

Southern Reconstruction

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Review

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Leigh, Philip *Southern Reconstruction*. Westholme Publishing, \$29.95 ISBN 9781594162763

Southern Reconstruction Mr. Leigh has written several books, including *Lee's Lost Dispatch and Other Civil War Controversies*, and *Trading With the Enemy: The Covert Economy During the Civil War*. He holds a degree in engineering from Florida Institute of Technology and an MBA from Northwestern University.

Philip Leigh contends that the economic plight of millions of poor white Southern farmers embraces the most significant thrust of the decades following the Civil War. The absence of attention to this crucial phenomenon resides with a generation of recent historians. Their focus on racial equality for ex-slaves as matters of political ideology and Southern loyalty to the Union has dominated the scholarship of Reconstruction history.

Leigh intends to right that wrong. His method is to examine the desperate conditions of poverty among white farmers and to censure the motives and inspect the damage caused by "Radical Republican" policies both federal and local. In Leigh's ken the Radicals are once again the "bad guys" of Reconstruction. His definition of Reconstruction focuses on the period from 1865 to 1877, but stretches into the latter nineteenth century and indeed into the twentieth. This resurrection process, alas, is severely flawed.

The evidence relies entirely on secondary sources. For support for his opinions – and for quotations of individual speakers, snatches of memoirs, newspaper reports and other primary statements, even easy to locate statutes – Leigh relies on prominent historians. Even in the Introduction he notes Claude Bowers, Avery Craven, John Ezell, Matthew Josephson, William McFeely, Kenneth Stampp, Brooks Simpson, James Randall and David Donald (neither with middle initials) among numerous others. The bibliography also identifies some historical documents, cited from online collections. This practice is

followed throughout the volume. One might also observe the omission of current significant works on Reconstruction. Three published in 2014 – as Leigh was writing – may serve as exemplars: *The Wars of Reconstruction: The Brief, Violent History of America's Most Progressive Era* by Douglas R. Egerton; *After Lincoln: How the North Won the Civil War and Lost the Peace* by A. J. Langguth; *The Ordeal of the Reunion: A New History of Reconstruction* by Mark Wahlgren Summers. Leigh's book lacks a certain scholarly demeanor which Reconstruction historians have come to expect.

There are, further, factual errors. Three may be noted. Leigh states that the First Reconstruction Act, establishing military rule in the South, was “passed on the first day of the Fortieth Congress,” thus May 4, 1867 -- the first day of Radical Republican rule. That Act, however, was enacted by the Thirty Ninth Congress on March 2, not March 4. Does it matter?

The Thirty Ninth was elected in the Fall of 1864, along with Abraham Lincoln, taking office on March 4, 1865. Moderates held sway in the Thirty Ninth: Senator Lyman Trumbull of Illinois, a moderate who became a Liberal Republican in 1872, was the principal author of the Civil Rights Act of April, 1866, passed over President Andrew Johnson's veto – the first override in American history. Congressman John Bingham of Ohio, Chair of the Joint Committee on Reconstruction, shepherded the 14th Amendment in 1866 and in June 1866 sent it to the states for ratification. The Thirty Ninth contained some Radicals but not the juggernaut of Radicals who came next. That all Republicans, moderates and Radical alike, were ready to employ military rule, speaks to the general Northern distrust regarding the defeated rebels. It weakens Leigh's argument about the evils of Republican Radicalism.

Leigh's brief coverage of the Liberal Republicans of 1872 portrays that movement as dedicated primarily to ending Reconstruction, “to give each state to herself,” as Liberal presidential nominee Horace Greeley proclaimed. But the Liberals were not only for Universal Amnesty, which Leigh notes, but rather for both Universal Amnesty and Universal Suffrage, strongly supporting voting rights for freedmen. Regrettably Leigh omits comment about other Liberal ideals – civil service reform, free trade, and no reelection for a corrupt President Grant. He might have profited from this reviewer's work on *Nation* founder, E. L. Godkin, on Springfield, Massachusetts, newspaperman Samuel Bowles, and certainly on Missouri Senator Carl Schurz. While the Liberals lost in a landslide to Grant, they remain the only third party in American history with enough

political clout to impel one of the two major parties to nominate its candidate for President.

