

Station #2: The Quest for Equal Rights

After Lincoln's death, a faction called the Radical Republicans came to dominate Congress. They immediately butted heads with President Andrew Johnson over the course of Reconstruction policy. In 1866, Congress passed a civil rights act which guaranteed African-Americans all the rights of citizenship. Johnson, convinced that Congress was moving too fast, vetoed the bill claiming that it discriminated against southern whites and granted special protections to African-Americans. Although Congress overrode the veto, African-Americans continued to face staunch discrimination at the state and local levels. In 1868, the Radicals pushed through the 14th amendment, which, among other things, promised "equal protection of the laws." This measure, if fully implemented, had the potential to radically alter the social structure of the South. Congress passed a second Civil Rights Act in 1875, which sought to discourage economic and social discrimination as well. Despite these major legal achievements, old prejudices died hard. In practice, no law could completely eliminate racist attitudes.

Document A: The Civil Rights Act of 1866

"...all persons born in the United States... are hereby declared to be citizens of the United States; and such citizens, of every race and color, without regard to any previous condition of slavery or involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall have the same right, in every State and Territory in the United States, to make and enforce contracts, to sue, be parties, and give evidence, to inherit, purchase, lease, sell, hold, and convey real and personal property, and to full and equal benefit of all laws and proceedings for the security of person and property, as is enjoyed by white citizens..."

Document B: Andrew Johnson's Veto of the Civil Rights Act, March 27, 1866

"The bill in effect proposes a discrimination against large numbers of intelligent, worthy, and patriotic foreigners, and in favor of the Negro, to whom, after long years of bondage, the avenues to freedom and intelligence have just now been suddenly opened. He must, of necessity, from his previous unfortunate condition of servitude, be less informed as to the nature and character of our institutions..."

Document C: 14th Amendment, Section 1, U.S. Constitution (1868)

“... All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws...”

Document D: Civil Rights Act of 1875

An act to protect all citizens in their civil and legal right.

Whereas, it is essential to just governments we recognize the equality of all men before the law, and hold that it is the duty of government in its dealings with the people to mete out equal and exact justice to all, of whatever nativity, race, color, or persuasion, religious or political; and it being the appropriate object of legislation to enact great fundamental principles into law: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, 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.

