, which called for the Southern states to ratify the 14th Amendment before returning to the Union. This amendment would have given the former slaves the same political rights enjoyed by their former masters and would have banned most Confederate leaders from holding political office. With Johnson's encouragement, all of the Southern states except for Tennessee refused to ratify the amendment.

Congress's next step was to divide the remaining states into five military districts. Each district was placed under the control of a major general. His duty was to supervise an election of delegates to a constitutional convention in that state. These elections were open to freedmen as well as whites, and many African Americans were elected in each state. Once these conventions drew up a Constitution, ratified the 14th Amendment, and started their own state governments (with participation by both blacks and whites), federal troops would be withdrawn, and the state would be considered reconstructed.

Most white Southerners hated the governments installed under Congressional Reconstruction for two major reasons: (1) these governments were forced on them by Congress, and (2) they granted rights to former slaves. Southerners called them "carpetbag governments." "Carpetbag" referred to the suitcases made out of materials used for rugs frequently carried by Northern politicians who came to the South to run for office. These politicians were called "carpetbaggers," and the Southerners who worked with them were called "scalawags."

The carpetbaggers, scalawags, and freedmen who formed these governments were accused of stealing and wasting taxpayers' money. Stories of the alleged dishonesty and the stupidity of black legislators and their carpetbag allies were spread throughout the states. Many people living in the North believed the negative stories appearing in newspapers, magazines, and later in books by historians who wrote about that period.

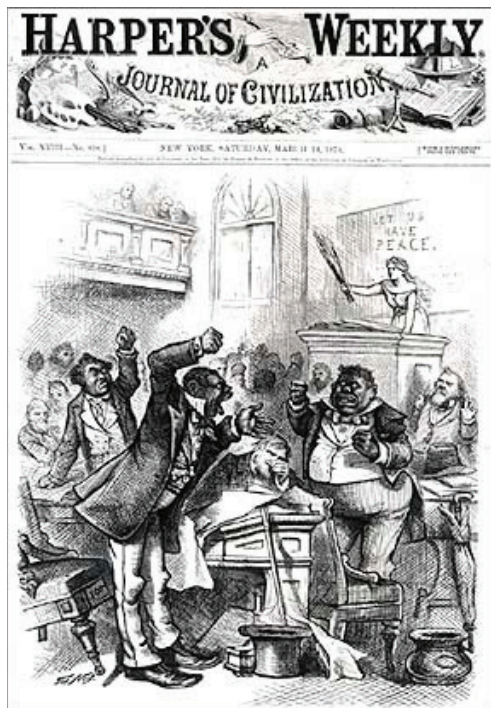
However, another side exists to the history of Reconstruction that has often been ignored. Under carpetbag rule, many Southern states wrote constitutions that made great improvements over the ones they replaced. Furthermore, these constitutions established free public schools for the first time in the history of these states and made many other important social reforms. In addition, the politicians in

these governments were probably not any more dishonest than the white politicians in the North, who stole far more public money during this time.

This chapter does not take a position on the issue of Congressional Reconstruction. Instead, it presents several documents and asks readers to decide what carpetbag governments were really like. Were they a ‘blackout of honest government’ as Southerners charged, or were they on the whole “a beneficial and constructive attempt” to deal with the results of slavery and the Civil War, as others have argued?

Document 1. Professional Legislative Robbers

A Northern abolitionist by the name of James Pike visited the South in the 1870s and observed the government of South Carolina in action. After returning, he wrote a book about Congressional Reconstruction in South Carolina called *The Prostrate State*. It made a big impression in the North because people expected the author, an abolitionist, to be favorably impressed by what he saw. As you read excerpts from Pike’s book, try to determine whether he really was an objective observer.



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One view of a Southern legislature under Congressional Reconstruction

One of the first things that strikes a casual observer in this Negro assembly is the endless chatter that goes on there all the time. The leading topics of discussion are all well understood by the members. When the bill comes up to raise money to catch and punish the Ku-Klux, they know exactly what it means. They feel it in their bones. So, too, with educational bills. The free school comes right home to them; then the business about arming and drilling the black militia. They are eager on this point. Sambo can talk on these topics and those of a similar character, day in and day out. There is no end to his gush and babble. The intelligence level of this talk is about as high as the thinking at black holy rollers meeting. This kind of mindless chatter can go on forever. It is so simple that even they can understand it. Here the Negro copies the white like a parrot or a monkey, and he is always ready to try his skill.

Document 2. We Had Reconstructed the State

An African American who sat in the same legislature so roundly criticized by James Pike had quite a different tale to tell. Read his evaluation of the South Carolina legislature under Congressional Reconstruction and decide whether this story is more believable than Pike’s.

We had built school houses, established charitable institutions, built and maintained the penitentiary system, provided for the education of the deaf and dumb, rebuilt the jails and court houses, rebuilt the bridges and re-established the ferries. In short, we had reconstructed the State and placed it upon the road to prosperity and, at the same time, by our acts of financial reform transmitted to the Hampton Government an indebtedness not greater by more than \$2,500,000 than was the...debt of the State in 1868, before the Republican Negroes and their white allies came into power.



The first black representatives and senators in the U.S. Congress. Eventually, 20 blacks served in Congress before the right to vote was denied African Americans in the South.

Document 3. Drinking in the Legislature

After the so-called carpetbaggers, scalawags, and their African American allies were kicked out of office, an investigation took place into their supposed misuse of the state's money. The documentary evidence placed on the public record by the Democrats in South Carolina included the following testimony from Lewis Grant, a black porter. His report was given to members of the government that replaced the one in which African Americans played a major part:

A part of my duty was to attend to the refreshment room [next to] the room occupied by the clerk of the Senate. I generally opened the room at 8 o'clock in the morning and kept it open from 2 to 4 next morning. During that time some one was constantly in the room, eating and drinking or smoking. Senators, members of the House and State officers and Judges and editors of influential newspapers were constant visitors; not an hour in the day, and but few at night, but what some one of them were there drinking and smoking.

The following purchases were reported to stock the refreshment room. Note if you think this was too much for the 200 men in the legislature to eat, drink, and smoke in four days:

Feb. 1: 6 boxes cigars, \$60; cheese, \$1.25 crackers, \$1.25	\$62.50
Feb. 1: 1 dozen ale, \$3.50; 1 dozen porter, \$3.50; 1 jar ginger, \$3	\$10.00
Feb. 1: 1/2-gallon c. whisky, \$1.50; 1 bottle wine, \$2,	\$3.50
Feb. 1: 3 bottles wine, \$6; 1 box cigars, \$9;	\$15.00

Feb. 4: 4 dozen ale, - \$14; 1 gallon whisky, \$3	\$17.50
Feb. 4: 1 gallon c. whisky, \$3	\$3.50
Feb. 5: 1 pineapple cheese, \$2.50; 5 pounds crackers, \$1.25	\$3.75
Feb. 5: 3 boxes cigars, - \$30; (6) 1 gallon whisky, \$7	\$37.00
Feb. 5; 1 pineapple cheese, \$2.50; 6 boxes sardines, \$1.80	\$13.30

Document 4. This Was a Day of a Great Deal of White Corruption

An African American historian, W. E. B. Du Bois, was one of the first writers to point out that corruption was not limited to blacks. Even if there was a great deal of dishonesty among carpetbaggers, Du Bois argued, it must be compared to the behavior of white lawmakers. Read the following and decide whether you agree with Du Bois.



Famous cartoon accusing the Tweed Ring of stealing millions of dollars from New York City

Dishonesty in public life has no monopoly of time or place in America. To take one state: in 1839 it was reported in Mississippi that ninety per cent of the fines collected by sheriffs and clerks were unaccounted for. Congress gave Jefferson College, Natchez, more than 46,000 acres of land; before the war this whole property has "disappeared" and the college was closed.

[T]his was a day of a great deal of white corruption in government. A national secretary of war was caught stealing, a vice-president presumably took bribes, a private secretary of the president, a chief clerk of the Treasury, and eighty-six government officials stole millions in the whiskey frauds.

