

RECONSTRUCTION AND ITS EFFECTS ON AFRICAN AMERICANS

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Was Reconstruction a complete failure? This question has plagued historians of the Civil War for over a century now, and it is experiencing a new revival today. Most historians today recognize that Reconstruction did fail because it did not achieve its initial goal of rebuilding the Union and giving freed slaves some basic protections, while at the same time helping them transition from slave to freedmen. However, certain events changed the course of Reconstruction, and its goal became more radical: the complete integration of freedmen into American society. For this reason, Reconstruction was a very important period in the history of blacks in America. It was the period where blacks were first completely freed from slavery and tasted the fruits of citizenship for a while. During Reconstruction, blacks were granted civil rights, the right to sue and sit on juries, the right to vote and hold office, the right to own property, and all of the other benefits that all other citizens in America had. There was even a black Governor of Louisiana. So, what went wrong? Many things happened during this period, which greatly affected the future for African Americans, all of which are worth examining. How did Reconstruction affect the lives of freedmen?

President Lincoln was a moderate Republican and, as such, favored a lenient policy towards the abolition of slavery because his main purpose was to maintain, or rebuild, the Union. First, Lincoln detested slavery because it went against the nature of the U.S. Constitution, which preached life, liberty, and the pursuit of happiness. However, Lincoln was a very cautious politician who be-

lieved in taking small steps when it came to slavery, even though he knew it would be abolished eventually. In America's Unfinished Revolution, Eric Foner mentions that Lincoln's Emancipation Proclamation was designed to free the slaves in enemy slave states only, so that he would not alienate allied slave states and lose support for the war (37). Even though Lincoln's main concern was the preservation of the Union he continued to argue and agitate with allied slave states to change their constitutions and recognize the abolition of slavery, gradually if necessary (Simpson 38-39). Lincoln felt the Union was fragile, since he had to appease allied states and moderate Southerners, and his conciliatory and compromising manner is evident in his reconstruction policy. Announced in December 1863, Lincoln's reconstruction policy was designed to achieve a speedy recovery of the Union. According to Brooks D. Simpson, except for Confederate leaders, Southerners would qualify for pardon and reclamation of their property on the condition that they swear allegiance to the Union and recognize emancipation. Furthermore, a state would be able to form a government and rejoin the Union once the amount of individuals who qualified for amnesty reached 10 percent of the votes cast in the 1860 election (39-40). Lincoln's plan virtually ignored freedmen and would have handed the South, along with vulnerable blacks, over to whites, most of them could not conceive of anything besides white supremacy and the subordination of blacks. However, Lincoln's reconstruction policy was not wholly supported by Congress. Radical Republicans had a different plan for reconstruction and put forward the Wade-Davis Bill, which made it more difficult for a state to be readmitted to the Union (Foner, Reconstruction 61). Lincoln vetoed the bill and neither of the plans went into effect.

Lincoln was assassinated in April 1864, and his successor, Andrew Johnson, was even more lenient than Lincoln was toward the South. Andrew Johnson, originally a Democrat, was a Southerner who himself owned slaves but was loyal to the Union. According to Donna L. Dickerson, Johnson's policy was similar to Lincoln's in that, once a pledge of allegiance to the Union was obtained, it pardoned individuals, except Confederate leaders, and

restored their property. His plan differed from Lincoln's in that, if they applied for pardon directly to Johnson, it allowed former Confederate leaders to be pardoned and regain their property (15). Whereas Lincoln's proposal completely excluded rebel leaders, Johnson's proposal gave all southerners the chance to be officially forgiven and reinstated. It turned out that Johnson was willing to allow the former rebels reestablish Southern society without much punishment.

