Impeachment and Southern Politics

Phases of Reconstruction? Trace the events leading to Impeachment.

Causes and Outcomes of Impeachment?

What did Southern Republicans in Power Accomplish?
Bigger picture: four phrases

1. **Lincoln & Johnson** propose two different reconstruction paths......1863-1867

2. Johnson’s actions motivate Radicals and results in the **Military Reconstruction Acts and Impeachment**......1867-1870

3. The **Radicals give the vote to southern blacks** and Southern politics change drastically.....1870-1874

4. The Freedmen’s **Bureau struggles** to provide food, education, land, economic contracts, etc.....1864-1877

5. The **end of Reconstruction**.....1877
How and Why do we Impeach??????

Article Two of the United States Constitution (Section 4) states that...

"The President, Vice President, and all other civil Officers of the United States shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other High Crimes and Misdemeanors. The House of Representatives has the sole power of impeaching, while the United States Senate has the sole power to try all impeachments. The removal of impeached officials is automatic upon conviction in the Senate.”
Federal Impeachments?

Two presidents.

Fifteen Judges.

One Senator (William Blount of TN).

One Secretary of War (William Belknap).

Treasury Secretary Andrew Mellon and Supreme Court Justice Abe Fortas both resigned in response to the threat of impeachment hearings, and, most famously, President Richard Nixon resigned from office after the House Judiciary Committee had already reported articles of impeachment to the floor. The popularity of Ronald Reagan prevented impeachment actions—but his accusers had gathered significant evidence.
The Johnson Proclamations...

Hated by most Americans....

Johnson had offered proclamations of general amnesty for most former Confederates but with strict conditions.

The his personal pardons turned the restrictions into folly.

Johnson also vetoed legislation that extended civil rights and financial support for the former slaves—a demand of Radicals.

In Aug-Sept. 1866 swing around circle to garner support, backfired—resulting in a 3 to 1 Radical Republican (veto-proof) Congress.
Giving the veto...and kicking the Freedmen’s Bureau.
Johnson critics were loud.
Was Edwin Stanton a problem?

Yes!!

Stanton—needed to be replaced...

Controlled other department’s in Lincoln’s absence...

Controlled Lincoln’s funeral...

   Controlled the State Dept since Seward was injured...

Used secret service to spy on Johnson...

Sent copies of cabinet meetings to radicals....
Steps to Impeachment....

Tenure of Office Act allowed suspension of appointees when Congress was in recess. During recess, Aug 5, 1867 Johnson suspended Stanton.

Appointed Grant as Interim Secretary.

Jan 7 1868 Congress passed a resolution of non-concurrence & Grant honored it and resigned.

Johnson asked William T. Sherman a Stanton enemy to take the job, but Sherman turned him down.

Feb 21 1868 Adjutant General Lorenzo Thomas was appointed and hand delivered the suspension notice to Stanton—Stanton refused to leave the office.

Stanton barricade his office doors and ordered Thomas arrested for violation of the Tenure of Office Act.
Adj General Lorenzo Thomas
Three days later, Feb. 24, House voted 126 to 47 to impeach
Recorded impeachment vote.
One week later, the House adopted ten articles of impeachment.

These included suspension of Stanton.

Appointment of Thomas.

Even seizure of federal property.

And giving speeches disrespectful of Congress.
Johnson’s Impeachment Committee
Under the Constitution the House must find cause, then must act as “prosecutor”.

The Chief Justice, Salmon P. Chase, supervised the “trial” to be held in the Senate.

Each Senator had one vote.

The President’s defense asked for 40 days to collect evidence, but the Senate granted only 10—the trial began in Mar 23, 1868.

After opening arguments, the President was given 6 more days—the trial re-convened Mar 30.
Benjamin Butler gave a 4 hour speech on historical tyrants who should have been impeached.

Johnson’s main defense was that Stanton was a hold over from Lincoln, not covered by the new act, and so he could not have violated the act.
Senators were given tickets to re-give to supporters, Johnson was given only ten tickets.
The trial.
Stanton firing a cannon at Thomas and Johnson.
Ladies Gallery
Reporter’s Row
This is one of the last great battles with slavery. Driven from these legislative Chambers; driven from the field of war, this monstrous power has found a refuge in the Executive Mansion, where, in utter disregard of the Constitution and laws, it seeks to exercise its ancient far-reaching sway. All this is very plain. Nobody can question it. Andrew Johnson is the impersonation of the tyrannical Slave Power. In him it lives again.

