**Frederick Douglas**

**“Reconstruction”**

**December 1866[[1]](#footnote-1)**

*In the wake of the Civil War, Republicans deliberated on how best to balance their twin commitments to both decentralized states’ rights and protecting the civil rights of freed blacks in the southern states that had proven deeply hostile to them. While a handful of Republicans believed that the war had rendered federalism obsolete, most remained deeply committed to the value, and proposed that the Reconstruction Amendments would create a federal floor of rights via the Fourteenth Amendment—which guaranteed that the federal government would intervene when states failed to provide equal protection (but not before) and the Fifteenth Amendment, which guaranteed race-blind suffrage. The latter, Republicans believed, would enable a minimal violation of federalism: by specifically guaranteeing the right to vote to a state’s citizens, the citizens themselves would be able to protect their own civil liberties through the political process, rather than any general centralization of power in the federal government.*

*Perhaps no clearer exposition of this theory exists than Frederick Douglass’s 1866 letter to the* Atlantic *speculating about how to block Andrew Johnson’s effort to undermine the fruits of victory in the war.*

The Civil Rights Bill and the Freedmen's Bureau Bill and the proposed constitutional amendments, with the amendment already adopted and recognized as the law of the land, do not reach the difficulty, and cannot, unless the whole structure of the government is changed from a government by States to something like a despotic central government, with power to control even the municipal regulations of States, and to make them conform to its own despotic will.

While there remains such an idea as the right of each State to control its own local affairs,—an idea, by the way, more deeply rooted in the minds of men of all sections of the country than perhaps any one other political idea,—no general assertion of human rights can be of any practical value. To change the character of the government at this point is neither possible nor desirable. All that is necessary to be done is to make the government consistent with itself, and render the rights of the States compatible with the sacred rights of human nature.

The arm of the Federal government is long, but it is far too short to protect the rights of individuals in the interior of distant States. They must have the power to protect themselves, or they will go unprotected, spite of all the laws the Federal Government can put upon the national statute-book…

The plain, common-sense way of doing this work, as intimated at the beginning, is simply to establish in the South one law, one government, one administration of justice, one condition to the exercise of the elective franchise, for men of all races and colors alike.

1. “Reconstruction,” *Atlantic Monthly* (December 1866), reprintedin *Frederick Douglass, Selected Speeches and Writings*, ed Phillip Foner and Yuval Taylor (Chicago: Lawrence Hill Books, 1999), 592 [↑](#footnote-ref-1)