Student Activities

A. Student Exercises

1. Why did Congress divide Southern states into districts ruled by military officers?
2. Who actually voted and sat in state legislatures during Congressional Reconstruction and why were they able to exercise their political rights?
3. Give at least two different reasons why most white Southerners hated these governments.

B. Graphic Organizer Exercise: Evaluating Testimony About Carpetbag Governments

Sometimes it is difficult to evaluate conflicting testimony. One must try to determine whether sources can be trusted. Historians look to see whether the source has a reason to lie or not tell the “whole truth.” (Does race, religion, or political or personal involvement in the event make the source an unreliable witness? Does the language used show bias?) Historians must look carefully at what is said. (Is the factual evidence sufficient to support the testimony?) Finally, historians must decide whether evidence is relevant to the point of inquiry. (Does the information collected, even if true, make a difference one way or the other?)

Using the techniques just described, analyze the evidence you just read to evaluate the South’s view that the carpetbag governments were a disaster. Is this view true, or would you conclude that the freedmen, carpetbaggers, and scalawags did a relatively good job in governing the South?

Source of Information	Reasons to suspect bias (language used, race, own involvement)	Purpose of what was said (evidence to support purpose)	Relevance of information (if true, is information relevant to issue?)
James Pike			
Black Legislator			
Report on party supplies			
W.E.B. Du Bois (black historian)			
Cartoon 1			
Picture of legislators			
Cartoon 2			

For Further Consideration

Based upon your examination of the documents, state your conclusions about carpetbag rule during Reconstruction. Write one or two strong paragraphs showing how you reached your conclusion and be prepared to present that conclusion in class.

Chapter 5. The End of Reconstruction

Teacher Page

Overview:

This chapter uses the first state to secede as a case study of how Congressional Reconstruction ended. It raises the issue as to what extent and at what price the federal government can protect the rights of a powerless people in the face of a determined and violent opposition. The narrative introduces readers to Martin Gary, co-founder of South Carolina's Democratic Clubs. These clubs were dedicated to use whatever means seemed necessary to prevent freedmen and their Republican allies from voting. Several examples of this campaign's success are cited, and the reading ends with a speech from "Pitchfork Ben" Tillman. In his speech, Tillman defends South Carolinian white supremacists' shooting and killing of freedmen in order to elect Wade Hampton governor. As is shown in the "For Further Consideration" section, the South Carolina election produced two separate governments, and both of them sent electoral votes to Washington, D.C. This resulted in Congress appointing the Electoral College Commission to decide whose votes should be counted in South Carolina, Florida and Louisiana. Their 8–7 decision awarded all disputed ballots to Republican electors. These votes made Rutherford Hayes president by one electoral vote, 185 to 184. The narrative informs readers that Democrats accepted that decision only because they were promised, among other things, that all federal troops that remained in the South would be withdrawn. The graphic organizer asks students to indicate what various participants in this story would say about the continued use of federal troops to assure the right to vote. An optional question directs students to write an essay using facts and ideas from this reading to support or oppose sending more troops to suppress opposition to Congressional Reconstruction.

Objectives:

Students will:

- understand that violence was used to end Congressional Reconstruction in South Carolina
- realize that in the face of continued hostility by white supremacists, freedmen's friends stopped protecting them
- understand that the Compromise of 1877 marked the official end of Congressional Reconstruction and allowed the election of a president with a minority of the popular vote

Strategy:

Before class: Assign the chapter either up to or including the "For Further Consideration" section and inform students they will be expected to write their answers to all the Student Activities questions covering the assigned section(s).

In class: Ask students whether they have ever seen a friend treated badly and decided to do something about it. Encourage them to share that experience with their classmates. Next, ask in what ways these situations were analogous to the question about sending troops to protect beleaguered freedmen. After ascertaining that students know the answers to the two student exercise questions, help them with the graphic organizer. Make sure they understood that they were asked to anticipate what each of the historic personages cited would say on the question of sending federal troops to protect freedmen exercising their right to vote. Toward the end of class, enlist the help of your advanced students to explain the outcome of the presidential election in 1876 and the compromise that allowed a candidate with a minority of the popular vote and a questionable one-vote majority in the Electoral College to become President of the United States. You may wish to make some comparisons to what happened in the 2000 election.

Chapter 5. The End of Reconstruction

I-Chart

	What role did violence play in ending Reconstruction?	How did fraud play a major role in deciding the Election of 1876?	As things turned out, why was/wasn't Lincoln's plan of Reconstruction better than Congress's?
What I already know			
What I learned from Chapter 5, Part I			
What I learned from Chapter 5, Part II			
What I would still like to learn			

Vocabulary for Chapter 5—A Disputed Election and the End of Reconstruction

disgraced

**stuffed ballot
boxes**

Radical

testimony

orgies

pronounced

inaugural

influenced

Vocabulary for Chapter 5—A Disputed Election and the End of Reconstruction

Shamed or dishonored	Refers to a person with extreme ideas	Stated, often in an official manner; also refers to way words are spoken
Multiple and illegal voting	A verbal statement of fact, often but not always given by a witness in court as evidence	The official beginning of something, such as the start of a president's term of office
Wild parties	Having one's opinion or behavior changed	

Chapter 5

A Disputed Election and the End of Reconstruction

Introduction

By 1876, Southern whites who called themselves “Redeemers” and the Democratic Party regained control of the government in all Southern states except South Carolina, Louisiana, and Florida. Their methods of restoring white rule included violence, threats of violence, denying employment, and bribes. Sometimes, federal troops were sent south to shield the freedmen and their supporters from harm. However, as time went on, the country became less and less willing to use federal troops for this purpose.

Eleven years after the Civil War, freedmen and their allies still played a major part in the government of South Carolina. However, opposition to their rule became more pronounced. In 1876, Democrats made a determined effort to stop Republicans from taking part in politics. President Grant and Congress would have to decide whether it wished to continue supporting the freedmen or allow white Southerners to once again rule in the South. This chapter tells that story and asks the reader to decide whether ending Reconstruction was better for the United States than continuing to use federal troops to protect the rights of freedmen and their political allies in the South.

By 1876, the opposition to Congressional Reconstruction in South Carolina was open and bold. Encouraged by the success of whites in other states, Democrats began to organize. Under the leadership of ex- Civil War General, Martin Gary, they formed Democratic Military Clubs. The orders issued by the General left no doubt about his intentions:

That the Democratic Military Clubs are to be armed with rifles and pistols, and such other arms as they may command each Captain is to see that his men are well armed and provided with at least thirty rounds of ammunition...

We must attend every Radical (Republican) meeting that we hear of. Democrats must go in large numbers and well armed...and as soon as their leaders begin to speak tell them then and there that they are liars, thieves and rascals, and are only trying to mislead the ignorant Negroes....

Never threaten a man individually; if he deserves to be threatened...he should die. A dead Radical is very harmless—a threatened Radical...is often very troublesome.

Threats by the Democratic Clubs

The following accounts tell similar stories of what happened to freedmen who attempted to campaign or vote for Daniel Chamberlain, the Republican governor. The first was testimony by an African American professor to a Congressional Committee investigating voting abuses. The second is an artist's drawing of an incident reported by the wife of a murdered Republican supporter. The third is a letter to President Grant written by a freedman.

Testimony Before Congress

I spoke first at this meeting; and I had spoken about five minutes ... when we heard a yelling and a number of mounted men came galloping up. At their head was Mr. Bowen, the State senator from that county.

Q. (Question) Were you speaking at this time?



Klansmen about to shoot into a freedman's home

A. (Answer) Yes sir...I waited till they came up and they drew up in a semi-circle three or four deep right about us solidly, completely hemming in the colored people. There were three or four men with pistols. One fellow directly in front of me had his pistol out...I was interrupted and was called everything. I

was called a "dammed nigger" and was told to "shut up;" that these were "dam radical lies." and that it was "no use to come up there, and talk for Chamberlain and the Republican ticket"...

