

RECONSTRUCTION AND POST-CIVIL WAR RECONCILIATION

Major John J. McDermott, U.S. Army

Major John J. McDermott is currently assigned to U.S. forces in Korea. He holds a B.S. from the United States Military Academy, West Point, and an MMAS from the School for Advanced Military Studies at Fort Leavenworth, Kansas.

CARTOON: A print from 1865 shows Vice President Andrew Johnson sitting atop a globe, attempting to stitch together the map of the United States with needle and thread. Abraham Lincoln stands, right, using a split rail to position the globe. Johnson warns, "Take it quietly, Uncle Abe, and I will draw it closer than ever," while Lincoln advises him, "A few more stitches Andy and the good old Union will be mended." (Joseph E. Baker, Library of Congress)

WHEN WAR IS INTERNECINE, passions run especially high. Sometimes such a war leads to mutual exhaustion or even the virtual extermination of one side. Afterwards, agreements between rival parties at such a war's end are difficult at best. Rarely in history have these sorts of conflicts led to a return to the antebellum status quo.

History teaches us that the war's winners often change the post-war government and its laws in an effort to heal their nation in the aftermath of internecine conflict, but it usually takes generations to obtain the desired outcome. Historically, success in healing a society has required some form of amnesty, reintegration, and reconciliation (hereafter referred to as "AR2"): the dynamic political process that can bring about change when the military phases of civil wars end.

Creating a viable plan for AR2 has proven instrumental to achieving enduring stability in the aftermath of internecine struggles. Each situation has unique elements decisive to the success or failure of reconciliation. The societal dimensions that AR2 most affects are the military, economic, and political realms. The example of the United States during its post-Civil War Reconstruction Era demonstrates how difficult it can be to plan and execute AR2 at the national level and achieve the envisioned outcome of a peaceful, unified, prosperous country. Post-conflict amnesty, reintegration,

and reconciliation work best when the society as a whole embraces the economic and political measures needed to reconstruct it.

The failure of the United States to implement post-conflict amnesty in a non-partisan manner during the Reconstruction Era exacerbated sectional and political tensions and economic recovery problems. Continuing tensions from this flawed approach led to the near-term failure of reconciliation. That failure led to over a century of social and moral dilapidation in the South and social angst in the rest of the United States. In other words, the inadequate manner in which the U.S. implemented AR2 during Reconstruction negatively affected the quality of reconciliation after the Civil War.

The Economic Dimension

Economic opportunity for all is an important factor any AR2 process. The denial of economic opportunity often drives intra-state conflict. After a long, expensive Civil War, U.S. policy-makers sought an expeditious return to peacetime prosperity, but economic policies pursued at the state and national level did little to enable necessary political changes.

The South faced two major economic problems. The end of slavery meant that southern planters had to contend with a new expense: labor costs. The second problem was the change in wealth and capital investment due to needs of war. The southern states incurred debts while they were part of the Confederacy that inhibited post-war reforms.¹ Reconstruction policies assumed that economic development would help transform southern institutions. President Andrew Johnson's Reconstruction initiatives focused on this idea.² His policies did not foresee that economic changes in southern life would quickly compound societal problems and prevent significant progress.

In keeping with policies imposed by the North, state governments adopted proactive measures regarding bonds, land, and subsidies to encourage railroad development. But railroad development was one of the rare positive examples of government-mandated reforms during and after Reconstruction. It succeeded mainly because African-Americans and white politicians alike agreed that refurbishing the transportation infrastructure would benefit the entire population economically.³

Abolition of slavery created conditions for a modern, post-colonial workforce in the former Confederate states. Independent farmers and artisans earning reasonable wages in the North provided a new economic model for the South. But the South's quasi-feudal plantation system was not well-suited for a modern, free labor force. Assumptions that the former slaves would readily work the same fields for the same barely subsistence-level wages they had received while in captivity proved very naïve and quite mistaken.⁴ Former slaves, with varied amounts of occupational training and usually scant formal education, had understandably little inclination to return to work in the fields.

