Reconstruction

A Problem-Based Approach

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Teaching American History       Freedom Project
Teacher’s Briefing

This problem-based learning scenario engages students in an analysis of the problems facing the nation in the aftermath of the Civil War. Students will assume different roles and attempt to hash out a single plan for Reconstruction. This scenario is strategically set in December 1865. By late 1865, the outlines of the Reconstruction debate have unfolded and three separate plans have been put forth. The Wade-Davis bill has been “pocket” vetoed by President Lincoln. Conversely, the Southern representatives elected under the Lincoln and Johnson Plans have just arrived in Washington but have been denied permission to take their seats. A Joint Reconstruction Committee has been appointed under the leadership of Senator Feldman to look into the issues and devise a plan for Reconstruction.

At this point Reconstruction is still a relatively unsettled problem and a variety of outcomes are still possible. In the coming months, however, positions became increasingly polarized, due largely to the developments described in the timeline below:

- **Late 1865** – Black Codes are enacted across the South.
- **December 1865** - Representatives from the states reconstructed under the Lincoln and Johnson plans are denied seats in Congress.
- **April 1866** - President Johnson breaks with Congress over the issues of the Freedman’s Bureau and black civil rights, causing the first Congressional override of a major presidential veto. Johnson and Congress become increasingly hostile.
- **June 1866** - Moderates and Radicals in both houses unite to support the passage of the 14th Amendment.
- **May-July 1866** - Race riots erupt in Memphis and New Orleans and undermine southern claims of tolerance. Moderates to move further into the radical camp.
- **May 1866** – Former Confederates organize the Ku Klux Klan.
- **November 1866** – Radical Republicans win sweeping electoral victories in Congressional and State Elections.
- **March 1867** - A Radical Congress passes the first of four major Reconstruction Acts, imposing military rule and radical reconstruction on a defiant South.
- **May 1868** - President Johnson, a former Democrat, faces impeachment for hindering reconstruction efforts (the overt cause being his attempted dismissal of pro-reconstruction Secretary of War Stanton which the House cites as a violation of the Tenure of Office act).
- **1869** – First “Redeemer” Government are elected in the south.

**Vocabulary:** aristocracy, unrepentant, Reconstruction, disenfranchise, revoke, repudiate, moderate, radical, lenient, suffrage.
Images of Reconstruction
Statement of the Problem

The year is 1865. The Civil War is over. The Confederate Army is defeated and large parts of the South lay in ruins. Twenty percent of its adult male population died in the war and thousands of others are returning home sick or wounded. Additionally, nearly 4 million former slaves are now free men and women. Most are without property, have nowhere to go, and find themselves unsafe in a society that resents them.

Leaders from across the United States now have to figure out how to put a deeply divided nation back together and “readmit” the former Confederate states – a process commonly referred to as “Reconstruction.”

As early as 1863, President Lincoln recognized the need to develop a plan to “readmit” Confederate states into the Union. He believed that a lenient Reconstruction plan “with malice toward none” would encourage southern states to end their rebellion, reduce sectional hatred and lead moderate Southerners to support his Republican Party. However, most northerners find themselves in no mood to be lenient after considering the costs of a long war – one that cost 620,000 lives, $20 billion dollars, and incalculable suffering. Attitudes toward the South hardened further when an obsessed Confederate sympathizer assassinated President Lincoln in April of 1865.

The new president, Andrew Johnson, has submitted a relatively lenient plan for “Restoration” but his plan has been challenged for a variety of reasons by different groups in Congress and American society.

In this lesson you will be asked to play a role and work with others to design a single plan for Reconstruction. Some will share your views, others will not. The question that you are asked to address is, under what conditions should the former Confederate states be “readmitted” into the Union?

The critical issues surrounding plans for Reconstruction are outlined below:

Issues:

- **Readmission to the Union** – Under what conditions should the former Confederate states be admitted to the union?

- **War guilt** – Should the civil and military leaders of the Confederacy stand trial or be otherwise punished for their actions?

- **Disenfranchisement** – Should large numbers of southern whites be stripped of the right to vote?

