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A SHORT HISTORY OF RECONSTRUCTION

1863-1877

ERIC FONER

Illustrated



HARPER PERENNIAL

HARPER & ROW, PUBLISHERS, NEW YORK
Grand Rapids, Philadelphia, St. Louis, San Francisco, London, Singapore,
Sydney, Tokyo, Toronto

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FIRST EDITION

Library of Congress Cataloging-in-Publication Data

Foner, Eric.

[Reconstruction]

A short history of Reconstruction, 1863-1877 / Eric Foner.—1st ed.

p. cm.

Abridged ed. of: Reconstruction. c1988.

Bibliography: p.

Includes index.

ISBN 0-06-055182-8 — ISBN 0-06-096431-6 (pbk.) ISBN 978-0-06-096431-3 (pbk.)

1. Reconstruction. 2. United States—Politics and

government—1865-1877. 3. Afro-Americans—History—1863-1877.

I. Title.

E668.F662 1990

973.8—dc20

89-45347

07 08 RRD(H) 50 49 48 47 46

The Challenge of Enforcement

The New Departure and the First Redemption

If Southern Republicans suffered from factional, ideological, and racial strife, their opponents encountered difficulties of their own. In the aftermath of Grant's victory, with Reconstruction seemingly a fait accompli, Southern Democrats confronted their own legitimacy crisis—the need to convince the North that they stood for something other than simply a return to the old regime. A growing number of Democratic leaders saw little point in denying the reality that blacks were voting and holding office. These advocates of a New Departure argued that their party's return to power depended on putting the issues of Civil War and Reconstruction behind them. So began a period in which Democrats, like Republicans, proclaimed their realism and moderation and promised to ease racial tensions. But if, in political rhetoric, “convergence” reigned, in practice the New Departure only underscored the chasm separating the parties on fundamental issues and the limits of Democrats' willingness to accept the changes in Southern life intrinsic to Reconstruction.

Southern Democrats made their first attempts to seize the political center in 1869. Instead of running its own candidates for state office, the party threw support to disaffected Republicans and focused its campaigns on the restoration of voting rights to former Confederates rather than opposition to black suffrage. In Virginia and Tennessee, the strategy paid immediate dividends. The successful gubernatorial candidate in Virginia was Gilbert C. Walker, a Northern-born Republican banker, manufacturer, and railroad man.

In Tennessee, the Republican governor himself initiated the political realignment. Assuming office in February 1869 when “Parson” Brownlow departed for the U.S. Senate, DeWitt Senter set out to win election in his own right by conciliating the state's Democrats. His policy split his already factionalized party, whose hold on power rested on widespread disenfranchisement. Challenged for reelection by Congressman William B. Stokes, a Union Army veteran and opponent of conciliation, the governor ignored the suffrage law and allowed thousands of former Confederates to register, whereupon the Democrats endorsed his candidacy. The result was an overwhelming victory for Senter, who carried the state by better than two to one and even edged ahead in East Tennessee. The New Departure gathered strength in 1870. As in Virginia and Tennessee, Missouri's Democrats formed a victorious coalition with self-styled Liberal Republicans, adopting a platform promising “universal amnesty and universal suffrage.”

In other states, Democrats accepted Reconstruction “as a finality,” but retained their party identity rather than merge into new organizations or endorse dissident Republicans. Alabama's successful Democratic gubernatorial candidate, Robert Lindsay, insisted that his party had abandoned racial issues for economic ones, and openly courted black voters. Benjamin H. Hill of Georgia, an uncompromising opponent of black suffrage in 1867, now announced his willingness to recognize blacks' right to the “free, full, and unrestricted enjoyment” of the ballot. In place of racial issues, Democratic leaders now devoted their energies to financial criticisms of Republican rule. In several states they organized Taxpayers' Conventions, whose platforms denounced Reconstruction government for corruption and extravagance and demanded a reduction in taxes and state expenditures. Complaints about rising taxes became an effective rallying cry for opponents of Reconstruction. Asked if his tax of four dollars on 100 acres of land seemed excessive, one replied: “It appears so, sir, to what it was formerly, . . . next to nothing.”

Despite the potency of calls for tax reduction, the growing prominence of the issue was something less than a transformation in Reconstruction politics. Indeed, while accepting the “finality” of Reconstruction and the principle of civil and political equality, the Taxpayers' Conventions simultaneously exposed the limits of political “convergence.” Most Democrats objected not only to the

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Abridged ed. of: Reconstruction. cl988.

Bibliography: p.

Includes index.

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I. Title.

E668.F662 1990

973.8—dc20

89-45347

07 08 RRD(H) 50 49 48 47 46

amount of state expenditures but to such new purposes of public spending as tax-supported schools. Democratic calls for a return to rule by "intelligent property-holders" meant the exclusion of many whites from government, while implicitly denying blacks any role in the South's public affairs except to vote for their social betters.

