

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.

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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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Re: Issue number 1

by Jack Swisher - Sunday, February 25, 2018, 7:43 PM

Birthright citizenship in the 19th century had two “phases in a way.” Pretty simple, the country didn’t believe in birthright citizenship before the civil war. Then following the war, this gift was granted. Before the war, Foner says, “citizenship was determined by race.” All of the free blacks in the north had not become citizens yet before the war, simply if you were white, you were a citizen. The supreme court also had an opinion on who should be a citizen and who shouldn’t. Regarding the Dred Scott case, the court stated, “blacks can’t be citizens, they are aliens.” That word alien is still used today, particularly directed towards immigrants of Mexico. That brings me today, Foner says that there are 12 million illegal aliens in the United States.

That video seemed a little out of date, so I decided to do some research on my own, and today there are about 12.5 million illegal aliens. Now, if you cross the border and hold a job or live in the country a year or two, you aren't a citizen. But if you have a child, that baby is now a legal citizen of the United States. A lot of countries don't practice this law including Germany like Foner explained. This is all because of the 14th amendment to the constitution. Section one states, "defined all native-born or naturalized persons, including blacks, as american citizens and prohibits the state from abridging the privileges and immunities of citizens, from depriving any person of life, liberty, or property without due process of the laws, and denying any person to the equal protection of the law." This amendment that was passed in 1866, has had its effect all the way here in 2018. This has caused problems like, higher welfare costs, and an increased number of dual citizens. From numbersusa.com states, "Illegal alien parents are citizens of other nations that grant citizenship to their children regardless of birthplace, so the child's first allegiance may be to a country other than the United States, yet they'll still gain all the rights and privileges of U.S. citizens." But I also think it has helped the country as well. For example, a good friend of mine is here because of being born in this country, even though his parents were illegal. He graduated high school with a 4.3 GPA, and is planning on becoming a doctor, this shows that the amendment does grant birthright citizens to become good members of society, and to help our country.

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Issues on Reconstruction

by Luis Estrada Rivas - Monday, February 26, 2018, 6:07 PM

The immigration issue of the 19th century regarding birthright citizenship as it applies today is a topic that is based solely on laws and precedents written by congress or state legislators from before and after the civil war. Many of those in the Republican party needed to decide what was to be done regarding the freed slaves. The biggest issues being citizenship and rights that would be given to them but how they would apply to every american. Just as the abolitionist being viewed as the most morally correct in terms of human rights for slaves now, back then their ideas were seen as too radical and led to a despise towards them.(video min, 5:45) Slaves back then who had been born in the United States would still not be seen as citizens which led to our nation shifting from a representation based on ethnic nationalism to civic nationalism. This seems to lead to the idea of the USA being seen as a melting pot for the second half its history. The issue of immigration today goes back to that precedent that even when an illegal family come to the US and give birth the baby is granted the same rights as to anyone else born in the US. I believe that the shift from ethnic to civic nationalism is more of a change in our morality being reflected in the laws being passed and enforced.

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Re: Issue 3

by Jack Swisher - Monday, February 26, 2018, 8:44 PM

On the issue of question number three. When the slaves were freed from the emancipation proclamation, the slaves were free, but they didn't have rights yet. Until the 14th amendment came along that gave them freedom and liberty. But the southern people didn't quite agree or do what was supposed to be done. Foner says in the video that rights were ignored, the 14th

amendment was ignored, civil rights were ignored and constitutional rights were violated. Blacks were supposed to be equal to the white male, but this wasn't the case. From page 567, it says that whites in the south basically had a brazen attempt to reinstate slavery. Also on 567, "Republicans feared that state governments would reduce freed people to a condition close to slavery. Like on page 566 when it states "no state enfranchised a black." This was on the south, but even the north at first didn't allow blacks to vote. Blacks were also really mistreated in the south too. There was a lot of violence against blacks, which was encouraged by Johnson. There was banned interracial marriage, they couldn't testify against the white man. At first, blacks couldn't own land, but later on that changed even though many freed slaves couldn't afford to purchase land, Page 567. So, in the south, having rights was definitely not the same as enforcing rights. The south white people violated the 14th amendment and the civil rights act which outlawed discrimination based on race, color, religion, sex or national origin. This type of event happened in the following century with the civil rights movement.