The South was free to deal with freedman and Southern society as they wished under Johnson, and many of the former Confederate leaders came back to power and tried to bring Southern society as close to its pre-war state as legally possible (Foner, Reconstruction 38). First, as John Hope Franklin mentions, as former rebel states began to quickly form governments, many former Confederate leaders, some unpardoned, were elected and dominated state governments (44). However, this was not limited to state governments, as "the Vice-President of the Confederacy, four Confederate generals, five Confederate colonels, six Confederate cabinet officers, and fifty-eight Confederate congressmen were elected to the Thirty-ninth Congress, which met in December, 1865" (Franklin 43).

With their former power basically restored, the major difference in Southern society was that Negroes were free to do as they pleased. However, large plantation owners who needed laborers dominated Southern society. And since former slaves were now free, the former owners sought to control the movement and freedom of slaves as much as possible (Dickerson 43). Southerners sought to accomplish this with the enactment of "Black Codes." According to Heather Cox Richardson, the Black Codes were designed to limit the free movement of freedmen and, at the same time, ensure Southern planters a stable and cheap labor force (19). While all black codes varied in degree of severity, they were all harsh and were meant to maintain white supremacy. The Mississippi Black Codes are one of the more extreme examples of the restriction of freedmen. The Mississippi Black Codes, an Act to regulate the Master and Apprentice, Section 1 states that a Negro under the age of eighteen, whose parents are in trouble

with the law or unable to provide for them, must be apprenticed to work for a competent person; Section 3 states that this guardian can punish and inflict moderate pain on an apprentice as if he or she is the parent of the apprentice; Section 4 states that if an apprentice should run away, the guardian can pursue the apprentice and bring him or her back to work, or take the apprentice to court (Trefousse, 103-105). These laws could be interpreted many ways and could end with the taking of young children from their families because of something as simple as that child's father being arrested for offending a white person. Furthermore, the apprenticeship was binding and the child had no say in the matter. In an Act to amend the Vagrant Laws of the State, Section 2 states that freedmen not employed by January of 1866 shall be fined up to fifty dollars and up to ten days in prison; Sections 6 and 7 state that freedmen between the ages of eighteen and sixty are to pay a poll tax of one dollar annually, and anyone that fails to do so can be arrested and hired out to someone who can pay the tax (Trefousse, 105-106). These laws meant that freedmen had to earn wages somehow, and if they did not they would be reduced to forced labor and servitude. The Black Codes succeeded in restoring blacks to a position of subordination in a white controlled society, but this would not last long.

Northerners, especially Radical Republicans, were outraged at how Southern society had descended so close to its pre-war period and they attempted to reverse this trend. According to Richardson, "Northern Republicans abhorred the Black Codes and other indications [...] that Southerners were clinging to the past" (28-29). Meanwhile, Johnson did nothing to reprimand the Southerners. Seeing that the president was not going to stop the trends in the South, Congress put forward the Civil Rights Act of 1866. According to Dickerson, "It said nothing about black suffrage, the rights of blacks to hold office, or about the broad area of social equality. The law declared that every person born in the United States (except Indians) was a U.S. citizen. Citizens would receive full and equal benefit of the laws [...]" (97). The law was a moderate one, which was accepted by both moderate and radical Republicans, and did not give any benefits to blacks that was not

received by all other citizens. Nevertheless, Johnson vetoed the bill, which shocked everyone, and this action would change the entire course of Reconstruction.

Johnson's veto would push moderate Republicans to ally with Radical Republicans, and the elections of 1866 would cement this alliance against the Johnson administration. "Johnson might have made his peace with the moderates by signing the bill ... [but] he couched his veto in language particularly offensive to the lawmakers. His intransigent policies had alienated such large segments of his party that the Senate ... [was] now willing to go along with the radicals ..." (Trefousse, 28). Furthermore, because Johnson's Reconstruction Plan was considered unacceptable by many Republicans, they decided to put one forward in the form of a Constitutional Amendment, the Fourteenth Amendment passed on June 13, 1866. The Fourteenth Amendment stated that anyone born within the United States is a citizen and under the jurisdiction of the state that they reside (Trefousse, 109-110). This amendment did not mention freedmen or blacks but it made them citizens and gave them the same rights as all other citizens with the protection of Congress. The amendment was considered moderate because it did not mention blacks or give them benefits over whites, nor did it severely punish former rebels. Furthermore, ratification would mean a swift reentry into the Union for Southern states (Simpson 102). Nevertheless, Johnson opposed the amendment, even though a president does not have the power to veto an amendment, and went on a speaking tour to urge state governments not to ratify it (Foner, Forever Free, 120). The amendment became the main issue of the 1866 Congressional elections, in which Republicans would gain large majorities in both houses (Simpson 109). The election results would completely change the direction of Reconstruction, which would now be controlled by Congress.