Even among its advocates, the New Departure smacked less of a genuine accommodation to the democratic implications of Reconstruction than a tactic for reassuring the North about their party's intentions. Indeed, there was always something grudging about Democrats' embrace of black civil and political rights. Publicly, Democratic leaders spoke of a new era in Southern politics; privately, many hoped to undo the "evil" of black suffrage "as early . . . as possible." And even centrist Democrats could not countenance independent black political organization. South Carolina's Taxpayers' Convention, for example, called for the dissolution of the Union Leagues.

Nor did official conduct in Democrat-controlled communities inspire confidence that a real shift in policy or ideology had occurred. Here, blacks complained of exclusion from juries, severe punishment for trifling crimes, the continued apprenticeship of their children against parental wishes, and a general inability to obtain justice. In one Democratic Alabama county in 1870, a black woman brutally beaten by a group of whites was ordered to raise \$16.45 for court costs before her complaint was heard. After she did so, the judge released the offenders and instructed the injured woman to drop the matter or face a jail term.

Equally revealing were the statewide policies Democrats adopted in the border states and Upper South: Kentucky and Delaware, which Republicans never controlled; Maryland and West Virginia, "redeemed" by the Democrats, respectively, in 1867 and 1870; and Virginia, Tennessee, and Missouri, captured by "new movements" in 1869 and 1870. Having led the way in wartime Reconstruction, the border and Upper South now blazed the trail of Redemption. The threat of federal intervention restrained the most extreme proposals, and the diversity of the Democratic coalition ensured that specific policies varied from state to state, but it remained perfectly clear that the party was still devoted to white supremacy and labor control. As late as 1872, Kentucky still barred blacks from testifying in court. These states also pioneered in legal segregation, Delaware authorizing hotels, theaters, and common carriers to

refuse admission to persons "offensive" to other customers, while Tennessee Democrats repealed the Republican law penalizing railroads for discriminating against blacks and drafted a new constitution requiring segregation in the public schools. This last provision appeared somewhat redundant, for the superintendent of public instruction elected in 1869 believed "it was not necessary to educate the farmer, mechanic, or laborer" at all, and the legislature repealed the state education law, leaving schooling a voluntary decision of each county and destroying public education for blacks except in Memphis and Nashville. Delaware, Kentucky, and Maryland Democrats initially made no provision at all for black education, then ordered that these schools be financed by taxes on black parents.

Despite the ratification in 1870 of the Fifteenth Amendment, prohibiting disenfranchisement because of race, border Democrats developed ingenious methods of limiting black voting power. Delaware, whose Democratic party insisted that the state was not "morally bound" by any of the postwar constitutional amendments, in 1873 made payment of a poll tax a requirement for voting, effectively disenfranchising the bulk of the black population and ensuring over twenty years of Democratic ascendancy in the state. Maryland's constitution of 1867 reoriented representation toward the plantation counties at the expense of Baltimore and the small farming regions to its north and west. "This they call a white man's Government," remarked one critic. "That is the right of a few white men, by counting the disfranchised blacks, to govern a great many white men. This is progress backwards."

The most comprehensive effort to undo Reconstruction, however, occurred in Georgia, whose legislature fell into Democratic hands in 1870, followed by the governorship a year later. A poll tax, coupled with new residency and registration requirements, sharply reduced the number of black voters, while a shift from ward to citywide elections eliminated Republicans from Atlanta's city council. To demolish the enclave of black political power in McIntosh County, the legislature ousted Tunis G. Campbell from his seat in favor of a white Democrat and appointed a board of commissioners to replace the elected local government. A state court subsequently sentenced Campbell to a year of hard labor on the flimsy pretext that as justice of the peace he had improperly arrested a white man. Measures now appeared on the statute book prohibiting the sale of farm products at night without the landlord's permission, making it a

criminal offense to hire a laborer already under contract, making a laborer's lien on the crop inferior to that of the planter, restricting hunting and fishing, and facilitating changes in fence laws to the detriment of landless laborers. All in all, Georgia's Redeemers demonstrated the truth of Democratic Gov. James M. Smith's remark that the state could "hold inviolate every law of the United States and still so legislate upon our labor system as to retain our old plantation system."

Clearly, the First Redemption belied the idea that Southern Democrats acquiesced in the democratic and free labor revolutions embodied in Reconstruction. And in pursuit of power, the opponents of Reconstruction launched a campaign of violence that confronted Republican governments with a challenge to their very physical survival. It is a measure of how far change had progressed that the reaction against Reconstruction proved so extreme.

