

## The Freedmen's Bureau: Success or failure?

### Introduction & National History Standards

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**Grade Level:** 6-9

**Duration of lesson:** 2-3 Periods

#### Overview:

Many young students intuit that Lincoln's Emancipation Proclamation did not in fact transform African-American slaves into citizens with the same rights as whites. Less clear, however, is the historical process that ended the institution of slavery after the Civil War. This lesson uses the activities of the Freedmen's Bureau, a government advocacy group set up during Reconstruction, to teach students the complexity of social progress during those pivotal years. By analyzing historical documents, students will discover that in the areas of education, reuniting family members, and the courts, the Bureau did much to protect the new rights of former slaves. However, in the face of President Johnson's pardoning of Southern landowners and Congress' failure to adequately fund the Bureau, little could be done to ensure African-Americans' economic independence. Most former slaves thus had little choice but to become tenants, working for wages on white-owned farms. So although African-Americans now enjoyed freedom of movement and legal marriages, their lack of property ownership ensured continued white supremacy, especially in the South.

The ambiguous victories of the Freedmen's Bureau teach us that "freedom" is always a qualified term. By studying the primary sources, students can determine for themselves which version of freedom prevailed in different circumstances.

#### Related National History Standards:

##### Era 5: Civil War and Reconstruction (1850-1877)

**Standard 3:** How various reconstruction plans succeeded or failed

#### Historical Thinking Skills:

##### Standard 1: Chronological Thinking

F. Reconstruct patterns of historical succession and duration.

##### Standard 3: Historical Analysis and Interpretation

E. Analyze cause-and-effect relationships and multiple causation, including the importance of the individual, the influence of ideas, and the role of chance.

F. Challenge arguments of historical inevitability.

H. Hold interpretations of history as tentative.

I. Evaluate major debates among historians.

##### Standard 4: Historical Research Capabilities

A. Formulate historical questions.

**Standard 5: Historical Issues-Analysis and Decision-Making**

**A.** Identify issues and problems in the past.

**Lesson Objectives:**

- Students will analyze causation concerning Reconstruction policy.
- Students will evaluate the success of the Freedmen's Bureau concerning land distribution.

## Topic Background

As the Civil War was winding down in early 1865, the outcome of the conflict had become clear. The Union, after nearly four long years, had overcome early Confederate military successes by employing superior numbers and resources to wear down the enemy in a war of attrition. The Confederacy lay in ruins and the institution of slavery was on its deathbed. Freedom for nearly four million slaves would bring about profound social and economic changes in the South. But what sort of freedom would it be? What did freedom mean to the ex-slaves? What did it mean to whites, both Northern and Southern? Equally important, how was the transition from slavery to freedom to be effected, and how successful would this transition be?

During the war, the Union had taken a number of steps towards emancipation, but these steps were not part of an overall, coordinated plan. In September, 1861, Union general John C. Frémont declared martial law in Missouri and freed the slaves of rebellious slave owners. In May, 1862, General David Hunter, foreshadowing Lincoln's Emancipation Proclamation later in the year, declared "the persons in these states—Georgia, Florida, and South Carolina—heretofore held as slaves, are therefore declared forever free." Seeking to retain border state support and unwilling to let others determine government policy regarding slaves; Lincoln revoked both of these orders. The Confiscation Acts of 1861 and 1862, however, gave the president the authority to seize property being used in rebellion, thus freeing slaves who made it to Union lines. By the summer of 1862, Lincoln saw the importance of emancipation as a war measure, and after the Battle of Antietam, he issued the Emancipation Proclamation, declaring that slaves in those territories still in rebellion on January 1, 1863, "forever free." The gradual shift of Northern opinion in favor of emancipation took final form in the Thirteenth Amendment, which abolished slavery everywhere in the Union, passed by Congress in February, 1865 and sent to the states for ratification.

