

Lincoln's Reconstruction Plan vs. the Radical Republicans

Annotation

Reconstruction was the period during which the United States began to rebuild after the Civil War, lasting from 1865 to 1877, although some historians use 1863 (Emancipation Proclamation) as the starting point. The term also refers to the process the federal government used to readmit the Confederate states. Complicating the process was that Abraham Lincoln, Andrew Johnson (President after Lincoln), and both the moderate and Radical Republicans in Congress had differing views on how to handle the situation.

Lincoln, prior to his assassination by John Wilkes Booth (5 days after the war ended), had made it clear that he favored a lenient Reconstruction policy. In December of 1863 (well before the war ended) Lincoln announced his **Proclamation of Amnesty and Reconstruction**, also known as the **10 Percent Plan**. Lincoln's moderate Reconstruction plan angered both moderate and Radical Republicans in Congress. Led by Senator Charles Sumner of Massachusetts and Representative Thaddeus Stevens of Pennsylvania, the Radicals wanted to ensure complete social and political equality for the freed blacks, while the moderates desired much of the same, but were less willing to use the law to grant that equality. In July 1864, the Radicals responded to the 10 Percent Plan by passing the **Wade-Davis Bill**, which proposed that Congress, not the President, be responsible for Reconstruction.

The Proclamation of Amnesty and Reconstruction, December 8, 1863. (a.k.a... *the 10% Bill*) <http://www.history.umd.edu/Freedmen/procamn.htm>

WHEREAS...by the Constitution of the United States, it is provided that the President "shall have power to grant reprieves and pardons for offences against the United States..." and ...Whereas, a rebellion now exists ... the loyal state governments of several states have for a long time been subverted, **and many persons** have committed, and are now guilty of, treason against the United States; and

Whereas, with reference to said rebellion and treason [i.e. *the Civil War and the secession of 11 states*], laws have been enacted by congress, declaring **forfeitures and confiscation of property and liberation of slaves**... and also declaring that the President was ... authorized at any time thereafter, by proclamation... to extend to persons who may have participated in the existing rebellion... pardon and amnesty [*forgiveness*]...on such conditions as he may deem expedient [*beneficial*] for the public welfare; and

...I, ABRAHAM LINCOLN, President of the United States, do proclaim, declare, and make known to all persons who have, directly or by implication, participated in the existing rebellion... that a full pardon is hereby granted to them and each of them, with **restoration of all rights of property**, except as to slaves... and upon the condition that every such person shall take and subscribe an oath...

"I, _____, do solemnly swear, in presence of Almighty God, that I will henceforth faithfully support, protect, and defend the Constitution of the United States and the Union of the States ... and that I will, in like manner, abide by and faithfully support all acts of congress passed during the existing rebellion with reference to slaves, so long and so far as not repealed, modified, or held void by congress, or by decision of the supreme court; and that I will, in like manner, abide by and faithfully support all proclamations of the President made during the existing rebellion having reference to slaves, so long and so far as not modified or declared void by decision of the supreme court. So help me God."

The persons excepted [*excluded*] from the benefits of the foregoing provisions [i.e. not pardoned] are all who are, or shall have been, civil or diplomatic officers or agents of the so-called Confederate government; all who have left judicial stations under the United States [i.e. *Northern and Southern judges*] to aid the rebellion; all who are, or shall have been, military or naval officers of said so-called Confederate government above the rank of colonel in the army or of lieutenant in the navy; all who left seats in the United States congress to aid the rebellion; all who resigned commissions in the army or navy of the United States and afterwards aided the rebellion; and all who have engaged in any way in treating colored persons... otherwise than lawfully as prisoners of war...

...And I do further proclaim, declare, and make known that **any provision ... may be adopted** by ... [*Southern*] state government in relation to the freed people of such state [i.e. *freed slaves*], which shall recognize and declare their permanent freedom, provide for their education, and which may yet ... [*temporarily assist them*] as a laboring, landless, and homeless class, will not be objected to by the National Executive [i.e. the President].

... it may be proper to further say, that whether members sent to congress from any state shall be admitted to seats constitutionally **rests exclusively with the respective houses [i.e. Congress]**, and not to any extent with the Executive [i.e. *President*]...

ABRAHAM LINCOLN.