But before going into "Congressional Reconstruction," there were some achievements in the effort to help freedmen during the period of Reconstruction controlled by President Johnson, called "Presidential Reconstruction." For instance, the Bureau of Refugees, Freedmen, and Abandoned Lands, known as the Freedman's Bureau, was first designed to help the transition of blacks

from slavery to freedom. Before the Civil War ended, “slaves and former slaves abandoned plantations and moved toward Union lines. It fell on government to create a mechanism by which hundreds of thousands of refugees could be clothed, fed, and housed” (Dickerson 29). The government formed the federal agency known as the Freedman’s Bureau in March 1865, which was only to last for one year, and was supposed to help both white and black refugees (Cimbala, Reconstructing the American South after the Civil War, 8). The Freedman’s Bureau would be an important tool for attempting to integrate freedmen into American society.

Officials realized that the land ownership was the key to helping the freedmen care for themselves without government aid. First, as former slaves, the freedmen received little or no money for their labor, and as they left plantations to get Union protection, they had absolutely no way to sustain themselves or families. Claude F. Oubre mentions that before the Freedman’s Bureau was created, the government began a policy of confiscating Confederate abandoned lands and leasing them, or selling them at about one dollar an acre, to freedmen (9-11). When the bureau was created in 1865, Congress authorized, in Section 4 of the Freedman’s Bureau Act (March 3, 1865), that the commissioner of the bureau shall use land that was confiscated to lease to freedmen, in no more than forty acre plots, for three years when the tenant can then buy the land (Fleming 320). Control of the bureau was placed in the hands of Major General Oliver Otis Howard, whose aim was to make the freedmen self-sufficient and not dependant on others. According to Oubre, the bureau decided to “rent land to the freedmen and use the rents thus generated to pay for the rations, clothing, medical supplies, and shelter that were provided for the destitute. During the entire first year of the bureau’s activities ... the freedmen ... paid for the care of many who were unable to work” (xiii). Nevertheless, Andrew Johnson’s Amnesty Proclamation would mean the end of these experiments.

With Johnson’s Amnesty Proclamation went the hopes that freedmen would be able to create self-sustaining communities on confiscated land. On May 29, 1865, President Johnson issued his

amnesty proclamation, which pardoned most southerners and restored their property rights (Oubre 31). This act meant that all of the land that freedmen had been leasing and working on was to be returned to their owners, who were many times the freedmen's former masters. This was a devastating blow to the freedmen's sense of independence and freedom. They did not want to go back to work for these men who had kept them in bondage for so long and would probably attempt to subjugate them again. Many freedmen put together petitions, in many different parts of the South, which sounded similar. "First, they wanted land because without it they were not truly free. Second, they did not expect the land to be given to them but were ready to pay whatever the government asked. Third, they wanted the land which their toil had made productive" (Oubre 54). According to Martin Abbott, many of the freedmen refused to return the land. "In some instances freedmen armed themselves and threatened violence against whites whom they suspected of coming to take the lands from them" (60). While freedmen were determined to keep their independence there was nothing that they could do to remain independent. The land was eventually returned to its former owners and freedmen would have to work as tenants and sharecroppers. As the land reforms were failing, blacks looked with hope to the field of education as a way to better their lives.

