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### Legacy of Reconstruction

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### Legacy of Reconstruction

by [Joe Escobar](#) – Friday, February 19, 2016, 9:46 PM

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

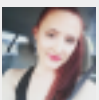
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BE SURE to use an informative subject line for your post, something that describes which question(s) you are addressing . Do NOT simply leave it RE: Legacy of Reconstruction

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### Birthright Citizenship

by [Lauren Collett](#) – Sunday, February 21, 2016, 9:21 PM

When the fourteenth amendment was originally written it could not be foreseen the problems this clause would cause in the future of America. It seems to me the wording was intended to put an end to the debate of what makes a person a citizen. The Native Americans and African Americans were not viewed as citizens of The United States at this time. When the fourteenth amendment declared "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside." This was a declaration that these people were born here their children are born here now the constitution says it so you can't say they are not citizens. Obviously it didn't solve the problems people had with African Americans as citizens but it was the start. The time it then takes for the United States to recognize all the rights given is not until the civil rights movement almost 100 years later, as Professor Foner mentions in the audio clip.

As Professor Foner talks about this clause is causing problems within our society today with illegal immigrants. How is it that a person can illegally come here from across the border have a child and then have that child become a citizen, automatically? I believe this poses more questions and problems than can be answered. How can we keep the child but send the child's mother away? or the child's father because they are not citizens but their child is. Professor Foner simply asks "Why?" although he does not provide the answers.

The debate on the 14th amendment has been an especially hot topic recently. With the term "anchor baby" being thrown around between republican candidates recently. This term refers to the children born here on purpose so the mother may stay here.

I'm not trying to offer an opinion on whether or not I think this is right or wrong. This is an irresolvable issue we have today where everyone has there own opinions and they are not easy to change. It is interesting though how

this amendment,originally intended to give citizenship to slaves, gave way to this birth right citizenship. Clearly the creation of this amendment reverberates through our nation even today.

Sum of ratings:3 (1) 

3

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**Interpreting the third claim. "Having Rights"**

by *Kamron Bratlie* – Sunday, February 21, 2016, 10:08 PM

This is my interpretation of the third claim by Foner. Otherwise known as “Passing laws or ‘having rights’ is not the same as enforcing the laws or exercising rights.”

I would like to bring focus on the Union naval blockade of the civil war. In April 1861, Lincoln put into motion a blockade to block confederate ports from receiving valuable imports and to stop exportation of cotton. (Text Book p.512) It is said that “the blockade was more a policy than a reality.” This was due to the inadequate resources of the US Navy.

There is a parallel to this with the emancipation proclamation. I assume that Lincoln was fully aware of the naval inadequacies, but put the blockade in place on principal rather than actual effectiveness. He was essentially laying the ground work for later improvements. I also see the emancipation proclamation as a kind of ground work for eventually putting laws and freedoms for slaves in effect. He would be aware of how the emancipation would not immediately end the war. In that, the laws would be in effect, but the Confederates would not enforce them and slaves could not immediately exercise their rights. However, they would be with a Union victory. So by enacting the emancipation proclamation, he was creating a starting point.

Laws aren’t some kind of magic fairy dust that are immediately enforced. Sometimes you have to pass the law so that its eventual enforcement is a reality. Like laying the first stone on a path. Its just a start, but it’s a start in the right direction.

Sum of ratings:3 (1) 

3

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**Re: Interpreting the third claim. "Having Rights"**

by *Kaelin Kane* – Thursday, February 25, 2016, 11:33 AM

I agree with your comparison of the blockade and the Emancipation Proclamation under a very loose interpretation, but neither of these actions were for a long-lasting purpose.

The blockade was definitely the first step to choking out the Confederacy, but beyond resource-based limitations, there wasn't any reason to hold back production. Everyone wanted to get the blockade up and running to its full potential, no negative human emotion was involved in this. Upon a loose interpretation, this works as an analogy, but this analogy isn't specific enough to relate with the intention of Foner. When he talks about the problem of having rights, exercising them, passing laws, and enforcing them, he's talking referring to social limitations, not physical.