The Wade Davis-Bill, July 1864

www.ourdocuments.gov/doc.php?doc=37&page=transcript

Transcript of Wade-Davis Bill (1864)

A Bill to guarantee to certain States whose Governments have ... overthrown a Republican Form of Government.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the states declared in rebellion against the United States, the President shall, by and ***with the advice and con- sent of the Senate***, appoint for each a provisional [*temporary*] governor... who shall be charged with the civil administration of such state until a state government ... shall be recognized...

SEC. 2. And be it further enacted, That so soon as the military resistance to the United States shall have been suppressed in any such state, and the people thereof shall have sufficiently returned to their obedience to the constitution and the laws of the United States, the provisional governor shall ... request each one [*citizen*] to take the oath to support the constitution of the United States, and ...if the persons taking that oath shall amount to ***a majority of the persons enrolled in the state***, he shall...invite the loyal people of the state to elect delegates to a convention ... to the reestablishment of a state government ...

SEC.4. And be it further enacted, That the delegates shall be elected by the loyal white male citizens of the United States of the age of twenty-one years... and who shall take and subscribe the oath of allegiance to the United States ... *but no person who has held or exercised any office, civil or military, state or confederate, under the rebel usurpation, or who has voluntarily borne arms against the United States, shall vote, or be eligible to be elected as delegate, at such election...*

SEC. 7. And be it further enacted, That the ... [*delegates*] shall declare, on behalf of the people of the state, their submission to the constitution and laws of the United States...Involuntary servitude is forever prohibited, and the freedom of all persons is guaranteed in said state...

SEC. 8. And be it further enacted, That when the convention shall have adopted those provisions, it shall proceed to re-establish a [state] government... if the ... [*delegates*] shall refuse to reestablish the state government on the conditions aforesaid [*mentioned*], the provisional governor shall declare it dissolved;

SEC. 10. And be it further enacted, That, until the United States shall have recognized a republican form of state government, the provisional governor in each of said states shall see that this act, and the laws of the United States, and the laws of the state in force when the state government was overthrown by the rebellion, are faithfully executed within the state ...

SEC. 12. And be it further enacted, that all persons held to involuntary servitude or labor ... are hereby emancipated ... and they and their posterity shall be forever free. And if any such persons ... shall be restrained of liberty...the courts of the United States shall, on habeas corpus, discharge them.

SEC. 13. And be it further enacted, That if any person declared free by this act, or any law of the United States, or any proclamation of the President, be restrained of liberty, with intent to be held in or reduced to involuntary servitude or labor [i.e. *slave*], the person convicted before a court ... of such act shall be punished by fine of not less than fifteen hundred dollars, and be imprisoned not less than five nor more than twenty years.

SEC. 14. And be it further enacted, That every person who shall hereafter hold or exercise any office, civil or military...in the rebel service, state or con- federate, is hereby declared not to be a citizen of the United States.

Lincoln's Reconstruction Plan vs. the Radical Republicans

Answer the following questions about the **10% Plan** and be prepared to discuss:

1. Who is the author of this document and when was it produced?
2. According to the document, who should control Reconstruction?
3. According to the document, what is the role of the executive branch? The legislative branch? [For Lincoln's reading – the answer is in the next to last paragraph]
4. What conditions must be met for Southern states to be readmitted to the Union?
5. Who should be excluded from readmission? Is a rationale (reason) provided to justify this exclusion? Do you support it?
6. Does this document indicate any provisions to support or assist former slaves?
7. Who do you think would support this document? Who would reject it?
8. What do you believe is the strength of this proposal?
9. What difficulties do you believe might arise if this proposal was accepted?
10. Choose one adjective to describe the terms of this plan. Be prepared to defend your choice.

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Annotation 2

Lincoln's 10% Plan was based on the belief that Reconstruction was primarily an executive, rather than congressional responsibility. The plan offered a full pardon and the restoration of all property [i.e. gave the plantations back to the former slaveholders] with the exception of slaves, to all persons who took a loyalty oath and vowed to accept the end of slavery. Only a small number of high-ranking Confederate officials were deemed ineligible. When, in any state, such pledges numbered 10% of the number of votes cast in 1860, those who had vowed their loyalty could form a new state government.

The 10% Plan was lenient and sketchy in details [unclear]. It did not address the rights of freed slaves and it put few obstacles in the way of former rebels who might seek to regain control of their state governments. The plan, consequently, drew criticism from congressional Republicans (both moderate and radical) who believed that the federal government ought to actively support the freedmen while promoting a transformation of social and political life in the South.