There was great enthusiasm about the bureau's educational endeavors from both freedmen and teachers. "Observers everywhere reported that the young and old, from far and near, were flocking to attend newly created schools. Responding to the call of churches and benevolent societies, young women and men from all over the North ... came to teach in the Negro schools that were being established in [the] South" (Abbott 82). The freedmen wanted to learn because they knew that education was at the core of freedom and advancement in society, while Northerners were on something of a moral crusade. According to Paul A. Cimballa, "For these Bureau men, education could help to erase the bad habits and the moral laxity they attributed to slavery and remake the freed people into disciplined, sober, and thrifty Yankees" (Cimballa, Reconstruction of the American South after the Civil War, 78). The

educators and bureau officials wanted to integrate the freedmen and teach them the essentials of being a “good citizen.”

Freedmen put in a lot of effort to maintain schools to educate not only themselves and their children, but also their community and some freedmen established school that were run, controlled, and funded by them. As early as 1862, semi-literate and literate freedmen and free-born blacks in Mississippi began setting up schools, in which they taught, for what would be, as Christopher M. Span states, “the catalyst for Mississippi’s first tax-supported comprehensive public school system” (197). Also, according to Howard Ashley White, in Louisiana, in 1866, as funds were drying up from the Freedman’s Bureau, as Northerners ceased sending aid, “private schools for Negroes sprung up outside Bureau control. Enrollment in such schools grew from 150 in February to nearly 3,000 in December, and actually exceed the number registered in Bureau schools” (177). This shows the drive and eagerness for freedmen to get some sort of education because when it could not be provided they were willing to use the meager resources that they had to educate themselves. Blacks during this period equated literacy with independence, self-determination, and citizenship (Span 198). Sadly, as philanthropic funds dried up, along with the federal government’s refusal to fund Negro education, and crop failure or violence by whites which made blacks unable to keep up funding, the schooling continued to deteriorate and the Freedman’s Bureau ceased to be a factor in education until it was finally abolished in 1868. Nevertheless, by this time there was a new force behind Reconstruction that was willing to take radical steps to help freedmen.

The period of Congressional Reconstruction (1867-1877), or Radical Reconstruction, was the period in which the federal government made real attempts to integrate freedmen into American society and to change Southern society to one more in tune with Republican ideas of an equal and just society. First, Congress passed four Reconstruction Acts designed to ensure that Southern governments would comply with Congressional laws and policy. The first Reconstruction Act divided the rebel states into five military districts with a military officer at the head of each to maintain

order (Trefousse 111-113). It also stated that each state could form an elected government and be readmitted into the Union. This act was quite moderate in that it allowed a swift reentry into the Union while allowing each state to conduct its affairs anyway it wished, as long as Confederate leaders would not be allowed to hold office. Each state would have to recognize the rights of freedmen until they became states within the Union, at which point they could find alternative ways subordinate blacks as they would when the Democrats regained control in the 1870s, but I will get to that later. But, Southern whites chose not to comply and did not set up their own governments, which led to the second Reconstruction Act. The second act, called the Supplementary Act (issued March 23, 1867) was designed to speed up the process so that Reconstruction could be completed. To do this, Congress gave power to the military governors of each district to get people registered, send delegates to form a constitution, and vote on the state constitutions so that they could be sent to Congress for ratification (Trefousse 114-117). While the moderates wanted Southern states to be readmitted swiftly, the Radicals were determined to punish the former rebels.

The second Reconstruction Act was not even allowed to take effect before the third Reconstruction Act was passed because Radical Republicans in Congress felt it was too lenient (Trefousse 118). It stipulated that the governments in the former rebel states were illegal; they would be placed under military rule, subject to the control of the military commander and not the president; that any person who held positions in, or aided, Confederate governments could not vote, regardless of any oath or proclamation of amnesty which stated otherwise; and that no commander was under obligation to any member of the United States government, including the president (Fleming 415-418). This act would ensure that the president could not obstruct Congressional policies. It also would ensure that a large amount of Southern Democrats – people who fought in the war, served in government, or supported the war somehow – would remain disenfranchised, while Northern Republicans who went to the South (Carpetbaggers), Southern Republicans (who were ostracized in society), Southern Democrats who switched over, and Negroes would play the largest role and, there-

fore, give Republicans a great deal of power in Congress. The Fourth Reconstruction Act, March 11, 1868, was simply a measure designed to force Southerners to comply because they were trying to obstruct Congress' plans (Trefousse 135-136).

