Land and the Ballot: Securing the Fruits of Emancipation?

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The debate over whether Reconstruction succeeded or failed in changing the status of African-Americans depends in large part on how one defines success or failure. Viewed from the perspective of 1860, the cumulative impact of emancipation, civil rights, and the ballot by 1870 are revolutionary; viewed from the perspective of later years, one may choose to emphasize continuities as well as contrasts in the status of the freedmen in the post-Reconstruction South with the conditions of enslavement prior to the war. Much also depends upon how one defines freedom. Blacks were freed from slavery, but what did that freedom mean? Freed blacks and their proponents recognized that abolition alone was an insufficient guarantee of freedom. They also pursued four other goals in their quest for equality in postwar America. They sought equality before the law: the opportunity to obtain an education; the right to vote; and the ownership of land. The last two items roused particular discussion and controversy during Reconstruction, even among Republican supporters of the freedpeople. Not only did Republicans disagree about the necessity or desirability of such measures as enfranchising blacks and confiscating and redistributing land to blacks, but even among those who supported both measures, there was disagreement over their relative importance.

For those observers and scholars who insist that Reconstruction either did not go far enough or could (and should) have gone much further to secure the fruits of emancipation, the question of land reform looms large. Only by confiscating the estates of planters and distributing at least some of the acreage to the freedmen, so the argument goes, could Republicans establish a lasting foundation for black freedom. And leading the list of those Reconstruction Republicans associated with the policy of confiscation and redistribution was Thaddeus Stevens, who made it a centerpiece of his postwar policy. Stevens's comprehensive view of what was ideally desirable to achieve the fruits of emancipation was most clearly expressed in his speech to the Pennsylvania Republican convention in Lancaster on September 6, 1865. He called for the confiscation of the land of the top ten percent of Southern landholders—some 394 million acres. Each adult freedperson would receive 40 acres; the remaining acreage—more than 350 million acres—would be sold at
auction, with the proceeds going to veterans' pensions, compensation for loyalists, and the retirement of the war debt. Always pragmatic, Stevens saw in his proposal something for whites as well as for blacks, something for Northerners as well as for Southerners. Land would be made available to whites as well as blacks, and the proceeds from land sales would go far to meeting the postwar financial obligations of the federal government. But at the heart of the proposal was economic self-sufficiency for blacks through land ownership. Over the next two years, the details of this proposal would change, but the basic idea remained the same—land for the freedmen.¹

That Stevens' proposal promised a major metamorphosis in the lives of the freedmen is readily apparent. Instead of being compelled to conclude contracts with white landowners, they could have established their own farms, determined what crops to grow, and exercised far more control over their own lives. Stevens, however, believed that his proposal did more than simply assist blacks in their quest for autonomy; it would transform Southern society by destroying the power of the planter class. "The whole fabric of Southern society must be changed," he proclaimed, "and never can it be done if this opportunity is lost." What was needed was "a radical reorganization in Southern institutions, habits, and manners."² Only through such a revolution could the foundation be laid for a lasting and just peace.

In pressing for confiscation, Stevens echoed the desire of many freedmen for land to "complete their independence."³ Blacks believed that they had earned a right to land through the sweat of slavery; many tenaciously held on to land they had seized in the wake of the advance of the Union army, and had to be pried from their farms by force. Throughout the 1860s and 1870s, many blacks persisted in their efforts to buy their own land, suggesting the importance they attached to land ownership.⁴ Redistribution certainly would have had economic consequences, but in their desire for land blacks revealed that the sense of autonomy and self-esteem such ownership would give them was at least as important. Whites also understood the political and social consequences of independent black land ownership. Blacks' notions of "security and independence," noted one planter, had to be "eradicated" in order for whites to regain control of Southern society.⁵ As a result, whites often refused to extend blacks credit to buy land or farm implements.

