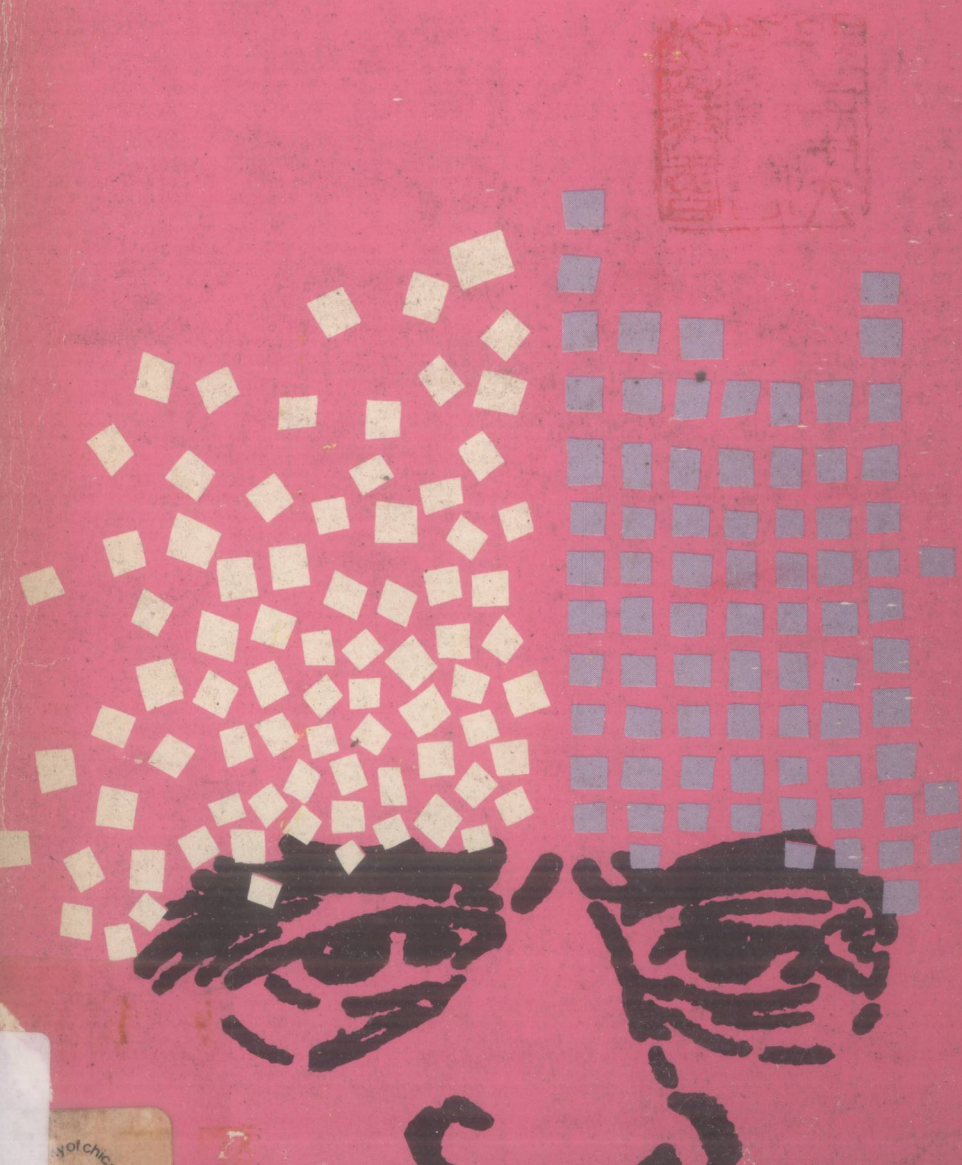


ANDREW JOHNSON AND RECONSTRUCTION

ERIC L. MCKITTRICK



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By Eric L. McKittrick



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Andrew Johnson and Reconstruction

ANDREW JOHNSON

For
E. S. M.

