

HST 202: History of United States W18 (Escobar Meta 30898 30897)

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Legacy of Reconstruction

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Legacy of Reconstruction

by Joe Escobar - Saturday, February 24, 2018, 12:43 AM

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 which one of the issues you are addressing . Do NOT simply leave it RE: Legacy of Reconstruction

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Birthright Citizenship and the Fourteenth Amendment

by Kerianne Guza - Saturday, February 24, 2018, 2:13 PM

After the civil war ended many questions still remained as to what part African Americans would play in society. As Foner worded it, "what was going to be the status of the four million emancipated slaves" that remained in the United States? The Fourteenth Amendment answered this question. The Fourteenth Amendment stated that "all native-born or naturalized persons, including blacks" were considered American citizens (Textbook, 570). This gave blacks certain rights, such as not being deprived of "life, liberty, or property without due process of law" (Textbook, 570). However, this still did not really make black men equal to the average white man. They are only equal if others acknowledge them as so and enforce these

rights by law.

This Amendment, made to take care of the status of a large group more than a hundred years ago, is affecting a whole new group of individuals now. It was meant to make African Americans citizens but has continued to make others citizens of America as well, just from being born here. "You can be born in many countries and not be a citizen", and it was like that in America as well until after the civil war (Foner). Few countries do this and some are questioning whether it is necessary to keep this policy in place, seeing as it has served its purpose for the time and now it is a new era in which birthright citizenship can just complicate things and in some cases almost encourage illegal immigrants.

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2

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Having Laws vs. Enforcing Laws

by Banyan Ryan - Monday, February 26, 2018, 5:19 PM

Hard to remember if Escobar has mentioned this during this term, but if you were around last term in History 201, you'll remember his example of how here in Oregon, we have a "no cell phone while driving" law, and yet you still constantly see people on their phones because there's no one to enforcement it. And to me, it makes sense that no one is around to enforce it because nobody wants to dedicate the time and money to something that so many people do and doesn't seem that important to most. This same attitude can be seen as the cause of a lot of the complications during Reconstruction.

The textbooks explains that "Northerners grew increasingly weary of what seemed to be the endless turmoil of southern politics. Most of them had never had a strong commitment to racial equality, and they were growing more and more willing to let white supremacy regain sway in the South." (The Retreat from Reconstruction, page 479). Despite Lincoln going to war to end slavery, most Americans weren't that passionate about equal rights, so more riots were able to take place in the south. And every time Grant sent federal troops in to try and deal with them, people became angry more over the idea of "bayonet rule" than they were about the lives of free blacks. This backlash got so bad that as part of the Mississippi Plan, Grant didn't send federal troops to Mississippi to help Governor Ames end the number of blacks being killed.

Foner brings up this idea of laws not being enforced by talking about the racial equality movement of the 1950's. It took one hundred years for people to actually start caring about the rights of blacks in America. When a problem is considered unimportant by most, there won't be as much enforcement should a law be made against it.

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3

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Illegal immigrants give birth to legal citizens on U.S. soil!

by Scott Fails - Monday, February 26, 2018, 8:55 PM

Foner's talk is very good as he does a very good job clarifying the topic of "Birthright Citizenship" defined in the 19th century. This is especially interesting as it pertains to modern day illegal immigrants directly. While the United States has an estimated 12 million undocumented "illegal" aliens on our soil who have not taken the appropriate steps to become a legal member of our country, the fact that those very people can give birth on U.S. soil and their offspring are immediately accepted as a United States citizen is all thanks to laws put into

place during the reconstruction period after the Civil War. During the time prior to the Civil War, the United States did not recognize any black person living in the U.S. as a citizen. The 14th amendment changed the way not only black people became citizens, but the way citizenship in the United States is gained throughout the centuries to include modern day.

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Why do we have so many immigrants?

by Christopher Cormier - Monday, February 26, 2018, 9:01 PM

I have always been curious about birthright citizenship and why it was different in other countries. During our lecture a couple of weeks ago, I found out that the United States is one of the only countries that supports this, which surprised me and what I found intriguing was that it didn't even exist until after the civil war. I gained more insight on this when I listened to Foner's audio recording. (The video didn't want to load for some reason) Foner explained that if you were born in Germany, that didn't mean that you became a citizen. (3:45 audio only recording) I thought it was very interesting that on the eve of the Civil War, not only were slaves not deemed citizens, but anybody of color wasn't as well, only whites. Citizenship was defined by race and not birth. (5:07 audio only recording) Going back to what he said about being born in Germany and not being a citizen, but it's the opposite in the United States is still a huge issue today. Because other countries don't have birthright citizenship, a lot of immigrants will flee to the U.S. to have a child, and the child is automatically a citizen, which is part of the reason that the U.S. currently has approximately 12 million illegal immigrants in the country right now. The people that are born here are citizens, but it's family members of those people who are still here, or they are undocumented. 12 million people. We have approximately 326 million people in the United states currently.