The Emancipation Proclamation was one of the most important set of words Lincoln carefully chose and articulated and this definitely lead to the passage of the 13th, 14th, and 15th amendments (in a small stepping stone way) but Lincoln didn't actually have any control over the slaves over Confederate lines. The slaves weren't even technically able to exercise any rights because they were still under Confederate control, so technically they didn't have the right to in the first place.

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2

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**Re: Interpreting the third claim. "Having Rights"**

by *Kamron Bratlie* – Saturday, February 27, 2016, 11:34 AM

The example I used for the blockade was only to illustrate how some kind of action must be taken in order to change something for the better, even if it is in no way effective at fist. I also realize that he (Foner) was refering to a social limitation, so the example was being used in a metaphorical way. I disagree with you statement that "no negative human emotion was involved in this." What of the Confederates then? What of southern sympathizers? What of anti-war interests in the North and

internationally? They were ok with the blockade?

Secondly, I am aware of the limitations of the emancipation proclamation. This is why I used the blockade as an example. Only to illustrate how sometimes policy needs to be established to bring future change and progress. Lincoln knew that the rights of former slaves wouldnt be able to come to fruition imediatley, but that this starting point would help give way to future progress for those peoples.

I stand by both of my claims and how they were used in context. Thank you for your opinion.

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**Re: Interpreting the third claim. "Having Rights"**

by [Kaelin Kane](#) – Saturday, February 27, 2016, 3:49 PM

Excuse me, I’m afraid the metaphor wasn’t clear to me. As for the negative emotions, everyone who was involved in military operations at the time were volunteers. There was no one unwilling to do the work who signed up for it. As for production they were getting paid to do a job for their country, if they had a problem with the overall purpose, they would’ve been replaced with someone who didn’t. Those in the North who didn’t like it didn’t and couldn’t do anything about it besides what in the end didn’t make a difference. Obviously the Confederates didn’t like it that’s a given and isn’t worth mentioning.

I’m not asserting that your claims were inaccurate or not relational, they just don’t represent the initial statement very well. As a metaphorical interpretation under both accounts I understand it, but the fact that it’s a real and specific event that already relates a little bit to the original statement does not help when trying to look at it like a metaphor. Now that I know that’s what you were trying to get at, your argument makes more sense.

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**Re: Interpreting the third claim. "Having Rights"**

by [Kamron Bratlie](#) – Saturday, February 27, 2016, 5:28 PM

Thank you for your input.

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**Birthright citizenship=illegal immigration today**

by [Rebecca Heard](#) – Monday, February 22, 2016, 7:28 PM

I do strongly believe especially after listening to Foner speak and learning more about the reconstruction time after the civil war that the struggling times through the abolishment of slavery is what gave rise to the birthright citizenship today. The two certainly have a strong correlation.

In Foners speech he says "There is supposed to be 12 million undocumented immigrants in the United States sometimes called illegal aliens."

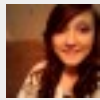
As he covers, Foner explains that birth right citizenship did not exist before the civil war, and if it weren't for the war it would not be an issue in today's world.Before the civil war, you could be born in the United States (African Americans) and no way were you considered a citizen. Their ancestors could have been born in America and they STILL would not be considered a citizen, where as today an illegal alien can flee to our country the day before their child's birth, give birth to them, and now that child is a citizen of the United States.

The abolishment of slavery and the struggle that the Nation went through during this on deciding how these people fit into the new world prior to the civil war is what led to the birthright citizenship today.

It is interesting to think that not every country has the birthright citizenship law. I honestly didn't even stop and think about this law until listening to Foner and I'm glad I did. I don't know if I support this law, but will have to do more research and learn more about the subject before making my final opinionated conclusion.

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**Exercising our rights? Not so easy sometimes.**

by *Kaelin Kane* - Monday, February 22, 2016, 8:12 PM

A great example of Congress passing legislature granting civil rights that were not properly enforced is the Ku Klux Klan. The Ku Klux Klan was first started in Louisiana and spread all over the United States during the reconstruction, including the 7 states,

Tennessee - July 18, 1866

Iowa - March 16, 1868

Arkansas - April 6, 1868

Florida - June 9, 1868

North Carolina - July 4, 1868 (After rejection - December 14, 1866)

Louisiana - July 9, 1868 (After rejection - February 6, 1867)