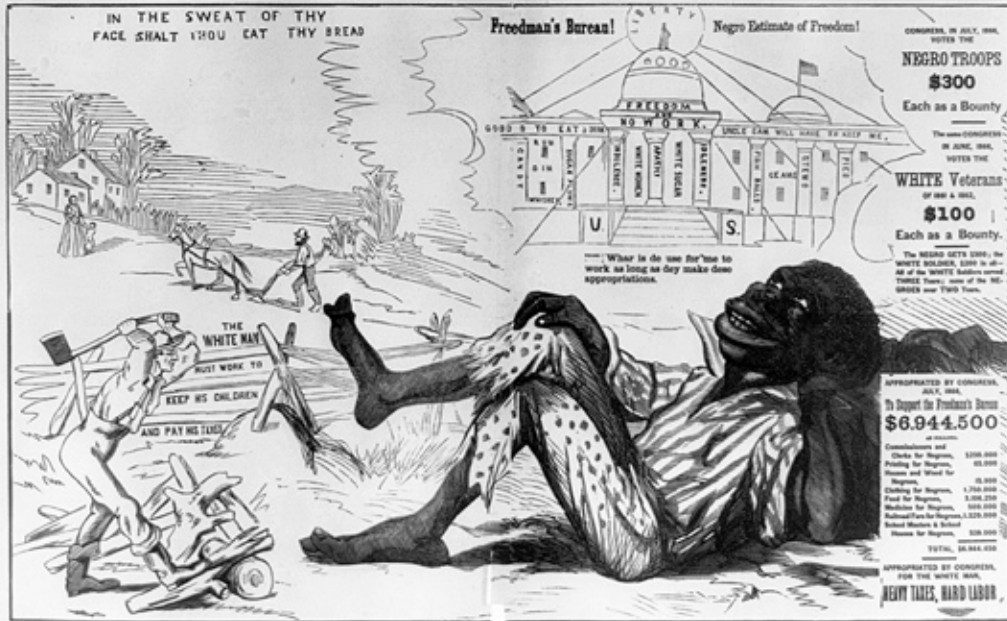
To address this problem, Congress established a Freedman's Bureau to help protect the civil rights and provide for the welfare of former slaves and other refugees.⁵ The Freedman's Bureau, established in March 1865 and led by Major General Oliver Howard, attempted to serve the displaced populations of the South.⁶ Howard introduced the concept of publicly funded education as a way for former slaves to cope with their new circumstances. He also used his tax-assessing authority under the Freedman's Act to build schools. Howard assumed that education would lead to opportunities that would best enable former slaves to integrate in the workforce. He also thought the Bureau could build trust between African-Americans and whites by serving as an honest broker in labor negotiations.⁷ The Freedman's Bureau did have some success in this area. Some businesses and laborers initially came to agreements on wages, but ultimately, those wages were not sufficient for long-term economic growth.⁸

The new labor system became known as "contract labor."⁹ In time, the contract labor system helped solve the problem of locating land for former slaves to live on.¹⁰ Initially, the Freedman's Bureau tried to settle ex-slaves on abandoned lands in accordance with Section 4 of the Freedman's Act of 1865.¹¹ However, there was not enough of that sort

...the South's quasi-feudal plantation system was not well-suited for a modern, free labor force.

THE FREEDMAN'S BUREAU!

AN AGENCY TO KEEP THE **NEGRO** IN IDLENESS AT THE **EXPENSE** OF THE WHITE MAN.
 TWICE VETOED BY THE **PRESIDENT**, AND MADE A LAW BY **CONGRESS**.
SUPPORT CONGRESS & YOU SUPPORT THE NEGRO. SUSTAIN THE PRESIDENT & YOU PROTECT THE WHITE MAN



For 1864 and 1865, the FREEDMAN'S BUREAU cost the Tax-payers of the Nation, at least TWENTY-FIVE MILLIONS OF DOLLARS. For 1866, THE SHARE of the Tax-payers of Pennsylvania will be about ONE HUNDRED THOUSAND OF DOLLARS. **GEAR!** is FOR the Freedman's Bureau. **CLYMER** is OPPOSED to it.

Library of Congress

An 1866 racist poster attacks Radical Republicans on the issue of black suffrage. A black man lounges idly in the foreground as one white man plows his field and another chops wood. Accompanying labels are: "The white man must work to keep his children and pay his taxes." The black man wonders, "Whar is de use for me to work as long as dey make dese appropriations." The Freedman's Bureau is pictured as a large domed building resembling the U.S. Capitol and is inscribed "Freedom and No Work." Its columns and walls are labeled, "Candy," "Rum, Gin, Whiskey," "Sugar Plums," "Indolence," "White Women," "Apathy," "White Sugar," "Idleness," "Fish Balls," "Clams," "Stews," and "Pies."

of land to accomplish this, and some landowners later appeared with deeds and claims to properties the Bureau agents thought had been abandoned.¹² Over time, the contract labor system evolved into the sharecropping system. Sharecropping provided tenant farmers with land in exchange for their labor and a portion of profits from their crops. To some, sharecropping seemed to solve the labor problem for planters while it provided wages for former slaves and impoverished whites, but it was almost as rife with as many problems and inequalities as slavery had been. Planters complained that they lost control of their land and the workers felt under-compensated and even exploited.¹³ This lack of economic progress contributed to failure in the political realm.