Surprisingly, Stevens was not quite as enthusiastic about proposals to enfranchise blacks. He did not advocate black suffrage in his Lancaster address, an omis-
sion noted by others. His reluctance to do so, however, was not based on a belief that blacks were inherently unfit to vote. Stevens suspected that suffrage, as revolutionary a step as it might seem, was an insufficient guarantee of the freedmen’s autonomy. Without their independence rooted in owning land, blacks could be coerced to vote in the interest of their white employers. With this in mind, Stevens pushed for the so-called territorialization of the ex-Confederate states, intending to buy time to secure the fruits of revolution. The ex-Confederate states “would be held in a territorial condition until they are fit to form state constitutions, and ask admission into the Union as new States,” he announced at Lancaster. He added later that under such governments Southerners would have plenty of time to “learn the principles of freedom.” Stevens, reported one newspaper, “sees plainly that the end we must seek is sure rather than swift reconstruction.”

Stevens’s reservations about immediate enfranchisement in no way detract from his ultimate commitment to enfranchising blacks; they do make clear that political reality at times modified his personal preferences. To Stevens, suffrage by itself meant little; coupled with confiscation and redistribution, it could mean a great deal. “Homesteads to them are far more valuable than the immediate right of suffrage,” he commented in 1867, although, he added, “both are their due.” There were also practical reasons for caution. Many Republicans feared that outright support of black suffrage would damage the party’s electoral chances. Stevens, aware of Northern sensibilities on the issue of black suffrage, took pains to reassure his constituents that he was concerned with enfranchising Southern blacks.

Not all Republicans endorsed Stevens’s proposal. Many expressed concerns about the sanctity of private property and the implications for Northern society of accepting confiscation and redistribution of property as proper ways to achieve social justice. Other Republicans believed that free labor did not automatically mean freeholds; the process of earning one’s independence in itself shaped character along desirable lines. To simply give blacks land would be to encourage notions of entitlement without work. Those Republicans who held to free labor tenants argued that blacks should be allowed to compete on equal terms in the marketplace—which meant the guarantee of equality before the law, not a right to the land. Some Republicans argued that the ballot would be far more important than redistribution in securing black autonomy.

Stevens also encountered a president who refused to entertain notions of confiscating planter property and had little if any interest in promoting black aspi-
This political cartoon, ca. 1866, shows President Andrew Johnson on a throne and Thaddeus Stevens with his head on the chopping block inset, William H. Seward.
rations. Andrew Johnson's obstructionism rendered hopes for confiscation problematic. His pardon policy, which restored to pardon recipients their property (with the exception of slaves), went far to preserve the structure of antebellum Southern society. Johnson ordered the Freedmen's Bureau not to distribute land not yet formally confiscated; he also decided not to honor the military orders of William T. Sherman setting aside land in Georgia and South Carolina for use by blacks. Johnson's opposition to confiscation made it virtually impossible for Stevens to muster a veto-proof majority in support of legislation; with a more amenable chief executive, Stevens's proposals might actually have had a chance of passage. Other efforts to provide blacks with land, most notably the Southern Homestead Act of 1866, proved unsuccessful in securing homesteads for many blacks.12

Instead, Stevens had to rest satisfied with the securing of black suffrage in the Reconstruction Act. Suffrage for blacks was far more acceptable to Republicans, in part because they believed that blacks armed with the ballot would be able to protect and advance their interests in the political arena. Ulysses S. Grant, a late convert to black suffrage, argued that "the ballot was the only real means the freedmen had for defending their lives, property, and rights."13 Ironically, by enfranchising blacks, many Republicans believed that they had also freed themselves from any further obligation to protect the freedmen by empowering them to defend themselves at the ballot box. But suffrage was not enough to most radicals and abolitionists. "The time will come," Thomas Wentworth Higginson declared, "when the nation must recognize that even political power does not confer safety upon a race of landless men."14

But the alternative of confiscation and redistribution was never explored. Blacks struggled for economic independence and autonomy within the confines of far more limiting alternatives. Now did the ex-Confederate states remain out of the Union for long, despite Stevens's warning that a rapid reconstruction would leave intact the roots of white supremacy. Under the Reconstruction Acts, all but three ex-Confederate states were readmitted to representation by 1869, and those three states—Virginia, Texas, and Mississippi—were back within the first two years of the Grant administration. Only in the matter of suffrage did Stevens realize some success, and that was but a partial victory, for suffrage came without the land he believed was essential to democracy. The Reconstruction Acts provided for black political participation at the ballot box and at state constitutional conventions; the Fifteenth Amendment, ratified in 1870, prohibited race as a barrier to suffrage.15
One should not minimize this accomplishment; the United States was unique among those nations which experienced emancipation in that the emancipated became voters.