Letter from a Poor Freedman

Charleston, Nov. 29th, 1876

President Grant:

[T]his letter is from a Poor freedman. I write to Let you 'no about times down this way the rebels are outrageous In our city they Have about 1500 Riffles scattered about in different

Houses & they sit up every nigh to watch them they say the first chance they get they are going to kill the dam Leaders of the republican party & all the dam Yankees & niggers & that is just what they are doing...they are shooting the negroes every night from secret places in the city & most every night some poor collored man Is shoot by some unknown Person. We collored citizens are suffering dreadful from the democrats my God President stand by us & protect us.

The Disputed Election

With 74,199 eligible white voters and 110,744 eligible black voters, the results of the election in 1876 were closer than they had been for many years:

Election Year	Democratic Votes	Republican Votes
1870	51,537	85,071
1872	36,533	69,838
1874	68,818	80,403
1876	91,786	90,097

Republicans and Democrats both claimed victory in 1876. Each declared that the other side had cheated. Both set up an office in the state's capital. Republican governor Daniel H. Chamberlain and Democratic governor Wade Hampton each gave inaugural speeches. Hampton had the support of the Democratic clubs and influential white people. Chamberlain had the support of South Carolina's black people and depended on federal troops to keep him in office. If the president were to withdraw the troops, his government would collapse. Read the advice given to the president in the letter below.

We have tried for eight years to uphold Negro rule in the South officered by carpetbaggers, but without exception it has resulted in failure and almost ruin to our party. Statesmanship consists of making the best use of the means at command and of producing popular contentment.

Senator Tillman Justifies Violence Against Black Americans

Some 30 years after the disputed election of 1876, Senator Ben Tillman of South Carolina stood up on the floor of the U.S. Senate and bragged about the methods used to end Congressional Reconstruction. Read the following excerpt from his speech and determine for yourself what conclusions can be drawn:

It was in 1876, thirty years ago and the people of South Carolina had been living under negro rule for eight years. There was a condition of complete break down of government. The people's money was being stolen, our legislature was made up of a majority of negroes, most of whom could neither read nor write. They were as dirty a band of robbers that ever disgraced state government. There were wild orgies going on in the state house about every night. We set up the Democratic party with one plank only, "that this is white man's country and white men must govern it." Under that banner we went to battle.

It was then that "we shot them." It was then that "we killed them." It was then that "we stuffed ballot boxes."...We saw the evil of giving the vote to creatures of this kind, and saying their vote is worth as much as the vote of a white man....Once we decided to take the state away from them, we stopped at nothing.

I want to say now, that we have not shot any negroes in South Carolina on account of politics since 1876. We have not found it necessary...This action of white men of South Carolina taking the State away from the negroes we see as the second declaration of independence by the white race from ignorant and uncivilized Africans.

Student Activities

A. Student Exercises

1. By 1876, which Southern states remained out of the Union?
2. Explain how the methods used by the Democratic Clubs were successful in accomplishing their purpose.

B. Graphic Organizer Exercise: Determining what people with different positions on issues will say

What reason would each of the following have given to back up their opinion on sending federal troops to South Carolina? Answer by filling in the proper space on the following chart.

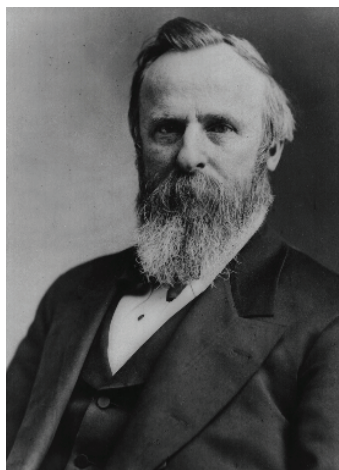
	Would this person be for sending federal troops? If so, what might he/she say?	Would this person be against sending federal troops? If so, what might he/she say?
Abraham Lincoln		
Thaddeus Stevens		
Martin Gary		
The black professor		
The freedman's wife		
The poor freedman		
The Republican advisor		
Ben Tillman		

C. Essay Writing (optional)

Write an essay containing three separate arguments either for or against sending troops to South Carolina in 1876. Support each of your arguments by using facts and ideas from this unit.

For Further Consideration: The Disputed Election of 1876

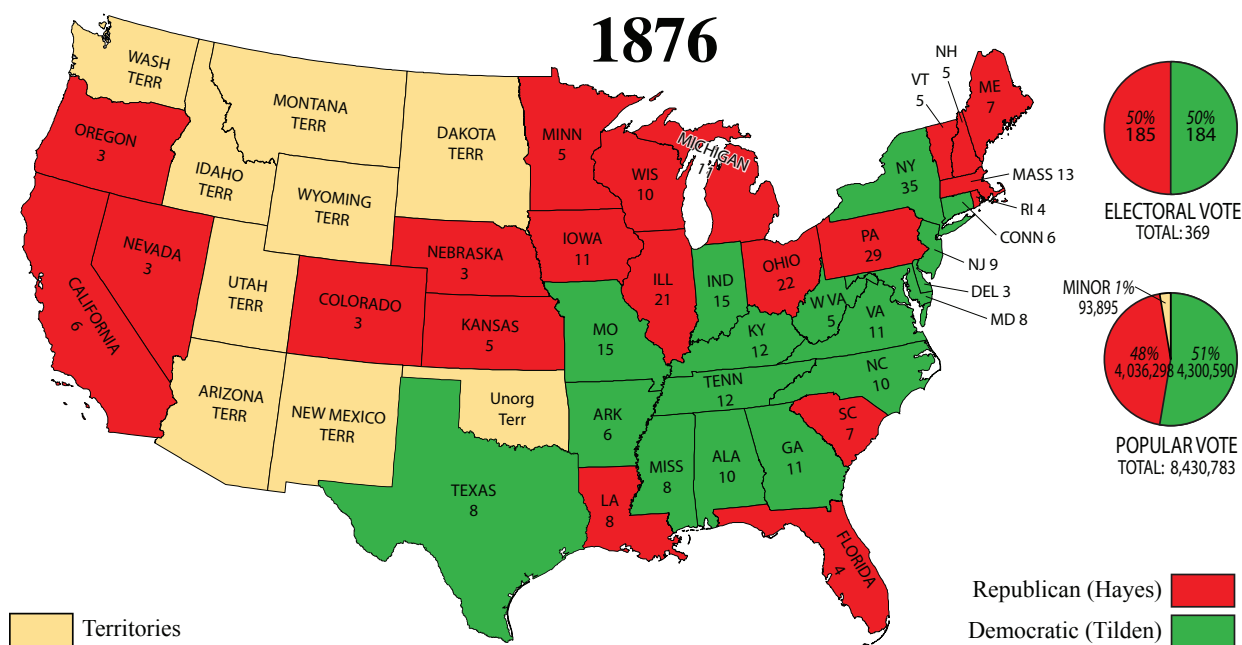
President Grant did send troops to South Carolina and stationed them at county seats to be called in case of violence at polling stations. Because of the relative calm on election day, the troops weren't used. Meanwhile, the votes were cast and counted, but because of fraud and intimidation both sides claimed victory. To prevent the Democrats from installing a government, the sitting governor, who was also the Republican candidate, asked that federal troops be sent to the State House. The quarrel was resolved only after a new president was chosen and federal troops were removed from South Carolina, but that is getting ahead of the story.



Rutherford Hayes

In addition to gubernatorial elections, 1876 was the year of a national election for President of the United States. The two candidates were Samuel Tilden, a Democrat, and Rutherford B. Hayes, a Republican. When the electoral votes were counted, the number of ballots favored the Democrat by a margin of 19 electoral votes, 184 to 165. However, 20 electoral votes, including those from South Carolina, Louisiana, and Florida, were contested because two sets of electoral votes were sent from each of these states. If all 20 were awarded to Hayes, the Republicans would have elected another president. If only one disputed vote were awarded to Tilden, he would become president.

An electoral vote commission was established to decide who was entitled to the disputed votes. The commission consisted of seven Democrats and eight Republicans. The commission voted strictly along party lines, and awarded all 20 of the disputed votes—and thus the election—to Hayes.



Note: Awarding the disputed electoral votes of Louisiana, Florida, and South Carolina to Republican candidate Rutherford Hayes gave him just enough electoral votes to become president even though he had a minority of the popular vote.