The Ku Klux Klan

Violence had been endemic in large parts of the South since 1865. But the advent of Radical Reconstruction stimulated its expansion. By 1870 the Ku Klux Klan and kindred organizations like the Knights of the White Camelia and the White Brotherhood were deeply entrenched in nearly every Southern state. The Klan, even in its heyday, did not possess a well-organized structure or clearly defined regional leadership. But the unity of purpose and common tactics of these local organizations make it possible to generalize about their goals and impact and the challenge they posed to the survival of Reconstruction. In effect, the Klan was a military force serving the interests of the Democratic party, the planter class, and all those who desired the restoration of white supremacy. Its purposes were political in the broadest sense, for it sought to affect power relations, both public and private, throughout Southern society. It aimed to destroy the Republican party's infrastructure, undermine the Reconstruction state, reestablish control of the black labor force, and restore racial subordination in every aspect of Southern life.

Violence was typically directed at Reconstruction's local leaders. As Emanuel Fortune, driven from Jackson County, Florida, by the Klan, explained: "The object of it is to kill out the leading men of the republican party . . . men who have taken a prominent stand." Jack

Dupree, victim of a particularly brutal murder in Monroe County, Mississippi—assailants cut his throat and disemboweled him, all within sight of his wife, who had just given birth to twins—was "president of a republican club" and known as a man who "would speak his mind." Countless other local leaders fled their homes after brutal whippings. And many blacks suffered merely for exercising their rights as citizens. Alabama freedman George Moore reported how, in 1869, Klansmen came to his home, administered a beating, "ravished a young girl who was visiting my wife," and wounded a neighbor. "The cause of this treatment, they said, was that we voted the radical ticket." Nor did white Republicans escape the violence. Klansmen murdered three scalawag members of the Georgia legislature and drove ten others from their homes. The Klan in western North Carolina settled old scores with wartime Unionists, burned the offices of the *Rutherford Star*, and brutally whipped Aaron Biggerstaff, a Hero of America and Republican organizer.

On occasion, violence escalated from the victimization of individuals to wholesale assaults on the Republican party and its leadership. In October 1870, after Republicans carried Laurens County, in South Carolina's Piedmont cotton belt, a racial altercation at Laurensville degenerated into a "negro chase" in which bands of whites drove 150 freedmen from their homes and committed 13 murders. The victims included the newly elected white probate judge, a black legislator, and others "known and prominent as connected with politics." In Meridian, a small Mississippi town to which many blacks had fled from centers of Klan activity in nearby western Alabama, three black leaders were arrested in March 1871 on charges of delivering "incendiary" speeches. Firing broke out at their court hearing, the Republican judge and two defendants were killed, and a day of rioting followed, which saw perhaps 30 blacks murdered in cold blood, including "all the leading colored men of the town with one or two exceptions."

The Klan's purposes, however, extended far beyond party politics. William Luke, an Irish-born teacher in a black school, suffered verbal abuse, saw shots fired into his home, and finally, in 1870, was lynched at Cross Plains, Alabama, along with four black men. Those blacks who managed to acquire an education were often singled out for attack. The Georgia Klan murdered freedman Washington Eager because, according to his brother, he was "too big a man . . . he can write and read and put it down himself."

Equally important as a goal of violence was the restoration of labor discipline on white-owned farms and plantations. Blacks who disputed the portion of the crop allotted them at year's end were frequently whipped, and, as in 1865 and 1866, violent bands drove freedmen off plantations after the harvest, to deprive them of their share. Blacks working on a South Carolina railroad construction gang were whipped and told to go "back to the farms to labor." The most "offensive" blacks of all seemed to be those who achieved a modicum of economic success, for, as a white Mississippi farmer commented, the Klan "do not like to see the negro go ahead."

Generally, Klan activity was concentrated in Piedmont counties where blacks comprised a minority or small majority of the population and the two parties were evenly divided. But no simple formula can explain the pattern of terror that engulfed parts of the South while leaving others relatively unscathed. Unknown in the overwhelmingly black South Carolina and Georgia lowcountry, the organization flourished in the western Alabama plantation belt. Scattered across the South lay counties particularly notorious for rampant brutality. Carpetbagger Judge Albion W. Tourgée counted 12 murders, 9 rapes, 14 cases of arson, and over 700 beatings in his judicial district in North Carolina's central Piedmont. An even more extensive "reign of terror" engulfed Jackson, a plantation county in Florida's panhandle. "That is where Satan has his seat," remarked a black clergyman; all told over 150 persons were killed, among them black leaders and Jewish merchant Samuel Fleischman, resented for his Republican views and for dealing fairly with black customers.

Nowhere did the Klan achieve greater power than in a group of Piedmont South Carolina counties where medium-size farms predominated and the races were about equal in number. An outbreak of terror followed the October 1870 elections, in which Republicans retained a tenuous hold on power in the region. In York County, nearly the entire white male population joined the Klan and committed at least eleven murders and hundreds of whippings; by February 1871 thousands of blacks had taken to the woods each night to avoid assault. The victims included a black militia leader, found hanging from a tree in March with a note pinned to his breast, "Jim Williams on his big muster."