But what exactly was freedom? What did it mean? Was freedom simply the absence of slavery, or was it something more? Freedmen and white Southerners differed on this point. Former slaves, more than anything, sought freedom from white control. It meant economic freedom--and thus power--in the form of land ownership. It also meant freedom to control one's family. That is, freed men and women wanted to be able to reunite with relatives, legalize marriages, and make decisions that free people make. It meant freedom of movement. It meant the establishment of churches, schools and other institutions such as mutual aid societies. And perhaps most importantly, it meant access to justice in Southern society. Southern whites, on the other hand, set out to retain control of blacks in the wake of emancipation. Certain that the former slaves were incapable of assuming the responsibilities attendant with freedom and unwilling to give up their superior position in Southern society, Southern whites sought to retain as much of the status quo as possible. Needing a cheap and dependant labor force, Southern whites were prepared to achieve this goal through economic and legal means and even violence.

Within this hostile environment, the responsibility for fostering black freedom was assigned to the Freedmen's Bureau, formally known as the Bureau of Refugees, Freedmen and Abandoned Lands (BRF&AL). Created by an act of Congress on March 3, 1865, the Freedmen's Bureau was a temporary agency embedded within the War

Department. Its purpose was to provide “the supervision and management of all abandoned lands, and the control of all subjects relating to refugees and freedmen from rebel states.” The act gave the Bureau the power to issue provisions, clothing, fuel, temporary shelter and other assistance to destitute white refugees and freedmen. It also gave the Bureau the authority to set aside abandoned or confiscated lands and to assign no more than forty acres to “every male citizen, whether refugee or freedman.” The act provided for a commissioner and as many as ten assistant commissioners. General Oliver Otis Howard was chosen as commissioner for the new agency. Known as the “Christian general,” Howard was an ideal choice. Although not initially an abolitionist, Howard became a strong advocate for the freedmen’s cause during the war and supported assistance to the ex-slaves in order to help them achieve freedom and independence. Accomplishing this goal, however, would be a difficult one. His former commander, General William Tecumseh Sherman, wrote to Howard and wished him luck, but warned him that he had taken on “Hercules’ task.”

Nevertheless, the Bureau took on the responsibility of setting up courts to try criminal and civil cases involving blacks as well as supervising the treatment of freedmen by state and local courts. It mediated contract negotiations between freedmen and planters and arbitrated disputes when they arose. Working with benevolent societies, it set up schools and paid teachers’ salaries. It established hospitals and clinics. Bureau officials helped freedmen unite separated families and assisted black veterans and their relatives with bounty and pension claims.

How successful was the Freedmen’s Bureau in achieving its goals? Historians have long debated this question and have come to different conclusions. Most agree that the Bureau was both undermanned and underfunded. The Bureau never had more than 900 people working for it at any one time. This included bureaucrats in Washington and officers in the field. Its funding was to come from Congress and from a six percent annual rent on abandoned or confiscated lands rented to freedmen. Congress never provided enough funding for the Bureau, and few rents materialized as President Andrew Johnson pardoned most planters in 1865, resulting in the restoration of their property. In addition to the loss of revenue, the Bureau’s failure to secure significant amounts of land for the freedmen deprived the ex-slaves of economic independence and undermined their faith in the U.S. government.

Hopes for a better future through land ownership began on January 16, 1865, when General Sherman issued his famous Special Orders number 15, which set aside a 30 mile swath of coastal land from Charleston, South Carolina south to St. John’s River in Florida. It promised a plot of no more than forty acres to each family that chose to settle and farm the land. Although the order made no mention of mules or horses, such animals were assigned to freedmen. This was the source of the “forty acres and a mule” myth and the belief that lands would be confiscated from former masters and turned over to former slaves. Because of Johnson’s generous pardons, however, only 2000 freed families acquired title to the land they tilled. Despite the fact that the Freedmen’s Bureau held over 858,000 acres of abandoned or confiscated land in 1865, few freedmen were able to acquire any of it. As a result, the vast majority of freedmen were unable to achieve economic independence as yeoman farmers, and they ended up working for former slave owners under contract instead.