- **Land Redistribution** - Should the land of wealthy plantation owners be redistributed to former slaves? If so, should planters be compensated for this land, and how?

- **Black citizenship** – Should former slaves be granted full citizenship with the associated right to vote?

- **Federal protection** – What measures should the federal government take to protect the legal and economic rights it grants to blacks from reactionary southern governments?
Role 1: Radical Republican

Role Description:
The terrible cost of the war calls for a sweeping reform of the unrepentant southern states. Slavery must be abolished, not only in name but also in fact. Former blacks must be given the rights of citizens, including to the right to get an education, the full protection of the law, and possibly even the right to vote. They must also be given economic opportunities so they are not dependent on the whim of their former masters. The aristocracy of the South does not wish to be reformed and must be destroyed: the leaders of the rebellion must not be allowed to resume their leadership positions in the south. Those common citizens who actively participated in the rebellion should also be disenfranchised so they cannot block reforms.

Your Positions:
Readmission to the Union – A military governor should be appointed to govern each of the former Confederate states until a majority of the population has taken a loyalty oath. Qualified voters will then elect delegates to a constitutional convention, which must, 1) repudiate the ordinances of secession, 2) abolish slavery, 3) repudiate confederate war debt, and 4) ratify the 13th Amendment. Only those who swore an “Ironclad” oath that they had never borne arms against the Union should be allowed to participate in this process.

War guilt - The leaders of the Confederacy are guilty of crimes against the United States. At a minimum they must not be allowed to vote or hold public office. Better yet, the loss of their plantations and a few years in prison might make them more humble in the future.

Disenfranchisement – Any common citizen who supported the rebellion should not be allowed to vote in future elections.

Land Redistribution – Taking land away from the wealthy leaders of the Confederacy will destroy their power. Granting it to former slaves will give them the means to support themselves and free them from dependency on their former masters.

Black suffrage - Although black suffrage is radical (even most northern states don’t permit blacks to vote), the advantages are clear. Allowing blacks to vote will help them to protect themselves. Also, because most former slaves will probably join the Republican Party, allowing blacks to vote will strengthen your party’s ability to win future elections (e.g. for Congress, the presidency).

Federal protection – The South is unlikely to change willingly. You favor the use of federal force (the army) in order to enforce these reforms and provide protection to freedmen and Union supporters.

Favored Plan: Wade-Davis Bill
Role 2: Moderate / Conservative Republican

Role Description:
Victory has come at a terrible price, but little will be gained if the South is pushed too far. By granting the south a lenient settlement you hope to bring moderate southerners into the Republican Party. If the Republican Party is seen as pushing a radical or “harsh” plan of Reconstruction, the Democrats will grow in strength and threaten or reverse the reforms brought about by the war. You believe that the South must accept the abolition of slavery but, beyond this, you are reluctant to impose other radical reforms. You are willing to give the South the benefit of the doubt for now. You expect the South to accept reforms voluntarily and return to the Union peacefully. If the South shows itself to be unwilling to do this, you may change your mind and support the radicals.

Your Positions:

**Readmission to the Union** - You supported the Wade-Davis Bill. A temporary governor should be appointed to govern each of the former Confederate states. The former confederate states must not be readmitted to the union until 50% of the population has taken a loyalty oath. Qualified voters will elect delegates to a constitutional convention, which must, 1) revoke the ordinance of secession, 2) abolish slavery, 3) repudiate confederate war debt, and 4) ratify the 13th Amendment.

**War guilt** - You do not favor punishing the Confederacy too harshly. Once a citizen takes a loyalty oath, his rights and property should be returned. The leaders of the rebellion should be required to request a pardon and take the loyalty oath, but you do not support other measures.

**Disenfranchisement** - Confederate leaders should not be barred from public life once they take a loyalty oath and receive a pardon.

**Land Redistribution** – You are a firm believer in the importance of property rights and do not favor seizing Confederate property so that it can be redistributed to former slaves. However, some way must be found to help the former slaves support themselves.

**Black suffrage** – Many slaves fought valiantly for the Union during the war, and some are educated and well informed leaders. Exceptions should be made for these. However, the idea of granting thousands of uneducated former slaves the right to vote seems a little too radical.

