

HST 202: ONLINE U.S. History W19 (Escobar)

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Legacy of Reconstruction
by [Joe Escobar](#) - Saturday, February 23, 2019, 7:44 PM

This thread is for discussions on the Legacy of Reconstruction topic.

To make your POSTS, click the reply link in this, MY post. To reply to another student's post, be sure to click the reply link within in THEIR post.

IMPORTANT - SUBJECT LINES

BE SURE to use an informative subject line for your post, something that describes the specific claim (1-4) you are addressing. Do NOT simply leave it RE: Legacy of Reconstruction

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3, Enforcement of Law
by [Jessica Cole](#) - Sunday, February 24, 2019, 9:48 PM

As historian Eric Foner points out; the outcome of the American Civil War answered the question of whether the country was divided - but it added so many more questions regarding the rights of both white and black citizens. The Northern victory seemed like a clear outcome that would join the Union as a whole, and abolish slavery throughout; however, while the two main issues may have been settled. there were actually many more issues that arose as a result. Even though the Union was now intact - the mindset of the people who lived within our country were just as divided as before the war. To compound issues even more, the country couldn't even rely on going back to how it existed previously, even temporarily, while the new Union was constructed. Lincoln stated that the country would have a "new birth of freedom" (text 561), and while this birth did allow our country to eventually grow and prosper; the infancy of the Union after the war was still a time of upheaval and bitter opposition to change.

The Confederacy was heavily pardoned by Lincoln's replacement Andrew Johnson, and as reconstructed states in limbo defined the laws concerning former slaves, they basically attempted to force blacks into "quasi-slavery" (text 566). As a result the Union army was forced to remain in the South and protect the freedpeople. When Republicans took majority in the 1866 elections, they decided to put their foot down - one republican stated "They (the South) would not cooperate in rebuilding what they have destroyed, so we must remove the rubbish and rebuild from the bottom. Whether they are willing or not, we must compel obedience to the Union and demand protection for its humblest citizen" (Text page 571 - I did try searching online to find the name of the speaker but I was unable to find the quote anywhere else). Congress was forced to basically instate martial law on the south with military enforcement to minimize anti-black [violence](#) and protect the civil rights of freedpeople. Still, the white South was defiant and refused to cooperate by not voting, and secret terrorist groups used scare tactics and even murder to try and keep black equality stifled. Congress fought again to enforce the fourteenth and fifteenth amendment and armed troops were sent in to deal with one of the terrorist groups, the Klu Klux Klan - but still many blacks were killed. The public began to uprise against the continuing troop presence and the government was weary to send in more troops to control the [violence](#) and overstep their boundaries concerning states. Eventually,

the Supreme Court sided with the states, saying that the fourteenth and fifteenth amendments were unconstitutional and violated the states rights. In the end, even though black slaves were now "free", states were "controlled by white-supremacy Democrats who had no intention of enforcing equal rights". (Text 588)

Eric Foner states that "Rights on the books are not sufficient. They are not self enforcing. The Fourteenth Ammendment remained part of the constitution, but it was ignored for many many decades. Civil Rights legislation remained in the statute book, but it was ignored." Foner goes on to point out how even in our modern government, our constitutional rights are being violated by the federal government itself with little to no consequence. Philosopher George Santayana is quoted as saying "Those who cannot remember the past are condemned to repeat it." The reconstruction after the Civil War can illuminate to us a time in our nation's past where even when a horrible bloody war was fought and "won", political leaders elected, laws passed by congress, and military troops employed to uphold them - those laws and rights were still trampled. Even though our constitution supposedly gave freed slaves equality in America, it took over a hundred years before those amendments were ever really considered to be upheld legally. American is a country known for it's diversity, and like during the Civil War, that diversity means that it's citizens might not always agree. While diversity is wonderful, it also means that sometimes people more concerned with their self interests (and less concerned about morals), are able to infringe on other's rights. When enough of these like minded people are together and in places of power, laws can soon be overlooked, and eventually even negated. As Foner touched on, even in our current government there are instances where powerful politicians backed by wealthy like minded people soon become seemingly untouchable by the law while they ignore or trample on rights of citizens today.