The Wade-Davis Bill, which congress approved in July 1864, offered a tougher approach. It permitted the states of the Confederacy to hold constitutional conventions and form state governments only after a majority of voters had taken a loyalty oath. Confederate officials, as well as those who had borne arms "voluntarily" would not be permitted to vote for, or participate in, these convocations; and the new state constitutions would have to ban slavery.

Lincoln's Response to the Wade-Davis Bill

BY THE PRESIDENT OF THE UNITED STATES:

A PROCLAMATION:

WHEREAS, at the late session, congress passed a bill to "guarantee to certain states, whose governments have been usurped or overthrown, a republican form of government, " ...;

And whereas the said bill was presented to the President of the United States for his approval less than one hour before the ... adjournment of ... [Congress], and was not signed ...;

And whereas the ... bill contains... a plan for restoring the states in rebellion to their proper practical relation in the Union... ;

Now, therefore, I, ABRAHAM LINCOLN, President of the United States, do proclaim, declare, and make known, that, while I am ...*unprepared ... to be inflexibly committed to any single plan of restoration*; and, while I am also unprepared to declare that the free state constitutions and governments already adopted and installed in Arkansas and Louisiana shall be set aside and held for nought [waste] , thereby ... discouraging the loyal citizens who have set up ... to abolish slavery in states, but am at the same time sincerely hoping and expecting that a constitutional amendment abolishing slavery throughout the nation may be adopted, nevertheless I am truly satisfied with the system for restoration contained in [my]... bill as one very proper...

ABRAHAM LINCOLN.

By the President :

WILLIAH H. SEWARD, Secretary of State.

We will read this document in class and comment on Lincoln's response.

- What argument does Lincoln provide for not accepting the Wade-Davis Bill?
- Even though he "pockets" the bill, what does he say in evaluating the proposal?
- If you had been a member of Congress who had supported the Wade-Davis Bill, how would you have reacted to Lincoln's pocket veto?

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End Annotation

Lincoln used a pocket veto to kill the Wade-Davis Bill after Congress adjourned. According to the Constitution, a president has 10 days to either sign or veto a bill passed by Congress. If the president does neither, the bill will automatically become law. Lincoln found a loophole. When a bill is passed less than ten days before the end of a congressional session, the president can prevent its becoming law by simply ignoring, or “pocketing” it. The congressional Republicans called Lincoln’s pocket veto an outrage – the stage was set for a presidential-congressional showdown.

Once freed, how would former slaves support themselves? Freedmen [i.e. those who had already been free before the Civil War] were qualified and extremely willing to take part in the government, but the question remained: Should the government help them to become economically independent of their former masters, while at the same time rectifying 250 years of stolen labor. After all, who had worked the land for that time? Lincoln, intent [and as per his 10 % Plan] on speedily restoring the union, believed that federal intervention in the affairs of the South ought to be held to a minimum. He, and many other moderate republicans in Congress believed that their ability to receive pay for their labor would gradually elevate their place in society. This is the core of the “free labor” ideology.

But many Radical and moderate Republicans, including George Julian and Thaddeus Stevens, were convinced that the liberty of the freedmen would be worthless unless they owned property. According to Julian, four million landless, impoverished black laborers would quickly be reduced to “a system of wages slavery...more galling than slavery itself.”

As a result, Congress passed the **Second Confiscation Act** 1865, which made all rebel property liable to confiscation. Initially, Lincoln convinced congress to limit any seizure of land to the lifetime of the owner, which effectively prohibited its permanent redistribution to freedmen. Nonetheless, both houses repealed those limiting clauses, in favor of a program that would substantially alter the distribution of land and power in the South.

What ensued was a series of experiments in land and labor policy. Nearly everywhere, the freedmen displayed a preference for becoming self-supporting, for dividing the land into plats on which they could grow several crops. They demonstrated the ability to grow for themselves, and run a plantation at a profit. In most locales, however, Northern officials leased the land to white owners and forced the freedmen to sign labor contracts and work as agricultural laborers on the very plantations upon which they were slaves.

It was against this backdrop that Congress created the Freedmen’s Bureau. The bureau was charged with monitoring the condition of former slaves and delivering fuel, food, and clothing to the poor, both white and black. It also had the power to divide confiscated or abandoned lands into 40 acre parcels that could be sold to the freedmen.