**How Did Georgia’s Constitutions Reflect Shifting Power in the Post-War South?**

The decades following the Civil War saw Georgia’s political and constitutional identity repeatedly redefined. In 1865, under **Presidential Reconstruction**, Georgia adopted a constitution that **repealed secession** and **abolished slavery**, yet resisted full equality for freedpeople and refused to ratify the **Fourteenth Amendment**. As a result, Congress rejected this version, and Georgia was placed under military rule.

In 1868, during **Congressional Reconstruction**, a new constitution extended **suffrage to Black men**, expanded **civil liberties**, mandated **public education**, and restructured the executive and judicial branches. However, these progressive reforms faced constant resistance. As federal oversight waned, white Democrats regained control of Georgia politics, leading to the **Constitution of 1877**—a conservative reaction known as the **Redemption Era**. This constitution **centralized power in rural counties**, **restricted voting**, and **limited state spending and authority**, setting the tone for decades of Jim Crow governance.

These three constitutions illustrate Georgia’s oscillation between reform and retrenchment, and how national mandates, racial politics, and competing visions of state power shaped the legal order.

**Key Terms and Definitions**

| **Term** | **Definition** |
| --- | --- |
| Presidential Reconstruction | The first phase of postwar reintegration led by President Andrew Johnson, marked by lenient conditions for Southern states. |
| Congressional Reconstruction | The stricter phase of Reconstruction led by Radical Republicans in Congress, requiring more robust civil rights protections. |
| Fourteenth Amendment | A constitutional amendment guaranteeing equal protection and due process under the law. |
| Suffrage | The right to vote in political elections. |
| Public Education Mandate | A requirement in the 1868 Constitution to establish a free, statewide school system. |
| Redemption Era | The post-Reconstruction period when white Democrats regained power and reversed many Reconstruction reforms. |
| 1877 Constitution | Georgia’s longest-lasting constitution (until 1945), which rolled back Reconstruction gains and imposed voting and governmental limits. |
| Ratification | Formal approval of a constitution by popular vote or legislative action. |

**Orienting Question**

**How did Georgia’s constitutions evolve between 1865 and 1877 in response to federal authority, civil rights demands, and shifting political control?**

**Active Learning Exercises**

**Section VII – Georgia Constitution of 1865 (Presidential Reconstruction)**

**Exercise 1: Constitutional Continuity and Change Analysis**  
**Prompt:**  
Using primary and secondary sources, compare the Georgia Constitutions of 1861, 1865, 1868, and 1877. In a 750–1000 word essay, address:

* Structural and content continuities
* Reactions to federal mandates and civil liberties
* How 1861’s due process/judicial review marked a legal shift

**Objective:**  
To assess the evolution of Georgia’s constitutional principles across four key documents.  
**Follow-up:**  
How did popular ratification affect legitimacy and durability?

**Exercise 2: Historical Role-Play and Debate**  
**Prompt:**  
Groups represent historical stakeholders (e.g., freedmen, Georgia legislators, federal officials, Unionists, Confederate sympathizers). Debate the resolution:  
*“Resolved: The Georgia Constitution of 1865 adequately addressed the requirements for readmission to the Union.”*  
Preparation tasks:

* Research the 1865 Constitution
* Analyze rejection of the Fourteenth Amendment
* Consider the consequences of military rule

**Objective:**  
To explore the ideological conflicts of Reconstruction and the politics of reintegration.

**Exercise 3: Primary Source Interpretation**  
**Prompt:**  
Analyze Article I (Bill of Rights) of the 1861 Constitution.

* Identify key liberties: due process, judicial review
* Compare with earlier GA constitutions and the U.S. Constitution
* Reflect on how these reflect a desire for legitimacy under secession

**Objective:**  
To deepen skills in primary source analysis and connect legal forms to ideological shifts.

**Section VIII – Georgia Constitution of 1868 (Congressional Reconstruction)**

**Exercise 1: Constitutional Convention Simulation**  
**Prompt:**  
In groups representing different factions (e.g., freedmen’s advocates, Unionists, Republicans, former Confederates), draft and defend positions on:

* Black suffrage
* Debt relief
* Separation of powers  
  Engage in structured negotiations to reach compromise constitutional provisions.  
  **Reflection:**  
  How did the delegates’ composition shape the convention’s outcomes?

**Objective:**  
To simulate Reconstruction politics and understand the creation of new institutions.

**Exercise 2: Legal and Historical Analysis Essay**  
**Prompt (750–1000 words):**  
Analyze the 1868 Constitution’s:

* Expanded Bill of Rights and relation to the Fourteenth Amendment
* Changes in gubernatorial and judicial power
* Mandate for universal male suffrage and public education  
  **Follow-up:**  
  To what extent did it reflect federal priorities vs. local realities?

**Objective:**  
To evaluate Reconstruction-era reforms and their ideological and legal impact.

**Exercise 3: Primary Source Interpretation and Policy Evaluation**  
**Prompt:**  
Read and analyze excerpts from the 1868 Constitution on debt relief, suffrage, and education.

* Identify the language and intent
* Compare with federal mandates
* Evaluate effectiveness and long-term social impact

**Extension:**  
Research the provisions’ influence through the 1870s.  
**Objective:**  
To interpret constitutional text and assess its real-world consequences.

**Section IX – Georgia Constitution of 1877 (Redemption Era)**

**Exercise 1: Essay Assignment**  
**Prompt (2–3 pages):**  
Analyze the 1877 Constitution in its historical context.

* How did post-Reconstruction politics influence its design?
* What specific limitations were placed on state governance?
* How did these limits lead to frequent amendments?
* Compare to 1945 or 1983 Constitutions to show how later reforms addressed these flaws.  
  **Objective:**  
  To assess the motivations, structures, and long-term consequences of the Redemption-era constitution.

**Exercise 2: Online Discussion Board**  
**Prompt (300–500 words):**  
Reflect on the significance of the 1877 Constitution. Address:

* Political and social drivers behind its creation
* Limits on legislative and judicial authority
* Structural weaknesses and their legacy
* Comparison with later constitutions  
  **Engagement:**  
  Respond to at least two peers with questions or insights.  
  **Objective:**  
  To foster collaborative historical reflection and peer-driven analysis.

**Exercise 3: In-Class Discussion and Debrief**  
**Prompt:**  
Prepare notes or a written response to the same prompt as above.  
In small groups, discuss your interpretations and then share insights with the class.  
**Evaluation:**  
Based on participation, historical insight, and ability to connect ideas.  
**Objective:**  
To collaboratively explore the restrictive design and legacy of Georgia’s 1877 Constitution.

**Review Questions**

1. What were the key features and limitations of the 1865 Constitution under Presidential Reconstruction?
2. How did the 1868 Constitution align with Congressional Reconstruction priorities?
3. In what ways did the 1877 Constitution reverse Reconstruction reforms and limit democracy?
4. How did the treatment of civil liberties and suffrage evolve across these constitutions?
5. Why did Georgia’s constitutions repeatedly change in this period, and what role did federal influence play?