

## Racial Relations during Reconstruction

The Reconstruction Era attempted to reintegrate the Confederate states into the Union, on the grounds that full civil and political equality for African Americans be instituted in those Southern states. By juxtaposing the two races, artist Winslow Homer raised questions central to the reconstruction period of American history: what would the relationship be between former slaves and former masters now that they were all free citizens of the United States? What rights would the emancipated have? Homer's painting not only alludes to these broad questions, but it addresses the specific topic of the civil rights of emancipated families.

The era of Reconstruction got off to a positive start from the end of the war to 1870. Those five years saw the ratification of three constitutional amendments; the **Thirteenth Amendment** had abolished slavery, the **Fourteenth Amendment** addressed citizenship rights and equal protection under the law and finally, the **Fifteenth Amendment** prohibited discrimination in voting rights based on color, race or previous condition of servitude, thereby expanding the range of American democracy to many more citizens. But these amendments did nothing to alleviate tensions or to resolve conflicts between freed slaves and their former slaveholders. The end of the war unraveled the power slaveholders held over their freed slaves. The mistress in Homer's 1876 painting *A Visit from the Old Mistress* may be experiencing one of the most common postwar adjustments: confronting her formerly enslaved black women with whom she must now negotiate for their wage labor. The artist echoes the moment of disconnect described by one former slaveholding woman who wrote, "It seemed humiliating to be compelled to bargain and haggle with our own former servants about wages." That irritation makes profoundly clear how deeply some of these white women misunderstood and underestimated the effects of slavery and how little they had comprehended the minds of those who had been enslaved.

*A Visit from the Old Mistress* projects the dismay felt by an overwhelming majority of former slaveholders who discovered that their slaves did not in fact love them or wish to be enslaved, no matter how benign the owner might have been. One woman wrote to her sister that her former slaves had left "to assume freedom without bidding any of us an affectionate *adieu*." They wrote with apparently genuine shock and a sense of betrayal when inevitably their newly freed slaves left for the promise of emancipation or remained to assert their freedom where they already lived. The animosity evident between this white woman and her former slaves in *A Visit from the Old Mistress* shows that Homer understands this disconnect and has found a powerful way to make it visible. The mistress has returned, expecting to be greeted by the formerly enslaved people who loved her, only to find herself mistaken. They are not happy to see her, and the painting seethes with hostility, anger, and bitterness. Homer's composition

highlights an issue that had not yet been resolved: the understanding that both black and white carried baggage from slavery and the war years.

Under slavery African American families had been at the mercy of their mistress or master who could at any time part husband from wife or parent from child. Homer depicts a mother holding on tightly to her child, who can no longer be sold away from her family by this mistress or by any other. He also shows both the visiting old mistress and the mother holding the child wearing gold wedding rings, which are often difficult to see in reproductions, but clear to the naked eye. While Homer was often careless about precise visual details and was attacked by contemporary critics for his “lack of finish,” he carefully delineated each of these wedding bands with its own highlight and shadow.



[Sunday Morning in Virginia](#), 1877, Winslow Homer, oil on canvas, Cincinnati Art Museum

Homer often paired this painting in exhibitions with his 1877 artwork, [Sunday Morning in Virginia](#), setting up parallels between the two paintings in size, composition, and theme. *Sunday Morning in Virginia* depicts three African American children listening intently to a young African American girl who points to an open Bible on her lap, instructing the children how to read. Nearby an elderly African American woman, presumably a former slave, sits by the group. She appears deep in thought, her gaze indicating her attention is elsewhere. Homer sets up a dichotomy between the two generations, one who certainly has clear memories of the restrictions slavery imposed, and another that has, for the most part, grown up in the freedom of the Reconstruction era. The artist addresses major changes in the lives of freed people after emancipation which dealt with how much control blacks had over their own lives in post-emancipation America. Specifically, it was illegal for slaves and free blacks to gather for the purpose of learning to read or write. Imprisonment, whippings, and fines were several punishments for disobeying the law.

