

## LESSON PLAN

## Lesson 4: Healing and Justice

**Essential Question**

What can we learn from the history of Reconstruction as we work to strengthen democracy today?

**Guiding Question**

After a civil war, how can a nation simultaneously heal and provide justice to all of its inhabitants?

**Learning Objectives**

- Students will know that achieving the goals of healing and justice simultaneously after a civil war is a significant challenge for any country.
- Students will realize that in times of crisis, questions about belonging and power in a nation can become a significant source of conflict and reveal the fragility of democracy.

**About This Lesson**

In the previous lesson, students learned about two unresolved challenges facing the United States immediately after the Civil War: how to define freedom and how to reunite two parts of the country torn apart by a miserable and bitter war. In this lesson, students will look closely at the actions of President Andrew Johnson to resolve these dilemmas through his plan for Reconstruction, as well as the ensuing debate his plan provoked with Congress. In the process, they will reflect on deeper issues of healing and justice in the aftermath of both a devastating war and a profound transformation of society.

**Additional Context and Background**

As the Civil War ended, the country and its lawmakers faced the daunting challenge of bringing the North and South back together and forming a unified nation. This task was all the more complicated given the fact of Emancipation, the aspirations of freedpeople across the South, and the tension between these factors and the belief in white supremacy held by many Americans. Historian David Blight describes the challenges of the era as a balancing act between two competing, and sometimes mutually exclusive, goals:

The challenge of Reconstruction, and it's the challenge we've had ever since, is: How do you do two profound things at the same time? One was healing and the other was justice. How do you have them both? What truly constitutes healing of a people, of a nation, that's suffered this scale of violence and destruction, and how do you have justice? And justice for whom?<sup>1</sup>

Students will see that one of the primary political conflicts of the era stemmed from disagreement over exactly what the proper balance of these principles—healing and justice—should be. In the two years following the end of the Civil War and Lincoln's assassination, a political battle between President Andrew Johnson and a group of Republicans in Congress known as the Radicals ensued. In this lesson, students will look closely at Johnson's Presidential Reconstruction plan, and they will be exposed to the Radical Republican criticism of that plan. In the process, they will uncover disagreements between Americans over the rights of the victorious North to impose its will on the defeated South and over the rights and status that white and Black Southerners each ought to be granted in the Southern states.

### **The Presidential Reconstruction Plan**

Andrew Johnson assumed the presidency following Lincoln's assassination in April 1865, and within a month he began to implement his plans for Reconstruction, which became known as Presidential Reconstruction. Johnson was a Democrat from eastern Tennessee whose loyalties toward poor Southern whites led him to detest the slaveholder aristocracy and remain a staunch supporter of the Union during the Civil War. In fact, he was permitted to keep his seat in the U.S. Senate after the war began because he remained loyal to the Union, despite his state's secession. Later in the war, Lincoln appointed Johnson military governor of Tennessee, where he earned a reputation for taking strong action against Confederates in his state. Lincoln then brought Johnson onto the 1864 ticket because he had the backing of loyalist white Southerners to whom Republicans could appeal for support after the war. However, Johnson had little concern for the rights or needs of freedpeople beyond their emancipation. He believed in white supremacy, and, as his Reconstruction policies and public speeches reflected, his belief in white supremacy was stronger than his dislike for the wealthy Southern planter class.

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<sup>1</sup> David Blight, "[Andrew Johnson and the Radicals: A Contest over the Meaning of Reconstruction](#)," lecture presented at Yale University (iTunes U audio file), accessed Apr. 25, 2013.

Johnson argued that, since he believed secession was illegal, the rebellious states had never truly left the Union. Therefore, their relationship to the federal government ought to be restored as expediently as possible, and white supremacy, the political and social order that prevailed before the war, ought to continue, absent slavery. Announced in May 1865 while Congress was in recess (Congress would not reconvene until December), Johnson's plan granted amnesty, including the restoration of property, to the vast majority of Southern whites who supported the Confederacy as long as they were willing to take an oath of loyalty to the Union. High-ranking Confederate military officers, political leaders, and planters with more than \$20,000 in wealth were required to apply individually to Johnson for a pardon in order to regain their rights and property. Johnson ultimately granted requested pardons liberally, so by Fall 1865, most ex-Rebels were considered citizens in good standing.