Exacerbating the issue of freedmen's rights was the fact that the Civil War left the agrarian-based

economy and the Confederate infrastructure of the South in ruins. U.S. Army Generals Ulysses S. Grant and William Tecumseh Sherman had been ruthless as they waged total war in the South. Rebuilding the infrastructure would help reintegrate former combatants into society, but the South did not have any capital readily available to invest in such an effort. White southerners hoped for an infusion of federal capital to rebuild their economic institutions.¹⁴ Many well-to-do southerners had converted their pre-war investments into Confederate currency or Confederate bonds, both of which were worthless after the war ended.¹⁵ This meant that there was little liquidity in the South. As a result, many property owners were unable to pay taxes on their property and the federal government seized it to satisfy the unpaid debt.¹⁶ The United States did

provide some economic support to the former Confederate states, but not nearly what the southerners needed or requested. In the period from 1865 to 1875, the southern states received \$9,500,000 out of \$100,000,000 spent nationally in federal funds for public works.¹⁷ The dearth of capital to invest in the South made it difficult for the government to reintegrate former combatants into society in a constructive manner.

The southern states also had a problem with banking infrastructure to finance rebuilding. The National Banking Act of 1863 set monetary reserve limits for banks based on population density. This limited the number of banks available for southerners, such that even by 1893 there was only about one bank for every 58,000 residents of the South.¹⁸ The lack of banks meant that outside investors only had limited abilities to invest in the region.

During the Reconstruction Era, the economy of the South suffered from neglect and exploitation. A ruined infrastructure and low levels of capital investment caused southern states to fall behind their northern counterparts and created feelings of isolation and regionally focused identities. Instead of helping them integrate into the larger national economy, these failed policies reinforced many southerners' localized sentiments and loyalties.

The Political Dimension

The first attempt at post-Civil War political reconstruction was the Presidential Reconstruction.¹⁹ Named for President Andrew Johnson's policies dictating reconstruction, this plan held that the spirit of Lincoln's reintegration plan for the southern states was best for the country.²⁰ Focusing on rapidly reabsorbing the former Confederate states back into the Union, Presidential Reconstruction was lenient and conciliatory in hopes that former adversaries would reconcile and forgive.²¹

The assassination of Abraham Lincoln removed the man who could have been the most effective single unifying force for Reconstruction policy at the national level. Lincoln's successor, Vice President Andrew Johnson (the former military governor of Tennessee and U.S. Senator), offered a plan that differed from Lincoln's in that it specifically exempted certain classes of southerners from amnesty and pardon, i.e., senior Confederate officials and persons who owned \$20,000 or more

in taxable property.²² Johnson saw this change as essential to breaking the power of the South's well-to-do planter class.²³ President Johnson met with key radical leaders like Senator Charles Sumner and reassured them of his desire to hold those who committed treason accountable for their actions; however, Johnson maintained his belief that individual states determined voter eligibility. This assertion did little to reassure the radical leaders in Congress, but it initially placated many in Congress who viewed his plan as harsher toward the South than Lincoln's.

Johnson also focused on rapidly reconstructing state governments. He issued his first formal Reconstruction guidance in two edicts on 29 May 1865. The first edict granted amnesty or pardon to all participants in the Civil War provided they took a loyalty oath. Doing so restored all their property rights, except the right to own slaves. The second proclamation named William Holden provisional governor of North Carolina (subsequent proclamations made similar gubernatorial appointments for other southern states).²⁴ Holden was instructed to hold a state-level constitutional convention to draft a North Carolina constitution that was acceptable to the United States.²⁵ In other words, Johnson wanted the southern states to have a hand in reconstructing themselves, but with federal oversight.

Under Johnson's plan, once a state convention wrote a new constitution and ratified the 13th Amendment, that state could re-enter the Union, provided Congress approved.²⁶ In addition to his lenient terms towards the states, Johnson also generously granted pardons to those who did not meet the criteria for the loyalty oath or were exempt from his amnesty. Over an 18-month period, Johnson pardoned 13,500 Confederates who were not covered by the amnesty.²⁷ Such leniency, however, put him at odds with many members of Congress.

Johnson issued his first formal Reconstruction guidance in two edicts on 29 May 1865. The first edict granted amnesty or pardon to all participants...

Johnson's amnesty proclamations and presidential pardons ultimately recognized former Confederates as fellow Americans and reintegrated them into U.S. society. Johnson intended to develop a new southern political structure that replaced the power of the planters, the main proponents of secession, with that of pro-Union yeoman farmers and the middle class.²⁸ The latter two groups represented the political center of the postbellum South, although Southern zealots later described such moderates as "scalawags."²⁹

The scalawags' political views ranged from Democratic, to Whigish, to Unionist. The only belief they had in common was that secession was wrong.³⁰ Few scalawags objected to abolition since they had no investment in slaveholding.³¹ This group also suffered the greatest war-induced economic hardship among the white population. The scalawags often coalesced around the issues of patriotism and economic hardship.