The Democrats in the South and in Congress thought the commission had robbed them of an electoral victory that was rightfully theirs. Rather than accept the commission's decision, Democrats threatened to stage a filibuster in the Senate and use force to prevent the inauguration of the fraudulently (they thought) elected president. However, the crisis was resolved by an agreement negotiated behind closed doors that came to be called the Compromise of 1877.

In this Compromise, the Democrats accepted Rutherford Hayes as president. In exchange, Republicans promised to allow the Democrats to control local governments in the South, to withdraw all federal troops, and to provide money for internal improvements. This compromise marked the end of Congressional Reconstruction. The following chapters will describe how the people who once held them as slaves and then denied them their rights during Reconstruction treated African Americans.

Prepare a written statement explaining whether you think the election of Rutherford Hayes and the Compromise of 1877 was a proper outcome. Come to class prepared to present your opinion, listen to the opinions of others, defend your own or change your mind.

Chapter 6. From Slave to Sharecropper

Teacher Page

Overview:

This chapter raises the question of whether providing every freedman's family with land to farm would have been a just and reasonable course of action. While Thaddeus Stevens warned that "unless we give them land, we shall receive the curse of heaven," President Johnson observed there was no reason for a government that had not supported whites to now support blacks. The chapter provides other arguments for and against the revolutionary idea of distributing at least some of the former slaveowners' property to the millions who worked on it for generations without adequate compensation. Following this discussion, the chapter points out that most former slaves had no choice but to become sharecroppers. A full explanation of the meaning of this term is provided with an example from the life of a sharecropper's son, the grandchild of a slave. Students are asked if this 12-year-old's life and opportunities in 1932 were substantially better than the life and opportunities of a typical slave. The Graphic Organizer question asks students to place phrases supporting ideas for and against the redistribution land in their proper column and provides teachers with an opportunity to lead a discussion on the question. The "For Further Consideration" section provides Web addresses of articles that indirectly speak to the question of whether poverty among African Americans in the 21st century is related to the decision not to bequeath property to freedmen in the 19th century.

Objectives:

Students will:

- become acquainted with arguments for and against distributing lands to freedmen
- learn that most former slaves became farmers on land which they did not own
- understand that sharecropping provided few incentives or opportunities for the "croppers" and their families to improve their lives
- explore the intergenerational connection between being left landless after the Civil War and poverty among African Americans today

Strategy:

There are many different ways to explore the controversial issue raised in this chapter. One way of making it real to students is to ask them if inheritances are deserved rewards or unearned bequests. Relate this to the question about who has greater moral claim to ownership—those who bought and managed land, or those who worked on the land for generations without adequate compensation. This question can be raised in another form by reviewing students' answers to the Graphic Organizer question in which they were asked to identify arguments supporting or opposing distribution of land to freedmen. Review what being a sharecropper means and discuss the appalling poverty and limited opportunities of the slave's grandson in the example

from the reading. After that, come back to the question of whether slaves should have been deeded land and ask students to share what they learned by reading the articles recommended in the “For Further Consideration” section.

Chapter 6. From Slave to Sharecropper

I-Chart

	Arguments for and against providing a freedman with land to farm	What the life of a sharecropper was like	If poverty of African Americans today is partly a result of not providing former slaves with farmland
What I already knew			
What I learned from Chapter 6, Part I			
What I learned from Chapter 6, Part II			
What I would still like to learn			

Vocabulary for Chapter 6—From Slave to Sharecropper

generation**deserted****confiscation****uppity****distributing****dedicated****sharecropper****homestead**

Vocabulary for Chapter 6—From Slave to Sharecropper

Refers (roughly) to a period of 20 years, or the people born during that period of time	Describes people who act like they have a higher social position than they actually do; often a negative term applied to slaves or their descendants	
Left without filling one's obligation; often refers to military personnel running away	Handing something out or sharing among people	A person working on someone else's land who must pay the owner a certain percentage of the crop for the privilege
Occurs when someone or something (usually a government) takes something away	Set aside for a particular purpose	Usually, a family farm with a house built on it

Chapter 6

From Slave to Sharecropper

Introduction

The Confiscation Act was passed in 1862. It gave the national government the right and the power to take farms and plantations away from Southerners who fought against their country and give these lands to the slaves who had worked on them. President Lincoln made little use of the Confiscation Act, but during the last few months of the war, General Sherman ordered certain areas of land set aside for use by freed slaves. Plantations 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. On the Sea Islands off the coast of Georgia and South Carolina, deserted plantations were taken by the U.S. government and sold to 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 worked for centuries. At a conference with black leaders, Secretary of War Edwin 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."

This chapter explores the question of whether land that had belonged to slaveowners who fought against their country should have been divided up among their former slaves.

Forty Acres and a Mule

The freedmen'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, Stevens led Congress in demands for black political rights and was 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.

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. However, the Russians had required the serfs' owners to give them farms on the soil that they had plowed and planted for years. Why then couldn't 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 generations.

Johnson believed that people do not appreciate the value of anything that is given to them and that charity discourages them from working for themselves. He thought that the freedmen should earn the money to buy a farm like everybody else in the country. Now that slaves were free, they could get jobs, save their money, and buy property. Former slaves could also take advantage of the Homestead Act, which provided free lands in the West, and start a farm of their own.

To these arguments, Stevens could have responded by asking what value freedom had if people had no way of earning a living. He believed that to deny freedmen the plot of ground they had already worked enough to own ten times over would force them to work for whites and end up no better than slaves. Expecting blacks without money, experience, friends or relatives in the area to start a homestead 1000 miles away from where they had lived all their lives, he argued, was completely unrealistic.

However, Johnson said that "[taking] land from one group and giving it to another is no better than robbery," and he asked, "[w]hat would happen to property rights once this government consents to denying this right to some?"

Thaddeus Stevens made a very specific proposal. He suggested that one Southern family out of 20 (about 70,000 families) surrender 394 million acres of land. This would be more than enough to give every slave family 40 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 more than enough money to give each black family some tools and a mule.

Student Activities

A. Student Exercises

1. Do you agree or disagree with the idea of giving the families of freed slaves enough land to support themselves? Explain.

Read the next pages to find out what happened and then answer questions at the end.

Luther Mills Becomes a Sharecropper

On January 1, 1866, nine months after the Civil War ended, two Mississippians came before an officer of the Union army. One, L.L Thomson, wanted to be sure that the cotton in his field would be harvested. The other, Luther R. Mills, an African American “which [Thomson] lately owned” had to feed and clothe his wife Martha and their three young children. Thomson and Mills had come to write a contract on a form provided by the Freedman’s Bureau. Thomson agreed to provide the Mills family, “free of charge,” with “clothing and food of good quality and sufficient quarters and medical attention when necessary, and kind and humane treatment,” and “a ‘patch’ for garden purposes.” In exchange, Mills agreed to work for Thomson during the following year. Mills signed the contract with an X, since he could neither read nor write.

Why did Luther Mills agree to work for his former master under conditions so similar to his enslavement? The main reason is that he could not find work anywhere else, and he could not buy a farm for himself.

Fifty years later, neither Luther Mills nor his children or grandchildren were able to own their own farms. In fact, 90 percent of all African Americans were either sharecroppers, tenant farmers, or servants.

Sharecroppers

Sharecroppers did not own their own farms; nor did they own houses, mules, or tools. Instead, they rented these from landlords. The landlord allowed “croppers” to farm his land, usually about 10 acres, in exchange for one-third of the crop. For use of a mule, the seeds, and the tools, the cropper often paid another third. Since he owned the land, the landlord could order the planting of a money crop, usually cotton or

tobacco, and could prevent “croppers” from planting vegetables, which they might eat or sell on the sly. Croppers seldom made improvements on the farms that they did not own, and landlords frequently let the farms, which they didn’t live on, fall into disrepair. With from one-third to two-thirds of the crop going to the landlord, there was little incentive to work as hard as the business of farming required.