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Part One: **1865**

Chapter
1

Andrew Johnson: The Case Reopened

One of the most notable reversals of sentiment toward a high public figure ever to be brought about in this country has been the rehabilitation of Andrew Johnson's historical reputation as seventeenth President of the United States. Nowadays when President Johnson's memory is invoked, it is with few traces of the odium that surrounded him during the climactic years of his own lifetime and that persisted for nearly two generations after his death. With judgment no longer inflamed by the passions of a former age, a number of our scholars over the past thirty years have decently refurbished the picture of Lincoln's successor. Their devotion and care, tinged with belated remorse, have produced a setting in which we may now see the unfortunate man in the light of justice and reason.¹

Andrew Johnson, having assumed the executive chair in the spring of 1865 upon the assassination of Abraham Lincoln, had in the summer and fall of that year put into effect a policy for the political reconstruction of the defeated Southern states, the outlines of which for the most part had been laid down by Lincoln himself. Despite some indications in the beginning that Johnson's attitude toward the South might be a harsh one, his policy turned out to be quite otherwise. Such was its mildness, such was the generosity with which amnesties were made available, and such was the simple efficiency with which civil

¹ This attitude has given unity to a whole cycle of writing on Johnson, most of it appearing within the space of a single decade: Howard K. Beale, *The Critical Year, 1866: A Study of Andrew Johnson and Reconstruction* (New York: Harcourt, Brace, 1930); George F. Milton, *The Age of Hate: Andrew Johnson and the Radicals* (New York: Coward-McCann, 1930); Robert W. Winston, *Andrew Johnson, Plebeian and Patriot* (New York: Henry Holt, 1928); Claude G. Bowers, *The Tragic Era: The Revolution after Lincoln* (Boston: Houghton Mifflin, 1929); Lloyd Paul Stryker, *Andrew Johnson: A Study in Courage* (New York: Macmillan, 1929); and James G. Randall, *The Civil War and Reconstruction* (Boston: D. C. Heath, 1937). The point of view represented in these works has, in turn, had immeasurable influence upon nearly everything else on the period that has since been written.

governments could once more be set up in those states, that the policy gave every promise of the South's rapid reincorporation into the political life of the nation as a whole. Its initial reception in the North was not unfavorable. Many Northern newspapers—probably a good majority of them—commended the President for the energy with which he had approached his inherited task, counseled patience, and urged that his policy be given a fair trial.

Widely organized opposition to the President would have been difficult to identify in the summer and fall of 1865. Yet the extraordinary fact is that in a matter of weeks after the opening of Congress in December, Johnson's relations with an increasingly radical House and Senate had deteriorated; by the spring of 1866 his position as leader of the Union party² had become meaningless; and by the fall elections of that year his influence in the country at large had all but collapsed. In March, 1867, Congress took reconstruction into its own hands. So complete was this collapse, so profound the breach between Congress and the President, and so general the contempt and hatred in which the latter had come to be held, that the famous impeachment brought against him during his last year in office—the only attempt of its kind ever made so far in our history—could actually come within a single vote of succeeding.

All this makes the eventual rescue of Johnson's reputation the more remarkable. His personal honor has now been vindicated and placed beyond question. The violent attacks made upon him, the charges—by Republican politicians—of incompetence, drunkenness, and even of immorality, have all been discredited by the work of twentieth-century historians. His diligence and administrative capacities were, as we now know, unusual. President Johnson may now be seen as a man of undoubted personal integrity and firm principle who was slandered intemperately by his fellow citizens. Today's portrait of him actually contains touches of the heroic.

And yet the very effort to revise our historical perspective on Andrew Johnson, and the great intensity which has gone into it, may have produced results that have not turned out to be, in the fullest sense, "balanced" after all. History may in the end require that more than one kind of justice be done toward any man who happens to have

² The "Union" party had represented the wartime effort of the Republicans to form an all-party coalition. Despite numbers of notable Democratic recruits, however, the core of the Union party was made up of Republicans, and the organization was Republican throughout—a fact which the regular Democrats stressed on every possible occasion. The terms "Union" and "Republican" were used interchangeably in the early years of reconstruction, and will be so used throughout the present work.