Northern immigrants to the South, termed "carpetbaggers," also played a key role in state politics during Reconstruction. The carpetbaggers were not political operatives sent to the south, as some suspected, but rather were mostly northern military men who saw economic opportunity in areas of the South where they had served during the Civil War. Contrary to what many believed, the carpetbaggers did not make up a majority in the state constitutional conventions in 1866. However, the carpetbagger minority tended to side politically with Radical Republicans.³² This was especially true concerning the right to vote.³³

Many scalawags favored total political empowerment of former slaves.³⁴ However, southern state legislatures had passed "black codes" that suppressed African-American freedom in an attempt to force ex-slaves into second-class status.³⁵ The black codes succeeded largely because ex-slaves were not allowed to testify against whites in courts of law.³⁶ The Freedman's Bureau provided the only vehicle for legal recourse for ex-slaves.

The Bureau established civil rights courts to provide justice for former slaves, which served as venues where they could receive equal justice under the law.³⁷ The Bureau served as a forcing mechanism on the state governments of the South, and many southern state governments did not like this parallel court system.³⁸ However, General Howard appointed state court officials as deputy commis-



Thomas Nast, Library of Congress

Caricature in an 1872 *Harper's Weekly* of Carl Schurz, who investigated conditions in the South for President Andrew Johnson during the Reconstruction Era and was later U.S. Senator from Missouri, carrying bags labeled, "carpet bag" and "carpet bagger South."

sioners in the Bureau.³⁹ This action ended debate about the Bureau's constitutionality. Eventually, all state governments gave African-Americans the right to testify against whites, and the Bureau no longer had to operate these separate courts.⁴⁰

This development led to political battles at the state level. With his generous use of amnesty and pardons, Johnson sought to build a political coalition made up of yeoman farmers and loyal Unionists. For their part, the Radical Republicans believed that Johnson's plan would return the southern states to the Democratic Party and lose the political gains that the Civil War achieved.⁴¹ Conservative southern political elements for Republicans would return to power and prevent the Republicans from carrying out their political vision.⁴²

Many scalawags favored total political empowerment... southern state legislatures had passed "black codes" that suppressed African-American freedom in an attempt to force ex-slaves into second-class status.

Indeed, the state governments tended to treat former slaves harshly.⁴³ Their persecution brought the states into conflict with the Freedman's Bureau and the military officers who ran it.⁴⁴ With only a limited ability to enforce the law, the Bureau depended on its connection to, and the strength of, the U.S. military to enforce civil rights.⁴⁵ To rectify these conditions, Radical Republicans concluded they needed African-American voters to bring about progressive political changes. They saw an opportunity to use amnesty as a political tool.⁴⁶

In 1866, the Republican-dominated U.S. Congress debated a variety of bills to address civil rights, punish Confederates, and deal with secessionist debt.⁴⁷ Republicans drafted the 14th Amendment, which would codify these ideas in the Constitution.⁴⁸ However, three-quarters of the southern states—namely, all of the reconstructed states except Tennessee—refused to ratify the 14th Amendment.⁴⁹ In response, the Republicans in Congress concluded that the states reconstructed under Johnson's plan were illegitimate because prominent Confederate leaders were serving in state leadership positions and in the new congressional delegations.⁵⁰ They drafted noble yet contentious readmission criteria which stopped the reintegration of the former rebel states on Johnson's terms.

A Change of Course

When the Radical Republicans won a majority in the national election of 1866, they decided to implement their version of Reconstruction.⁵¹ Initially, the radicals gave Johnson's plan a chance. However, when Congress began to receive disturbing reports about political conditions in the South, it took actions to stop those reported injustices. Prominent military figures like George Custer told Congress that Texas was essentially loyal to the Confederacy and not the United States. Army officer Russell Alger, later a Republican governor of Michigan, stated, "The preservation of the Union has cost too much to be thrown away now or given into the hands of its enemies."⁵² Such statements from Army officers serving in the South further encouraged many

Congressional Republicans to conclude that the president was out of touch with reality. Prevailing opinions held that states reconstructed under Johnson's plan were illegitimate.⁵³ This led a majority in Congress to view the states as still in rebellion, and to conclude that reconciliation was impossible under the Johnson plan.

However, Congress did not have its own plan for reconstruction at this early stage of the reconciliation process. The Republicans held a majority over the Democrats in both houses, but the Republican Party was split into two factions: the radicals and the moderates. The moderates tended to view Johnson's plan as acceptable, as did the Democrats. Johnson believed he was carrying out Lincoln's desires, and many moderates and Democrats agreed with this assessment.⁵⁴ The radicals, on the other hand, did not believe Johnson's plan went far enough in punishing Confederates, especially when the President began to grant pardons to almost any former Confederate who asked for one. Despite internal disagreements over who should control Reconstruction policy and how punitive the policy should be towards the South, once Congress began to receive reports of violence from the southern states, it realized it had to do something to enable the freed slaves to begin to make a living as free members of society and to hold former Confederates accountable for their rebellious actions.