South Carolina -- July 9, 1868 (After rejection - December 20, 1866)

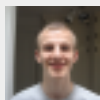
that already had the 14<sup>th</sup> amendment ratified from 2 to 5 years prior to any congressional attention to the KKK's abhorrent actions. (Wikipedia)

The 14<sup>th</sup> amendments gave blacks equal protection of the laws, so in an ideal world, when they were persecuted by the KKK, the offenders would've been given heavy consequences when they were finally rooted out. Not even close. According to our textbook (Liberty, Equality, Power), about 600 Klansmen were convicted (most receiving light jail sentences) and only 65 making it to a federal penitentiary for terms of up to 5 years. Over 3,000 were indicted and 2,000 of those had their charges dropped, despite having plead guilty.

The pain the blacks went through could've been prevented a lot earlier under federal jurisdiction but years went by without any attention to the growing problem. The infringement of their rights demonstrates perfectly the difference between the ideal and the real.

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**Re: Exercising our rights? Not so easy sometimes.**

by *Robert Driver* - Friday, February 26, 2016, 4:41 PM

I don't think the federal government could have done much more than it did against the KKK for several reasons (mentioned on the same page of the textbook that you cited, page 582). First of all, the number of suspected KKK members that were arrested clogged up the courts. Remember, they had the right to a fair trial just like everyone else. Second, if the federal government had used too much military force, people in the north would have gotten tired of "military despotism" sooner and the Democrats might have been able to gain enough power in the government to eventually stop these hindrances to their attempts to restore white supremacy. These were part of what separated the ideal of equal rights for blacks from the reality.

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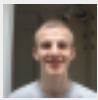
**Re: Exercising our rights? Not so easy sometimes.**

by *Kaelin Kane* - Friday, February 26, 2016, 9:55 PM

I do understand that the courts were clogged and that did pose a problem in our early justice system, but if there's a will, there's a way. I agree it would take time, but eventually and methodically everyone who should've been charged would've been. As for your second point, that is assuming way too much. The only military action would be within Confederate lines, the North wouldn't be that concerned except that they'd be funding and providing the money and men to enforce this law. They also just won a war to make the Confederacy return to the Union so they naturally would want them to obey the laws of the land.

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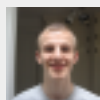
### Re: Exercising our rights? Not so easy sometimes.

by [Robert Driver](#) – Saturday, February 27, 2016, 6:11 PM

The northerners could and eventually did tire of all the military action and “bayonet rule” in the south. The Democrats had gained a majority in the House and very nearly won the Presidency in 1876 (and probably could have if they hadn’t cheated by keeping blacks from voting). They made gains during that time partly because there was a recession and they weren’t the party in power, but also because northerners were getting tired of the military actions of the government. Part of the problem was that the northerners were not as strongly committed to racial equality as many southerners were committed to white supremacy. And even though all the military intervention was happening in the south, many northerners feared that the use of military power could spread to the north (*Liberty, Equality, Power* 586). So if the federal government had used too much military force to suppress the KKK, northerners would have gotten tired of “bayonet rule” and “military despotism” sooner and power would have started shifting to the Democrats sooner, which could have resulted in a Democratic President in 1876, or perhaps even in 1872. And a Democratic President would have meant the end of the crackdown on white supremacists, if not the end of the Reconstruction.

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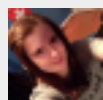
### Progress and Freedom

by [Robert Driver](#) – Monday, February 22, 2016, 10:17 PM

The Reconstruction period is an excellent example of how U.S. history doesn’t always progress toward more and more freedom. Up until the Emancipation Proclamation, there were no real gains made in freedom for black people. In fact, between the Fugitive Slave Act allowing free blacks to be put into slavery (*Liberty, Equality, Power* 450) and the Dred Scott decision saying that Congress had no power to prohibit slavery in the territories (*Liberty, Equality, Power* 470–71), blacks were actually becoming less free. The Emancipation Proclamation started a short-lived trend of increasing freedom for blacks that ended in the mid-1870’s, when Southern Democrats began using threats, violence, and other forms of pressure to intimidate black voters and keep them from voting (*Liberty, Equality, Power* 586–87). To me, that seems like near-constant losses of freedom, not constantly increasing freedom.