Some historians attribute the Klan's sadistic campaign of terror to the fears and prejudices of poorer whites. The evidence, however, contradicts such an interpretation. Ordinary farmers and laborers

comprised the bulk of the membership, and energetic "young bloods" were more likely to conduct midnight raids than middle-aged planters and lawyers, but "respectable citizens" chose the targets and often participated in the brutality. Among his sixty-five Klan assailants, Georgia black legislator Abram Colby identified men "not worth the bread they eat," but also some of the "first-class men in our town," including a lawyer and a physician.

Personal experience led blacks to blame the South's "aristocratic classes" for violence, and with good reason, for the Klan's leadership included planters, merchants, lawyers, and even ministers. When the Knights of the White Camelia initiated Samuel Chester in Arkansas, the pastor of his church administered the oath and the participants included Presbyterian deacons and elders "and every important member of the community." As the *Rutherford Star* remarked, the Klan was "not a gang of *poor trash*, as the leading Democrats would have us believe, but men of property . . . respectable citizens."

Many "respectable citizens," of course, had no connection with the violence, and a few spoke out manfully against it. When the son of former North Carolina Chief Justice Thomas Ruffin joined the Klan, his father dashed off a stinging rebuke: "I am satisfied that such associations [are] . . . dangerous to the community, and highly immoral. . . . It is wrong—all wrong, my son, and I beg you to have nothing to do with it." Yet even Ruffin said nothing in public. Indeed, the silence of the most prominent white Southerners spoke volumes of what Maj. Lewis Merrill, who investigated the Klan in York County, South Carolina, called "the demoralization of public opinion." Rather than dissociate themselves from the campaign of terror, prominent Democrats either minimized the Klan's activities or offered thinly disguised rationalizations for them. Some denied the organization's existence altogether, dismissing reports of violence as electoral propaganda from a Republican "slander mill." Others characterized the victims as thieves, adulterers, or men of "bad character" who deserved their fate.

Much Klan activity took place in those Democratic counties where local officials either belonged to the organization or protected it. Even in Republican areas, however, the law was paralyzed. When sheriffs overcame fear of violence and arrested suspects, witnesses proved reluctant to testify and Klansmen perjured themselves to provide one another with alibis. Community support

extended far beyond the Klan's actual membership, embracing the numerous Southern women who sewed costumes and disguises for night riders, and those unconnected with the Klan who still seemed to view violence against blacks as something less than a crime.

Occasionally, organized groups successfully confronted the Klan. White Union Army veterans in mountainous Blount County, Alabama, organized "the anti-Ku Klux," which ended violence by threatening Klansmen with reprisal unless they stopped whipping Unionists and burning black churches and schools. Armed blacks patrolled the streets of Bennettsville, South Carolina, to prevent Klan assaults. The scale of violence, however, dwarfed these efforts at extralegal reprisal. Indeed, many Northerners wondered aloud, in an accusatory tone, how Republican communities allowed themselves to be terrorized by violent bands. Some found an answer in the legacy of slavery. "The colored men . . ." declared Congressman Jeremiah Haralson, who had known bondage until 1865, "are afraid of the white men. He has been raised to be afraid of them."

It is indeed true that slavery, which gave rise to numerous forms of black resistance, did not produce a broad tradition of violent retaliation against abuse. But the failure of nerve, if such it was, extended up and down the Republican hierarchy and was not confined to one race. Perhaps the problem was that Republicans, black and white, took democratic processes more seriously than their opponents. No Republicans rode at night to murder their political foes, nor did armed bands seek to drive Democrats from the polls. "We could burn their churches and schoolhouses but we don't want to break the law or harm anybody," wrote one black from a violence-torn part of Georgia. "All we want is to live under the law."

The practical obstacles to armed resistance were immense. Many rural freedmen owned firearms, but these were generally shotguns, much inferior to the "first-class weapons" like Winchester rifles and six-shooters in the hands of the Klan. Although many had served in the Union Army, blacks with military experience were far outnumbered in a region where virtually every white male had been trained to bear arms. The specter of armed blacks taking the law into their own hands was certain to enrage the white community and produce a further escalation of violence. "It would be annihilation to the negroes if they should undertake such a thing," commented a white Republican official in Alabama. His appraisal was borne out in

Louisiana in 1873. The election of 1872 produced rival claimants for the governorship, a situation paralleled in localities throughout the state. In Grant Parish, freedmen who feared Democrats would seize the government cordoned off the county seat of Colfax and began drilling and digging trenches under the command of black veterans and militia officers. They held the tiny town for three weeks; on Easter Sunday, whites armed with rifles and a small cannon overpowered the defenders and an indiscriminate slaughter followed, including the massacre of some fifty blacks who laid down their arms under a white flag of surrender. Two whites also died. The Colfax Massacre was the bloodiest single instance of racial carnage in the Reconstruction era. Among blacks, it confirmed that in any large confrontation they stood at a fatal disadvantage.