Introducing an Armed Reconciler

The idea of victor's justice also influenced radical Republicans. Congressional leaders voiced concern for loyal southern Unionist residents and ex-slaves.⁵⁵ In March 1867, Congress passed three military acts that became known as the Reconstruction Acts, the first of which was passed over a presidential veto.⁵⁶ With this act's passage, the generals who commanded the military districts had the authority to hold elections, control voter rolls, enforce laws, and try citizens by tribunal.⁵⁷ The Military Act of 2 March 1867 ended Presidential Reconstruction and began the military administration of the southern states.

The Military Act of 2 March 1867 ended Presidential Reconstruction and began the military administration of the southern states.

The Republican Congress now had an opportunity to build the institutions of state government in a manner that they believed would both perpetuate Republican control in the South and serve as a model for racial integration for the rest of the country.⁵⁸ The Republicans hoped to accomplish this by creating a political majority made up of former slaves and southern whites who had remained loyal to the Union throughout the Civil War.⁵⁹

The third Reconstruction Act, the Supplemental Bill of 23 March 1867, defined who was eligible to vote. This act also contained a loyalty oath that became known as the “Ironclad Oath.”⁶⁰ The law’s language effectively undid the earlier amnesty granted by President Johnson. With this, Congress disenfranchised anybody who could not take the oath in good faith. Many viewed the law as federal encroachment into an area normally controlled by the states.⁶¹ More importantly, these laws sent the clear message that the South would only be readmitted into the Union on Northern terms, with little room for dialogue. The implementation of military rule forced the Army to take on many functions that were not military in nature, such as tax assessment and collection, civil law enforcement, and the administration of justice.⁶² To execute these tasks, the Army had 20,000 soldiers in the southern states, 5,000 of them in Texas alone.⁶³

Southern whites questioned the military administration’s legitimacy. The Army held military tribunals in felony cases and civil rights violations in order to keep costs to the federal government low. The military believed it was properly enforcing laws and legitimately exercising authority.⁶⁴ However, many white southerners thought the military tribunal system treated them unfairly because of the severity of its punishments. They claimed that men convicted of crimes such as discouraging freedmen from registering to vote received 90 days to two years of hard labor in the Dry Tortugas, while Freedman’s Bureau agents convicted of corruption received “guilty, but acquitted” verdicts.⁶⁵ Some white southerners insisted a punishment of ten years in prison for murdering a freedman was harsh, a sentiment that reflected the prevailing racism that existed in the civilian courts.⁶⁶

Such sentiments reinvigorated the southern branch of the Democratic Party.⁶⁷ Southerners who remained in the Republican Party found that the

Radical Republicans set the agenda.⁶⁸ The radicals believed that they needed African-American votes in order to be successful, and they reintroduced the 14th Amendment. Included in the amendment was Section 3, which permanently disenfranchised certain former Confederates.⁶⁹ By 1872, the reconstructed southern state governments ratified the 14th Amendment.⁷⁰ In doing so, they alienated the white conservative voting base in the South.

The Army rigidly enforced the laws pertaining to disloyalty to the Union and its Reconstruction efforts. District commanders and their subordinates took the issue of disloyal language very seriously. Although the First Amendment of the Constitution guarantees freedom of speech for individuals, especially political speech, Army officers assigned to Reconstruction duty frequently closed newspapers that wrote editorials they viewed as having a disloyal tone. Commanders often defined this disloyalty as either “conservative political thought” or “disparaging comments made about Army officers and federal agents.”⁷¹

As much as selective censorship of the press angered white southerners, the military government’s role in taxation brought the impact of military governance directly to their doorsteps. To white southerners, a murder trial over tax assessments—the Yerger case—was an example of military dictatorship, while northern radicals saw the murder as another instance of southern intransigence. In 1869, Edward M. Yerger stabbed a U.S. Army officer to death while the officer was attempting to collect a tax bill from Yerger. The Army arrested Yerger and held a military tribunal. After Yerger sought a writ of habeas corpus from the circuit court and then the Supreme Court, the attorney general and Yerger’s counsel agreed that the Army would hand Yerger over to Mississippi authorities for prosecution. Yerger was placed in a Mississippi jail, but he secured his release by posting bail and moved to Baltimore where he died in 1875. No civilian court ever tried him for murder.⁷²

The new radical state governments soon established militias or state police forces.⁷³ The establishment of state police forces was a new concept in the South. Previously, law enforcement had traditionally remained at the local level. The new Reconstruction governors were the commanders-in-chief of the militias and had the power to levy taxes to support them. This angered many southern whites, who argued that

they paid most of the taxes but had only minimal representation in state government.⁷⁴ The state governments replied that many potential white candidates for the legislature were not qualified to hold office because they were disloyal to the United States.⁷⁵

Reaction and Counterreaction

The political mobilization of the freedmen by the radicals led to problems with respect to the militia and the police forces. Radical political leaders in the South created Loyal Leagues. Because many freedmen active in the Republican Party joined the new state militias, southern whites began to view the Loyal Leagues and the state militias as one and the same. Loyal Leagues conducted military style maneuvers often as a show of force to intimidate voters.⁷⁶ This unified white southerners against the Radical Republican state governments and led them to develop their own armed organizations.

