

Cambridge Essential Histories

326.0973
Sen 282

Cambridge Essential Histories is devoted to introducing critical events, periods, or individuals in history to students. Volumes in this series emphasize narrative as a means of familiarizing students with historical analysis. In this series, leading scholars focus on topics in European, American, Asian, Latin American, Middle Eastern, African, and World History through thesis-driven, concise volumes designed for survey and upper-division undergraduate history courses. The books contain an introduction that acquaints readers with the historical event and reveals the book's thesis; narrative chapters that cover the chronology of the event or problem; and a concluding summary that provides the historical interpretation and analysis.

General Editor

Donald T. Critchlow, Arizona State University

Other Books in the Series

Michael G. Kort, *The Vietnam War Reexamined*

Maura Jane Farrelly, *Anti-Catholicism in America, 1620-1860*

David M. Wrobel, *America's West: A History, 1890-1950*

Mark E. Neely Jr., *Lincoln and the Democrats: The Politics of Opposition in the Civil War*

Howard Brick and Christopher Phelps, *Radicals in America: The U.S. Left since the Second World War*

W. J. Rorabaugh, *American Hippies*

Sean P. Cunningham, *American Politics in the Postwar Sunbelt*

Jason Scott Smith, *A Concise History of the New Deal*

Stanley G. Payne, *The Spanish Civil War*

J. C. A. Stagg, *The War of 1812*

Ian Dowbiggin, *The Quest for Mental Health: A Tale of Science, Medicine, Scandal, Sorrow, and Mass Society*

Wilson D. Miscamble, *The Most Controversial Decision: Truman, the Atomic Bombs, and the Defeat of Japan*

Edward D. Berkowitz, *Mass Appeal: The Formative Age of the Movies, Radio, and TV*

Charles H. Parker, *Global Interactions in the Early Modern Age, 1400-1800*

John Lauritz Larson, *The Market Revolution in America: Liberty, Ambition, and the Eclipse of the Common Good*

James H. Hutson, *Church and State in America: The First Two Centuries*

Maury Klein, *The Genesis of Industrial America, 1870-1920*

John Earl Haynes and Harvey Klehr, *Early Cold War Spies: The Espionage Trials That Shaped American Politics*

Unrequited Toil

A History of United States Slavery

CALVIN SCHERMERHORN

Arizona State University

LIBRARY ST. MARY'S COLLEGE

 **CAMBRIDGE**
UNIVERSITY PRESS

No Justice, No Peace

War did not make slaves into citizens. Enslaved people's self-freedom and federal emancipation did away with chattel slavery, or legal property in people. But rather than ending suddenly, slavery transformed in the midst of civil war, and while emancipation wiped slave wealth off of enslavers' balance sheets, it did not completely end forced labor. Victory in war did not change hearts. And constitutional amendments did not change minds. Not by themselves. Federal Reconstruction, beginning in wartime and extending until the late 1870s, was a halting, incremental, and incomplete process of working out what freedom meant for African Americans. For most freedpeople, it was an agonizing transition from a form of chattel slavery to quasi-free labor in a new political and social order. Some achieved citizenship. African Americans for the first time served in the US Congress, in state legislatures, and in state executive offices.¹ But others fell into slavery by another name, in convict labor, forced labor, and debt bondage. And that resulted in large part from Reconstruction policies embodying a contradiction between justice and peace. The US Civil War was won on the promise of black freedom. But peace in a restored Union depended on drawing ex-rebels back into the political order. The latter imperative wavered in the face of black political activism but ultimately emerged triumphant.

When the Abraham Lincoln administration commenced Reconstruction during wartime, the president sought a middle course. It was a titanic gamble that an unexpectedly costly and terrible war would be resolved

¹ Ira Berlin, *The Long Emancipation: The Demise of Slavery in the United States* (Cambridge, MA: Harvard University Press, 2015).

and the nation healed by an accommodation with the forces of change. After 1862, a return to chattel slavery was not an option. But the Lincoln administration was not prepared to push for citizenship rights for formerly enslaved people either. That ambiguous policy set the tone for Reconstruction, giving victories to white supremacist Unionists and betraying the promises of emancipation.

Like many white Americans, Lincoln was ambivalent about African Americans as citizens. He told a delegation of African Americans visiting the White House in the summer of 1862, "You and we are different races," the differences being so great that "I think your race suffer very greatly, many of them by living among us, while ours suffer greatly from your presence." Even after slavery, the president predicted, "you are yet far removed from being placed on an equality with the white race." He proposed colonizing them out of their country, to a place in Central America where – if as few as twenty-five went – "I could make a successful commencement." Two thousand African Americans had emigrated to Haiti in 1861–62, but many returned.² Colonization had always been more political than practical. And Lincoln sighed that the moral imperative of emancipation carried a heavy political liability when it came to the question of black civil rights.

At first Lincoln decided that building goodwill with ex-Confederates would lead to peace, and justice would follow gradually as former rebels accepted the verdict of the war. Louisiana was a test of that policy. It was the most urban state in the South, and New Orleans had a vibrant African-descended middle class. Union forces had captured most of the state early in the war. Lincoln's vision for Louisiana Republicans was broad and inclusive, a middle position between Radicals' civil rights program and conservatives' resistance to emancipation. Late in 1863, Lincoln ordered Louisiana's new military governor – and former US House Speaker – General Nathaniel P. Banks to "give us a free-state re-organization of Louisiana, in the shortest possible time."³ Early in 1864, Banks ordered new elections for state offices and constitutional convention delegates. Louisiana's 1852 constitution, amended in 1861 to pledge allegiance to the Confederacy, needed to be scrapped. But Banks did not enlist African

² Lincoln, quoted in Louis P. Masur, *Lincoln's Hundred Days: The Emancipation Proclamation and the War for the Union* (Cambridge, MA: Harvard University Press, 2012), 88.