Although much of the failure to achieve economic independence can be explained by Johnson's pardon policy and the reacquisition of land by planters, the "Free Labor" philosophy of many of the Freedmen's Bureau's later assistant commissioners contributed to the lack of black landownership. The "Free Labor" philosophy in the North was similar to the familiar "pull yourself up by your bootstraps" maxim. Despite the fact that the Bureau wanted to help blacks achieve economic independence, some within it wanted blacks to earn the land by working and raising the money to purchase land. The rationale was that by simply giving land away, freedmen would not develop industrious habits and would get used to living off the government dole instead.

More successful was the Freedmen's Bureau's efforts to secure justice for the former slaves. After emancipation, Southern white governments sought to apply antebellum Black Codes by writing them into their state constitutions. These codes were discriminatory in that they applied justice unevenly between blacks and whites. Free blacks of the antebellum period received harsher sentences for similar crimes. So it was to be for the freedmen unless the Bureau intervened. Early in the military occupation, the army set up military courts to try serious offenses and provost courts for less serious crimes. The Freedmen's Bureau also set up its own temporary three-man courts. Whereas blacks suffered more severe punishments in the military and provost courts, they tended to receive fairer treatment in the Bureau's courts. Freedmen, therefore, tended to bring their cases to Bureau courts rather than to the army's or to state and local courts. In the Bureau's courts, blacks brought complaints against whites over violence, non-payment of wages, and contract violations such as the unequal division of crops. But by the end of 1866, most Southern courts, after revising their judicial proceedings to the satisfaction of the Bureau, regained jurisdiction of cases involving freedmen. Instead of trying to strengthen its own courts, the Bureau took on the responsibility of monitoring state and local courts. Fair treatment for the freedmen was not always realized, however, as most Southern whites could not conceive of equal treatment for blacks. The Bureau, therefore, retained the right to overturn discriminatory decisions of the state and local courts.

The Bureau's most enduring success came in the area of education. Commissioner Howard and his subordinates believed education to be the "talisman of power" and eagerly assisted the freedmen in setting up their own schools. Between 1865 and 1870, the Bureau spent \$5 million in the effort to help freedmen build schools and hire teachers. For the purpose of training new teachers, it founded colleges such as the Hampton Institute, Howard University, and Fisk University. It also set up day, evening, Sunday, and industrial schools. It transported teachers from the North (mostly women) and it supplied building materials for schools. By the time the Bureau's educational responsibilities ended in 1870, more than 4,300 freedmen's schools served nearly 250,000 students. Despite the fact that schools were segregated by race and suffered from uneven quality, and despite the fact that most school-age black children did not attend school, the Freedmen's Bureau played an important role in laying the foundations for black education in the South. Without it, opportunities for education for freedmen would have been very limited.

Emancipation brought with it a peculiar problem for freedmen—finding relatives who were sold away during slavery. The Freedmen's Bureau assisted ex-slaves in

finding their loved ones by acting as a clearinghouse for information. Northern missionaries and teachers working with the Bureau would often write letters for the freedmen who were looking for relatives. In addition, the Bureau sometimes provided transportation so that freedmen could reunite with their spouses and children. When freedmen had remarried after separation from former spouses, they often had to make the difficult choice of which spouse to remain legally married. There was also the problem of children born to ex-slaves with new husbands or wives. Custody disputes came before the Freedmen's Bureau, and it often made painful decisions for the freedmen.