Presidential Reconstruction also provided for the rapid readmission of Southern states to the Union. Johnson called for Southern states to hold constitutional conventions to amend their pre-war constitutions to comply with federal law and accept the Thirteenth Amendment. Eligibility to vote for convention delegates was determined by each state's pre-war constitution, thus excluding those who were enslaved before the war (as well as anyone not yet granted amnesty or pardon) from the process of revising the state constitutions. This guaranteed that white supremacy would continue to prevail in the post-war state governments even in the absence of slavery. David Blight summarizes Johnson's philosophy of Reconstruction with this phrase: "The Constitution as it is, and the Union as it was."

### **The Radical Republican Vision**

Radical Republicans, a progressive minority of the Republican Party, believed that Johnson's approach was wholly unacceptable, and the Radicals' position gained support from moderate Republicans as conflict between the president and Congress erupted in 1865 and 1866. What was especially threatening to Republicans was that under Johnson's plan, Southern Democrats stood to gain a level of representation in Congress greater even than it was before the war. This was because the "three-fifths" clause was no longer operative in the Constitution after the abolition of slavery.

Each freedperson now counted as a full person when determining the number of representatives each state would send to Congress and the Electoral College. However, as former Confederates regained control of Southern governments under Presidential

Reconstruction, it became clear that they would prohibit freedpeople from voting, enabling white Democrats to dominate the elections.

Radical Republicans maintained that the federal government, as the victor in war over the former Confederacy, had the right to impose significant political and social changes, chief among them voting rights for freedpeople. Countering Johnson's goal of restoring the states of the South, Representative Thaddeus Stevens argued that Congress must remake them: "The whole fabric of southern society must be changed, and never can it be done if this opportunity is lost. Without this, this Government can never be, as it never has been, a true republic."<sup>2</sup>

If the Southern states would not be remade, Radical Republicans asked, then which side had really won the war? While they had not formulated a specific plan for Reconstruction in 1865, Radical Republicans coalesced around the ideal of equal rights. In particular, their vision for remaking the South included voting rights for Black males, the establishment of new state governments in the South recognizing these voting rights, and strong federal protection for the rights of former slaves. Moderate Republicans were more pragmatic than the Radicals, whom they outnumbered. Moderates initially hoped to work with President Johnson to restore the Union rather than wholly remake it. As we will see in subsequent lessons, the realities of Presidential Reconstruction, as well as Andrew Johnson's combative response to Republican efforts to modify his policies, would prompt moderate Republicans to take positions closer to those of the Radicals.<sup>3</sup>

By examining the opposing philosophies for Reconstruction put forth by Andrew Johnson and Radical Republicans, students can begin to consider the difficulties of balancing healing and justice after a cataclysm such as the Civil War. They might consider the difficult choices and questions faced by political leaders at the time: Whose voices should be included in the process of "binding up the nation's wounds"? Who should be included and who should be excluded in the nation that would emerge from Reconstruction? Could the nation heal if former Confederates felt that they were being punished by a loss of power and status? Could democracy thrive if African Americans were not guaranteed equal rights in the new nation? How could the nation balance the goals of healing and justice?

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<sup>2</sup> From *The Selected Papers of Thaddeus Stevens*. Vol. 2: April 1865–August 1868 (Pittsburgh: University of Pittsburgh Press, 1998), 23.

<sup>3</sup> Eric Foner, *Forever Free: The Story of Emancipation and Reconstruction* (New York: Vintage Books, 2006), 111–21.

## Notes to the Teacher

### 1. Creating a Plan for Reconstruction

In Activity 2 of this lesson, students create their own plans for Reconstruction working in small groups. Prepare for this activity by obtaining chart paper and markers in advance of class.

### 2. Teaching Strategies

The following teaching strategies are referenced in this lesson's activities. You may wish to familiarize yourself with them before teaching this lesson.

- [Gallery Walk](#)
- [Think, Pair, Share](#)
- [Exit Ticket](#)

## Materials

- **Handout:** Healing and Justice Anticipation Guide
- **Handout:** Creating a Plan for Reconstruction
- **Handout:** Viewing Guide for “The Political Struggle”
- **Video:** [The Political Struggle](#) (0:00–9:55)

## Activities

### Day 1

#### 1. Explore Healing and Justice

In the introductory activity for this lesson, students will use an anticipation guide to engage with some of the dilemmas that Americans faced after the Civil War. Begin by distributing the **Healing and Justice Anticipation Guide**. Ask students to complete the handout individually. Next divide the class into small groups of between three and five students. Prompt the members of each group to share and discuss their positions from the anticipation guide. Reconvene as a class and explain that the statements on the anticipation guide relate to two important concepts: healing and justice, both of which were important goals of Reconstruction.