Ultimately, of course, the responsibility for suppressing crime rests not with the victim, but with the state. "Put on your iron gloves," one Northerner advised Southern Republicans. And on paper, the new governments did take decisive steps, outlawing going about in disguise, raising the penalties for assault, murder, and conspiracy, authorizing ordinary citizens to arrest Klan members, sometimes even requiring counties to pay damages to citizens whose rights were abridged or property destroyed by a mob. Yet when it came to enforcing these laws, Republican leaders vacillated. Deep South governors had little confidence in the freedmen's prospects when confronting well-trained Confederate veterans and feared the arming of a black militia would inaugurate all-out racial warfare. Such a step, moreover, was certain to destroy efforts to attract white support and demonstrate the Republican party's moderation.

If Deep South governors sought stability through conciliation, those able to draw on large populations of white Republicans took decisive action. Gov. William G. Brownlow recruited a militia, manned largely by East Tennessee Unionists, and early in 1869 declared martial law in nine violence-plagued counties, a step that led to a drastic curtailment of Klan activities. Gov. Powell Clayton placed ten Arkansas counties under martial law at the end of 1868 and dispatched state militia units composed of blacks and scalawags. Scores of suspected Klansmen were arrested; three were executed after trials by military courts, and numerous others fled the state. By early 1869, order had been restored and the Klan destroyed. Texas Gov. Edmund J. Davis proved equally decisive, organizing a crack

two-hundred-member state police, forty percent of whose members were black. Between 1870 and 1872, the police made over 6,000 arrests, effectively suppressing the Klan and providing freedmen with a real measure of protection in a state notorious for widespread violence.

As Clayton and Davis demonstrated, a government willing to suspend normal legal processes and employ armed force could mount an effective response to the Klan. But as many a modern government has discovered, the suspension of constitutional rights carries its own risks, especially the possibility of transforming perpetrators of violence from criminals into victims in the eyes of citizens who sympathize with their motives, if not their methods. Nowhere was this dilemma more apparent than in North Carolina, where Gov. William W. Holden's use of the militia provoked a reaction that brought down his administration. In 1870, the governor dispatched white militia units raised in the western North Carolina mountains to Caswell and Alamance counties, under the command of former Union Army officer George W. Kirk. About 100 men were arrested, and although the state constitution did not authorize the governor to declare martial law, Holden suspended the Klan-controlled local courts, ordered the prisoners tried before a military commission, and refused to honor a writ of habeas corpus issued by the state's chief justice. Ironically, Democrats then appealed to the federal courts under the Habeas Corpus Act of 1867, originally enacted to protect blacks and white Unionists. Holden was forced to release the captives, and the campaign against the Klan collapsed. The affair provided a bonanza for Holden's opponents, and in the 1870 legislative elections, which occurred amid the furor over habeas corpus, Democrats swept to victory. It was an inglorious end to his long, erratic political career and to Reconstruction in a state where its prospects had once appeared so bright.

In other ways as well, violence had a profound effect on Reconstruction politics. For the Klan devastated many local Republican organizations. By 1871, the party in numerous locales was "scattered and beaten and run out." No party, North or South, commented Adalbert Ames, could see hundreds of its "best and most reliable workers" murdered and still "retain its vigor." Indeed, the black community was more vulnerable to the destruction of its political infrastructure by violence than the white. Local leaders played such

a variety of roles in schools, churches, and fraternal organizations that the killing or exiling of one man affected many institutions at once. And for a largely illiterate constituency in which political information circulated orally rather than through newspapers or pamphlets, local leaders were bridges to the larger world of politics, indispensable sources of political intelligence and guidance. Republican officials, black and white, epitomized the revolution that seemed to have put the bottom rail on top. Their murder or exile inevitably had a demoralizing impact on their communities.

The issue of violence transcended all divisions within the black community, uniting rich and poor, free and freed, in calls for drastic governmental action to restore order. To blacks, indeed, the violence seemed an irrefutable denial of the white South's much-trumpeted claims to superior morality and higher civilization. "Pray tell me," asked Robert B. Elliott, "who is the barbarian here?"

Most of all, violence raised in its starkest form the question of legitimacy that haunted the Reconstruction state. Indeed, as a former Confederate officer shrewdly observed, it was precisely the Klan's objective "to defy the reconstructed State Governments, to treat them with contempt, and show that they have no real existence." The effective exercise of power, of course, can command respect if not spontaneous loyalty. But only in a few instances had Republican governments found the will to exert this kind of force. As Klan activity escalated after the 1870 elections, Southern Republicans once again turned to Washington for salvation.