Historians have had mixed opinions about the success of the Freedmen's Bureau. The biggest criticism of the Bureau is that it failed to secure land for the majority of freedmen, thus relegating them to the status of renter, not owner. This economic dependence made freedmen vulnerable to Southern white designs and contributed to the loss of their newly won civil rights. The failure to secure land for the freedmen cannot be entirely attributed to the Bureau, however. President Johnson's generous pardons of white landowners in 1865 restored vast tracts of property, despite Commissioner Howard's efforts to exempt certain lands against this, so that by the time the well-intentioned Southern Homestead Act of 1866 was passed, there was little left for the freedmen. Also working against the Bureau was its limited funding and inadequate resources. Congress appropriated no money for it during its first year--it relied on the army for financial support. President Johnson's opposition to the Bureau severely limited its effectiveness and encouraged Southern whites to challenge or ignore it. Finally, when Congress extended the life of the Bureau in the July, 1868, it specified a January, 1869 target date for terminating all Bureau activities except for the collection of bounties for black veterans and educational work. Despite these limitations, historians agree that the Freedmen's Bureau played a significant role in the lives of the ex-slaves. It negotiated and enforced labor contracts between black laborers and white landowners. It helped to locate missing relatives and adjudicated custody disputes among freed men and women. It saw to it that the ex-bondsmen received justice in Bureau courts when justice was not available in state or local courts. The Bureau served as the freedmen's counterbalance to white power. And perhaps its most enduring legacy was its contributions to the education of freedmen. It provided funds for the construction of schools. In some cases it paid the salaries of teachers. It founded teacher's colleges and universities. It transported many teachers from the North into Southern communities.

By studying the Freedmen's Bureau, students gain insights into the needs and aspirations of ex-slaves in the wake of emancipation as well as the mindset of white Southerners who opposed them. What did the slave expect from his freedom? Why were Southern whites so opposed to the aspirations of the freedmen? Examining the history of the Bureau will also bring insight into the need for such a federal agency. What would the transition between slavery and freedom be like? Whose version of freedom would prevail? Finally, by evaluating the goals and accomplishments of the Freedmen's Bureau, students will realize that not everything in history is black or white, right or wrong, completely one thing or completely the other. That is, they will see that the Freedmen's Bureau was successful in some ways in meeting its goals, but unsuccessful in others.

## Annotated Bibliography:

Cimbala, Paul A., and Randall M. Miller, eds. *The Freedmen's Bureau and Reconstruction: Reconsiderations*. New York: Fordham University Press, 1999.

Cimbala and Miller's introduction, entitled "The Freedmen's Bureau and Reconstruction: An Overview," is an excellent place to start for a teacher first encountering the Freedmen's Bureau. It provides a relatively detailed treatment of the subject in only eighteen pages. Chapter 2, "Andrew Johnson and the Freedmen's Bureau," by Hans L. Trefousse, provides a good in-depth analysis of President Johnson's resistance to the Freedmen's Bureau.

Foner, Eric. *Reconstruction: America's Unfinished Revolution, 1863-1877*. New York: Harper & Row, Publishers, 1988.

Although not specifically about the Freedmen's Bureau, this book is an extensive treatment of the period of Reconstruction and makes frequent references to the Bureau.

Nieman, Donald G., ed. *The Freedmen's Bureau and Black Freedom. Vol. 2, African American Life in the Post-Emancipation South, 1861-1900*. New York & London: Garland Publishing, Inc., 1994.

Nieman's introduction is an excellent, but brief (four pages), overview of the Freedmen's Bureau. It explains the context in which the Freedmen's Bureau was born, its goals, its problems, and a balanced critique of its effectiveness. Paul A. Cimbala's "A Black Colony in Dougherty County: The Freedmen's Bureau and the Failure of Reconstruction in Southwest Georgia" and "The Freedmen's Bureau, the Freedmen, and Sherman's Grant in Reconstruction Georgia, 1865-1867," both within this volume, are also excellent in explaining the failure of the Freedmen's Bureau to secure land, and thus economic independence, for freedmen.

\_\_\_\_\_. *To Set the Law in Motion: The Freedmen's Bureau and the Legal Rights of Blacks, 1865-1868*. Millwood, New York: KTO Press, 1979.