Under slavery in 1860, almost all African Americans worked either as farm laborers or as house servants. Thirty years later, in 1890, 21% were servants and 56% were farmers. By 1930, only one in ten remaining in the South owned the land on which they worked. Emancipation did mean freedom, but freedom for African Americans often meant continuing to work on land or in houses owned by whites.



An Arkansas sharecropper

Seventy Years Later: The Slave’s Grandson

The real meaning of sharecropping some 70 years after slavery is described in the following passage. Tom, the young man depicted here, was 12 years old in 1932 and would have been 88 in 2008. His son or grandson would probably have left the cotton fields of Alabama and moved to some city in the North:

Tom is a black sharecropper’s child in Alabama. His family (father, mother, and four children) all works for the landowner. They are all in debt to him (they get \$75 worth of supplies for the growing season, but he keeps the books), and they all live in a two-room cabin.

The cabin sits close to the ground, with a single layer of boards for a floor. One window, or window hole, lights each room (no glass, a wooden shutter instead). The roof leaks so badly that when the last baby was born, the mother had to move her bed three times. It has bare walls, without paper or plaster, and you can see daylight between the cracks. There is no stove, only an open fireplace. Outside there is no fence or garden (the landlord says that the cotton must be grown “up to the doorstep”), no well, because “the creek is so near” and an outhouse. Here Tom lives and works. At the age of 12, he has been picking cotton for half of his life.



A sharecropper picking cotton

Tom is awakened or pulled out of bed at 4 o’clock in the summer by his older brother. Work for the family work force is “from can see to can’t see,”—that is from daylight to dark, and the old plantation bell tolls out the hours. The “riding boss,” as the foreman is called, sees that everyone is out on time. Because of the heat, little Jenny, aged 5, is being left at home today to care for the baby.

On cooler days the baby is carried along to the field and laid on a pallet under a tree. (There are plantations where mothers of young infants are given two fifteen-minute nursing periods—once in the morning and again in the afternoon. Then they must take the baby along because there is not enough time to go home).

Tom is a good, steady chopper and can do over half the work that a grown man can. At picking time, he can do two-thirds. Peter, aged nine, does a lot less than that. In fact, when Tom's father asked to stay on at the beginning to the growing season, the landlord told him he didn't see how he could keep him on for another year raising a crop on so many acres and living in such a good house, with his family so "no-account." Tom has been to school for part of three grades. The Negro school in his district "normally" runs four months but in the year 1932–33 it closed altogether. Since then, it has been averaging less than three months. In any case, cotton-picking season in Alabama runs well into November, and after that it is often too cold to go to school without shoes. From January on, Tom and Peter have been taking turns wearing one pair of shoes. Tom's older brother did a little better. He was a "prosperity" child, and during several of the 1925–29 seasons he got the full four-month school terms. By the time he was 13, however, he had stopped going altogether, having finished the fifth grade (20 months of education for a lifetime of work). The riding boss thought him "plenty big for a man's work and likely to get uppity soon if he don't quit school."

At the age of 12, Tom can pick cotton for a 12-hour day with the thermometer close to 100 degrees. Tom is taller now than when he started picking at age 6, and now he has to stoop much of the time or move along on his knees...

What are Tom and all of the hundreds of thousands like him in the South's cotton belt getting for giving up their childhood? Tom is burying his childhood in this cotton patch. His reward is that he can continue to be shoeless, badly fed, and uneducated until he dies.¹

2. What agreement is made between a typical sharecropper and the owner of the land the sharecropper works?

¹ Adopted from, Katherine DuPre Lumpkin, et. al., *Child Workers in America*, (International Publishers, Co.) pp. 406–10.

3. How does this arrangement limit the opportunities and incentives for sharecroppers?
4. Describe the working and living conditions of Tom and his family. What chance, if any, do they have of escaping the poverty in which they live? Explain your answer.

B. Graphic Organizer

Place the arguments listed below and who probably gave them in their proper place in the chart provided or one you draw. Note: one argument has been put in its proper place as an example

Arguments that support giving land to former slaves		Arguments that support not giving land to former slaves	
Argument	Possibly Made by:	Argument	Possibly Made by:
That's what freedmen want most	Stanton		

- This is what freedmen want most
- No one gave land to support white people
- When I freed the serfs, each got their own plot of land
- Let them go out west and take advantage of the Homestead Act
- Southerners already lost their slaves; they should not also lose their land
- They have worked on it without pay for two centuries
- The slaves who were given the Davis's plantations did very well
- Ex-slaves don't have the money or the skills to start their own farm hundreds of miles from their homes
- If you take land from people who rightfully own it, you destroy the incentive to work hard
- Southerners gave up their claims to land when they rebelled against their country
- 40 acres and a mule is worth more than the right to vote
- People work harder if they earn something rather than get something without working for it

D. Extra Credit Essay

Based on what you have just read, should the land and tools needed to start off life as independent farmers been given to the former slaves? Find at least two good reasons for or against giving African Americans free land and support each with facts and arguments.

For Further Consideration

Read one of the following articles about poverty among African Americans today, take good notes, and come to class ready to report what you learned on the issue of whether poverty among African Americans today is probably a result of how they were treated in the past.

- “Wealth, Mobility and Volatility in Black and White,” Dalton Conley, Rebecca Glauber, *Center for American Progress*, July 29, 2008
http://www.americanprogress.org/issues/2008/07/wealth_mobility.html
 Argues that children of wealthy black parents are more likely not to remain wealthy than children of white parents, and that disadvantaged black children are less likely to become wealthy than disadvantaged whites.
- “African American Wealth: Powerful Trends and New Opportunities,” *New York Life*
<http://www.newyorklife.com/cda/0,3254,13767,00.html>
 Argues that black Americans have many assets and should invest them in life insurance and home ownership.
- “The Racial Wealth Gap,” Thomas M. Shapiro and Jessica L. Kenty-Drane
<http://books.google.com/books?id=itUWFxWk4OYC&pg=PA175&lpg=PA175&dq=Wealth+of>
 Argues that a large gap exists in income between black and white Americans, but there is a far larger gap in wealth.
- “Blacks Sink Deeper in the Hole,” *The Black Commentator* (an Internet magazine), October 21, 2004
http://www.blackcommentator.com/110/110_cover_white_wealth.html
 Blames poverty of African Americans on the “crimes of a nation” rather than on the failings of blacks.

Chapter 7. Equality Postponed

Teacher Page

Overview:

This chapter is about the infamous Supreme Court decision that articulated the doctrine of “separate but equal” and became the means by which segregationists circumvented the 14th Amendment. It familiarizes students with the pertinent phrase of the amendment, describes Homer Plessy’s arrest for violating Louisiana’s railroad segregation laws, and summarizes his battles with the Louisiana courts. The largest segment of the chapter is devoted to the majority and minority opinions of the United States Supreme Court on this case. The excerpts cover the issues of whether separating the races actually discriminated against African Americans and what precedent the answer to this question would set. The Graphic Organizer question provides phrases from both the majority and the minority opinions. It requires that students attribute each of these phrases to one side of the debate or the other and then explain what strikes them about two or three of the statements they classified. After completing this activity, students are presented with a collection of the most extreme Jim Crow laws, are asked to identify the most ridiculous, and are directed to write a statement about what can happen once racial separation is sanctioned by law. The “For Further Consideration” section provides advanced students with the opportunity to read key excerpts from the *Brown* decision, which overturned *Plessy* in the field of public education.

Objectives:

Students will:

- understand the meaning of the 14th Amendment provision that American citizens are entitled to “equal protection of the law”
- discuss whether government-sanctioned racial separation is inherently discriminatory
- comprehend the extremes to which segregation has been permitted
- know that the 1954 *Brown v. Board of Education* decision overturned the 1896 *Plessy v. Ferguson* decision in the field of public education

Strategy:

Before class: Assign the chapter either up to or including the “For Further Consideration” section and inform students they will be expected to write their answers to all the Student Activities questions covering the assigned section(s).