The confrontation depicted in *A Visit from the Old Mistress* can be assumed, from the title as well as the physical setting in a rough cabin, to be set on or near a Southern plantation after the Civil War. Homer is implying that, as was often the case, these former slaves continued to live around the plantation where they had once lived. Homer does not tell an elaborate story with

many gestures or strong expressions – he places these people together in a relatively neutral way so that the viewer may fill in much of the emotional detail from his or her own knowledge and beliefs. Homer, as a Northerner, would have seen such a story primarily from the outside, but viewers with different backgrounds might bring far more to the story. The juxtaposition of freed women with their former mistress in the composition suggests the sweeping changes that occurred in racial relations on plantations after emancipation.

Before emancipation, the mistress managed her home and was in charge of slaves that serviced the main house. All enslaved women on a plantation would have spent some time in the main house, but the amount of time spent there varied depending on their roles and ages. Those who were closest to the mistress were the house slaves, relegated to domestic roles such as cooks, chambermaids, nurses, and washerwomen. Their duties included dressing the white women and children, taking care of laundry, cooking meals, looking after white children and general household cleaning. Further from the center of the main household were the “domestic producers.” These female slaves helped to produce and gather items such as milk, butter, eggs, vegetables and fruits, preserves, thread and textiles.

The enslaved women who were the farthest outside the realm of the white mistress were the female field slaves who worked alongside enslaved men to plant, hoe and harvest crops. Field labor was usually divided between tasks done by women, such as sowing or hoeing, and those allotted to men, like plowing and ditching. These physically demanding tasks were performed all day, from before sunrise to after sunset. When field slaves became ill, injured or at the end of a pregnancy they worked indoors, spinning or carding cotton until they were able to return to the fields. Slaves with many young children might also be spared from field labor, though they were still expected to work many long hours. Inclement weather also brought the field slaves inside the main house to work other jobs.

Slaves had little certainty in their lives, and many unexpected changes were made at the direction of the white mistress. She might decide to transfer a field slave to domestic production, or introduce a domestic producer to household tasks. The mistress could also choose to punish a slave by assigning her unfamiliar tasks in a new environment, such as moving a house slave to the heavy work of the fields or moving a relatively independent field slave into the close scrutiny of housework.

Whether the adult black women shown in Homer’s *A Visit from the Old Mistress* were formerly house slaves, domestic producers, or field slaves, they would have had a personal history of the way the mistress managed her household and her slaves. The level of tension between these women would depend a great deal on how the mistress treated her slaves and what had

happened to the people of this particular plantation before and after the Civil War. The young child, however, was likely born after emancipation and her relationship with the mistress would likely start on a different foundation than that of her older relatives.

### **Life after Emancipation**

The **Freedman's Bureau** was created in 1865 to look after the rights of newly freed slaves, providing them with social, education and economic services. The bureau, along with churches and missionary societies, helped to set up more than three thousand schools in the South attended by freed blacks. For more on education after the Civil War, see [Literacy as Freedom](#). Education remained critically important to freed blacks in their quest for civic equality, but land ownership offered them the opportunity for economic freedom. Many of these former slaves believed that they had a moral right to the land that they had previously toiled while they were enslaved. After much debate, in 1865 Congress authorized the Freedman's Bureau to rent 40 acre parcels of abandoned or confiscated farmland to freed blacks, with the eventual option to buy. This redistribution of farmland is a concept referred to as **forty acres and a mule**. In 1866 the **Southern Homestead Act** was passed by Congress, giving preference to blacks for access to public land in five southern states. However, a short time later President Andrew Johnson nullified the previous acts and ordered that all of the redistributed land be returned to the original owners. With the cost of land available through the **Homestead Act of 1862** too high for most blacks and with the institution of **Black Codes**, owning land and economic independence for freed blacks became near impossible.

Legal marriage was also a high priority for former slaves. The Freedman's Bureau was deluged with requests by freed blacks to be legally married. Previously under the laws of Southern slave states, slaves were considered property and therefore could not create or enter into contracts. While many slaves took part in symbolic marriage ceremonies, these marriages had no validity in the eyes of the law. The rights of the master over the slave were paramount. Slave families could be torn apart whenever their master decided, for his own purposes. Parents had no right to their children as they too were considered property of the slave owner. In Louisiana, the law stated that slave children could not be sold away from their mothers until they reached the age of ten, but since slaves could not testify against white people in court, such laws had little force. A corporal in the U. S. Colored Troops explained to his troops the importance of Virginia's 1866 act legitimizing Slave marriages: "The Marriage Covenant is at the foundation of all our rights. In slavery we could not have legalized marriage, now we have it . . . and we shall be established as a people."