For added context, you might want to project or write on the board this quote from historian David Blight:

The challenge of Reconstruction, and it's the challenge we've had ever since, is: How do you do two profound things at the same time? One was *healing* and the other was *justice*. How do you have them both? What truly constitutes healing of a people, of a nation, that's suffered this scale of violence and destruction, and how do you have justice? And justice for whom?

Then discuss the following question with the class:

What could Americans do in the late 1860s, as they debated plans for Reconstruction, to balance the demands of healing and justice?

## 2. Create a Plan for Reconstruction

Students will now build on their exploration of the concepts of healing and justice by creating their own plans for Reconstruction that attempt to balance both of these goals. In the process, they will look more deeply at some of the dilemmas that Americans faced after the Civil War, and they will create a basis from which they can evaluate the actual plans President Johnson and, later, Congress enacted.

Students will work in pairs or triads. Provide each group with a piece of chart paper, markers, and a copy of **Creating a Plan for Reconstruction**.

Explain to students that their task is to create a specific plan for Reconstruction that balances healing and justice. Their plan will have to address many of the dilemmas from the anticipation guide that they discussed earlier.

Give the groups 20 minutes to discuss the dilemmas presented on the handout "Creating a Plan for Reconstruction" and decide on a specific proposal that addresses each one. Students should record their proposals on the chart paper.

After they complete their plans for Reconstruction, each group should briefly evaluate its own plan by discussing the following questions among themselves (also provided at the end of the handout):

1. Who benefits from your plan and who is harmed?
2. How will your plan help to reunite and heal the country?
3. How will your plan bring about justice after the war? Does it deny justice to any group of Americans?

## Day 2

### 1. Explore Reconstruction Plans

At the beginning of class, using the [Gallery Walk](#) teaching strategy, provide students with the opportunity to circulate the classroom to see other groups' plans. Time permitting, they might revise their own group's plan based on ideas they learn from other groups.

### 2. Watch a Video about the Debate between President Andrew Johnson and Congress

Explain to students that they will be watching a video that provides an overview of how the dilemma between healing and justice fueled a political battle between President Andrew Johnson and congressional Republicans over Reconstruction policy.

Pass out **Viewing Guide for the "Political Struggle"** for the film [The Political Struggle](#) (0:00–9:55). Pause at the following time stamps and ask students to discuss with a partner the questions that appear below and on the handout.

1. Who was Andrew Johnson? (4:50)
2. What details about his background seemed to influence his thinking about Reconstruction the most? (4:50)
3. What was Johnson's plan for Reconstruction? (9:09)

### 3. Discuss Presidential Reconstruction

Explain to students that Johnson's Reconstruction policies, also known as Presidential Reconstruction, were not the end of the story. They will learn about how congressional Republicans responded to Johnson's policies in a future lesson. But it is worth taking a moment in a brief class discussion to answer the same questions about Johnson's plan as students answered for their own plans:

1. Who benefits from Johnson's plan and who is harmed?
2. How did Johnson think his plan would help to reunite and heal the country? Who did he think needed to participate in that process?
3. How did Johnson's plan attempt to bring about justice after the war? Does it deny justice to any group of Americans?

#### 4. Closing Reflection

Close by asking students to reflect on the plan for Reconstruction they created on the first day of this lesson. Have them respond to the following prompt, first with a partner as a [Think, Pair, Share](#) and then on an [Exit Ticket](#):

How does what you learned about this history in class affect your understanding of the objectives of Reconstruction? Does it challenge or extend your thinking, and if so, how? Is there anything you would add to your proposal?

#### Extensions

##### **Interpreting the Critique in a Political Cartoon**

*Harper's Weekly* political cartoonist Thomas Nast chronicled the events and debates of the Reconstruction era visually, a format that may provide a helpful entry point into this history for many learners in your class.

Nast's two-paneled image "[PARDON: Shall I Trust These Men?](#)" and "[FRANCHISE: And Not This Man?](#)" captures the dilemmas of healing and justice in a way that might help students deepen their understanding of what was at stake (and for whom) in the Reconstruction policies implemented by the federal government. Using the [Analyzing Images](#) strategy, have students examine each panel of the image closely. Students can discuss which Reconstruction vision is represented by each panel of the image, and then they can interpret Nast's position on Reconstruction. What is he trying to say about Presidential Reconstruction? How would Nast answer the three questions students used to evaluate Presidential Reconstruction?