In class: Ask students if it is possible to have totally equal but separate accommodations for one race, nationality, or religious group without in fact discriminating against that group. After a few minutes of discussion, have students share what they know about the 14th Amendment and the reasons for “separate but

equal” laws. Proceed by reviewing the facts of Homer Plessy’s case, and then have students review the two major questions raised by the opinions they read. Ask them to summarize the two judicial opinions and explain why one seems more reasonable than the other. Help students break down the reasoning in the *Plessy* decision by responding to the statements they were asked to classify as belonging to one side in the dispute or the other. Review some of the Jim Crow laws authorized by the *Plessy* decision and discuss the appalling extent of legalized segregation. Finally, have your advanced students share what they learned about how the *Brown* decision signaled the demise of the “separate but equal” doctrine.

Chapter 7. Equality Postponed

I-Chart

	The meaning of the 14th Amendment	The arguments on both sides of the Plessy case	The results of the Plessy case and its reversal
What I already know			
What I learned from Chapter 7, Part I			
What I learned from Chapter 7, Part II			
What I would still like to learn			

Vocabulary for Chapter 7—Equality Postponed

jurisdiction**facilities****eradicate****interpreting****fallacy****accentuation****accommodations****assumption****conveyance**

Vocabulary for Chapter 7—Equality Postponed

<p>The areas in which a country or state can make the rules</p>	<p>Explaining the meaning or importance of something</p>	<p>Usually refers to a place where a person can stay</p>
<p>Place that provides some kind of a service, like a bathroom</p>	<p>Something believed to be true but is not</p>	<p>Something believed to be true without proof</p>
<p>To eliminate or get rid of forever</p>	<p>To make something more noticeable or more likely to happen</p>	<p>Something, like a train, that takes people or things from one place to another</p>

Vocabulary for Chapter 7—Equality Postponed

infringing

regulate

annoyance

Vocabulary for Chapter 7—Equality Postponed

To be limiting or preventing
someone from getting something
that they have a right to

Usually, to make rules
governing something

Something that causes
a mild form of anger

Chapter 7

Equality Postponed

The 14th Amendment was one of the most important amendments to the U.S. Constitution. Congress made passing the amendment a condition for southern states to reenter the Union. The amendment stated that all people, either born in the U.S. or foreigners who were naturalized, were citizens of the U.S. and of the state in which they lived. It went on to say, among other things¹, that neither a state nor the national government could pass a law that would:

...deny to any person within its jurisdiction the equal protection of the laws.



A black man being removed from a train in Philadelphia

It is clear that Congress' purpose in passing the 14th Amendment was to protect African Americans from discrimination based on race. It was preceded by the 13th Amendment, which abolished slavery, and was followed by the 15th Amendment, which guaranteed the right to vote to all adult males. Like many clauses in the Constitution, the full meaning of the 14th Amendment is difficult to define. Interpreting the precise meaning of this amendment has been and is still, the job of the Supreme Court of the United States.

The purpose of this chapter is to take a careful look at one of the most important 14th Amendment cases to come before the Supreme Court and to learn how this decision affected the lives of African Americans.

Plessy v. Ferguson

On June 7, 1892, an African American by the name of Homer Plessy bought a first class ticket from New Orleans to Covington, Louisiana. He entered the train, found an empty seat, and sat down. In keeping with the Louisiana law providing for "equal but separate" accommodations, the section where Plessy sat was reserved for whites only. Noticing that Plessy wasn't white, the conductor told him to move to a "colored" car or get off the train. Plessy refused. The conductor called the police and Plessy was forced off the train. Next, Plessy did what fewer than one out of a million victims of discrimination would have done. He found a lawyer to argue his case and sued for

¹ The full wording of Section 1 of the Amendment was: All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

what he believed was his 14th Amendment right to equal protection of the law. Plessy lost the case because the court ruled that he had broken the Louisiana railroad law. However, Plessy appealed his case to the Louisiana Supreme Court, claiming that the law he was accused of breaking violated his 14th Amendment rights. Upon losing in Louisiana, Plessy appealed his case to the Supreme Court of the United States.² The case was argued on April 13, 1896.

The Issues

The Plessy case was one of the most important ever decided by the Supreme Court. It set a precedent (an example to be followed) that for over 60 years was used as legal cover for racial discrimination. It provided the South with an answer to the question “Does the doctrine of ‘separate but equal’ facilities for each race discriminate against either?” and to others like the ones below:

- Did the Louisiana law discriminate against blacks or was that only the way black people chose to look at it?
- Could a verdict against Plessy set an unreasonable precedent or provide for separation only for good and reasonable cause?

Plessy: The Louisiana Law Discriminated	Louisiana: The Law Did Not Discriminate
<p>Everyone knows that the law in question had its origin in the purpose not to exclude white persons from railroad cars occupied by blacks, but to exclude colored people from coaches occupied by whites. The thing to accomplish was to force the latter [black people] to keep to themselves while traveling in railroad passenger coaches. The fundamental object...to the law is that it interferes with the personal freedom of citizens. If a white man and a black man choose to occupy the same public conveyance on a public highway, it is their right. No government, proceeding alone on grounds of race, can prevent it without infringing on the personal liberty of each.</p>	<p>We consider the underlying fallacy in Plessy’s argument to consist in the assumption that forced separation of the races stamps the colored with a badge of inferiority. If this be so, it is solely because the colored race chooses to put that interpretation upon it. Legislation is powerless to eradicate racial instincts or to abolish distinctions based on social differences and the attempts to do so can only result in accentuation of the difficulties of the present situation. If one race be inferior to the other socially, the Constitution of the United States can not put them on the same level.</p>

² Although Plessy’s complaint was with the state of Louisiana, his lawsuit cited Justice John Ferguson, who had ruled against him in the Louisiana courts.

Plessy: An Unfavorable Verdict Would Create an Unreasonable Precedent

If a State can prescribe, as a rule of civil conduct, that whites and blacks shall not travel as passengers in the same railroad coach, why may it not so regulate the use of the streets of its towns to compel white citizens to keep on one side of the street and black citizens to keep on the other? Why may it not, upon like grounds, punish those who ride together in streetcars? Why may it not require sheriffs to assign whites to one side of a courtroom and blacks to another? Why may not the State require the separation in railroad coaches of native and naturalized citizens of the United States, or of Protestants and Catholics?³

Segregation Would Only Result for Good and Reasonable Causes

It is suggested by the learned counsel for the plaintive [Plessy's lawyer] that the same argument that will justify the state legislature in requiring railroads to provide separate accommodations for the two races will also authorize them to require separate cars for people whose hair is of a certain color, or who are aliens...or to enact laws requiring colored people to walk on one side of the street and white people upon the other...The reply to all this is that every exercise of the police power must be passed in good faith, for the promotion of the public good, and not the annoyance or oppression of a particular class.

³ In case the reader had any doubt, the decision in the Plessy case was 8-1, favoring the arguments on the right hand part of this page. The opinion allowing for racial segregation for well over 60 years was written by Justice Henry Billings Brown of Michigan.

Student Activities

A. Student Exercises

1. Give a detailed description of Plessy's arrest and the charges against him.
2. Why do you think the Louisiana Railroad law used the phrase "separate but equal"?
3. Do you think it is possible to pass laws requiring separate but equal facilities for one race without discriminating against that race? Why or why not?

B. Graphic Organizer Exercise

Place arguments listed below underneath the heading of the case they support

Argument Favoring Plessy	Argument Favoring Louisiana

- If you find the railroad law constitutional, you will allow racial discrimination everywhere.
- There has always been racial discrimination and the law can't stop it.
- No black person should have the right to sit next to a white person who doesn't want them to.
- If a black and a white person want to sit next to one another, no law should prevent that from happening.
- The law can't make a socially inferior race equal to the superior race.
- Segregation will occur only to help the public and not to annoy blacks.
- This law was passed for the purpose of separating blacks from whites.

C. *Plessy v. Ferguson* Arguments

Explain which of the above arguments are the most convincing and why you think so.

D. Extra Reading: Jim Crow Laws

Read the following and then answer the question at the end.

The prediction of the possible extremes of segregation was correct. No longer restrained by outraged northern citizens concerned with the plight of African Americans, Southern state legislatures passed thousands of what became known as “Jim Crow” laws. They made rules covering even the smallest details of relations between black and white people. The historian C. Vann Woodward in his book, *The Strange Career of Jim Crow*, collected some of the more extreme examples.