Perhaps Thaddeus Stevens's vision was impracticable and incapable of implementation. For to have realized that vision would have required a reassessment of the goals of Reconstruction, devaluing the importance of reconciliation and the restoration of old notions of stability in favor of pursuing a more far-reaching vision of social, economic, and political change. It would have called for a far more activist federal government willing to implement change and see it through to fruition. But prolonged congressional supervision of the ex-Confederate states was unacceptable to most Republicans. The vast majority of Northerners advocated a rather rapid reunion, with little thought as to how such a truncated period of rehabilitation would affect the permanence and extent of revolutionary change. Constitutional conservatism, even among radicals, characterized Republican attitudes toward Reconstruction policy. Even Stevens had heeded this sentiment, for he argued that his "conquered provinces" theory actually observed constitutional restraints, for only through territorialization could Congress legitimately legislate for the South.\textsuperscript{15}

This constitutional conservatism has come under heavy criticism from scholars who believe that the ballot alone was an insufficient guarantee of black freedom. These scholars accept Stevens's premise that land ownership, by making blacks economically independent, would have provided a solid foundation for securing the fruits of emancipation; without land, blacks possessed insufficient means to make good on the promise of equality and autonomy.\textsuperscript{16} Thus, according to these historians, Reconstruction was fatally flawed from the start. The failure to give blacks land reflected the limits of Republican visions and paved the way for the restoration of white supremacy in the 1870s.

But what if blacks had received land as well as the ballot? That the contours of Reconstruction would have been altered is certain; whether its eventual outcome would have been altered is far more problematic. Confiscation certainly would have damaged the political and economic power of the planter class.\textsuperscript{17} But it is unclear in what other ways confiscation would have had a significant and lasting impact on Southern politics and society. Some scholars have concluded that the economic impact of land reform would have been limited. As Eric Foner has observed, "acquiring small plots of land would hardly, by itself, have solved the economic plight of black families."\textsuperscript{18} Robert Higgs put it even more bluntly:
"Forty acres and a mule' was no panacea for the economic ills of the black population." Moreover, blacks needed more than land to become farmers, and the cost of tools and implements might have barred blacks from realizing their dream. It is unclear whether the majority of blacks would have been able to hold on to their property during the economic trials to come. Confiscation and redistribution could not stand alone as the lasting foundation of black economic autonomy and empowerment.

Nor is it clear that land reform would have done much to secure political freedom for blacks. The primary cause of the collapse of Reconstruction in the 1870s was the triumph of white supremacist violence and intimidation, not economic leverage exercised by planters. Land reform might have weakened the planter class and deprived whites of certain forms of leverage, but it would not have stopped such violence. The events of the 1870s disproved the claim of one abolitionist journal that once blacks were given land and the ballot, "he will trouble the nation no more." Rendering the link between economic and political power still more problematic are the findings of Loren Schweninger, who argues that during the 1870s black land ownership increased—at the very time that Republicans were losing control of Southern state governments. Thus, while one may argue that without economic power suffrage was an insufficient guarantee of black independence and power, the ownership of land by blacks would not have stopped the wave of counter-revolution that swept across the South in the 1870s.

One can speak with more confidence about the impact of the ballot on black independence. Enfranchising blacks did not prevent the collapse of Republican regimes in the 1870s, leaving in their wake Redeemer governments that acted to constrict the boundaries of black freedom. White terrorism against Republican voters and officeholders, both black and white, proved successful in overthrowing the pro-black Republican regimes. The Grant administration, frustrated by its inability to quell violence and aware of the political costs apparent in the increasing unpopularity of intervention, proved increasingly reluctant to dispatch federal troops and law enforcement officials south to counter such terrorism. The Supreme Court in a series of decisions restricted the grounds of such intervention. Mitigating the sense of failure is the fact that while every Southern state succumbed to the white supremacist counter-revolution by 1877, some Southern blacks continued to enjoy some degree of political and economic autonomy for years to come, although by the 1890s such instances had become extremely rare. Cooperative endeavors tended to fare better, as did black communities. But these
were exceptions to a legacy of disastrous failure.24