occupied for a time the supreme position of prime mover in our political society and who has also incurred the supreme rebuke which that society can accord him. The rescuing of a damaged reputation is, in principle, a humane and laudable work. But one does this in a relatively narrow personal setting: the victim's honor is restored while his principal enemies are banished in shame and confusion. Historical justice may exact a more complicated settlement than that, when it must deal with a man who has held great power, who has allowed his power to be stripped from him, and who has let his enemies be numbered in the millions. One comes back to the things the defendant was tried for in the first place by his own contemporaries and to the question of why he should have fallen from grace at all. The satisfaction of his personal honor might be conceded with relative willingness, and one could still be a long way from satisfied on these larger questions. The personal drama in which Andrew Johnson is pitted against Thaddeus Stevens and Charles Sumner and their followers provides too limited a scope for what one wants to discover, or rediscover, about the crisis in national government which occurred in 1866. While the two positions at stake in the bitter struggle between Johnson and the radicals are spelled out in primarily personal terms, as in a morality play, something is sacrificed in the way of dramatic soundness: the play is produced without a setting.

There is a structural aspect here which does not seem to have been accorded anything like full legitimacy in past work done on the subject. This is the aspect of the political party as institution. We have come to assume, for instance, that the behavior of many thousands of men in 1866 was animated by "mere partisan politics." But if the whole subject were reopened, it might make a great deal of difference to assume that there is really nothing "mere" about party loyalty in American politics and that for 1866 in particular the scope and implications of such partisanship had become so prodigiously extended as to render the very notion of "partisanship," in its ordinary acceptance, temporarily meaningless.

The Republican party, though it had been in office only a little over four years, had by 1865 undergone an experience which had conferred attributes of a virtually organic nature upon it. For those men to whom it had afforded careers—indeed, for all those who had become in one way or another identified with the party in the course of its short life—the connection had acquired a multitude of meanings of more than ordinary profundity. In 1860 the Republican party, a half-dozen years after coming into being, had won a national election. In

the very act of its assuming power, a national crisis, long in the making, had been precipitated. The party nonetheless had subsequently organized a government, built up its own bureaucracy and civil service, cast its lines into all the Northern states, recruited armies, and smashed the rebellion. Its leader had suffered martyrdom. Out of all this an institution had been created, something that now had a life of its own.

One may not consider the "life" of such a structure without also assuming a set of vital structural needs which must somehow be fulfilled if such life is to be sustained—needs whose denial might be compared metaphorically to the denial of oxygen and nourishment. It is possible, in certain connections, to think of them as existing quite apart from particular individuals and particular policies. So far as the Republican party was concerned, these needs, in less than a year after the rebellion's end, appeared to be threatened from both within and without. Something of a "threat," of course, is aimed at any party on the occasion of almost any election. And though, in assessing institutional behavior, it is worthwhile to take such a threat seriously at any time, it is especially important to recognize that the election of 1866 was no ordinary election. The influence of the Republican party had extended itself in circles so unusually wide by that time, and the things the party represented had become so manifold, that great numbers of Northern families found themselves concerned in the most vital and basic way with its institutional well-being.

The historian's reappraisal of the Johnson administration has been a reaction both against the personal indignities suffered by President Johnson and against the character of reconstruction as it was eventually inaugurated by Johnson's congressional opponents along lines differing so vastly from those advocated by the President. It is natural to connect the one with the other—and it is thus rather hard to avoid the conclusion that of the two policies it was Johnson's which contained the greatest long-range wisdom and which best seemed to serve the interests of the country at large.

Still, the question remains: what came in between? What was there about the speed and completeness of Johnson's collapse that renders such a version of "wisdom" almost beside the point? There must have been, in Johnson's policy and in the manner in which it was promoted, a challenge so basic and so widely felt that considerations of morality, wisdom, or the "interests of the country" temporarily lost a great deal of their ordinary meaning.

Here it will be necessary to summarize briefly the leading facts, so that they may later serve as points of reference.