A black child at a segregated drinking fountain, 1938

- The South Carolina Code of 1915, with later additions, prohibited textile factories from permitting workers of different races to work together in the same room, use the same entrances, pay windows, exits, doorways, and stairways at the same time, or use the same toilets, drinking water buckets, pails, cups or glasses at any time.
- In 1909 Mobile, (Alabama) passed a curfew law applying only to Negroes and requiring them to be off the streets by 10 P.M.
- The Oklahoma legislature in 1915 required telephone companies to maintain separate booths for “white and colored patrons.”
- North Carolina and Florida required that textbooks used by the public school children of one race be kept separate from those used by the other. The Florida law specified separation even while the books were in storage.
- A New Orleans [law] segregated white and Negro prostitutes in separate districts.
- A Birmingham [law] got down to particulars in 1930 by making it “unlawful for a Negro and a white person to play together or in company with each other” at dominoes or checkers.⁴

Write down three of the most extreme Jim Crow laws, and then in a sentence or two explain what happens when separation by race is allowed.

⁴ Quoted in C. Vann Woodward *The Strange Career of Jim Crow*, (New York, 1966), pp. 101–102, 117–118.

For Further Consideration

Segregation, as applied to every aspect of Southern life, was still legal in the 1950s. The most determined assault on these practices was made in the field of public education. In the 1950s, the Supreme Court considered a case known as *Brown et. al. vs. Board of Education of Topeka, Kansas*. This case involved five different groups of black parents suing their school systems for illegally excluding their children from schools attended by white students. The decision was announced by the Supreme Court on May 17, 1954 and overturned the doctrine of separate but equal as applied in public education:

These cases come to us from the States of Kansas, South Carolina, Virginia, and Delaware. They are premised on different facts and different local conditions, but a common legal question justifies their consideration together in this consolidated opinion.

In each of the cases, minors of the Negro race, through their legal representatives, seek the aid of the courts in obtaining admission to the public schools of their community on a nonsegregated basis. In each instance, they had been denied admission to schools attended by white children under laws requiring or permitting segregation according to race. This segregation was alleged to deprive the plaintiffs of the equal protection of the laws under the Fourteenth Amendment...The plaintiffs contend that segregated public schools are not "equal" and cannot be made "equal," and that hence they are deprived of the equal protection of the laws...

Reargument was largely devoted to the circumstances surrounding the adoption of the Fourteenth Amendment in 1868...This discussion and our own investigation convince us that, although these sources cast some light, it is not enough to resolve the problem with which we are faced. At best, they are inconclusive. The most avid proponents of the post-War Amendments undoubtedly intended them to remove all legal distinctions among "all persons born or naturalized in the United States." Their opponents, just as certainly, were antagonistic to both the letter and the spirit of the Amendments and wished them to have the most limited effect. What others in Congress and the state legislatures had in mind cannot be determined with any degree of certainty.

In the first cases in this Court construing the Fourteenth Amendment, decided shortly after its adoption, the Court interpreted it as proscribing all state-imposed discriminations against the Negro race. The doctrine of "separate but equal" did not make its appearance in this Court until 1896 in the case of *Plessy v. Ferguson*, supra, involving not education but transportation. Our decision, therefore, cannot turn on merely a comparison of these tangible factors in the Negro and white schools involved in each of the cases. We must look instead to the effect of segregation itself on public education.

We come then to the question presented: Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other "tangible" factors may be equal,

deprive the children of the minority group of equal educational opportunities? We believe that it does...To separate them from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone...

“Segregation of white and colored children in public schools has a detrimental effect upon the colored children. The impact is greater when it has the sanction of the law; for the policy of separating the races is usually interpreted as denoting the inferiority of the negro group. A sense of inferiority affects the motivation of a child to learn. Segregation with the sanction of law, therefore, has a tendency to [retard] the educational and mental development of negro children and to deprive them of some of the benefits they would receive in a racial[ly] integrated school system.”

We conclude that in the field of public education the doctrine of “separate but equal” has no place. Separate educational facilities are inherently unequal. Therefore, we hold that the plaintiffs and others similarly situated for whom the actions have been brought are, by reason of the segregation complained of, deprived of the equal protection of the laws guaranteed by the Fourteenth Amendment.

Come to class with written notes on this important decision and be prepared to explain how it not only repudiated the *Plessy* decision, but also the logic behind it.

Chapter 8. Two Paths to Equality

Teacher Page

Overview:

The last three chapters traced the collapse of the dream that freedmen would somehow obtain the rights and opportunities available to white citizens. After being deprived of the vote, forced to become sharecroppers, and limited by Jim Crow laws, African Americans could rely on few people for help, except those of their own race. This chapter begins by mentioning these facts of life, and pointing out that two champions arose to provide a philosophy that would enable black people to overcome the aforementioned difficulties. Booker T. Washington and W.E.B. Du Bois are introduced as pathfinders who aimed to lead African Americans out of the degrading conditions that had been their lot in life. Excerpts from Washington's Atlanta Compromise speech and from Du Bois's *The Souls of Black Folk* provide students with the opportunity to acquaint themselves with the philosophies of both leaders in their own words. Afterwards, students are asked to respond to the ideas of both men and to discuss which of them gave the best advice.

Objectives:

Students will:

- be aware of the hopeless situation faced by African Americans after the failure of Reconstruction policies to deliver on their promises
- realize that Booker T. Washington and W.E.B. Du Bois offered African Americans thoughtful but conflicting advice on obtaining equal rights and opportunities
- analyze and discuss the ideas of both of these men

Strategies:

Before class: Assign the chapter either up to or including the "For Further Consideration" section and inform students they will be expected to write their answers to all the Student Activities questions covering the assigned section(s).

In class: Start by asking your students whether they are more likely to earn respect by standing up for themselves or by proving themselves worthy. Next, ask them whose point of view is closer to their own: Washington's or Du Bois's. Allow this discussion to continue for some time before reviewing their answers to the student exercises and the Graphic Organizer. You should also find the time to have students who wrote the extra credit essay share their ideas with their classmates. Before class ends, make sure students understand that both men made great contributions to others of their race as well as to the country.

Chapter 8. Two Paths to Equality

I-Chart

	Who was Booker T. Washington and what advice did he give African Americans?	Who was W.E.B. Du Bois and what advice did he give African Americans?	Whose advice, Washington's or Du Bois's, do you think was most useful?
What I already know			
What I learned from Chapter I, Part I			
What I would still like to learn			

Vocabulary for Chapter 8—Two Paths Towards Equality

disadvantages

appreciated

agitation

perpetrators

glitter

ostracized

meager

grievances

appease

Vocabulary for Chapter 8—Two Paths Towards Equality

Stirring up or causing trouble, or simply shaking	Recognized for accomplishments or for being oneself	Limitations that create difficulties
To be banished or expelled from a group	Something (like fool's gold) that shines but does not have real value	People who do something bad or help something bad to continue
To give in to someone's demands, often out of fear	Reasons for complaining	Bare minimum, less than enough

Vocabulary for Chapter 8—Two Paths Towards Equality

contradictions

Vocabulary for Chapter 8—Two Paths Towards Equality

Things that disagree or seem to
go against an assertion

Chapter 8

Two Paths Towards Equality

Introduction

African Americans started the 20th century under terrible disadvantages. Many were trapped as sharecroppers on small Southern farms. All were hurt by laws that denied them the most basic freedoms, and few were even allowed to vote against the men who deprived them of their rights. Solving these problems required a plan that would allow black Americans to survive and change the conditions of their lives.

The death of Frederick Douglass in 1895 left African Americans without a leader and a spokesman. However, a new champion arose to fill this gap and speak for African Americans in the post-Reconstruction Era. His name was Booker T. Washington. Another champion became well known in the early years of the 20th century. His name was W.E.B. Du Bois. Both men advocated different paths to equality, and you will be asked which made more sense in the early 20th century and which makes the most sense in the 21st century.