Thus, over the long term, neither land redistribution nor the ballot inevitably led to a truly reconstructed Southern order. More was needed to preserve black freedom. Indeed, a policy of confiscation and redistribution would have reinforced color-line politics, requiring a more significant federal presence.25 One option would have been more energetic and durable federal protection for blacks against terrorism. Those historians who blame the Grant administration for the fall of Reconstruction argue that it intervened too little and too late to preserve Southern Republican regimes and thus black interests. Yet speculation along this line fails to consider the growing unpopularity of such intervention among the Northern electorate. In saving the South one might lose the North. Grant refused to intervene in Mississippi in 1875 because Ohio Republicans told him it would hurt Republican chances to win a tightly-contested gubernatorial race in the Buckeye State.

In the short term, federal intervention might have preserved Southern Republican regimes from terrorism. But the long-term outlook remains less certain. Intervention made clear the inability of the freedmen and their white allies to defend themselves against opposition; “bayonet rule” inevitably called into question the legitimacy of such regimes, rendering them unacceptable in the minds of most Southern whites and distasteful if not deplorable to many Northerners.26 A decade after Stevens’s death, Ulysses S. Grant ruminated on alternative approaches to Reconstruction. “I am clear now that it would have been better for the North to have postponed suffrage, reconstruction, State governments, for ten years, and held the South in a territorial condition,” he reflected. But he realized that prolonged military occupation was impractical due to its unpopularity, for “it was not in accordance with our institutions.”27 Thus Stevens’s proposals for Reconstruction which featured these ideas, were unacceptable to most white Americans, North and South.

Land and the ballot, taken together, might have improved the status of freed blacks in Reconstruction beyond what was actually achieved, but such achievement in all probability would have been short-lived.28 One would have to insist upon ahistorical conditions to achieve the successful implementation of such a program. The blunt fact is that the concerns of the freedmen were only one of several priorities facing Reconstruction policy makers. National reunification and sectional reconciliation, while related to the issue of the freedpeople’s status, also concerned policy makers. The dilemma of Republican Reconstructionists was to
devise a plan which could meet both the goals of reconciliation and racial justice, a task complicated by the fact that efforts to serve one objective usually came at the risk of damaging the other. Republicans, concerned about their political viability both as an end in itself and as necessary to uphold measures favorable to blacks, also had to keep in mind the limited interest of the Northern electorate in Reconstruction.

Ironically, black prospects in the long term might have been best served, some scholars suggest, by a policy of developing biracial Republican coalitions in the South, shifting the major dividing line of Southern politics from race to economic development. By wooing whites with the promise of prosperity, Republicans might have replaced the color line with economic issues as the central concern of Southern politics. Such an approach might also have benefited blacks. Economic development, with its concomitant prospect of economic diversification, would have broadened black opportunities to accumulate capital while providing alternatives to agriculture. Such an approach might have led to the creation of self-sustaining Republican governments, accepted as legitimate by a large number of white Southerners, in at least some Southern states, governments which would have been far better for blacks than the Redeemer regimes that eventually triumphed.29

Such a strategy would have come at the expense of black aspirations. Proposals for land reform and integration, for example, would have been downplayed in such an environment. But such an alternative recognizes the reality of racism in American society and its role in creating political opposition motivated at least in part by a sense of backlash against blacks. The more prominence given black concerns in the Republican agenda, the more likely the party and its supporters would have been the target of anti-black violence. Blacks enjoyed a glimpse of equality and opportunity during Reconstruction, but by the end of the 1870s they found themselves on the defensive, having been forced to give up much of what they had gained. Perhaps a different approach might not have resulted in such far-reaching if momentary gains for the freedmen, but then again it might also have resulted in better conditions for blacks in the long run had the Republican party stayed in power in at least some Southern states.30