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Re: Legacy of Reconstruction
by [Miles Long](#) - Tuesday, February 26, 2019, 12:19 PM

Birthright Citizenship is the idea that if you are born in America, that by right you are an American citizenship. This was not always the case in this country. Before the civil war the Dredd Scott decision said that Negroes could never become citizens of the United States. During the Reconstruction period, the foundation was laid that anyone could become a citizen and that race was not a determining factor of who could become a citizen or not. Today, this is still the case. Forner describes one of the most common occurrences of this where a non-citizen may have a child in the United States and by right, that child is becomes a United States citizen. This isn't the case in all countries, but because of the foundation set during reconstruction, abolitionists wanted to make sure that anyone could become a citizen.

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Re: Legacy of Reconstruction
by [Katie Lauck](#) - Sunday, March 3, 2019, 3:10 PM

I think this is why the fourteenth amendment was so critical in this time period. Almost every section in this amendment was to protect African Americans and their rights, and 'punished' confederates for their mistreatment of blacks. For example, section 3 "disqualified a significant number of ex-Confederates from holding federal or state office." (Chap 17, pg 570). I think it's also important to note why section one of the fourteenth amendment was such a turning point, that it enforced that all native-born citizens including blacks were considered American citizens, our textbook saying that it has become " the most important provision in the Constitution for defining and enforcing civil rights." (Chap 17, pg 570). On page 561 of our textbook, it says that president Lincoln wanted freedpeople to emigrate to all-black countries like haiti where they could escape the growing discrimination against them. Many people rejected this idea that african AMERICANS had to move out of their own country, and Lincoln eventually changed his mindset. But I think section one was really born from the idea that blacks and any other native born person should have the same rights as whites and not be pushed out of the country they were born in. I like your correlation with what our country is going through to this day on the issue of citizenship, and that this foundation has been carried through 150 years later.

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Progress and Freedom in the United States
by [Katie Lauck](#) - Wednesday, February 27, 2019, 11:25 AM

As professor Eric Foner describes in the ‘Legacy of Reconstruction’ video, progress, freedom and race have historically been one of the most prevalent issues in our history, even to this day. The whole reason that the civil war happened stemmed from the issue of slavery. Foner also states that most Americans know that the civil war happened and why, but many citizens don’t know about the reconstruction period and what it really was. “We as Americans sometimes like to think that our history is a kind of straight line of greater and greater freedom, we began perfect and have been getting better ever since.” (Foner audio, 8:32) This resonated with me because I will admit that I didn’t know a lot about our history before this class. But I do think that it is a little ridiculous that people might think that what happened in our history was all a straight line, leading to a ‘perfect’ nation was might have now. When in reality, the United States history has a more complicated and interesting story of ups and downs and is far from perfect, as Foner says. Even after the civil war had been won by the Union and slaves had been freed, the president of the United States said he “would exclude both blacks and upper-class whites from the reconstruction process.” (Chapter 17, pg 565). This tells us that even after fighting a battle that was supposed to give African Americans complete freedom and liberty, it does not quell the feelings of hatred some still have for blacks. On a smaller scale, these problems are happening even today. Racism in the 21st century continues to be a large problem, and even if we don’t realize it, it is likely a smaller continuation of the effects that took place during reconstruction. “We are still living today with the legacy and consequences of the changes that took place in American society in that era.” (Foner video, 2:24). From this large example, I think it is important for us to realize that adopting a significant change (in any situation really) will not only take a large amount of time, but to accept that the problem will not be solved right away. To earn success, we must deal with failure.

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Re: Progress and Freedom in the United States

by [Jessica Cole](#) - Thursday, February 28, 2019, 1:37 PM

I was surprised to hear such prominent historian say that there was a time in our country's history that we didn't really know much about. I guess I always took it for granted that there was enough documentation and information handed down about everything. Like you, I also didn't realize how much upheaval still existed after the Civil War. I didn't think it was a straight line of freedom, but I never really stopped to consider the chaos as people tried to figure out how to integrate freedpeople into the rest of existing society on a new level. I suppose I didn't think it was cut and dry - but I had never really thought of all the challenges that went along with the transition even for people who supported it. They had to work around the laws being created. I knew that the South fought to stick to their "peculiar institution" and remain even today heavily rooted in racism in white communities - but I didn't realize that many in the North fought against equality as well.