Regarding the Civil Rights Act of 1875, Leigh tells us that “the act attempted to support social equality by outlawing racial school desegregation and discrimination in public accommodations....” To be sure the majority Republicans, led in the House by Benjamin F. Butler of Massachusetts (who had indeed lost reelection in the 1874 midterms for supporting the Bill), debated the school clause to the very end. The House struck out the provision literally minutes before passage, fearing a veto by President Grant. The Senate concurred. The substance of the law Grant signed on March 1, 1875, declares in Section 1:

That all persons within the jurisdiction of the United States shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities, and privileges of inns, public conveyances on land or water, theaters, and other places of public amusement; subject only to the conditions and limitations established by law, and applicable alike to citizens of every race and color, regardless of any previous condition of servitude.

Current research suggests that the President likely would have vetoed the bill had it contained the school clause. The Supreme Court, in the Civil Rights cases of 1883, makes no reference to school desegregation.

Leigh’s viewpoint that the Republicans were motivated solely by politics, rather than ideology, urges some adjustment. The GOP may have abandoned their pre-war/wartime doctrines of racial equality. They substituted a more conservative but nonetheless powerful doctrine – labeled for convenience as Rights–For–Order.

Equal rights created stability in the social order. If the source of disorder in society was inequality, the remedy was equal civil rights. Inclusion into the governance system of the freed people meant enacting uniform free institutions in the South. Those institutions would establish over time a peaceful southern social order. Equal rights would prevent the risk of renewed sectional conflict, preclude any long-term military presence in the South, and reflect the values of democracy and equality. Equality before the law offered an orderly social environment. Rights-For-Order consistently governed the Civil Rights Act of 1866, the 14th and 15th Amendments, the pro-Northern civil governments (following military rule), and ultimately the Civil Rights Act of 1875. Equal civil

rights would remove the dangers caused by continuous festering inequality and perhaps renewed military conflict. Indeed, when white Southerners “redeemed” their state governments from “carpetbaggers,” even before 1877, they did so by means of peaceful elections. The U.S. army did nothing to prevent the conversion from Republican to Democratic rule.

Southern Reconstruction contains several discerning substantial portraits of persons Leigh considers significant. These include President Andrew Johnson, “Pitchfork” Ben Tillman, and Booker T. Washington. Some may find his minimizing the differences in the ideas of Washington and those of W.E.B. DuBois somewhat unusual. His attention to the current controversy concerning the removal of Confederate monuments is prescient.

Calling, as Philip Leigh does, for a more balanced approach to Reconstruction era scholarship – one that emphasizes economic, rather than racial issues – is certainly an intriguing position. It cannot, however, alter the wartime and postwar emotions of the Republican policy makers in Congress. Eleven southern states seceded from the Union. They formed the Confederacy. They took up arms against the U. S. Some 625,000 died in “the War of the Rebellion,” the official title of the war to maintain the Union -- the bloodiest war in the 19th century. The institution of slavery was abolished forever. Four and half million bondsmen became free persons.

Economic factors may supplement issues of race. Yet racial civil equality remains the critical element in Reconstruction.

Dr. Richard A. Gerber: doctorate in History, University of Michigan, 1967. Prof. Emeritus, Southern Connecticut State University (2016). Scholarly books: Welcoming Ruin: The Civil Rights Act of 1875 (with Dr. Alan Friedlander) in press; The System: The American Constitution in Historical Perspective (2009); Revolution and Union: The Dilemma of America (2008); Not Your (Founding) Fathers’ Constitution (2007). \“The Liberal Republicans of 1872 in Historiographical Perspective\” won the Binkley-Stephenson Award for 1975 from the Organization of American Historians. Email: clioii@cox.net.