Thaddeus Stevens would have appreciated the irony implicit in the above proposal. The very moderation he despised in others might have in the long term led to better results for the freedmen than his heartfelt but unattainable radicalism. Indeed, the alternative outlined above embodies the pragmatic perspective with
which he viewed politics. Yet it is also less than clear that such an alternative would have fared much better. It would have been very difficult to forge such coalitions with Andrew Johnson in the White House; in all probability such a policy could have commenced only in 1869 with Grant’s inauguration. Nor could such a coalition merely shift the grounds of division within Southern politics from race to class, a favorite alternative for some historians, for Republicans could not be the party of the poor in the South while remaining the party of capitalist investment and economic development in the North.31

Critics of this approach would rightly point to the failure of centrist policies in Virginia and Florida as raising doubts about the viability of such an approach. Moreover, the Panic of 1873 would have dealt a serious if not crippling blow to centrist policies founded upon the theme of government-sponsored economic development. It also bears remembering that in a more limited effort, the so-called “gospel of prosperity” ultimately failed in creating any long-term Republican regimes in the South, although it must be admitted that the efforts of Grant and Rutherford B. Hayes to pursue such policies in the late 1870s occurred only in the aftermath of the failure of other policies. One wonders, however, what might have happened had Republicans pursued this strategy from the beginning of Grant’s administration and accepted the possibility of short-term setbacks in exchange for building the party up in the long term. In light of the improbable prospects for success of any alternative program given prevailing historical circumstances and attitudes, however, it offered blacks their best chance to consolidate more limited gains, at least in some states, for a longer period of time.32

Even this “best chance” was probably at best a slim chance. For freedmen’s rights was only one of several goals of Republican Reconstruction policy. Republicans also sought a true reunion based upon the restoration of sectional harmony and the preservation of Republican political power in the North and in the nation as well as in the South. These goals often clashed, and Republicans never truly reconciled them. Too much emphasis on freedmen’s issues worked against the other two goals. In the end, Republicans maintained their political base in the North and contended for power at the national level, and a rough semblance of sectional harmony was achieved, although it was founded upon Northern acquiescence in Redemption and apathy or inaction about abuses suffered by the freedman. Southern whites, defeated in their attempts to control federal policy over slavery in the 1850s and in their efforts to establish a slaveholders’ republic in the 1860s, finally hit upon a winning formula for regaining control of Southern society.
and politics during Reconstruction through terrorist violence. Such tactics crippled Southern Republicanism and wore out an already flagging Northern commitment. Of course, Southern whites adopted this approach only after the destruction of slavery in the crucible of civil war. In losing slavery, they had lost much; but if they had lost slavery, most Southern whites believed that they had lost little else, for their obsession to retain control over blacks outweighed their desire for economic development. They were sadly mistaken. Debt peonage, sharecropping, and the continued dependence of the Southern economy upon cotton eventually impoverished whites as well as blacks; the political economy endorsed by Andrew Johnson on behalf of poor whites made many whites poor.

Thaddeus Stevens once acknowledged that he lived "among men and not among angels." It is well to keep this in mind when assessing the impact of Republican efforts to reconstruct the South. Surely racism, political and economic interests, and shortsightedness shaped the contours of the Republican program. So too did the limits and durability of Northern will and the real desire of many white Northerners for a true reconciliation with white Southerners—after all, the war was fought to keep the Union together, and the social revolution which followed was a consequence and not the cause of that conflict. But the emphasis of some historians intent on finding fault with Northern efforts to enact and implement a Reconstruction policy overlooks what was achieved, the role of blacks as well as of Republicans in achieving it, and the decisive impact of the obstructionism of Andrew Johnson and the systematic and determined terrorist counter-revolution waged by Southern whites in curtailing the struggle for change. Perhaps we should not demand of Republicans in the 1860s and 1870s what we today find so hard to ask of ourselves.
Notes

1. Stevens presented similar proposals to Congress in February 1866 and March 1867. See Congressional Globe, 39th Congress, 1st Session, 655-58 (February 5, 1866) and ibid., 40th Congress, 1st Session, 203-6 (March 19, 1867).

2. Speech of September 6, 1865, Stevens Papers, Library of Congress; the speech is printed in this issue.


15. Speech of September 6, 1865, Stevens Papers, Library of Congress.


28. Roger Ransom points out the difference between short- and long-term prospects in Conflict and Compromise, 248.


33. Brodie, Stevens, 270.