"Power from Without"

The President forced to cope with Southern violence had been elected on the slogan "Let Us Have Peace." While Ulysses S. Grant had clearly identified himself with Republican Reconstruction policies, no one could be certain what attitude toward the South would characterize his administration. For Grant's election both confirmed the "finality" of Southern Reconstruction and suggested that the slavery controversy had at last been settled. Even as he assumed office, what one Republican called "the vexed question of suffrage" appeared to have been laid to rest. In February 1869 Congress approved the Fifteenth Amendment, prohibiting the federal and state governments from depriving any citizen of the vote on racial grounds. A little over a year later, it became part of the Constitution.

To Democrats, the Fifteenth Amendment seemed "the most revolutionary measure" ever to receive Congressional sanction, the "crowning" act of a Radical conspiracy to promote black equality and transform America from a confederation of states into a centralized nation. Yet while clothing black suffrage with constitutional sanction, the Amendment said nothing about the right to hold office and did not forbid literacy, property, and educational tests that, while nonracial, might effectively exclude the majority of blacks from the polls. Unlike the Fourteenth Amendment, with its universalist language, the Fifteenth failed to expand the definition of citizenship for all Americans. Congress had rejected a far more sweeping proposal barring discrimination in suffrage and officeholding based on "race, color, nativity, property, education, or religious beliefs." "The whole question of suffrage," declared one Senator, "subject to the restriction that there shall be no discrimination on account of race, is left as it now is."

Thus, remarked Henry Adams, the Fifteenth Amendment was "more remarkable for what it does not than for what it does contain." The failure to guarantee blacks' right to hold office arose from fear that such a provision would jeopardize the prospects of ratification in the North. More significant, Congress rejected suffrage provisions that "covered the white man" as well as the black. Southern Republicans, joined by many Northern Radicals, feared that a blanket guarantee of the right to vote would void the disenfranchisement of "rebels." Equally important, Northern states wished to retain their own suffrage qualifications. In the West, the Chinese could not vote; if the Fifteenth Amendment altered this situation, noted California's Republican Sen. Cornelius Cole, it would "kill our party as dead as a stone." Pennsylvania demanded the payment of state taxes to vote; Rhode Island required foreign-born citizens to own \$134 worth of real estate; Massachusetts and Connecticut insisted on literacy. Indeed, the Northern states during Reconstruction actually abridged the right to vote more extensively than did the Southern. Ironically, it was not a limited commitment to blacks' rights, but the desire to retain inequalities affecting whites, that produced a Fifteenth Amendment that opened the door to poll taxes, literacy tests, and property qualifications.

And, of course, proponents of both a "strong" and "weak" Fifteenth Amendment ignored the claims of women. To feminists like Elizabeth Cady Stanton and Susan B. Anthony, the Amendment

added to the numerous "humiliations" Republicans had inflicted on their cause. Rejecting the idea that the Constitution should prohibit racial discrimination in voting while countenancing disabilities based on sex, they opposed ratification, dealing a final blow to the old abolitionist-feminist alliance. As her regard for her erstwhile allies waned, Stanton increasingly voiced racist and elitist arguments for rejecting the enfranchisement of black males while women of culture and wealth remained excluded. "Think of Patrick and Sambo and Hans and Ung Tung," she wrote, "who do not know the difference between a Monarchy and a Republic, who never read the Declaration of Independence . . . making laws for Lydia Maria Child, Lucretia Mott, or Fanny Kemble." In May 1869 the annual meeting of the Equal Rights Association, an organization devoted to both black and female suffrage, dissolved in acrimony. Out of the wreckage emerged rival national organizations: Stanton and Anthony's National Woman Suffrage Association, an embodiment of independent feminism, and the American Woman Suffrage Association, still linked to older reform traditions.

Most reformers, nonetheless, hailed the Fifteenth Amendment as a triumphant conclusion to four decades of agitation on behalf of the slave. "Nothing in all history," exulted William Lloyd Garrison, equaled "this wonderful, quiet, sudden transformation of four millions of human beings from . . . the auction-block to the ballot-box." In March 1870 the American Anti-Slavery Society disbanded, its work, members believed, now complete. Yet amid the blaze of celebration, a few voices of caution were raised. Wendell Phillips warned that the "long crusade" had not really ended, for as victims of "cruel prejudice" and "accumulated wrongs," the freedmen would continue to deserve the nation's "special sympathy." Even among reformers, however, this view came under attack. For their own benefit, said Thomas Wentworth Higginson, who had assisted John Brown and commanded black troops, the freedmen "should not continue to be kept wards of the nation."