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The profound differences between racial nationalism and civic nationalism.

by [Anna Rodriguez](#) - Thursday, February 28, 2019, 1:31 PM

I chose to analyze and think about the profound differences between racial nationalism and civic nationalism. According to Foner, Racial nationalism, stems from ethnic Nationalism, which is based on culture, race, ancestry, and other hereditary connections. Specifically, Ethnic, or Racial Nationalism, unites all peoples of a certain ethnic heritage together. Civic Nationalism is an association of people with equal rights and similar allegiance. I believe that geography defines Civic Nationalism, as well, because its most basic principle is living in the same nation or land. In a civic nation, the government attains its power from political participation of its citizens, and must maintain its acting as the will of the people. On the other hand, a Nation based on ethnicity gains its power from the differences between cultures and a false sense of hierachy within those cultures. I think important to point out Foner's analysis of the United States, within the terms of being an ethnic based or civic based nation. Before the civil war, Foner states that the U.S. was a country running on racial nationalism and power. The White men used their culture, entitlement, and attitude to dictate the totem pole of demographics. Not only were abolitionists fighting to destroy slavery, but they were fighting to make this country into one that derives its power from Civic Unition, versus Racial Nationalism. Because the United States is a land of many people from different heritage, there were never enough of one group to maintain a racial power formation. One race cannot dominate all races in this country, because there are just too many to contend with. I think it is important to note how Foner explained that we didn't fully transition into a civic nation until the civil rights revolution in the 1960's. Although we had the idea to make this switch during the reformation era, it took us 100 years to actually enact it. I think countries that maintain Civic power over Racial power, is a country that will endure time.

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Re: The profound differences between racial nationalism and civic nationalism.

by [Jessica Cole](#) - Thursday, February 28, 2019, 2:08 PM

Not really related to the reconstruction time - but one of the things in our history class that really sunk in the racial divides in our country was how the Irish were also heavily criticized. Reading how Evangelical white Americans thought the Irish to be poor thieves creating crime and somehow hindering the quality of American life sounded just like people today talking about the immigrants from Mexico. I can't go back to previous weeks to look at videos now as they were eliminated after the midterm, but I think there was a video (I can't find the quote in our books at least) where it talked about how the Irish looked just like babboons as well, and the quote that really stuck with me was a politician saying how each Irish man should kill a black man and then be found guilty and hung for his crime - and then the problem would be solved. Anyways, I was interested what happened to the hatred of the Irish after the Civil War so I researched a little more. Many Irish joined the Civil War as volunteers - some out of loyalty and many also joined hoping to prove themselves and turn the anti-Irish discrimination. I know many ancestors of mine and their siblings joined (I have a large Irish background, which is probably why I found all of this interesting). There were actually all Irish units called the Irish Brigade. Many fought for the Union (as most resided in New York), but many were sympathetic to the South because it reminded them of their fight for freedom at home from Britain. Anyway, how I think this relates to racial nationalism - is that the disgruntled Irish were fighting in a cause they didn't really believe in in order to be seen as important in America. But after many, many died they began to feel used and were angered that the draft was aimed at low income single men - which described much of the newly immigrated Irish population. However, instead of turning their anger towards the government - they turned their anger against black people. The riots against the draft after [Gettysburg](#) were mainly Irish mobs, and they killed over 120 black people. Basically a group of discriminated immigrants turned their anger against the easy target - which actually had nothing to do with their plight. So many Americans turned their unhappiness into hatred towards innocent people - because they were already discriminated against and were an easy out for their anger. I think that is why racial nationalism is so incredibly dangerous - because a person can take their hatred and anger and fuel it into a cause against innocent people and mask it as being for the greater good of the country.