³ Abraham Lincoln to Nathaniel A. Banks, December 24, 1863, *The Collected Works of Abraham Lincoln*, Vol. 7, ed. Roy P. Basler (New Brunswick, NJ: Rutgers University Press, 1953), 90.

American support in Louisiana, instead focusing on Unionist whites and even former enslavers.

And in a bid to draw in white support all over the occupied South, Lincoln offered the Ten Percent Plan, under which a Confederate state might reenter the Union should 10 percent of its electorate or white male population swear allegiance to the US government and repudiate the Confederacy. That low bar was meant to start the reunification process in states like Virginia, a small fraction of which was Union-occupied. Ex-Confederates swearing allegiance had to accept that slavery was over, but Lincoln's amnesty proclamation of December 1863, set a tone that the war would end with a peaceable reunion rather than treason trials and executions of traitors.

But under such policies African Americans gained nothing but freedom. And even that legal freedom was often a mask for coercive labor practices aimed at preserving slave-like conditions. In Louisiana, as elsewhere in the South, formerly enslaved people were often forced to sign year-long labor contracts with former owners. Supposedly protected from whippings, they nevertheless returned to work for ex-enslavers who wielded all the enforcement power in the contracts. And when elections were held in 1864, voting was restricted to white males who swore a loyalty oath. Ex-Confederates could vote so long as they took the oath; black Unionists and even veterans could not.

Moderate Republican Michael Hahn was elected Louisiana's first Reconstruction governor in February 1864. Lincoln asked Hahn for some concessions on black voting rights. "I barely suggest for your private consideration," the president wrote, "whether some of the colored people may not be let in – as, for instance, the very intelligent, and especially those who have fought gallantly in our ranks. They would . . . help . . . keep the jewel of liberty within the family of freedom."⁴ But Hahn refused, deciding that African Americans would be excluded no matter their intelligence, loyalty, or service.

Reconstruction in Louisiana seemed to be a victory for moderates. It abolished slavery with no compensation to owners (or reparations to those enslaved). It provided for free public education for all Louisianians ages six to eighteen, set minimum wages of public employees, and established the state capital at New Orleans. But it also denied black men the ballot box, leaving it open to future legislators to decide the issue. White

⁴ Abraham Lincoln to Michael A. Hahn, March 13, 1864, Basler, *Collected Works of Abraham Lincoln*, Vol. 7, 243.

Louisiana voters adopted it by more than a four-to-one margin in July, and General Banks took it to Congress, returning to Washington, DC, to lobby for its passage. Meanwhile, Louisiana's fourteen delegates to the 1864 Republican National Convention in Baltimore voted unanimously for Lincoln's re-nomination for president (and ultimately supported Andrew Johnson of Tennessee for vice president). Lincoln supported the compromise Louisiana constitution, but it alarmed Radicals in Congress.

Congressional Republicans in Washington, DC, were divided on the issue of black civil rights and the role ex-Confederates were to play in Reconstruction. Radicals worried that sacrificing a chance at African American civil rights would hollow out any Union victory. Deaths numbered in the hundreds of thousands, and Radicals feared a quick return to white rule would waste the sacrifice, punish black veterans who risked all for the Union cause, and undermine emancipation itself. Radicals did not trust ex-Confederates whom many considered traitors and argued that the most staunchly loyal Unionists in the South were African-descended. African American patriots – not ex-Rebels – should be rewarded, Radicals argued, deciding that Lincoln's plan relied too much on ex-Confederates' goodwill while penalizing formerly enslaved people.

African American abolitionists were growing frustrated by Lincoln's moderation in the face of the war's towering costs and a moment they knew might easily slip away. Frederick Douglass thundered that the war needed to be "no war but an [a]bolition war; no peace but an [a]bolition peace; liberty for all, chains for none; the black man a soldier in war, a laborer in peace; a voter at the South as well as at the North; America his permanent home, and all Americans his fellow countrymen."⁵ Douglass spoke for a political constituency that was largely disenfranchised but also for a moral constituency of nearly 200,000 African Americans in Union uniforms or who worked as loyal scouts and laborers supporting the war effort. He spoke for 4 million would-be citizens. And Douglass kept up pressure on the administration to change its policy from colonization to civil rights while he lobbied for equal pay for black soldiers for most of 1864.

Worried that Lincoln's détente with moderates like Hahn would sacrifice victory, Radicals in Congress opposed the Ten Percent Plan. Henry Winter Davis of Maryland and Benjamin Wade of Ohio proposed the

⁵ Frederick Douglass, "'The Mission of the War,' January 13, 1864," in *The Frederick Douglass Papers, Series 1: Speeches, Debates, and Interviews*, Vol. 4, 1864–80, ed. John W. Blassingame (New Haven, CT: Yale University Press, 1991), 11–13.

Wade-Davis Bill in 1864, which required a majority in each ex-Confederate state to swear that they had never supported the Confederacy. It set an impossible standard meant to thrust control over Reconstruction into the hands of Congress rather than the president and state conventions. Lincoln refused to sign the Wade-Davis Bill in the summer of 1864, and it never became law. Conflict between Lincoln's moderates and Radical Republicans grew when House leaders refused to accept the 1864 Louisiana constitution or seat representatives elected under it. In the Senate, abolitionist Charles Sumner of Massachusetts threatened to filibuster the question of Louisiana's readmission under Banks's constitution. What abolitionist Wendell Phillips called "Mr. Lincoln's model" of Reconstruction was jammed up in intraparty disagreement over black civil rights. Lincoln admitted defeat but turned his attention to winning reelection and with it a costly strategy to win the Civil War.⁶