Such opinions acquired increasing prominence in Republican circles. Even as they inscribed black suffrage in the Constitution, many party spokesmen believed the troublesome "Negro question" had at last been removed from national politics. With their civil and political equality assured, blacks no longer possessed a claim on the federal government; the competitive rules of the free market would

determine their station in society. "The negro is now a voter and a citizen," declared an Illinois newspaper. "Let him hereafter take his chances in the battle of life."

Like all great social and political transformations, the Second American Revolution had arrived at a period of consolidation. Increasingly, Northern public opinion turned to other questions. Letters received by Republican Congressmen concentrated on economic issues like the currency, taxation, and internal improvements. Nor did the party's Southern wing inspire much fraternal concern in the North. Lacking strong support from the local business community, Southern Republicans were forced to rely on outside aid to finance newspapers and conduct campaigns. They found little forthcoming. Generally, the national party ignored Southern state organizations and local campaigns, and even when the Presidency was at stake, few experienced speakers ventured south and little money was dispatched by the Republican National Committee.

In Washington, Southern Republicans found themselves treated less as objects of special concern than as poor relations, an embarrassing presence. Northerners had grown "tired of this word reconstruction," one Senator told a South Carolina Congressman. Southerners received few important committee assignments and often found it difficult to obtain the floor to deliver speeches. Because Northerners controlled the key legislative posts and continued to view the South as a land of "rebels" undeserving of federal largesse, Southern Republicans could not obtain a fair share of spending. Of funds allocated for internal improvements by the Forty-First Congress, the entire South received only fifteen percent, mostly, complained Mississippi Congressman George McKee, aid to railroads controlled by "northern capitalists."

Nearly all Republicans still believed Reconstruction must be defended. But they showed little interest in promoting further change in the South. A bill establishing a national land commission, introduced by black Congressman Benjamin Turner with a moving speech about the plight of former slaves whose labor had enriched the nation but who "have consumed less of [its] substance . . . than any other class of people," never even came to a vote. Republicans also proved reluctant to promote the state's expansion into new realms. Measured by the magnitude of the federal budget, the size of the bureaucracy, and the number of bills brought before Congress, the

scope of national authority far exceeded antebellum levels. Yet even among Republicans, doubts about the activist state persisted. Proposals for a national Bureau of Health, a federal railroad commission, a federal role in promoting public education, and the nationalization of the telegraph industry all died in Congress. As Georgia scalawag Amos T. Akerman shrewdly noted, while the postwar amendments had made the government "more national in theory," he had observed, "even among Republicans, a hesitation to exercise the powers to redress wrongs in the states." Yet just as the intransigence of Andrew Johnson and his Southern governments had helped to radicalize Congress in 1866, the Ku Klux Klan's campaign of terror propelled Republicans to intervene in Southern affairs. "If that is the only alternative," declared John Sherman, "I am willing to . . . again appeal to the power of the nation to crush, as we once before have done, this organized civil war."

In 1870 and 1871, Congress enacted a series of Enforcement Acts to counteract terrorist violence. They forbade state officials to discriminate among voters on the basis of race and authorized the President to appoint election supervisors with the power to bring to federal court cases of election fraud, the bribery or intimidation of voters, and conspiracies to prevent citizens from exercising their constitutional rights. The most sweeping measure, the Ku Klux Klan Act of April 1871, for the first time brought certain crimes committed by individuals under federal law. Conspiracies to deny citizens the right to vote, hold office, serve on juries, and enjoy the equal protection of the laws could now, if states failed to act effectively against them, be prosecuted by federal district attorneys and even lead to military intervention and the suspension of habeas corpus.

The Ku Klux Klan Act pushed Republicans to the outer limits of constitutional change. The Civil Rights Act and postwar amendments, designed largely to protect freedmen against hostile state actions, had left private criminal acts under the authority of local law enforcement officials. Now, in making violence infringing civil and political rights a federal crime punishable by the national state, Congress "moved tentatively into modern times." "These are momentous changes . . .," observed *The Nation*. "They not only increase the power of the central government, but they arm it with jurisdiction over a class of cases of which it has never hitherto had, and never pretended to have, any jurisdiction whatever."

Republicans justified the Enforcement Acts by appealing to the vastly expanded national authority originating in the Civil War and embodied in the postwar amendments. "If the Federal Government," asked Benjamin F. Butler, "cannot pass laws to protect the rights, liberty, and lives of citizens of the United States in the States, why were guarantees of those fundamental rights put in the Constitution at all?" Democrats denounced the laws as Force Acts; dire threats to individual freedom. But one person's force may spell another's liberty. With terror rampant in large parts of the South, black Congressmen evinced little interest in abstract debates about the Constitution. "I desire that so broad and liberal a construction be placed upon its provisions," declared Joseph Rainey, "as will insure protection to the humblest citizen. Tell me nothing of a constitution which fails to shelter beneath its rightful power the people of a country."