Nieman's book is one of the best sources of information regarding the history of the Freedmen's Bureau. It focuses more on the Bureau's role in securing the rights of freedmen rather than the issue of land ownership in the post-war South. The last few pages of the final chapter, "The Bureau and Military Reconstruction," provide a good explanation as to why the Bureau was limited in its effectiveness.

Oubre, Claude F. *Forty Acres and a Mule: The Freedmen's Bureau and Black Land Ownership*. Baton Rouge and London: Louisiana State University Press, 1978.

Oubre's book is an excellent examination of the Freedmen's Bureau and the issue of land ownership in the period immediately following the end of the Civil War. Chapter 2,

“Confiscation and Restoration,” is particularly helpful with regard to the reason why the Bureau wasn’t able to secure significant amounts of land for the freedmen.

## **Vocabulary**

- Freedmen:** Reference to former slaves after the Civil War.
- Amnesty:** The act of an authority (such as a government) by which pardon is granted to a large group of individuals.
- Pardon:** an official forgiveness for an offense
- Tract:** a defined area of land, a parcel of land
- Claimant:** one that asserts a right or title to property

## Teaching Procedures

1. As a motivational activity, ask students to think about the differences between themselves and their parents in terms of rights and equality.

**Are minors equal to adults? Obviously the answer is no. But, specifically, in what ways are they different?**

**What rights to young people want that adults have?**

Students may respond that they would like to have the right to vote, or the right to drive. But many may say they would like to be free, or independent, of their parents...to get a job of their own and be self-sufficient. They would like to make their own decisions and have their own homes, cars, etc. They may want to have equal rights and opportunities that adults have.

Remind the students or reinforce the idea that paternalism was prevalent in the South before and during the Civil War. Masters saw themselves as the parent and the slaves were seen the children. Slaves were treated as such.

2. Distribute copies of Resource Sheet 1 “The Freedmen’s Bureau Graphic Organizer” to students.
3. Display Resource Sheet 2, “Slave Gathering.” Remind them that in early 1865 the Civil War was winding down and a Union victory was imminent and slaves as a group were soon to receive their freedom.

Ask the students to think about what slaves wanted with their freedom. (Remind them of the previous discussion of what they, the students, wanted vis-à-vis their parents.)

Ask them what the slaves lacked, and thus presumably desired. Begin by asking them to think about the rights and freedoms denied to slaves. Place their responses on the board. Responses to be written on the board should include, but are not limited to: (1) the freedom to go where they wanted, when they wanted (2) the right to own their own land and be economically independent (3) the right to find and reunite with relatives that had been sold off (4) the right to an education so that they would improve their prospects in life (5) the right to justice, fair treatment in economic affairs, and freedom from white prejudice. If students have difficulty in identifying such rights and freedoms, the teacher should lead them toward these answers by employing the Socratic Method. As the teacher writes each satisfactory answer on the board, students should write them in the first box of the worksheet entitled “What ex-slaves wanted with their freedom.”

4. When this is finished, ask students the following questions:

**What do you think many white Southerners thought about what freedmen wanted?**

**Will they agree with it?**

**Will they help, or will they hinder freedmen? Why?**

**How might they hinder the quest for freedom and equality?**

Allow students to brainstorm—they should be able to predict violence, lack of voting rights, segregation, etc. If the students agree that the white South would not help the freedmen achieve their (the freedmen's) version of true freedom, who or what might help? (Allow students to brainstorm possibilities. If they have trouble, ask them who fights for equality today. Possible responses: the church, the government.)