Congress also designed policies that were specifically aimed at African Americans. Congress passed the Fifteenth Amendment on March 30, 1870, which declared, "The right of the 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 conditions of servitude" (Fleming 493). It was now a part of the United States Constitution that everyone must be allowed to vote and that Congress had the power to enforce this rule. Following this, due to harassment of black voters, Congress passed three Enforcement Acts designed to protect black voting rights. The First Enforcement Act, issued May 31, 1870, protected the civil rights of all citizens, guaranteed the right to vote for all citizens, and listed punishments for any individual who attempted to obstruct the rights of citizens to vote (Trefousse 154-160). The Second, issued February 28, 1871, restated some of the points from the first act and, also, stated that elections are to be strictly supervised by federal marshals.

The Third Enforcement Act, issued April 20, 1871, also known as the Ku Klux Klan Act because of the influence of that group, aimed to prevent terrorist organizations in the South, along with Southern governments and judicial systems, from obstructing justice, discriminating, and limiting the civil rights of anyone in the State. It said that the writing of *Habeas Corpus* could be suspended if and when large groups attempted to conspire to overthrow the government, or curb the civil rights of a particular group, such as Negroes (Trefousse 171-175). Nevertheless, while Congress attempted to create laws to force changes in Southern society, blacks began taking advantage of their newly created rights. Blacks, during Reconstruction, were elected in both national and state political offices. Between 1869 and 1880, sixteen blacks served in Congress, with two of these serving in the Senate (Franklin 136). In Forever Free, Foner mentions that during Reconstruction, there were about two thousand blacks who served in

public office (129). Of the blacks who served in public office or played leadership roles during Reconstruction, such as community organizations or in the Republican Party, there were representatives of both freeborn and slave-born. "In Louisiana, South Carolina, and Virginia – the home of large free black populations – men who had never known slavery dominated among Reconstruction officeholders. For the South as a whole, however, the black political leadership arose out of local slave communities." (Foner, Forever Free, 136). However, most of the ex-slave leadership consisted of mostly individuals who had skilled crafts, such as blacksmiths and carpenters, and very few were field-hands (Foner, Forever Free, 349). Nevertheless, blacks, on the whole, did not really control any state legislatures. For, example, while South Carolina was the only state with a black majority in the state legislature, they controlled only the lower house, "The white members of the legislature, from their control of the Senate, were always able to block Negro legislatures" (Dubois 404). Other states would have been impossible for blacks to control. However, with the white Republicans, they came together on many issues, such as free and compulsory public education, institutions for the destitute and insane, reduced number of capital crimes, and the granting of divorces (Foner, Forever Free, 143-144). Nevertheless, this union would be short lived, as the forces working against Reconstruction would eventually prevail.

Terrorist organizations, such as the Ku Klux Klan, were effective in instilling fear in Republican politicians and black voters in the South. The Ku Klux Klan was created in 1866 in Tennessee but, "By 1870, the Ku Klux Klan and kindred organizations like the Knights of the White Camelia and the White Brotherhood had become deeply entrenched in nearly every Southern state" (Foner, Forever Free, 425). These groups were terror organizations designed to help the Democratic Party regain control of the South. They intimidated blacks in order to restore them to their former position of inferiority and servitude. According to Cimbala, "White Georgia used violence to curb the very rights of the freed people that the [Freedman's] Bureau was committed to protect, including the right to be paid, the right to vote, the right to assem-