Charles Sumner, voting guilty
What law does this record show the President to have violated? Is it the tenure of office act? I believe in the constitutionality of that act, and stand ready to punish its violators; but neither the removal of that faithful and efficient officer, Edwin M. Stanton, which I deeply regret, nor the *ad interim* designation of Lorenzo Thomas, were, as has been shown, forbidden by it.

Lyman Trumball, voting not guilty
In 3 votes, 35 voted guilty; 19 not guilty

—since a 2/3 majority was required was to convict the President of treason...

He was acquitted by only one vote.
Ole Thad gives the last speech...
Depicted as a “little boy...”

THIS LITTLE BOY WOULD PERSIST IN HANDLING BOOKS ABOVE HIS CAPACITY.

AND THIS WAS THE DISASTROUS RESULT.
Criticized as he returned to civilian life.
The Radicals also attacked the Supreme Court

1866, *Ex parte Milligan* (U.S. Supreme Court)

A confederate was judged in a military tribunal in Indiana for attempting to take over a prisoner of war camp. The courts found that military tribunals were unconstitutional where civilian courts still functioned (as they did in Indiana).

This seemed to make military reconstruction illegal...what would happen next?

The Courts, influenced by the controlling Radicals, did say that the right of habeas corpus could be suspended by the military—but the military could not conduct the trials. The Radicals acted swiftly...

...passed laws requiring a 2/3 Court majority if laws were declared unconstitutional.

...enabling Congress to override the Court with 2/3 majority.

Then facing opposition the Congress backed away from an encounter with the Court.
Outcomes of Impeachment

...Separation of Executive and Legislative branches in tact.

...Constitutional **powers of appointment** left in tact.

...The **Presidency** restored to some importance.

...The **Supreme Court** remained powerful.

...The **Radicals** were free to try their experiments in the south.

...The **military rule in the South** would now go on for eight years.

...As impeachment floundered, the Southern States re-entered the Union.
Bones and Banjoes Conventions

Criticized as conventions of “monkeys”, the state constitutional conventions met in 1867-1868 to produce exceptional constitutions...

...universal manhood suffrage (ahead of the North)

...educational and prison reforms

...new public services paid for with property taxes

The main disagreements were....

...treatment of ex-Confederates

...and public school segregation...practiced in all Southern States
Would the new Southern state constitutions be approved?

Conservative whites in Alabama boycotted the vote which meant that less than the required percentage of registered voters went to the polls.

The Radicals passed the Fourth Reconstruction Act allowing state constitutions to be approved with simple majorities.

Between May and August 1868, six more Southern States approved constitutions.

The size of Texas and local issues delayed some progress, but slowly between 1868 and 1870 the Southern States were re-admitted to the Union.
The Election of 1868

Republicans wanted control of the White House AND Reconstruction,

TWO ISSUES:

1. **Nominee?**

   Would it be Republican Salmon Chase? NO—he supported Johnson’s innocence.

   Or, Grant, the former Democrat & War Hero—YES—anything to win

2. **Black suffrage in the North?**

   Michigan had defeated a referendum for black suffrage; but party radicals demanded the national platform support universal black suffrage.

   Moderates won with a plank stating black suffrage was up to the Northern states.
Democrats in 1868...too many candidates

...Johnson...General Winfield Scott Hancock, another war hero

...Indiana Senator Thomas Herndricks...Ohio Representative George Pnedleton

After 22 deadlocked votes the convention turned to the Governor of NY, Horatio Seymour.

Seymour had opposed the Reconstruction Acts, and black suffrage

He had even supported the NY rioters

Dems vowed to undo Reconstruction and return governments to “white people”.
New York Governor
Horatio Seymour,

Democratic Presidential Nominee, 1868
Seymour, Blair & Liberty
THE RADICAL PARTY ON A HEAVY GRADE.

I can't fight it out on this line against the rising sun.

Hold on General!... for if we let go, the whole party will go to destruction.

Just as I told them! there is no strength in this team! why did not they put me and Tilman on the ticket?

I'll bet 5, 10, 15 or 20 dollars on little joker Grant...

Why! Old Thad has fallen off the platform!

Well we won't stop to pick him up, it's a pity he hadnt fell all before.

I'd rather fall all than ride with an old scarecrow like you.

Emerson

Swearns

Stevens
The campaign was bitter...

The Democrats called the black governments in the south “bastards”...