5. Next, on the overhead projector, display Resource Sheet 3, "Political Cartoon: The Freedmen's Bureau." Ask them to identify the characters in the picture. The picture shows hostile white Southerners on the left raising their fists and knives at the freedmen on the right side of the picture. The Freedmen are holding rifles and bayonets and are equally hostile toward the whites. Separating the two groups is a military officer representing the Freedmen's Bureau. Help the students identify the scene correctly. Tell the students that the Freedmen's Bureau was created to help the freedmen transition from slavery to freedom. Ask them what role such a group may have played. They should brainstorm things like education, protection from violence, etc.
6. Next, distribute Resource Sheet #4, "The Freedmen's Bureau Act of 1865." Students will work in pairs to identify the goals of Freedmen's Bureau by highlighting specific goals of the act. (The teacher has the option of using a copy of this act that already has bold-typed portions, or using the copy that does not have highlighted portions, or using the copy that only has the pertinent passages on it. Student ability will determine which version the teacher should use.) When students have done this, review their highlighted responses. They should have identified the following:
  - (1) Supervise and manage all abandoned lands and "all subjects relating to refugees and freedmen from rebel states" (Sec. 1)
  - (2) Issue provisions, clothing, fuel, and shelter for destitute refugees and freedmen (Sec. 2)
  - (3) The authority to set apart abandoned or confiscated lands for use by freedmen and refugees with the possibility of purchase of such land after three years (Sec. 4)
7. Using a transparency of Resource Sheet #1, write in the students' findings in the second box entitled "Goals of the Freedmen's Bureau."

The teacher may elect to have students write other information about the Freedmen's Bureau. For example, it was established by an act of Congress on March 3, 1865. Its official name is the Bureau of Refugees, Freedmen, and Abandoned Lands. (Who, What, When, Where, Why, etc.) This, however, is optional.

8. Distribute the Resource Sheet 5, "Andrew Johnson and Oliver O. Howard" and display a transparency copy of this worksheet on the overhead. Students must know these two figures as they will feature prominently in the class discussions that follow.
9. At this point, students will examine several documents relating to the Freedmen's Bureau's goal of providing land for freedmen. (Like Resource Sheet #4 alternative copies for differentiated classes are included.) Working in pairs, students will
  - (1) Examine Resource Sheet 6, "President Johnson's Amnesty Proclamation." After reading it together, the pairs of students will identify the goal(s) of President Johnson's amnesty and will write this goal or goals on the first lines in box # 3 on Resource Sheet #1. After all pairs of students have done this, discuss the findings with the class and write them in the appropriate lines in box # 3 of the overhead transparency copy of the graphic organizer.
  - (2) Examine Resource Sheet 7, "Circular # 13." After reading it together, the pairs of students will identify the goal or goals of Circular # 13 and will write their findings on the appropriate lines in box # 3 of the graphic organizer. Again, once students have completed this, discuss their findings and then write them on the overhead transparency. (At this point—especially during the discussion—it should be clear that President Johnson and General Howard had differing ideas about the role of the Freedmen's Bureau. Howard wants to his assistant commissioners to ignore Johnson's directive to return abandoned and/or confiscated land to their white owners. Obviously, if there is little land to redistribute to freedmen, the Freedmen's Bureau's goal of making them economically independent would not be fulfilled.)
  - (3) Examine Resource Sheet 8, "Circular # 15." After reading it together, the pairs of students will identify the goal or goals of Circular # 15 and will write their findings on the appropriate lines in box # 3 of the graphic organizer. Discuss with the class and write their findings in the appropriate lines in box # 3 of the transparency copy of the graphic organizer.

Below are detailed instructions as to how to present each document to the students (as described briefly above). After examining these documents, students will conclude whether the Bureau was successful in meeting the freedmen's goal of land ownership, and thus economic independence.