ble, the right to bear arms, and ultimately the right to be treated as a free person” (Cimbala, Under the Guardianship of the Nation, 8). In 1868, “By election Day in Louisiana, more than 2,000 blacks had been killed. In Bossier Parish, 125 bodies were found in the Red River after a Klan raid. In St. Landry Parish, the white editor of a black newspaper was driven out of town and night raiders invaded local plantations, killing more than 200 blacks” (Dickerson 252). Furthermore, statistics show that the violence was working. “In the November election, the Democrats carried the state ... and the astonished Republicans blamed the outcome on coercion of Negro voters. In some parishes not one Republican vote was cast” (White 150). As a result, Democrats began taking back the political power in the South. “By the end of 1874, most of the South was under Democratic control, and the U.S. Supreme Court and other federal courts had eviscerated the Fourteenth and Fifteenth Amendments as well as the enforcement acts” (Dickerson 254). The reclamation of the South by the Democrats was definitely not good news for blacks.

While the violence of the Ku Klux Klan helped speed up the end of Reconstruction, there were many other factors at hand. First, Radical Republicans were dying or being voted out of Congress, which meant that the Republican Party was no longer willing to put in the effort that it would take to keep Reconstruction going. The resistance was just too great, as many Southerners could not stand for Northerners to run their states, nor could they stand seeing blacks being treated as equals because this was still a very racist time (Trefousse 64). Republicans lost the will to keep the experiment going. Also, white Republicans in the South were not willing to suffer harassment and possibly even death, and many of them switched over to the Democratic Party or went back to the North (Foner, Forever Free, 197). Also, there were other issues, such as industrialization, the emergence and consolidation of railroads barons, and the acquisition of Alaska in 1867 (Trefousse 69). The railroads developed as Americans began moving westward into Native American lands, which also led to wars between Native Americans and the U.S. government and settlers. In 1873 a financial panic caused a nationwide economic crisis, while the growth

and expansion of corporations, which was the source of corruption and scandals in government, also put pressure on ordinary workers and labor (Franklin 185-187). People became disinterested in the plight of the Negro in the South because everyone had their own problems to deal with as America began to transform itself into an economic and industrial power.

To conclude, while the nation was losing interest in Reconstruction, the Democrats regained power in the South. With a sympathetic Supreme Court, many of the bills enacted during Congressional Reconstruction were declared unconstitutional. Furthermore, Southern states subordinated blacks through the use of Jim Crow laws, which segregated blacks and whites, the implementation of poll taxes and qualification tests, which disenfranchised blacks. This was the beginning of a dark period for blacks in the American South. Any attempts by a black person to better one's self or change the social system was met with violence, usually lynching. Furthermore, the perpetrators would be tried on all-white juries where they were overwhelmingly acquitted.

Reconstruction officially ended in 1877 when the new president, Rutherford B. Hayes, removed the last federal troops from the public and put them back to their barracks. Reconstruction was a noble attempt by Radical Republicans in Congress, along with moderates, to attempt to bring blacks into American society. However, due to the many obstacles which faced them – reluctant presidents, a vicious and brutal Southern atmosphere, lack of funds, lack of a clear understanding of what was necessary – Reconstruction failed relatively quickly. It was a period when many people from the North had certain zeal to go and right the wrongs of the pre Civil War South, but that too faded quickly as even teachers were harassed for attempting to help the Negroes. Some people argue that Reconstruction was a period in which Congress abused its powers and overstepped the Constitution in order to get their ideologies put forth. This is possible, depending on which side one is looking at it from. There were many times when it seemed as Northern Republicans were overstepping their boundaries, such as the Third Enforcement Act when there was talk about suspending *Habeas Corpus* in order to combat the Ku

Klux Klan. However, I am sure that the freedmen did not care about the Constitution when it came to their lives being taken by madmen in white sheets. I see Reconstruction as the United States government attempting to bring a rebel society more in line with, not only the Constitution, but also principles of humanity and the belief that all men should have the right to life, liberty, and the pursuit of happiness. It would be about another century, during the Civil Rights Movement of the 1960s before America began grappling again with the moral questions which were so prevalent during Reconstruction.

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