The Ku Klux Klan offered itself as the first such organization. The Ku Klux Klan was founded in 1866 in Tennessee as a social organization for Confederate veterans.⁷⁷ Early Klansmen did not view their organization as political. They often rode at night and conducted pranks such as making ghost sounds to frighten superstitious freedmen. Many freedmen viewed the actions of the Klan as silly.⁷⁸ However, this early and relatively benign organization soon became a terrorist group and the Klan rapidly expanded beyond Tennessee. Disaffected white southerners joined the Klan or the Knights of the White Camellia.⁷⁹ These groups were known as patrol groups or nightriders because they conducted intimidation operations under cover of darkness.⁸⁰

Radical victories at the state level in 1867 and again in 1868 convinced southerners seeking a political solution to use violence against the Reconstruction governments. The Klan began attacking specific targets such as known radical activists.⁸¹ The targeted people often held important positions in the local Freedman's Bureau or were influential freedmen or carpetbagger activists.⁸² Local law enforcement often did not punish Klan members when they were caught because the local judicial and law-enforcement systems were sympathetic to the Klan or coerced by it.⁸³ Klan depredations led to the rapid demise of early attempts at reintegration and reconciliation.

Concurrently, the Democrats tried a policy called "The New Departure." The Democrats ran candi-



Thomas Nast, Library of Congress

An 1874 *Harper's Weekly* illustration depicted the mentality of "The Lost Cause" movement. It points out the failures of Reconstruction.

dates who were disaffected with radical policies at the state level.⁸⁴ Poor and middle-class southern whites who believed that their political power had eroded because of African-American suffrage tended to join the Democratic Party.⁸⁵ Acting on behalf of their Republican patrons, the state militias hindered the Democrats' political initiatives.

The re-admittance of the southern states into the Union led to an increase in political violence. The Klan engaged in political assassinations and random lynchings to dissuade Republican candidates from seeking office, suppress voter participation, and coerce political support for the Democrats.⁸⁶ The radicals utilized Loyal Leagues and the state militia to hunt down Klansmen or to defend against the Klan's activities.⁸⁷ The level of violence rapidly escalated. The Klan controlled the night, and the Radical governments had limited control during daylight. Many southerners actually viewed Klansmen as folk heroes because they believed they were fighting for their political rights.⁸⁸

The violence in the South became so pervasive that Congress passed the Enforcement Acts of 1870 to curb it.⁸⁹ The Act to Enforce the Provisions of the 14th Amendment became known as the Ku Klux Klan Act and outlawed conspiring or taking actions to deny someone's civil rights or hindering attempts to enforce civil rights.⁹⁰ The Ku Klux Klan Act allowed the president to use the militia,

Army, or Navy as an enforcement tool and suspend the right to *habeas corpus* if he felt it necessary to establish order.⁹¹

President Grant utilized this law to destroy the Klan in South Carolina. In October of 1871, Grant suspended habeas corpus in nine South Carolina counties and utilized the 7th Cavalry and the 18th Infantry to arrest hundreds of Klan members.⁹² Because the federal court system could not handle this many prisoners, only five Klan leaders were tried and convicted. The court indicted but did not imprison 161 others, and released another 281 before they were tried. Nevertheless, the combined actions of Grant and the judiciary successfully ended the influence of the Klan in South Carolina.

The destruction of the Klan in South Carolina effectively ended federal involvement in enforcing laws in the southern states. Congress finally decided that political disenfranchisement was the root cause of the violence in the South and passed the Amnesty Act of 1872. This act granted amnesty to all former Confederates, except about 500 former high leaders, and negated Section 3 of the 14th Amendment.⁹³

The Amnesty Act of 1872 created the same political landscape that existed in 1866, before the passage of the Reconstruction Acts. Unfortunately, the southern political landscape of 1872 was now more violent. The population was polarized by racist attitudes and partisan politics. Reconstruction had failed to establish positive conditions for reconciliation. A hyper-stratified society now resorted to racial-economic segregation to maintain order.