The documents are to be presented to students in the order they were issued in 1865:

**Resource Sheet #6:** President Andrew Johnson's Amnesty Proclamation of May 29, 1865. Review the vocabulary with the students first. Before instructing the students to highlight, read the first sentence together and ask the students to identify those described by the phrase "certain persons who had directly or by implication participated in the said rebellion." (Those who participated directly are obviously members of the Confederate government and members of the Confederate Army. Those identified as participating implicitly are slave owners who supported the rebel cause; i.e. *all* slave owners.) Then, instruct students to highlight those portions of the document relating to land and property which may help or hinder the Freedmen's Bureau's goal of providing land for freedmen. Then, after a brief class discussion, students will write a summary of what they've read in this document onto their graphic organizer in box # 3, entitled "Goal of..." Instruct students to focus on the issue of *land ownership*. (Students should see that President Johnson was willing to pardon most white Southerners and return their lands to them. Students may rightly conclude that this would hinder the Bureau's goal of providing land for freedmen.)

**Resource Sheet #7:** Circular # 13, from Freedmen's Bureau Commissioner Howard to his assistant commissioners, July 28, 1865. Explain to students that circular orders were the commissioner's means of communicating orders to his immediate subordinates, the assistant commissioners. Review the vocabulary first. (The teacher has the option of using a copy of this circular that already has bold-typed portions or using the copy that does not have highlighted portions.) Then, have them read the document and highlight those portions relating to the goal of providing land to freedmen or those portions relating to President Johnson's Amnesty Proclamation. As in the previous step, after a brief class discussion, students will write a summary of what they've read in this document onto the graphic organizer under the previous entry. (Students should see that Commissioner Howard is attempting to "establish a definite and uniform policy" relating to confiscated and abandoned lands by instructing his assistant commissioners to follow section 4 of the Freedmen's Bureau Act of 1865 rather than President Johnson's Amnesty Proclamation of May, 1865. They may conclude that the President's agenda and the Freedmen's Bureau agenda do not agree.)

**Resource Sheet #8:** Circular # 15, September 12, 1865. Review the vocabulary first. (The teacher has the option of using a copy of this circular that already has bold-typed portions or using the copy that does not have highlighted portions.) Then have them read the document and highlight those portions relating to the goal of providing land to freedmen or those portions relating to President Johnson's Amnesty Proclamation and Circular # 13. After a brief class discussion, students will write a summary of what they've read in this document onto the graphic organizer under the previous entry. (Students will see that this circular negates circular # 13...with the approval of President Johnson. Specifically, this circular drastically reduces the amount of land available to

freedmen. It explicitly mentions Johnson's pardon and the restoration of lands to pardoned owners, and students can conclude that the pardons restored most of the abandoned and confiscated land meant for use by the freedmen.)

10. As a closing activity, conduct a whole group discussion students will state their position on the following question:

**Was the Freedmen's Bureau successful in providing land for freedmen and thus making them economically independent?** Students should provide evidence for their position from the documents analyzed. As stated above, students should conclude that the Bureau's plans to provide land were hindered by the President's pardons of landowners, and that these pardons drastically reduced the amount of land available or use by the freedmen. At this point in the discussion it may be a good idea to return to the idea of paternalism.

**Was paternalism still a factor in post-Civil War society?** Yes, it was. Those in control, whether it be President Johnson or the white ex-slaveholders, were excluding the freedmen from membership in an equal society by denying them the power to be equal and independent—land ownership. Even after slavery the ex-slaves were treated as children.

11. To assess student understanding assign for homework Resource Sheet #9, "Written Assessment." Students are to write at least one paragraph supporting one of the following two statements:

(1) The Freedmen's Bureau was successful in providing land to freedmen for the purpose of making them economically independent.

Or,

(2) The Freeman's Bureau was not successful in providing land to freedmen for the purpose of making them economically independent.

The students will use their graphic organizer to help them write this paragraph. The paragraph must display evidence from the documents examined in class.

12. Extension activities may including the reading about the experience of a slave who did not receive economic freedom after the end of the Civil War. This primary source can be found at <http://xroads.virginia.edu/~hyper/wpa/hughes1.html>.

Or, using internet or print sources, students can do research to determine if the Freedmen's Bureau was successful in its other goals of providing justice, fair labor contracts, and education for freedmen.