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Re: The profound differences between racial nationalism and civic nationalism.

by [Anna Rodriguez](#) - Friday, March 1, 2019, 11:31 PM

Wow, thanks for the great reply. I'd like to talk more about all this. Recently, I took a DNA test and figured out that I am 56% Irish. So everything you just said peaked my interest, as well. In general, I think immigration always brings different societal values and morals, which causes the group that was there first to blame the newcomers, when in fact, it is the first group that must help the immigrants assimilate, or else they risk their standard laws and values being changed forever. I really Liked your example of Mexico, to most Americans, they have been represented as a party place Where drugs are accessible and laws are loose. But, I think that was mostly Hollywood's doing, given reality shows and more. A better example of the idea I was trying to portray is the effect that recent Syrian immigration had on Sweden. Before the wave of immigration they experience, Sweden was known as one of the most peaceful countries in the world. But that peace was interrupted by some value differences Syrian refugees had, including the treatment of women. Rape and kidnapping became much more common problems there. The people of Sweden realized that a difference in values was causing real issues, so they began education in refugee camps and communities. Although they still experience many attacks, the numbers are declining. I think problems begin when this assimilation gets out of hand. Like, as you stated, the immigration of the Irish. They were told they would never match up to American values and forced to assimilate completely in some areas and excluded in others. I think this is what caused them to take out their anger on the black community instead. In a way, I believe they may have been trying to copy American White Men and finally earn their respect. They had probably witnessed poor treatment of Africans for years and in a way their anger caused them to do something drastic. These are just some of the thoughts I had when reading your response.

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Re: The profound differences between racial nationalism and civic nationalism.

by [Jessica Cole](#) - Saturday, March 2, 2019, 5:24 PM

Wow, 56% is an incredibly high percentage of Irish! Even a lot of people who live in Ireland don't have a full percentage because so many Scottish people were brought over as slaves and then as their family lines extended through the ages the family just started considering themselves Irish. So now a person

who lives in Ireland and thinks they are 100% Irish take a DNA test and find out they're not! (I'm really into genealogy in case you can't tell ha ha). I agree with your point that perhaps they took to hatred and [violence](#) as a form of assimilation and impressing the other Americans. Anyways, you brought up how immigration to Sweden by Syrian refugees had an impact of how women were treated. I lived in Dublin for 6 months about 10 years ago - during a time following a massive immigration from Poland. While I was there I was groped, in full broad daylight in crowded areas, MULTIPLE times by men. It was horrible - but they didn't speak much English and didn't seem to care that I was affronted. Some tried to apologize - but what was weird was that they didn't seem to realize they had actually done anything wrong. One time it happened and the guy's friend, who was Irish, grabbed his arm and pulled him away and told him he couldn't do that here. He explained to me his friend was from Poland and that their culture was different in how men could treat women. I could tell his friend really didn't seem to understand the issue (although I still fail to see how they really couldn't know it was offensive unless the females at home were just trained to smile and go about their business). It was horrifying to me - I had actually planned on backpacking through Europe on my own after Dublin - but after stuff like this kept happening I decided against it and just came home. Anyways, I talked to some Dublin residents who were really angry about all the Polish immigrants - mainly how so many signs were in Polish, and how they had their own newspapers. I remember an old woman neighbor of mine telling me how much the country had changed and how crime rates had gone up. It was really an eye opener about how immigration could change the culture that the people were immigrating too - that was something I hadn't given much thought before.

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Re: The profound differences between racial nationalism and civic nationalism.

by [Alli Crank](#) - Saturday, March 2, 2019, 12:59 PM

It is mentioned that "One race cannot dominate all races in this country, because there are just too many to contend with." After learning about the process of the abolition of slavery I find it shocking this would be said. Our country had men and women of different color during the Civil War and Reconstruction Era, but America was most certainly dominated by one race. The white race. African Americans fought for their rights and "contending" with the white people who fought to keep them from having rights. However, African Americans alone did not abolish slavery. It seems as if the abolition of slavery only became a bigger issue when white men like Lincoln decided slavery was wrong and did not want it to expand or white abolitionists like Garrison who wanted slavery to completely come to an end. It was the white races contending each other that brought about major changes in our history, African Americans alone didn't seem to have enough credit or respect to be listened to, only the whites did.

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Re: The profound differences between racial nationalism and civic nationalism.

by [Haylee Stevens](#) - Sunday, March 3, 2019, 11:13 PM

This was a topic that I didn't get to dig into myself, but it seems that you did so very well. I agree with you completely that African Americans didn't get the credit for abolishing slavery because they didn't have a voice and only the whites did. It also seems strange to me that to this day we still give white men the credit for ending slavery when they were the ones who created the problem in the first place. It wasn't a problem that mattered when African Americans were fighting for it, but as soon as someone white said something, it was a whole ordeal. From your explanations I feel like I can fully understand the arguments behind this topic.