Whites, too, saw legal black marriage as a high priority for both administrative and moral reasons. Among other things, it was important to create laws that would allow children conceived during slavery to be legitimate. If all children born under slavery have been considered illegitimate, they would all have become an expensive population of wards of the state. With a legal marriage in place, symbolized by the ring on the black woman's hand, the child in *A Visit from the Old Mistress* is legitimate and will bear her father's family name. Though the husband/ father figure is not present in the composition, the black mother's wedding ring is a subtle yet powerful reminder of his presence.

In the months after emancipation freed former slaves, now able to travel, moved around the South in search of the family members from whom they had been torn during slavery times. When men and wives found each other, they would often go the Freedman's Bureau to have their unions made legal. A Union officer wrote to his wife in May 1865, "Men are taking their wives and children, families which had been for a long time broken up are united and oh! such happiness. I am glad to be here." An army chaplain attached to a regiment of black soldiers in Arkansas, reported that he spent much of his time conducting such ceremonies: "Weddings, just now, are very popular, and abundant among the Colored People. They have just learned, of the Special Order No' 15. of Gen Thomas by which, they may not only be lawfully married, but have their Marriage Certificates, Recorded, in a book furnished by the Government. This is most desirable; and the order, was very opportune."

The **Black Codes** instituted by these states severely restricted the rights of newly freed blacks. With these codes in place, black people were still not full citizens. Due to President Andrew Johnson's lackadaisical Reconstruction policy and his support of former Confederate political leaders, the Southern states attempted to reinstate slavery in all but name. The codes allowed officials to arrest blacks who could not document residence or employment. Those arrested were sentenced to forced labor on road construction crews or farms. One of the Black Code laws that might have affected the child depicted in *A Visit From the Old Mistress* was the Apprenticeship Law which allowed judges to take black children from their parents if it was deemed that they could not properly support their children. These children were often then apprenticed to former slaveholders. Former masters had the strongest right to seize children of their former slaves. These laws were quickly questioned in court and were largely removed under Reconstruction, but long and expensive court fights were necessary for African American parents to regain the custody of their children.

Soon after the Civil War **share cropping** emerged as the dominant mode of labor in the South, as the Freedman's Bureau had encouraged emancipated people to return to work on plantations. This was due to the larger concern of reviving the Southern economy after the war.

While a reformed labor system was important, getting crops growing in the fields again became the higher priority. Consequently, former slaves were encouraged to return to work (under contract) for their former masters. Initially these labor contracts between freed blacks and white plantation owners were supervised by the Freedman's Bureau, but slowly this supervision began to wane. White landowners were soon able to take advantage of this lack of supervision, coercing more favorable contracts for themselves. Even after the repeal of the Black Codes, former slaveholders could have held a black family in such an oppressive share cropping agreement that they were unable to send their children to school and had to keep them working on the plantation to save the family from sliding into poverty.

## **Glossary**

**Black Codes:** laws instituted by individual states that restricted the rights of emancipated blacks.

**Fifteenth Amendment:** (passed 1869; ratified 1870) guaranteed all American male citizens, regardless of race, the right to vote.

**Fourteenth Amendment:** (passed 1866; ratified 1868) prohibited states from violating the rights of its citizens, providing equal protection under the law.

**forty acres and a mule:** a concept of land redistribution for freed slaves, whereby Congress authorized the Freedman's Bureau to oversee the rental of 40 acre parcels of abandoned or confiscated farmland, (formerly owned by Southern plantation owners) with the eventual option to purchase.

**Freedmen's Bureau:** A United States Government agency that aided free blacks during the Reconstruction Era in their transition from slavery to freedom. The bureau provided educational, social, and economic services and advice to free blacks.

**Homestead Act of 1862:** signed by President Lincoln, the act encouraged westward migration by providing settlers with 160 acres of public land. After five years of continuous residence, settlers were given the option to purchase the land.

**share cropping:** a system in which freed blacks rented plots of land in return for giving a portion of their crop yield to the landowner, who were often their former master.

**Southern Homestead Act:** (1866) the act provided freed blacks preferential access to public lands in five southern states. However, the high cost and poor quality of the land defeated the purpose of the act.

**Thirteenth Amendment:** (1865) abolished slavery in the Southern states.