## **Primary Source Annotation:**

### **Image of slaves in front of a cabin, 1862.**

This image is used near the beginning of the lesson. Although it is a photograph of freed slaves from relatively early in the war (1862), it serves as a good representation of all slaves that were eventually freed. This image is found at:

[http://www.americaslibrary.gov/assets/jb/colonial/jb\\_colonial\\_stono\\_1\\_e.jpg](http://www.americaslibrary.gov/assets/jb/colonial/jb_colonial_stono_1_e.jpg)

### **“The Freedmen’s Bureau” political cartoon**

Originally published in *Harper’s Weekly*, July 25, 1868, p. 473. By 1863, the previously non-committal *Harper’s Weekly* came out strongly against slavery and for emancipation and black civil rights. Its cartoons after this period illustrate this stance. This particular cartoon “The Freedmen’s Bureau,” was published near the end of the Bureau’s effective phase, 1865-1868. It is part of a larger collection of African-American related material on the Harper’s Weekly website entitled, “Toward Racial Equality: Harper’s Weekly Reports on Black America, 1857-1874.” However, this particular version can be found on the Library of Congress’s website at:

<http://hdl.loc.gov/loc.pnp/cph.3c05555>

### **“An Act to establish a Bureau for the Relief of Freedmen and Refugees.” Act of Congress, March 3, 1865.**

This act delineates the structure and responsibilities of the newly created Freedmen’s Bureau. Its language is very legalistic. In some ways it is very specific, yet in other parts it is quite vague. For example, the act is very specific when it says the Bureau is to be “committed, as hereinafter provided, [to] the supervision and management of all abandoned lands,” yet somewhat vague when referring to “the control of all subjects relating to refugees and freedmen from rebel states.” The Freedmen’s Bureau Act of 1865 is the obvious starting point for any analysis of the Freedmen’s Bureau’s structure and goals.

<http://www.history.umd.edu/Freedmen/fbact.htm>

### **President Andrew Johnson’s Amnesty Proclamation, May 29, 1865.**

Before the Freedmen’s Bureau could begin its efforts to secure land for freedmen, President Johnson, in his haste to “restore” the Union, issued this amnesty for most white Southerners who participated in the rebellion. Some Southerners would have to ask the President for a special pardon, but most would be forgiven under this amnesty. The amnesty restored all property to those being pardoned, with the exception of slaves. It was symbolic of Johnson’s willingness to favor white Southerners over black Southerners, and it was the biggest hindrance to the Freedmen’s Bureau’s efforts to secure land for the freedmen.

[http://www.legislature.state.al.us/misc/history/constitutions/1865/1865amnesty\\_proc.htm](http://www.legislature.state.al.us/misc/history/constitutions/1865/1865amnesty_proc.htm)

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**Howard, Oliver O. Freedmen’s Bureau Circular Orders no. 13 (July 28, 1865) and 15 (September 12, 1865).**

National Archives and Records Administration, Record Group 105, Entry 24, No. 139  
Asst Adjutant General Circulars 1865-1869, Bureau of Refugees, Freedmen, and  
Abandoned Lands, pp. 14-15 (circular #13) and pp. 17-18 (circular #15).

Through circular orders, or circulars, Freedmen's Bureau commissioner Oliver O. Howard communicated with his assistant commissioners. Circular # 13 was an attempt by Howard to clarify the Bureau's land policy and align it with section 4 of the Freedmen's Bureau Act, which authorized the Bureau to give abandoned or confiscated rebel land to freedmen to till (for rent) and ultimately purchase (after three years). Circular # 15 rescinds circular # 13 as ordered by President Johnson, who did not favor a major shift in social relations in the South between blacks and whites. Land ownership meant economic power, and Johnson made sure, through his pardons and circular # 15, that freedmen would become a dependent class of mostly farm laborers after the Civil War.