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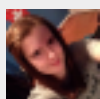
### Re: Progress and Freedom

by [Aleethia Collins](#) – Saturday, February 27, 2016, 10:25 PM

I agree with what you are saying, in regards to African Americans freedom. They were considered property and did not have declared rights until the 13th, 14th and 15th amendments. Yet even though with these amendments, they were freed, made citizens, and were given the rights to vote, they did not receive all these rights immediately or without a struggle. They were given more freedom, but then lost it when, for example, the southern states would not enforce these laws and made it near impossible still for African Americans to vote. Freedom was not a straight line of progress, it was one that moved backwards before moving forward.

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### Ups and Downs in the Path to Freedom

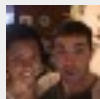
by [Aleethia Collins](#) – Monday, February 22, 2016, 10:56 PM

Progress was gradual in US history and the path to achieving freedom was not a straightforward one. As professor Foner states, African Americans did not need a new set of laws, they just needed the constitution to be enforced. That was the problem, even though they were free, they were still not seen as equal and therefore denied rights. For instance the black codes. These were passed by southern states with the intentions of withholding African Americans their freedom. As shown in the textbook, hardly a thought was given to consider

African Americans as equal. They were excluded from juries and ballot boxes as well as many other of their rights were restricted. This shows that US history was not moving forward in granting more freedom, but instead citizens were still being withheld from their rights due to their race.

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**Free... Not Quite**

by [Devlin Wynn](#) – Tuesday, February 23, 2016, 12:03 AM

I'm going to dig for more information regarding this topic of freedom not having an upward trajectory but as i understand it now. once the emancipation proclamation got released you couldn't possibly imagine the people who fought again't the union who felt so strongly about slavery were going to just go oh ok heres this law i'm going to change my life completely now. america would have to wait a long time until freedom spread throughout the U.S and what the term freedom actually meant to. cause it wasn't like being a free\ "white" man.

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**Having rights does not mean enforcing them**

by [Rebecca Heard](#) – Thursday, February 25, 2016, 9:03 AM

As Foner does cover in the short clip involving reconstruction, having rights is not the same thing as enforcing those rights. Southerners tried getting around this with all the power they had.

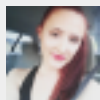
As learned in class, some southern men would work the African American men as long and as hard as they could for the very minimum amount of money they could get away with paying.

Foner makes a good statement when he asks what is the new status of these newly 4 million freed slaves. He brings to attention that during the reconstruction period, there were far many more questions that is slavery destructed. The important question that needed to be solved was, what were their rights?

Even though the nation did practice the new anti slavery ways America had just welcomed in a new way of like for the freedmen that could possibly be worse than slavery.

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**15th amendment not upheld**

by [Lauren Collett](#) – Thursday, February 25, 2016, 9:06 PM

The 15th amendment is a great example of the difference of "having rights" and actually enforcing those rights.

"The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude."

In theory this was great everyone could finally vote! But we know from class that this was not the case. With the "grandfather clause" white citizens could vote without taking the literacy tests, while African Americans could not because they were not grandfathered in. Only people who could vote before 1867 or someone who's grandfather could vote before 1867 could vote without taking a literacy test.

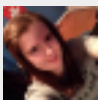
If you looked at the literacy test our teacher posted you would see how ridiculous it is. It's 30 questions which you have 10 minutes to complete. If you miss one answer you can't vote. I had heard about the literacy tests a few times when I was younger in history class but I had never actually seen one. I now know why there was absolutely no way to actually complete it.

Although these literacy tests did not come to be until 1898 I believe they are still relevant to this discussion. If you look at our textbook page 620 the supreme court actually upheld the right for states to continue with these practices. Simply because they did not discriminate "on their face." What a horrible supreme court ruling.

Not only did these laws show the difference between having rights and enforcing rights. It also goes to show that

freedom is not a linear path as more and more laws pass making it more difficult for African Americans to vote. It won't be until 1965 with the "Voting rights act" that these things will be abolished. Almost 100 years after the ratification of the 15th amendment!