**Federal protection** – Although you do not support granting blacks equal rights or enforcing social equality, some of the laws (i.e. “black codes”) already being passed in the South are making you nervous. Perhaps some guarantee that blacks will receive education and be left alone could be provided?

Favored Plan: Wade-Davis Bill
Role 3: President Johnson’s Staff

Role Description:

The war is over. It is time to move on. The “Restoration” of the south should take place as quickly as possible. Antagonizing the South further will only cause more trouble. You tried to get “restore” the Union by putting your own plan into effect while Congress was in recess. When southern representatives elected to Congress under your plan appeared in Washington, members of Congress voted to exclude them. It seems that a conflict is brewing between the President and Congress.

You realize the South is behaving recklessly and you have privately warned southern leaders to take a moderate course, but you are unwilling to go much further than issue warnings. You are against the “harsh” measures proposed by the Radicals, particularly the ones that require southern states to give freedmen the right to vote and grant them civil rights. You are also willing to grant a pardon to any southern leader who asks for one.

Your Positions:

- **Readmission to the Union** – The procedures for your plan are not very different than those proposed by the Wade-Davis Bill. A temporary governor should be elected to oversee the process of reconstruction. You believe that qualified voters should elect delegates to a constitutional convention and, 1) revoke the ordinance of secession, 2) abolish slavery, 3) repudiate confederate war debt, and 4) ratify the 13th Amendment.

- **War guilt** - All ordinary southerners who are willing to take a loyalty oath should be pardoned. Confederate officials should have to apply to the president in person for a pardon, as should all wealthy southerners who supported the Confederacy. You are also willing to include rich property owners in your list of people requiring a special pardon.

- **Disenfranchisement** – A pardon is a pardon. You do not support taking away the former Confederate leaders’ or soldiers’ rights to vote.

- **Land Redistribution** – You do not believe that the land owned by former slave owners should be redistributed to freedmen i.e. former slaves.

- **Black suffrage** – You are firmly against the idea of black suffrage i.e. granting blacks the right to vote. In your own words, “white man alone must rule the south.”

- **Federal protection** – You do not support any federal protection of black civil rights.

**Favored Plan:** Presidential Restoration
Role 4: Leader from a Southern State

Role Description:
You represent the defeated states of the former Confederacy. You know that in order for peace and prosperity to return to the region a plan must be found which will be tolerated by the citizens of the south. Ideally, you would like the country to go back to the way it was before the Civil War. You went to war in order to defend states’ rights and local independence, and these continue to be your important goals. You are also determined to maintain white leadership of the south and will resist efforts to give-up power to former slaves. You must decide what concessions you will make, if any, in order achieve these goals.

Positions:

Readmission to the Union – You favor readmission to the Union under the most favorable terms possible. You 1) oppose military governance of the South, 2) would rather repeal than repudiate the ordinances of secession, and 3) believe that the debts of the Confederacy should be honored.

War guilt – You will ask for a pardon if you must, but you expect it to be granted.

Disenfranchisement – You oppose any loss of civil rights for supporters of the Confederacy. The leaders of the Confederacy are heroes and are the best and brightest the South has to offer. You also believe that southerners should be able to elect whomever they want to serve as representatives in government offices.

Land Redistribution – Property rights are the foundation of your way of life. You are willing to grant slaves their freedom, but any further loss of property is not acceptable.

Black suffrage - You oppose allowing former blacks to vote or hold office. You believe that the idea is ridiculous and you will not tolerate it.

Federal protection – You oppose any Federal intervention in state affairs. Also, although you are willing to grant blacks some rights (to marry, hold property, make contracts, and sue in court), you are strongly opposed to granting blacks other rights such as the right to serve on juries or testify in court. You also favor limiting what blacks should have the right to do in terms of employment (i.e. they must be farmers) and education, and you believe that vagrants (blacks without work or property) should be arrested and “hired out” to land owners.

Favored Plan: None
Western Union
May 1866

Race riots erupt in Memphis, Tennessee and New Orleans, Louisiana.

Former Confederate soldiers organize the Ku Klux Klan. The Klan terrorizes freedmen.