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Paper laws don't make them enforced laws

by Casandra Fountain - Monday, February 26, 2018, 11:25 PM

It may be written on paper, but that does not mean it will be followed or enforced. I believe this should be the mantra of our nation quite honestly. We've seen examples of it throughout chapter 17 on Reconstruction, in our lives today, and will continue to see examples throughout our lives I have no doubt. The fourteenth amendment is a good example of a "right" that was ignored for decades, as stated by Eric Foner. There are four sections to the amendment, the first section has become the most important provision in the Constitution for defining and enforcing civil rights (p.570).

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. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Though blacks were citizens on paper, they were met with segregation laws and by no means treated equally in the South. The fifteenth amendment, which gave blacks the right to vote, was met with bitter regard in the South. Southern states made it increasingly harder for black to vote in elections. According to a NPR article, The Supreme Court's Failure To Protect Blacks' Rights, the staff wrote, "In

Mississippi, voting tests required applicants to interpret a section of the state constitution — whites were given a simple clause to read, while blacks were given some of the most difficult passages in the constitution, some of which had been written for that very purpose.” Case in point, the South, moreover the Democrats did anything and everything in their power to deter blacks from ever be considered citizens of the United States. The courts put up roadblocks along the way to make it even harder on black citizens. In 1883 the Supreme Court ruled the Civil Rights Act unconstitutional, which left the enforcement of equal rights up to the states individually. Civil rights were another thing very heavily ignored. It wasn’t until the 1950s that civil rights would actually be enforced in society (to a degree, let’s be real). Eric Foner quotes Charles Sumner in saying these civil rights measures were sleeping giants that provided a legal basis for 1950 Civil Rights movement (7:40). But again these giants wouldn’t make a difference until several decades later in history.

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We don't constantly move forward

by Banyan Ryan - Wednesday, February 28, 2018, 5:23 PM

Foner makes a point to say "We Americans sometimes like to think that our history is a straight line of greater and greater freedom. But our history is a much more complicated story of rights that are gained and sometimes taken away, to be fought for another day." After the 13th and 14th Amendments were written and slavery was officially prohibited, the rights of African Americans as citizens were not instantly made that much better. Literally one of the first things to come out of state governments after Lincoln was assassinated were Black Codes, which "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" (The Black Codes, 464). While the creation of these codes did stem from the issue of the southern economy being in shambles after the war, the fact still remains that even immediately after slavery, the rights of African Americans were already being taken from them. And in many cases, they still are even 200 years later. Ending slavery did not automatically give them all the same rights as whites, as this 'straight line' analogy suggests.

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Re: We don't constantly move forward

by Christopher Cormier - Wednesday, February 28, 2018, 9:50 PM

When listening to Foner, I heard that same line, which caught my attention. Our history is far from a straight line. Similar to what you stated about the first thing that the government did after Lincoln was assassinated was Black Codes. It's segregation without calling it segregation. To go back to your first post about laws and enforcing them, I feel that this is similar in the sense that, although slavery was prohibited, the government found a loophole which was Black Codes. So technically, they weren't breaking any laws, they were just bending the rules. And somewhat on the same topic, as we went over during class on 2/26/18, at the end of 1865, after Lincoln was assassinated, All southern state constitutions were ready for approval and readmission, but, **all refused to grant suffrage to freedman**. So with that, everyone could have rejoined the union, but there were those certain states who, even though slavery may have been prohibited, didn't want to give the

same rights and privileges to freedman. So I think what you talked about in your post just shows just that. People didn't believe in the freedom of former slaves, so they found ways to make it similar without breaking any of the laws.

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Re: Legacy of Reconstruction

by Scott Fails - Thursday, March 1, 2018, 11:47 PM

I agree with what you said about almost 200 years later the same issues still being a hot topic. While the original "Black codes" made it publicly and legally clear that black people were to be treated, considered and punished differently than white people, there most certainly is a belief and a following in modern day society of an unwritten yet very apparent in some cases difference in treatment of races other than white people. This can be seen with the "Black Lives Matter" movement along with many other public displays and outcry for equal treatment. Thee American society most certainly has not evolved to a place of full acceptance and equality. It's almost as if the Black Codes began a generational racism that has stood the test of time rather than embracing the foundations of equality established in the 13th, 14th and finally the 15th amendments. It took 100 years for the civil rights movement of the 1960's to finally "end segregation" and that still hasn't happened nearly 60 years later. The Black codes began a tailspin in unification that our society is yet to recover from.