The Democratic Party made some political gains because of the Enforcement Acts.⁹⁴ Accusations of corruption and concerns over the future of reforms split the Republican Party for the 1872 election.⁹⁵ The final Reconstruction law was the Civil Rights Act of 1875, which further guaranteed rights set forth in the 15th Amendment.⁹⁶ The Act also attempted to outlaw segregation, but it had no enforcement mechanisms.⁹⁷

The End of Reconstruction Begins a Century of Stagnation

The disputed presidential election of 1876 effectively ended Reconstruction by means of a backroom deal. Candidate Rutherford Hayes lost the popular vote, but voting returns in the South were contested. Southern congressional leaders agreed to back Hayes

in the Electoral College—if federal Reconstruction ended.⁹⁸ Hayes, a Republican, was elected President with the understanding that there would be a new policy towards the southern states.⁹⁹

Thus, the failures of political leaders to place the national interest above partisan political agendas led to the return of sectionalism in the United States. Only nation-wide mobilization to fight the Spanish-American War—and later, two world wars—would give the nation unifying causes large enough to overcome sectionalism. The crossing of sectional boundaries for military training helped reconcile the white population.

However, “Jim Crow” laws that suppressed African-American civil rights prevented reconciliation between white and African-American communities in the South. Furthermore, the segregation of the South did absolutely nothing to enable reconciliation at the national or regional level. Institutionalized racism prevented reconciliation, and movies like *Birth of a Nation* that glamorized aspects of segregation and regionalism achieved box office success in the early twentieth century.

The use of federalized troops in 1957 to force desegregation of the high school in Little Rock, Arkansas, showed that it took almost a century before the U.S. government was willing to use federal power to make political changes required for true social reconciliation. In 1963, Dr. Martin Luther King, Jr. delivered his famous “I Have a Dream Speech,” as the nation began to see the beginnings of political success with the civil rights movement enabling interracial reconciliation, breaking down sectional barriers, and desegregating public schools and places of public accommodation. But as some degrees of sectionalism and racism linger in this country, current events sometimes lead one to wonder if reconciliation in post-Civil War United States has yet to finish. Certainly, the reconciliation that has occurred appears imperfect to many. **MR**

In 1963, Dr. Martin Luther King, Jr. delivered his famous “I Have a Dream” speech, as the nation began to see the beginnings of political success with...civil rights...