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**Re: 15th amendment not upheld**  
by [Aleethia Collins](#) – Saturday, February 27, 2016, 9:38 AM

The example of the 15th Amendment not being enforced, as you used, is a good example of an law in the books, but yet not being practiced. Even though African Americans were given the right to vote, they were not really given the opportunity to exercise this right. With literacy test, property requirements and non secretive ballot boxes, African Americans were strongly discriminated from voting. Just because the 15th Amendment said in the Constitution that African Americans had the right to vote, did not mean that this was what was being practiced.

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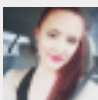
**Progress and freedom does not move forward**  
by [Rebecca Heard](#) – Saturday, February 27, 2016, 11:51 AM

"In 1862, Lincoln encouraged freedpeople to emigrate to all black countries such as Haiti, where they would have a chance to get ahead without having to face the racism of whites."This text comes from our textbook and gives a brief example of how things didn't just automatically get better after the abolishing of slavery took place. Lincoln still had to worry about the problem of racism, and trying to find ways to avoid it or make it easier on the new freedmen.

In no ways was progress and freedom moving forward in American, in fact it seemed to have been getting even worse. Southern Democrats were involved with many racists acts as they always had been. Black codes were enacted by certain governments, which were the Democrats hopes of giving African American's restrictions, which angered the Northern Republicans rightly so.The Grandfather Clause was also enacted, stating that only men whose fathers and grandfathers had the right to vote can vote, leaving it entirely impossible for the new freedmen to vote until fortunately the 15th amendment was written leaving all but women franchised.

Despite the new freedmen, it was in no way progressing toward the future in American, times were only getting worse for the hopeless African American's.

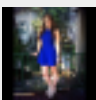
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**Re: Progress and freedom does not move forward**  
by [Lauren Collett](#) – Saturday, February 27, 2016, 6:20 PM

Although I agree with your post and the general ideas and sentiments here. I believe you either misspoke or made an error. The grandfather clauses did not stop after the 15th amendment was ratified. They were actually not even enacted until 1898 onward, where the 15th amendment was ratified in 1870. It is entirely possible that you had misspoke or I misread your post so please don't take this an attack in anyway!

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**Re: Legacy of Reconstruction**  
by [McKalie Bellew](#) – Saturday, February 27, 2016, 8:32 PM

In Foner's discussion on Reconstruction he points out a lot of things that made the concept more clear to me. He also made a lot of points about how things are different now than when Reconstruction was taking place after the Civil War and how things were before Reconstruction. The two points that Foner discussed that stood out to me the most was the question of what happens to the slaves, men, women and children, now that they are officially citizens and no longer slaves and how do they play into society now? And the other point that was discussed that caught my attention was the birthright citizenship that was enforced in the 19th century.

First, what happens to the slaves now that they are no longer slaves? This is a question that affected not only the now freed slaves but also the whites in society. In class we talked about how now that the blacks are free they are still not treated that well. If a black man doesn't have a job then he is sold to pick cotton and kids that come from poor families are also sold to pick cotton.

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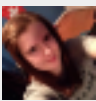
**Re: Legacy of Reconstruction: Birthright Citizenship**

by [Jeb Harper](#) – Saturday, February 27, 2016, 9:36 PM

Mr. Foner opens the video discussing the most critical question of the Reconstruction Era. What kind of status and role will the four million freed slaves have and play in society? Will they have the same rights? Will they be considered citizens? Because there were many generations of slaves who had lived in the States for all there lives, Congress decided to pass the 14th amendment which granted birthright citizenship, meaning those born or naturalized in the U.S. were automatically considered citizens. Ultimately, this law was a result of the civil war. It did not exist prior to the war. Many countries today do not have any law like this and because that period of time after the war isn't discussed much or understood very well the 14th amendment is still followed today. Which has caused a massive debate over immigration and if some immigrants might be taking advantage of that amendment and if its an amendment we should keep.

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**A Change in Nationalism**

by [Aleethia Collins](#) – Saturday, February 27, 2016, 10:12 PM

Reconstruction helped mark a drastic change in United States history. The change from racial nationalism to civic nationalism. In the video, Professor Foner talks about how in the first half century of the republic we had a culture represented on racial nationalism which is bound down by slavery. This is a very different culture than the United States today, where our culture is one of civic nationalism and equality. Both the civil war and reconstruction played key roles in forever changing our society.

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