Booker T. Washington

Born a slave in Virginia shortly before the Civil War, Washington's early life had been a constant struggle to survive and to obtain a meager education. His success came through hard work, cheerfully performing the most menial jobs, and ingratiating himself to all whites who could help him. His great opportunity in life came in 1881 when he was chosen to take charge of a struggling school in Tuskegee, Alabama. Upon arriving in Tuskegee, Washington learned that the Alabama legislature had provided a small amount of money for teachers' salaries, but nothing for buildings. When Washington took over, the only structures at Tuskegee were a church with a leaking roof and a small cabin next door. Through hard work and with the help of generous white donors and highly motivated students, Booker T. Washington built Tuskegee into a beautiful and prosperous campus. Its students constructed all of its buildings. They used the carpentry, brick making, and masonry skills they had learned at Tuskegee. The work done at the school was so good that whites came from miles around to buy bricks, cabinets, and other items made at Tuskegee. Washington's work and philosophy was so appreciated by whites that they donated millions of dollars to Tuskegee and welcomed Washington as a spokesperson for African Americans. He was even invited to the White House by President Theodore Roosevelt, and he died in 1915 a much-honored man.



Washington did so well that he thought he had found the secret of success for his entire race. Asking or demanding rights, Washington thought, was a mistake blacks made during Reconstruction. The secret to success, he insisted, was to “build from the bottom up” by first learning a trade and becoming so good at it that you would earn white people’s respect. Washington’s philosophy could be summed up in the following statement:

The opportunity to earn a dollar in a factory just now is worth much more than the opportunity to spend a dollar in an opera house.

W.E.B. Du Bois



Not all African Americans agreed with Booker T. Washington. Many faulted him for failing to demand the political rights needed to protect the material goods black people had earned. The outstanding spokesman for the opposing school of thought was W.E.B. Du Bois. He was born and raised in western Massachusetts. Unlike Washington’s, Du Bois’s family was not poor. He made excellent grades in the white school he attended, and after going to an African American college in the South, Du Bois attended Harvard University and graduated in 1895. Unlike

Washington, Du Bois did not bow to white people, but chose to speak his mind. He devoted his life to teaching, writing, editing, and organizing. He taught at several different black colleges, wrote many works of history, published studies on how African Americans lived, and helped organize the National Association for the Advancement of Colored People (NAACP). It became the nation’s first and most successful organization devoted to securing the rights of African Americans. During the many years he edited the NAACP Journal, Du Bois helped make whites aware of the plight of their black countrymen. Yet, after some 60 years of struggling for equality, Du Bois gave up on his country and moved to Africa. He died there in 1963, just one year before Congress passed laws designed to end the injustices that Du Bois had spent his life opposing.

Du Bois’s efforts were directed at ending the hateful Jim Crow laws that denied equal rights to his race. In opposition to Booker T. Washington, Du Bois’s philosophy could be summarized as follows:

The freedom to earn a dollar in a factory is almost meaningless without the opportunity to spend it, keep it, or save it, the way you want to.

Booker T. Washington and the Atlanta Compromise

In 1895, Washington was called upon to speak at a fair in Atlanta, Georgia. This was going to be a very important occasion because it marked the first time in the South that a black man was asked to speak before a white audience. As he prepared to make his speech, Washington kept “uppermost in his mind” the desire to say something that would bring about “friendship of the races.” His speech was well received by his white audience and became known as the “Atlanta Compromise.” Parts of it are reproduced here. Mr. Du Bois’s reply to the Atlanta Compromise speech came in many forms. Excerpted below you may read part of his response that was published in his book, *The Souls of Black Folk*.

Washington: The Atlanta Compromise

Our greatest danger as we pass from slavery to freedom is that we may forget that most black people will have to live by the work they must do with their hands, not their heads. We shall be prosperous only to the extent that we are willing to work with our hands. We must concentrate on the important things of life, and not on the glamour & glitter. It is more important that we learn how to plow a field, than that we learn how to write a poem. It is at the bottom of life where we must begin, not at the top. Nor shall we permit our grievances to overshadow our opportunities.

We, the black people, have proved our loyalty to the South in the past. We have nursed your children, watched by the sick beds of your mothers and fathers...In the future, we can stand by you in our own way, as no foreigner could, and stand ready to lay our lives down, if need be, in defense of yours. Our industrial, our commercial, our political, and our religious lives can be intertwined with yours, in a way that makes certain what is good for one race will also be good for the other.

In all things that are purely social, we can be as separate as the fingers, and yet be one as

DuBois: No Compromise

Mr. Washington...asks black people to work only to increase their wealth, learn a trade, and appease the South. He has argued for these things for over fifteen years. The question now comes, is it possible that nine million men can make progress on economic lines if they are denied political rights, are treated like second class citizens, and are only given the slightest chance of developing their exceptional men. If history and reason have anything to say about it, the answer is No, Mr. Washington, here-to fore, faces 3 major contradictions:

He is trying to make Negro craftsmen, businessmen and property owners, but it is utterly impossible for workingmen and property owners to defend their rights and exist without the right to vote.

He insists on thrift and self-respect, but at the same time advises black people to silently submit to whites in such a way that it is bound to make any race lose its self-respect.

He argues for elementary school and manual training, talks against colleges and universities but he could not run Tuskegee or his elementary schools without teachers trained in Negro Colleges.

the hand, in all things essential to the progress of both races.

The wisest among my race understand that the agitation of questions of social equality is the extremist folly, and that progress in the enjoyment of all the privileges that will come to us must be the result of severe and constant struggle rather than of artificial forcing. No race that has anything to contribute to the markets of the world is long in any degree ostracized. It is important and right that all privileges of the law be ours, but it is vastly more important that we be prepared to the exercises of these privileges. The opportunity to earn a dollar in a factory just now is worth much more than the opportunity to spend a dollar in an opera-house.¹

[T]he distinct impression left by [Mr. Washington] is that the South is justified in its present attitude toward the Negro because of the Negro's low position in society. ...

[Washington's] ideas tend to make whites in both the North and the South, blame the Negro himself for his problems. In fact, the blame lies with the whole nation, and the hands of none are clean unless we make great efforts to right these great wrongs.

So far as Mr. Washington apologizes for injustice...does not properly emphasize the privilege of voting, does not recognize the terrible burden of racial discrimination, and opposes higher education for the brightest, black people, we must firmly and without ceasing, oppose him. By every civilized and peaceful method we must work for the rights which are our due.²

1 Freely adopted from Richard Wade, *Negroes in American Life*, (Boston: Houghton Mifflin Co., 1970), pp. 107-11.

2 Freely adopted from Richard Wade, op. cit., pp. 131-33.

Student Activities

A. Student Exercises

1. Compare the lives and struggles of Washington and Du Bois. In what ways were the two men similar? In what ways were they different?
2. How was Washington's philosophy reflected in his life's work?
3. How was Du Bois's philosophy reflected in his life's work?
4. Say what each believed on three of the following:
 - a. On the importance of earning a dollar
 - b. On earning respect or demanding respect
 - c. On who was to blame for African Americans' problems
 - d. On working from the bottom up or educating the exceptional men of their race

B. Graphic Organizer

Place the phrases below under their appropriate place on the following chart.

Ideas that reflect Washington's Philosophy	Ideas that reflect Du Bois's Philosophy

- Always show your elders that you respect them
- Sometimes you should do what you think is right and not what authorities want you to do
- It is more important that white people like me than to be allowed to sit next to them on a bus
- The trouble with Reconstruction was that freedmen were given the vote before they were ready for it
- African Americans won't get their rights until they show others they won't accept being second-class citizens
- African Americans won't get their rights until they can show they deserve them
- Don't push too hard for your rights
- The trouble with Reconstruction was white racism
- Don't let people disrespect you
- Never question anyone in a higher position than yours
- Get as good an education as you can get
- I'd rather have a job than the right to vote

For Further Consideration: Washington or Du Bois

In general, with whom do you agree, Washington or Du Bois?

Write a strong paragraph supporting your opinion and come to class prepared to present your ideas, listen to the opinions of others, and to defend or change yours.