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Re: We don't constantly move forward

by Casandra Fountain - Saturday, March 3, 2018, 11:26 PM

To add on to your guys responses, I agree with the consensus that U.S. history does not move in a upward line towards betterment. It's quite the opposite. Though the 13th, 14th, and 15th amendment was passed and ratified, the blacks had several more hurls before they would be even remotely concerned "citizens and brothers". As you said Banyan, the whites enforced Black Codes or quasi-slavery. It was their way of getting around slavery. The assassination of Lincoln aided in this downward trajectory of the time too. Andrew Johnson took office after Lincoln's passing and he did everything to stop the civil rights of black from becoming equal of the white man. His Reconstruction process did not include blacks and upper-class whites (p.565). Our textbook also states, "Johnson seemed to encourage such activities by allowing the organization of white militia units" (p.566). The blacks had finally been recognized under the Constitution as voting citizens by 1870, it wouldn't be until another 100 years that they would be able to sit at the front of the bus along with whites, and another 50 years or so goes by and we're at a movement of Black Lives Matter. I feel we've just gone in a circle, don't you?

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by Josiah Sugai - Friday, March 2, 2018, 5:19 PM

As we saw in Chapter 17 even though the Civil Rights Act was passed, the Republicans in Congress knew that the South would not enforce it, so they wrote the 14th and 15th amendment. Even with these Constitutional amendments passed, they would do nothing to stop the persecution of blacks. We can see this as shown in the video in class on Thursday. The video said that about 2,000 black men, women, and children were killed violently in Louisiana. Today the issue of rights not being enforced is happening to the 2nd Amendment. The rights to bear arms is beginning to be infringed. Even though we have that right, there are many gun control laws already enforced. For example, a civilian cannot own a fully automatic gun without proper time consuming clearance or being in the military. Backgrounds checks are required as well, but those do seem reasonable with the criminals out there today. Since gun control laws are made, the amount of limitation will range due to a loose or strict interpretation of the Constitution.

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Misinformed society

by Gavin Lambert - Saturday, March 3, 2018, 6:47 PM

During the period of reconstruction, Birthright citizenship allowed the legality of children being born within the States have citizenship despite parents not being born on US soil. The 14th Amendment particularly states that It does not provide US citizenship to any other citizen just due to having children on the States soil. Though it does state they are indeed protected due to their being born on US soil, they are unable to be "Subject to" (any other) "jurisdiction". This being said, the 14th Amendment is taken out of context to simply let immigrant child take advantage of the Constitution, and should be abolished in terms of immigration laws. The US being one of the two states in early 2018 to have yet abolish this Law, hinders the US by granting status to foreigners just being born within the states while parentals being immigrants. This system seems faulty as it is simple to immigrate without legality issues and be rewarded with birth emancipation.

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Say what? (Misinformed Society)

by Scott Fails - Saturday, March 3, 2018, 11:46 PM

Not to be rude at all, sincerely. However, I am confused as to what exactly is being said in the "misinformed society" post just simply because of the term "they" being used a lot in the post without designation of who exactly is being talked about whether it be the child born on U.S. soil or thee immigrant parents? I would like to understand what is being said here as it intrigues me. Can somebody help decipher and clarify its specifics?

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13th Amendment and Deportation

by Jacob Spriggs - Saturday, March 3, 2018, 7:14 PM

Many families in the United States today are being torn apart because family members who are illegal immigrants are being deported. This is due to the wording in the 13th Amendment which state that "All persons born or naturalized in the United States...are citizens of the United States and of the State wherein they reside." These words played a key part in abolishing slavery in the U.S. at the end of the Civil War, but today they are being used as an instrument for deporting illegal aliens. According to the 13th Amendment, all deportations are justified as long as the immigrants being deported were not "born or naturalized in the United States" but The Differed Action for Childhood Arrivals (DACA) and the DREAM Act have provided opportunities for illegal immigrants brought to the US by their parents as children to achieve citizenship. However, some who were brought to the US as children were still too old to qualify for these opportunities.

Possibly the most infamous of these situations is the deportation of Jorge Garcia in January 2018. Jorge, 39, was brought to the United States when he was 10 years old. Him and his family were filmed grieving as he was leaving them to be deported, and the video went viral. According to The Huffington Post, Garcia "filed to change his immigration status years ago, but...their lawyer filed incorrect documents." His wife is a US citizen and their two kids were born in the States, so they are citizens as well and are allowed to stay, but there was nothing they could do for Jorge other than get his story out. The 13th Amendment gave citizenship to freed slaves in the 19th century, but it's flaws are being brought to light in the 21st century as many others are being deported along with Jorge Garcia.