Although, under the Enforcement Acts, aggrieved individuals could sue their assailants, it fell to the federal government to suppress violence. Overseeing enforcement were two representatives of Southern Republicanism: Amos T. Akerman, a New Hampshire-born lawyer long resident in Georgia, who had assumed the attorney generalship in mid-1870, and Solicitor General Benjamin H. Bristow, a Union Army veteran from Kentucky. Both insisted on vigorous implementation of the new laws. At their disposal stood the recently established Department of Justice and an array of federal marshals and district attorneys.

Despite a limited budget, difficulties in securing evidence, the reluctance of some victims to testify, and the fact that defendants employed talented and experienced lawyers to oppose the overworked district attorneys, the prosecution of accused Klansmen began in earnest in 1871. Hundreds of men were indicted in North Carolina, where federal troops helped apprehend suspects. Many ended up in prison, including Rutherford County Klan leader Randolph Shotwell, who served two years in an Albany, New York, penitentiary. United States Attorney G. Wiley Wells secured nearly 700 indictments in Mississippi. Only in South Carolina did the military provisions of the Enforcement Acts come into play. Grant in October 1871 proclaimed a "condition of lawlessness" in nine upcountry counties and suspended the writ of habeas corpus. Federal troops occupied the region, making hundreds of arrests, and perhaps 2,000 Klansmen fled the state. Personally directing the

government's legal strategy, the Attorney General allowed those who confessed and identified the organization's leaders to escape without punishment, while trying a few dozen of the worst offenders before predominantly black juries. Most of those indicted eventually pleaded guilty and received prison sentences.

The trials of 1871, culminating in military action against the South Carolina Klan, represented a dramatic departure for the Grant administration, which had previously launched few initiatives in Southern policy. Much of the credit belongs to Akerman, who was deeply affected by the evidence that unfolded. "Though rejoiced at the suppression of KuKluxery even in one neighborhood," he wrote, "I feel greatly saddened by this business. It has revealed a perversion of moral sentiment among the Southern whites which bodes ill to that part of the country for this generation." Akerman embarked on a personal crusade to make known the full horror of Southern violence, lecturing in the North and unsettling Cabinet meetings with accounts of Klan atrocities. Not all of Grant's advisers shared his preoccupation. The Attorney General, complained Secretary of State Hamilton Fish, had the Klan "on the brain. . . . It has got to be a bore to listen twice a week to this thing."

Judged by the percentage of Klansmen actually indicted and convicted, the fruits of "enforcement" seem small indeed, a few hundred men among thousands guilty of heinous crimes. But in restoring order, reinvigorating the morale of Southern Republicans, and enabling blacks to exercise their rights as citizens, the policy proved a success. By 1872, the federal government's willingness to bring its legal and coercive authority to bear had broken the Klan's back and produced a dramatic decline in violence throughout the South.

So ended the Reconstruction career of the Ku Klux Klan, certainly one of the most ignoble chapters in all of American history. National power had achieved what most Southern governments had been unable, and Southern white public opinion unwilling, to accomplish: acquiescence in the rule of law. Yet the need for outside intervention was a humiliating confession of weakness for the Reconstruction regimes. "The Enforcement Act," wrote a Mississippi Republican, "has a potency derived alone from its source; no such law could be enforced by state authority, the local power being too weak." The outcome further reinforced Southern Republicans' tendency to look to Washington for protection. Only "steadily,

unswerving power from without," believed carpetbagger Albert T. Morgan, could ensure the permanence of Reconstruction. Whether in the future such power would be forthcoming depended not only on events in the South, but on how the North responded to its own experience of Reconstruction.

The Reconstruction of the North

Like the South, the victorious North experienced a social transformation after the Civil War. And if the North's reconstruction proved less revolutionary than the South's, the process of change catalyzed by the war continued to accelerate in peacetime. Evidence abounded of the consolidation of the capitalist economy: a manufacturing boom, the spread of new forms of industrial organization, the completion of the railroad network, and the opening of the Trans-Mississippi West to mining, lumbering, ranching, and commercial farming. The North's social structure, like the South's, was altered in these years. An increasingly powerful class of industrialists and railroad entrepreneurs took its place alongside the older commercial elite; the number of professionals and white-collar workers grew dramatically; and the wage-earner irrevocably supplanted the independent craftsman as the typical worker. Returning from England in 1868, Charles Francis Adams and his family were stunned by the triumph of the new industrial economy over one centered on agriculture and artisanship: "Had they been Tyrian traders of the year B.C. 1000, landing from a galley fresh from Gibraltar, they could hardly have been stranger on the shore of a world, so changed from what it had been ten years before." As in the South, moreover, economic and social change produced new demands on the state and altered the terms of political debate and modes of party organization. From labor relations to party politics to attitudes toward the postwar South, no aspect of life remained unaffected by the reconstruction of the North.

