

Presidential, Radical and Congressional Reconstruction after the U.S. Civil War

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With the passage of the 15th Amendment, droves of Black men went to the polls to exercise their newly recognized right to vote. In this Harper's Weekly print, Black men of various occupations wait patiently for their turn as the first voter submits his ballot. Unlike other contemporary images that depicted African Americans as ignorant, unkempt and lazy, this print shows these Black men as active citizens. Alfred R. Waud, "The First Vote," November 1867. Library of Congress.

Reconstruction refers to the period following the Civil War of rebuilding the United States. It was a time of great pain and endless questions. What did the Confederacy need to do to be allowed back into the Union? Who would set the rules, Congress or the president? What would happen to freed Blacks in the South? What was to be done with the Confederate leaders, who were seen as traitors by many in the North?

Although the war had ended, Reconstruction was still a battle. This important struggle was waged by Northerners who wanted to punish the South and Southerners who desperately wanted to preserve their way of life.

Slavery died with the end of the Civil War. Three constitutional amendments gave Black Americans more rights. The 13th Amendment formally abolished slavery in all states and territories. The 14th Amendment prohibited states from depriving any male citizen of equal

protection under the law, regardless of race. The 15th Amendment granted the right to vote to Black males. Southern states had to accept these laws to be readmitted into the Union. Enforcing these laws proved extremely difficult.

The period of Presidential Reconstruction lasted from 1865 to 1867. Andrew Johnson, the president after Lincoln, proposed a relaxed policy toward the South. Johnson felt that each state could best decide how they wanted Black people to be treated. Many in the North were infuriated that the South would be putting their former Confederate leaders back into power, and they were alarmed that the South was adopting laws that were unfair to Black people. Recently freed Blacks found the postwar South very similar to the prewar South.

Presidential Reconstruction

In 1864, Republican Abraham Lincoln chose Andrew Johnson, a Democratic senator from Tennessee, as his vice presidential candidate. Lincoln was looking for Southern support. He hoped that by selecting Johnson he would appeal to Southerners who never wanted to leave the Union.

The views of the vice president rarely matter too much, unless something happens to the president. Following Lincoln's assassination, Johnson's views now mattered a great deal.

Johnson believed the Southern states should decide what was best for them. He also felt that Black Americans were unable to manage their own lives. He certainly did not think that Black Americans deserved to vote. In 1866, he told a group of Black people visiting the White House that they should move to another country.

He returned all property (except formerly enslaved people) to former Confederates who pledged loyalty to the Union and agreed to support the 13th Amendment. Many former Confederate leaders were soon returned to power.

Johnson was very forgiving of Southern white leaders. Very few Confederate leaders got in trouble. Brutal beatings of Black people were frequent. Whites controlled recently freed Black people with harsh laws that came to be known as the Black Codes. Some states required written evidence of employment for the coming year or else recently freed Black people would be required to work on plantations.

In South Carolina, Black people had to pay a special tax if they were not farmers or servants. They were not even allowed to hunt or fish in some areas. Blacks were unable to own guns — and even had their dogs taxed. Black people were barred from orphanages, parks, schools and other public places. The Freedmen's Bureau, a federal agency created to help people shift from slavery to freedom, faced opposition. All of these rules resulted in the majority of people recently freed from slavery remaining dependent on the plantation for work.

Andrew Johnson's policies were initially supported by most Northerners, but there was no agreement as to what rights Black people received along with freedom. Yet a group of Radical Republicans wanted the rights promised in the Declaration of Independence extended to those who were formerly enslaved.

Radical Reconstruction

The Radical Republicans believed Black people were entitled to the same political rights and opportunities as whites and that the Confederate leaders should be punished for their roles in the Civil War. A great political battle was about to unfold.

The Radicals felt laws designed to protect the emancipated Blacks were necessary. At the heart of their beliefs was the notion that Black people must be given the freedom to get good jobs. In 1866, Congress also introduced a bill to extend the life of the Freedmen's Bureau and began work on a civil rights bill.

President Johnson stood in opposition. He vetoed the Freedmen's Bureau bill, claiming that it would make government too big, and the civil rights bill, rejecting the idea that Black people have the "same rights of property and person" as whites.

Moderate Republicans were appalled at Johnson's racism, so they joined with the Radicals to overturn Johnson's Civil Rights Act veto. This marked the first time in history that a presidential veto of a major law was overturned.

In 1867, Congress approved the far-reaching 14th Amendment, which prohibited states from limiting anyone's freedom. The second part of the amendment would reduce a state's number of representatives if voting rights were denied. Republicans offered the South a choice: Let Black people vote or lose congressional representation. A third clause barred ex-Confederates from holding state or national office.

Encouraged by the work of the 14th Amendment and by local political victories in the 1866 elections, the Republicans went on to introduce the Reconstruction Act of 1867. This meant "leading rebels" could no longer vote or run in elections to be political leaders. Now the Southern Unionists — Southerners who supported the Union during the war — became the new Southern leadership.

The first two years of Radical Reconstruction, also called Congressional Reconstruction, saw Southern states rewrite their constitutions and the placing of the 14th Amendment into law. Congress seemed fully in control, but one thing stood in the way: President Johnson. Radical leaders employed a rare constitutional remedy to clear the obstacle: presidential impeachment. In the spring of 1868, Andrew Johnson became the first president to be impeached. However, he was not removed from office. Johnson didn't run for a second term as president.

Radical Reconstruction lasted until 1877.