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Re: Legacy of Reconstruction

by Josiah Sugai - Saturday, March 3, 2018, 10:51 PM

Even though the U.S. has progressed quickly and become an amazing nation, we ran into several bumps especially during the 19th Century. There has been the Panic of 1819, 1837, 1857, and 1873. The Panic of 1857 was a result of the economy growing so fast that it overheated. "Land prices had soared, railroads had been built beyond the capacity of earnings to service their debts, and banks had made too many risky loans (page 478 of textbook)." This economic depression proves the point that just because the economy is booming does not mean it will stay that way or keep moving in an upwards progression. Freedom did not always move upward as we saw post-Civil War. The Freedman went from cruel involuntary servitude to freedom that produced worse conditions. Just because they were "free" did not mean that they were about be equal with whites. The freeing of slaves almost had an opposite effect. Since the south's idea of society revolved around white supremacy, anything that endangered this was a threat. The way angered Southerners reacted. They killed the leaders of black communities to show the Freedman the consequences of trying to rise above whites. The black people lived in constant fear of violent death and losing all they had. The cruelty shown to Freedmen after the Civil War was worse than slavery.

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Civic vs Racial nationalism

by Scott Fails - Saturday, March 3, 2018, 10:56 PM

Foner speaks about the differences between civic and racial nationalism. Prior to the 13th, 14th and 15th amendments the United States ran on racial nationalism or the thought that blacks would not be considered nor made citizens of the United States based on their race alone. Racial or “ethnic” nationalism is an ideology used to promote the further progression of a particular race (white) while at the same time denying citizenship to blacks. Today’s United States is ran on the ideology of civic nationalism and has been since the amendments referenced above. Civic nationalism or “liberal” nationalism as its commonly referred to is based on the liberal values of each individual having their own rights, tolerance of all citizens regardless of sex, race, religion, sexual preference, etc., the idea of blanket equality of all citizens and freedom to live and act within what is deemed legal. The United States makes it fairly easy regarding citizenship should you be born on our soil with the “if you’re born here, you’re a citizen” view. The U.S. also has a process of accepting foreigners as citizens after going through the proper process and testing to be granted citizenship. With all of this said, the United States though under the process of civic nationalism is still called into question often regarding the ideas of “equality” and “tolerance” specifically.

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Re: Civic vs Racial nationalism

by Casandra Fountain - Saturday, March 3, 2018, 11:52 PM

I was slightly confused on this topic but you laid it out nicely. I agree with you that modern U.S. has a civic nationalism whereas post Civil War was a racial nationalism. I feel in today’s society we’ve taken the liberal aspect of civic nationalism to a whole different meaning than when abolitionists were apart of this type of nationalism. It is not just about race or color anymore but now about sexual preference and pronouns and defining the sex of a person. Today’s society is very much about tolerance and equality for all. In 1870 it was about whether freedmen were considered citizens. Today or even 30 years down the line what will be considered a citizen then? There is a robot today declared a citizen. Our world is ever changing and I can only imagine what type of amendments may or could be added in our future regarding citizenship and how we define someone or something as “native-born or naturalized”.

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Rights of an American

by McKenna Wilson - Saturday, March 3, 2018, 11:30 PM

In the video with Eric Foner, he talks about slaves and if they will have the same rights of other Americans once they become free. It is interesting that even though a slave was freed they were not able to vote at first. One of the cartoons from this week's forum is a great example of this (cartoon 2) where the white men are holding down the black man. I am curious if he is a freed slave but is not able to vote yet because of the angry Democrats. Foner points out that the 14th amendment was there but it was being ignored. Just because something is supposed to be enforced, does not mean it will. A decade after the Reconstruction period, the Constitution was enforced according to Professor Foner.

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Re: Enforcing Laws

by Jesse Elizondo - Saturday, March 3, 2018, 11:48 PM

Reconstruction after the civil war especially relates with topic 3 in my opinion. This is because the 15th amendment which gave all citizens of the U.S. the right to vote was not very heavily enforced. So even though black people should've had the right to vote in the south, most didn't due to heavy restrictions such as literacy tests that were put into place after reconstruction to try to keep black people from voting.

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Re: Progress and Freedom

by Jesse Elizondo - Saturday, March 3, 2018, 11:49 PM

The video does a pretty good job at relating how reconstruction and topic 4 relate. There was one part in the video that says that revolutions don't always go forward and I think this relates well to reconstruction because even though it was intended to help black people it lead to major strife between white and black people through racial discrimination and segregation. The video put it nicely when it said that the reconstruction period was more like stepping stones which lead to the civil rights movement 100 years later, which would see that black people would gain rights that they should've had and be treated more equally.

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