NOTES

1. Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863-1877*, ed. Henry Steele Commager and Richard B. Morris, Paperback ed., *The New American Nation Series* (New York: Harper-Collins, 1988), 21.
2. *Ibid.*, 379-80.
3. *Ibid.*, 382-84.
4. *Ibid.*, 29.
5. John Cox and LaWanda Cox, "General O.O. Howard and The 'Misrepresented Bureau,'" *The Journal of Southern History* 19, no. 4 (1953), 450-51.
6. Foner, 69.
7. Cox, 451-53.
8. Foner, 166.
9. *Ibid.*, 164.
10. *Ibid.*, 167-68.
11. George P. Sanger, ed., *Statutes at Large, Treaties, and Proclamations of the United States of America*, vol. 13 (Boston, 1866), 507-9.
12. Foner, 160-63.
13. *Ibid.*, 174.
14. Hodding Carter, *The Angry Scar: The Story of Reconstruction* (Garden City, N.Y.: Doubleday and Com., 1959), 34.; William Dunning, *Reconstruction, Political and Economic* (New York: Harper and Row, 1962), 150; James Shenton, *The Reconstruction: A Documentary History of the South After the War*, ed. James Shenton, (New York: G.P. Putnam's Sons, 1963), 10-11.
15. Foner, 181.
16. John Ezell, *The South Since 1865* (New York, Macmillan Co., 1963), 28-29.
17. Carter, 34.
18. *Ibid.*
19. Foner, 179-81.
20. George M. Blackburn, "Radical Republican Motivation: A Case History," *The Journal of Negro History*, 54, no. 2 (1969), 114.
21. Foner, 183.
22. *Ibid.*, 179.
23. Shenton, 3; *Ibid.*
24. Blackburn, 114.
25. Foner, 183.
26. Blackburn, 115.
27. Carter, 64-65.
28. Allen W. Trelease, "Who Were the Scalawags?" *The Journal of Southern History*, 29, no. 4 (1963), 445.
29. *Ibid.*, 462.
30. *Ibid.*, 465-66.
31. Richard L. Hume, "Carpetbaggers in the Reconstruction South: A Group Portrait of Outside Whites in The 'Black and Tan' Constitutional Conventions," *The Journal of American History* 64, no. 2 (1977), 317.
32. *Ibid.*, 317-30.
33. *Ibid.*
34. Foner, 199.
35. Hume, 451.
36. Cox, 402.
37. *Ibid.*, 402-4.
38. *Ibid.*, 406.
39. *Ibid.*, 410-11.
40. Forrest G. Wood, "On Revising Reconstruction History: Negro Suffrage, White Disfranchisement, and Common Sense," *The Journal of Negro History*, 51, no. 2 (1966), 100-101.
41. *Ibid.*, 100.
42. Donald G. Nieman, "Andrew Johnson, the Freedmen's Bureau, and the Problem of Equal Rights, 1865-1866," *The Journal of Southern History*, 44, no. 3 (1978), 399.
43. *Ibid.*, 403.
44. *Ibid.*, 413-16.
45. Wood, 104.
46. Foner, 257-58.
47. *Ibid.*, 258.
48. 14th Amendment, harpweek.com
49. Foner, 224-25.
50. *Ibid.*, 260.
51. *Ibid.*, 183.
52. Blackburn, 120-22.
53. *Ibid.*, 111.
54. *Ibid.*, 120.
55. George Milton, *The Age of Hate* (New York: Coward-McCann, Inc., 1930), 189.
56. Blackburn, 111.
57. *Ibid.*, 120.
58. Foner, 272-79; Sanger, 428-29.
59. Robert J. Kaczorowski, "To Begin the Nation Anew: Congress, Citizenship, and Civil Rights after the Civil War," *The American Historical Review*, 92, no. 1 (1987), 49.
60. Jack B. Scroggs, "Southern Reconstruction: A Radical View," *The Journal of Southern History*, 24, no. 4 (1958), 410.
61. Sanger, 428-29.
62. Foner, 244
63. William A. Dunning, "The Constitution of the United States in Reconstruction," *Political Science Quarterly*, 2, no. 4 (1887), 596.
64. Carter, 146-50; Ezell, 78-82; Foner, 307-8, 457-58; James E. Sefton, *The United States Army and Reconstruction 1865-1877*, (Baton Rouge: Louisiana State University Press, 1967) 110-18, 118-21, 142-43. Historians do not argue about the role of the Army during Reconstruction. Many treat the military leaders sympathetically as good men put in a bad situation, but there also tends to be a degree of hyperbole, especially in the narrative in the South.
65. Ezell, 82; Sefton, 261.
66. Sefton, 146.
67. *Ibid.*
68. Carter, 148.
69. U.S. Constitution, Amendment 14.
70. Trelease, 466.
71. *Ibid.*
72. Carter, 148.
73. Otis A. Singletary, "The Negro Militia During Radical Reconstruction," *Military Affairs*, 19, no. 4 (1955), 178.
74. Sefton, 146-53.
75. Singletary, 178.
76. Sefton, 146-53.
77. Foner, 413.
78. Trelease, 467-68.
79. Nicholas Lemann, *Redemption, the Last Battle of the Civil War*, 1st ed. (New York: Farrar, Strauss, and Giroux, 2006), 80.
80. Wyn Craig Wade, *The Fiery Cross: The Ku Klux Klan in America* (Oxford, UK: Oxford University Press, 1998), 36; see also Foner, 342.
81. Wade, 36. Wade cited many examples of reports by African-Americans discussing that the Klansmen would show up and make statements about being a dead Confederate soldier and needing a drink of water, which, when provided, was poured back on the generous host. Many African-Americans knew who the person under the hood was.
82. Carter, 202; Foner, 425; Wade, 37. In theory, groups calling themselves the Ku Klux Klan petitioned the original chapter in Pulaski, Tennessee. Many of these organizations did not do this, especially during the period of time that the Congress debated and passed the Reconstruction Acts.
83. Wade, 37.
84. Richard Current, *Reconstruction* (Englewood Cliffs, NJ: Prentice Hall, 1965), 90; Wade, 46.
85. Current, 90; Ezell, 104-7.
86. Foner, 413.
87. Trelease, 467-68.
88. Frederick W Riddleberger, "The Break in the Radical Ranks. The Liberals vs. the Stalwarts in the Election of 1872," *The Journal of Negro History* 44, No. 2 (1959): 150-53.
89. Carter, 210-15; Current, 90; Ezell, 104-7; Wade, 61-66.
90. Carter, 215.
91. *Ibid.*, 215-17, Appendix B.
92. Calhoun, *Conceiving a New Republic: The Republican Party and the Southern Question, 1869-1900* (Lawrence: University Press of Kansas, 2006) 19-21; Current, 70; Lemann, 48.
93. Calhoun, 30.
94. *Ibid.*, 30; Wade, 93-94
95. Lemann, 76-77.
96. Calhoun, 30-32.
97. James A. Rawley, "The General Amnesty Act of 1872: A Note," *The Mississippi Valley Historical Review*, 47, no. 3 (1960), 482. The Act allowed many of those disenfranchised in sec. 3 of the 14th Amendment to vote. This law was not challenged in the courts.
98. Foner, 506-11.
99. Riddleberger, 154-55.