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Re: Legacy of Reconstruction: 3rd modern issue

by [Taylor Dotson](#) - Thursday, February 28, 2019, 7:53 PM

By passing a law or giving right to a person is not always as easy as it may seem. When Lincoln passed the Proclamation of Amnesty and Reconstruction it was still during the war time and so the policy could only be carried out where union troops had a substantial portion of the Confederate state. This means even with it passed the state would not enforce this policy while the war continued without the heavy presence of Union troops who supported Lincoln. Black Codes was enacted by state governments which did not set well among northern Republicans. They saw it as a way to reduce free-people to some type of slavery conditions. By it being an attempt to bring slavery back union armies suspended the implement of the Black Code that discriminated on racial grounds. They did not impose what the government had proposed. Even though the

Black Code was seen as a slavery attempt it addressed a greater argument between black-white relations. Northern Republicans were quick to defend what was happening without seeing the big picture being implemented between the black and white relations. During the reconstruction process many Southern Democrats refused to cooperate. Since this has happened many white southerners who were eligible to vote refused. They had the right to vote and because they did not like and believe in what was going on, they refuse the right that was given to them.

-Taylor Dotson

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Having Rights VS Exercising Rights

by [Emma Mather](#) - Thursday, February 28, 2019, 10:08 PM

Passing laws or “having rights” is not the same as enforcing the laws or exercising rights; this is very true in our current culture. This is a fact that as I grow older I’m beginning to notice more and more. The reconstruction era influenced how far we have come in the regard of giving everyone in our country equal rights but I think that learning about this would still help our country fix the issues that we still have with this problem. In the podcast Foner talks about how many laws regarding equal rights were left as “sleeping giants”, saying that the government made these laws that changed the course of history but the government didn’t enforce them. However leaving the laws as sleeping giants allowed the civil rights movement to happen which I think has helped our leaders realize that if they make laws they need to enforce that. Even though it may seem like our government has taken a very long time to exercise equal rights I think that the reconstruction era has helped our country to get to where we are in exercising rights.

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Re: Having Rights VS Exercising Rights

by [Miles Long](#) - Thursday, February 28, 2019, 11:17 PM

I think it's important to also note that a lot of institutions have no problem violating these rights if they are not enforced. Forner mentions this in his podcast. The reconstruction era may have laid the groundwork to try and create equal rights, but often times laws are still not being enforced. The textbook describes how during this era of reconstruction, many southerners still tried to force blacks into slavery and it took physical intervention (military force) for this to be enforced. During Reconstruction, the government did a lot to help defend these rights, but it still took a long time before these rights were fully exercised.

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Re: Having Rights VS Exercising Rights

by [Emma Mather](#) - Saturday, March 2, 2019, 10:40 PM

Yes. I completely agree that many institutions have no problem violating the rights of unenforced rights of people. I feel like that is another large conversation.

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Re: Having Rights VS Exercising Rights

by [Jessica Cole](#) - Saturday, March 2, 2019, 5:32 PM

When I was listening and reading about laws being created versus when they actually started being exercised in our country - I noticed a strong similarity in many issues regarding female equality. Again, even after discrimination laws were passed regarding women in America - it took an incredibly long time before those laws were actually exercised in so many ways. I am in no way trying to downplay the racism that affected the lives of so many black people, and I don't think the bias is the same. I just noticed similarities when reading that I have witnessed in my lifetime.

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Re: Having Rights VS Exercising Rights

by [Emma Mather](#) - Sunday, March 3, 2019, 11:08 PM

I noticed this as well especially after I learned a little while ago that the first law for giving women equal pay was put into place in the 60's yet there are some instances where are still women trying to earn equal pay for the same work. I agree it is very similar. This was a very good point that I didn't think too much about prior to this comment.