By May, 1865, Andrew Johnson had decided that the initial problems of reconstruction—of re-establishing civil governments in the rebellious states and preparing those states to resume their normal functions in the Union—might best be handled, not by calling a special session of Congress, but by a continued exercise of executive powers. His first major step was taken on May 29. On that day he issued two proclamations, one of which laid down the terms whereby individual Southerners at large might obtain amnesty. This was done under the authority of the President's pardoning power. In the other, which he issued in his capacity as commander-in-chief of the armed forces, he appointed a provisional governor for North Carolina and authorized him to establish a government there, thus setting postwar reconstruction on its way. He was shortly to issue similar proclamations for six other states.³ Lincoln himself had acted by proclamation at moments when he preferred, at least temporarily, not to be hampered by the more cumbersome process of acting jointly with Congress. Here was a problem sufficiently analogous to those which Lincoln had faced, together with a precedent sufficiently recent, that Johnson's step did not at the time seem unwarranted. Although the country was no longer in a state of war and although there were some doubts as to the appropriateness of launching so deeply important a project as reconstruction except by closely united executive-legislative procedure, generally speaking there was at first very little serious objection to the President's action. His was simply the opening step, not necessarily challenging any basic principle. It was generally supposed that his purposes and those of Congress would prove, in due course, to have been more or less in harmony throughout.

Indeed, the proclamations in themselves were not such as to afford undue grounds for misgiving. The amnesty policy, in addition to its general provisions, contained qualifications which guaranteed, at least

³ The proclamation appointed William W. Holden, a North Carolina Unionist, as provisional governor. Other such proclamations, of virtually identical wording, named William L. Sharkey for Mississippi on June 13; James Johnson for Georgia and Andrew J. Hamilton for Texas on June 17; Lewis E. Parsons for Alabama, June 21; Benjamin F. Perry for South Carolina, June 30; and William Marvin for Florida, July 13. The proclamations are printed in James D. Richardson, *A Compilation of the Messages and Papers of the Presidents* (Washington: Bureau of National Literature and Art, 1908), VI, 312-16, 318-31. The other four states of the erstwhile Confederacy—Arkansas, Louisiana, Tennessee, and Virginia—already had "restored" governments of sorts, and these were considered far enough along in the process of reconstruction as not to require the appointment of provisional governors.

in principle, that large categories of former participants in the rebellion would come under individual scrutiny before being granted full pardon. Nor did the other proclamation—the one for North Carolina, which was to serve there and elsewhere as the basis for presidential reconstruction—foreclose the possibility of reasonable guarantees and safeguards for the future loyalty of any state governments that might be set up in the South. Federal agencies were re-established there, and the provisional governor was directed to appoint civil officers, state and local, giving preference to loyal people. A constitutional convention was to be called which would amend the state's organic law in conformity with the results of the late conflict. Properly construed, this implied a warning that certain conditions would have to be met before such states and their reconstructed governments could be considered for full recognition by federal authority. Presumably the Executive would make these conditions clear and explicit by private correspondence. The provision most open to question was the one directing that the convention—or the legislature that would later be elected—should prescribe the state's qualifications for voting and officeholding. Considerable sentiment existed in the North favoring suffrage, in some qualified form, for the newly freed Negroes;⁴ and thus the wide individual discretion which this part of the proclamation allowed to a former slave state may not have been the most effective way of promoting such an aim. And yet here, too, the possibility of informal pressure remained theoretically open. Only the radical extremists of the Republican (or Union) party showed immediate signs of alarm.

There is a sense in which it could be said that “reconstruction” proceeded with remarkable smoothness during the summer, fall, and early winter of 1865. Numerous observers, taking note of Southern conditions immediately after the collapse of the Confederacy, commented upon the widespread sense of shock, amounting virtually to apathy, exhibited by the people of that region. With little notion of what to expect from the conqueror, the majority of the population was immersed in the dull awareness of defeat. It was thus hardly an extravagance to report that they “accepted the situation”; nothing could be more unanimous than this very point, in dozens of such reports; and to add, as General Grant did in his, that it was “in good faith,” was almost a *non sequitur*: it scarcely mattered. Submission to force was complete and beyond question; no tendency to further rebellion could

⁴ A sentiment recognized by both Lincoln and Johnson in messages to the governors of Louisiana and Mississippi. See below, pp. 56 ff.