But Grant responded “let us have peace”

This sent the right message to a public weary of war and political warfare.

Then violence and voter fraud marred the election.....
The KKK...at first a paternal group...became a terrorist organization...the reign of terror focused on keeping Republicans from the polls in 1868

...formed in Pulaski, TN and led by former confederates including Nathan Bedford Forrest became the “military arm” of the Democrats

...200 murders were reported in Arkansas associated with the KKK

...In Georgia threats of violence resulted in almost no republican turnout.

...nearly 1,000 blacks were killed in Louisiana whose Governor called for national troops to preserve the peace---Johnson refused
The 15th Amendment

As the election wounds down, Republicans were still hoping for black suffrage.

Black men could not vote in 11 of 21 northern states, nor in any of the 5 border states.

After three versions were discussed, Congress accepted the most moderate version Feb 26, 1869..it would take more than a year to get ratification

...and much drama in Georgia

...March 30, 1870
Celebrating Ratification of the 15th Amendment
Celebrating Ratification of the 15th Amendment
ARTICLE XV

Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.
Southern Republicans

Through military occupation, and Radical Reconstruction, the South gave rise to a different type of party

80% were black men who were ex-slaves and mostly illiterate

The others supporting them were northerners come south, Abolitionists, and opportunists
Black leadership, 1868-1876

14 Black Representatives

2 Black Senators

Many local black elected officials

Several well educated, one-third business men or craftsmen

Many had served in the Union in the war, an education in itself, and returned to the South
Democrats, Ex-confederates, and Racists criticized...

James S. Pike, *The Prostrate State*, described SC as run by “Negro rule” or the “dregs of the population....”
Reality—White dominance

Blacks held around 18% of offices during Reconstruction

Only one black man, Jonathan Wright became a judge

Whites, with money and experience, dominated the southern Republican Party
Carpetbaggers

Northerners settling in the South (mostly Union Officers staying on)

Gained almost 1/3 of local southern elected offices

Nearly HALF of Southern Governors, Congressmen & Senators were carpetbaggers from the North.
Scalawags

White Southerners who join the Republicans

Called “vile, filthy, unfit for the dogs”

Not the reality, most carpetbaggers & scalawags saw a new south—prosperous and well educated

Most were from the northern tier of southern states and were “Unionist” against the plantation wealth of the Old south.
A Fragile Coalition

Blacks [dis-harmony between free and ex-slave blacks]

Whites from the North

Whites from the South, especially middle income yeomen and “Unionists”

Groups often disagreed and both white and black feared violence
Accomplishments of Southern Republicans

...established statewide education systems

...re-organized state judicial systems

...massive re-building program for roads and bridges

...loan programs to Railroads

But also many corrupt government officials
Security in the South

...KKK targeted black schools—a direct threat to white supremacy

...But most KKK violence was a threat leading up to elections

...Enforcement became impossible. Black troops would escalate the situation. Union troops were not trained for counter-insurgency. And Southern Governors had no money for either tactic.

...Arkansas, North Carolina and Tennessee attempted to fight the Klan and almost no arrests were made.

May 31, 1870, Congress passed the first enforcement act making it illegal to interfere with voting. In February 1871 a second act provided organization to supervise voting; and the Ku Klux Act April 20, 1871 authorized the President to use force to protect Southern voters.
President Grant took modest action...

...sent troops into three states

...Federal Grand Juries indicted 3,000

...fewer than 900 were put on trial, most receiving fines and acquittal.

Grant was criticized as using “bayonet rule”
The election of 1872

Grant was hurt by massive corruption from his conies....But was helped by his middle of the road approach to Southern violence

Liberals nominated a well-known NY editor, Horace Greeley.

“Anything but Grant”

civil service reform, tariff reduction

sectional reconciliation, amnesty

Grant won 56% of the vote, every Northern state and most of the Southern states.
Conclusions

...Johnson’s personal pardons and defiance of the Radicals put the Radicals in charge...Radical calls for Impeachment were out of spite and resulted in a circus atmosphere

...The outcome of a weakened President was that Radicals were free to experiment with the South

...Southern states starting the re-admission process

...Voters elected Grant in 1868, and the KKK violence re-newed...focused on schools and elections

...The radicals, still hoping for black suffrage, pass the 15th Amendment

...Southern Republicans develop a coalition of blacks, carpetbaggers and scalawags to run the South

...Violence grows and Congress passes three enforcement acts. Grant intervenes and wins the election of 1872. The public grows weary of reconstruction.