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Re: Having Rights VS Exercising Rights

by [Alli Crank](#) - Saturday, March 2, 2019, 5:52 PM

Although it does take a willing government and officials to enforce laws that are put into place, I believe that a lot of the responsibility falls upon the United States citizens. Officials and leaders can attempt to "enforce" these laws as much as they want to, but it won't work without punishment. If the punishment and sentencing aren't as harsh as they need to be, there will be no discouragement of these "illegal" activities. With organizations such as The Lost Cause and other southern sympathizers still existing and sustaining the racist views of the south, it makes it difficult for the laws in place to have any power over the people. Foner says in the video that the 14th Amendment laid the groundwork for the Civil Rights movement, but the 14th Amendment was not the reason that the Civil Rights Act was put into place. Over a century of protesting, struggle, politics, and cultural outreach is what paved the way for equal rights. The people that fought for equality are the same people who held others accountable to follow the law and treat each other with respect.

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Re: Having Rights VS Exercising Rights

by [Alvin Iskender](#) - Sunday, March 3, 2019, 11:47 PM

The phrase that Foner cited, "the price of liberty is eternal vigilance" turns out to be pretty relevant. The significance of legal challenges, and thus Supreme Court decisions, can not be understated in the progress (and regression in some cases) of race relations. As we've seen in the textbook, the Supreme Court caused several setbacks for black rights, but progress was also achieved through the Supreme Court. It was a Supreme Court decision that helped end segregation in schools (though earlier Supreme Court interpretations were not so sympathetic), and as you've pointed out, Foner says that the 14th amendment laid the groundwork for such progress to be made. Plaintiffs in Brown v. Board of Education and similar Supreme Court cases used the 14th amendment to argue against segregation (<https://www.uscourts.gov/educational-resources/educational-activities/history-brown-v-board-education-re-enactment>).

In a sense, persistent legal challenges to unjust practices is one form of "eternal vigilance".

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Claim 3

by [Taylor Reid](#) - Friday, March 1, 2019, 3:06 PM

Eric Foner gives a speech about how the time of Reconstruction relates to the problems we are going through right now. The claim of passing laws and having rights translating to actually following through with those laws is something happening today. These days we have laws in place allowing things like gay marriage. Even though this action is legal and should be treated just like marriage between a heterosexual couple, it is still very looked down upon. With the negative clapback from gay marriage being legal, some couples feel uncomfortable participating, thinking that they will be mistreated for the act. To me this is a current example of having laws in place that being don't necessarily exercise.

During the Reconstruction, a large law that wasn't exactly followed was the freeing of slaves. Yes, slaves were free but they fell into a pattern of slavery that was followed in the past. A lot of former slaves were hired to work on their previous owners plantations for pay. Most accepted because it was an easy way to find a job. Money was lacking in the South though so for pay, workers would worked for shares of the crop they were harvesting. Plantation owners started out having workers harvest in groups called gangs, which soon were recognized as similar conditions when they were slaves. This was an example of how there was a law in place but it wasn't strictly followed because slavery was what everyone knew. This example though had a solution that allowed African American families to work on one plot of land and in return got a share of the crop that they produced.

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Re: Claim 3

by [Emma Mather](#) - Sunday, March 3, 2019, 11:13 PM

Another point you could make is about the Black Codes that we learned about. Even though slaves were free these codes kept their lives similar to what they were when they were slaves. That also goes along with not necessarily "freeing" the slaves.

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How did the Reconstruction era affect birthright citizenship?

by [Alli Crank](#) - Friday, March 1, 2019, 9:56 PM

Like Eric Foner said, "On the eve of the Civil War, no black person could be a citizen of the United States". This means that before both the Civil War and the Reconstruction Era, birthright citizenship did not exist. The issue of birthright citizenship was brought to attention by the cause of the Civil War- the abolition of slavery. The abolition of slavery not only created the issue of what the rights the former slaves were now given, but what rights that white citizens possessed as well. This concept conceived the idea of what it meant to be a citizen in America. During the Reconstruction Era, it was decided that being a citizen meant being born in America. Prior to the Reconstruction Era of 1865 through 1877, *not* having birthright citizenship was a subject of concern. But now, in the 21st Century, it seems as though *having* birthright citizenship is becoming an issue in terms of illegal immigration. Birthright citizenship is viewed as an issue because illegal immigrants are coming to America and having children that gain citizenship through being born in America. Again, as Foner said before, "We are still living today with the legacy and the consequences of the changes that took place in American society during this Era". The rights that were fought so hard for during the 19th century are now faced with new obstacles.

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Passing laws means nothing when they're not enforced.

by [Alli Crank](#) - Friday, March 1, 2019, 10:37 PM

A recurring issue that America's government had in the past was passing laws, but not enforcing them. "Rights on the books are not sufficient, they're not self-enforcing", Eric Foner says. African Americans after the Civil War were supposedly given the right to be citizens in the United States, however were still both segregated and discriminated against all the way up to the Civil Rights Movement in the 1960's. Up until the Civil Rights Act of 1964 there were laws passed, like the 14th Amendment, that were not strictly enforced. It took a century of protesting and struggle to put in place a Civil Rights law that was actually "sufficient".

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Reason 1

by [Taylor Reid](#) - Saturday, March 2, 2019, 6:19 PM

A major problem in the government is illegal immigration. The president thinks that if someone is not born in America they do not deserve the right to live in this country. In our country if you were born in this country you are considered a citizen even if your parents are not. This relates to the reconstruction period because it was a slow change of what African Americans were going through. There was a large gray area when slaves became free and to determine if the kids were free. As time went on it was more established that slavery wasn't allowed and in a way all African Americans are free.

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Re: Reason 1

by [Miles Long](#) - Sunday, March 3, 2019, 10:18 PM

While illegal immigration is a major issue in the United Sates right now, I would definitely differentiate the difference between immigration and birthright citizenship. Before the civil war, African American's couldn't become citizens period, even if they were born in the United States. The 14th Amendment changed this and

made it so anyone who was born in American could become a citizen, like you were saying. Slavery was abolished before the 14th Amendment came to fruition, and at that point, anyone born in America would be an American citizen.

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Re: Legacy of Reconstruction: Birthright Citizenship

by [Emilie Ormsby](#) - Sunday, March 3, 2019, 9:56 PM

Birthright citizenship can be defined as “a legal right to citizenship for all children born in a country's territory, regardless of parentage”, according to the dictionary. In the United States, this concept ensures citizenship to a person born in the United States territory as well as citizenship for those with US parents. America is one of several Western Countries to adopt this legal right, while a majority of European countries do not. Professor Foner discusses the concept of Birthright citizenship during the Legacy of Reconstruction video/podcast in relation to the Reconstruction period. He informs us of how we still live with the effects of the Civil War and Reconstruction period, including the concept of birthright citizenship today. Foner states that birthright citizenship is a product of the Civil War, being that it was not in place prior to the war. A naturalization law passed in 1890 stated that free whites could be granted citizenship with two years of living in the United States as well as their children; however, African Americans and other minorities were still not considered citizens - even after the Civil War. Therefore the Reconstruction era is often thought of as the period after the Civil War when in actuality it was the nation's attempt to accept the massive changes it just undertook. Meaning that, the issues and ramifications of slavery were not magically dissolved simply because the war ended, and now citizens had to adjust. “Revolution may go backwards” Foner states. Hence the Reconstruction era; however, it laid the foundations for the next generation to try again for the future.

The struggle to abolish slavery is what lead the nation to create amendments, laws, and parts of the constitution. Although these new rules had been put into place on a legal level, they were not to be truly enforced for another decade at least. It was clear that the adjustments to be made during the Reconstruction era were not going to come quickly or easily. For example, “Black Codes” or laws passed post Civil War to restrict African Americans freedom and rights, as discussed in our textbooks. “...their concern that state governments devoted to white supremacy would reduce the freedpeople to a condition close to slavery was confirmed when some of those governments enacted “Black Codes.” (Murrin pg.566) Those who obtained confederate views did not take well to blacks having rights and tried to enforce their own version of slavery in attempts to maintain their preferred way of living. The text states “Instead, the states excluded black people from juries and the ballot box, did not permit them to testify against whites in court, banned interracial marriage, and punished blacks more severely than whites for certain crimes. Some states defined any unemployed black person as a vagrant and hired him out to a planter, forbade blacks to lease land, and provided for the apprenticing to whites of black youths.” (Murrin pg.566)

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Birthright Citizenship

by [Haylee Stevens](#) - Sunday, March 3, 2019, 10:35 PM

This topic in particular was very interesting to me. In America today, anyone born in the United States is legally a citizen, even if their parents aren't. It didn't occur to me that this was a law that has been around since the era of the civil war and the reconstruction period. In this time period when slavery was still an issue, when the slaves had children, these children weren't given the rights of a US citizen because their parent's weren't considered citizens since they weren't white. Now though, anyone from any country can be a United States citizen. If this law Haden't been put into place during the civil war era when they were abolishing slavery, what would the United States look like today? This is a big question because this law, wether it seems like it or not, is a big deal.

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Having rights by law vs Having rights in practice, claim 3

by [Alvin Iskender](#) - Sunday, March 3, 2019, 10:55 PM

A good deal of problems that have come up in the history of the United States frequently come down to how its laws are interpreted or enforced. The nullification crisis came about from an assertion that states could effectively veto federal law within their state's boundaries (book p387). A single Supreme Court decision, Dred-Scott,

completely upended the state of affairs as it came to slavery (book p470). With what was effectively a reorganization of the Union in the Reconstruction era, problems of this nature were all but assured.

Today, there are often arguments made that the laws on the books don't reflect reality- that some individuals still have less rights in practice in spite of rights they may have in the eyes of the law. In the Reconstruction era, this was absolutely the case. The 15th amendment was passed to protect the voting rights of African-American citizens (15th amendment video). However, when you fear for your life if you dare approach the ballot box, as members of the Klu Klux Klan sought to make the case, your supposed right to vote might as well be null and void. Some state constitutions would even later incorporate literacy tests for voting (book p619); In a time where blacks were still struggling to catch up to the white population and become properly educated (by 1900 48% of blacks were still illiterate [book p569]) one's right to vote again might as well have been null and void.

One of the takeaways from the Reconstruction period is that simply having laws on the books that protect the liberties of its citizens in theory is not the same as those citizens having those liberties in practice. The saga of the 15th amendment proves this, and it took many, many years for the spirit of the law to truly be enforced (15th video).

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Re: Legacy of Reconstruction: Passing laws vs. Having Rights

by [Emilie Ormsby](#) - Sunday, March 3, 2019, 11:29 PM

While many people believe the issues of slavery and the union were issues of the past after the Civil War, the period of time after the war was a time of tension and harsh adjustments to a new reality many citizens did not agree with. African Americans may have now "had rights", but they were not actively enforced and still faced many blockades towards actual freedom and citizenship. There is no doubt that the Civil War was, above all things, fought over the issue of slavery. Whether the Confederate south willingly admitted defeat or not, it was time to change, but they wouldn't give up easily. According to the speaker in "The Lost Cause" video, "The Lost Cause" refers to a confederate memory consisting of attempts to walk away with a defeat in attempts of some sort of honor instead of disgrace, as well as an argument that the Civil War wasn't about slavery, but instead about constitutional principles. This sort of attitude of denial lead to the continuation of mistreatment of African Americans. The south would continue to do everything in their power to keep the south as it was, and continue to dehumanize the black citizens of America. Accordingly, Professor Foner in his video/podcast states that there are lessons to be learned from the Reconstruction era in that as we know, "rights on the books" are not sufficient unless SUFFICIENTLY enforced. The 14th amendment was hardly acknowledged as well as other civil rights acts.

A prime example of passing laws and exercising rights being two very different things is the 1857 Supreme Court Case: Dred Scott. This court case made it clear that America was a country for white people and that black people will forever be aliens to America. It makes it clear that citizenship is not defined by birth, but race. Our text states "For good measure, Taney also wrote that the circuit court should not have accepted the Scott case in the first place because black men were not citizens of the United States and therefore had no standing in its courts." (Murrin pg. 470) Thus a free man was not free. The government was actively working against African Americans attempting to gain their rights as citizens of the United States. Additionally, a term in Professor Foners video describing the civil rights amendments as "sleeping giants" describes these amendments being put into place but not actually enforced for several years. This reinforces the idea of a major difference in passing laws and enforcing them.

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