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3. Sleeping Giants

by Jonathen Gray - Wednesday, February 28, 2018, 7:14 PM

According to the podcast on the legacy of Reconstruction, by Professor Eric Foner, he makes the statement that "rights on the books are not sufficient... they are not self enforcing." He goes on to point out that these "sleeping giants" promote the civil rights movement of the 1960s.

Looking at African Americans of the Reconstruction time period we see a trend that many were uneducated, many could not read, and many were forcefully kept from obtaining information. It begs the question: What good is a right if you do not know you have it or better yet: have no real law enforcement backing up the laws in place.

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Birthright Citizenship Outlined in Constitution

by Rachel Gragg - Thursday, March 1, 2018, 4:15 PM

I think that the 14th Amendment should absolutely be applied to the issue of birthright citizenship today. It is stated clearly in the Constitution that, "ALL PERSONS BORN or naturalized in the United States... are citizens of the United States." Eric Foner said that before the Civil War, citizenship was defined by race not by birth, but with the ratification of the 14th Amendment, this was changed and I think the amendment should and does apply to the issues of birthright citizenship today. If a person is born in this country, it only makes sense to me that they would be a citizen of this country. We do not define citizenship by race anymore. Our textbook states that, "Section 1 has become the most important provision in the Constitution for defining and enforcing civil rights" (*Liberty, Equality, and Power* Pg 270). Our textbook authors are saying that the 14th Amendment defines civil rights, therefore, defining citizenship of people born in the United States. I honestly don't even think it is negotiable over whether or not someone born in this country is a citizen because it is so clearly stated in the Constitution. What do you guys think?

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Claim 4

by Jack Swisher - Thursday, March 1, 2018, 5:47 PM

The answer to claim number four is very true. The United States didn't move forward following the civil war. Foner even says, "the reconstruction that went backwards". He also said in the video that we all like to think that our history has become a greater freedom, and it has gotten better. But that wasn't the case in the 19th century, and I don't think that is the case today either. And Foner is right, the blacks wanted to be "declared as men, and wanted the same laws that govern the white man." (in class video) Things instead got really ugly in the south. Whites were very violent to blacks in way of using a bull whip and even murder. In 1865, 2,000 blacks (men, women and children) were murdered just in Louisiana. (In class video) Whites were cruel to families and would lynch the whole family to show white supremacy. On top of this, in New Orleans there were 34 blacks murdered, and 3 white supporters killed as well. The KKK was created for the intimidation factor of white supremacy, and they would kill blacks as well. The KKK would intimidate carpetbaggers, scalawags and freedmen.

Besides the United States not moving forward because of violence and murdering of blacks, the lives of the blacks were hard as well. The black codes were used to discriminate blacks, definitely not positive progress. Blacks were excluded from juries and couldn't testify against blacks. They were excluded from voting, this later changed with the 15th amendment. The south banned interracial marriage, and punishment for blacks was much, much more severe than a white man even if he had committed the same crime. Blacks were punished and arrested for being unemployed as well. Since most blacks could not afford to pay off their fine to the court, the judge would send the man to the fields to work for the price of his fine. Things just got flat out worse.

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agree with claim

by Luis Estrada Rivas - Friday, March 2, 2018, 4:01 PM

Foner also states that it wasn't until the 1960's that the 14th amendment began to be enforced by the federal government. I believe this is why white supremacists were able to go and intimidate African Americans and those who empathized with them. Even though the amendment is being enforced as long with a improvement in civil rights, groups like the KKK still are active in some parts of the country.

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The Variable Trajectory of Progress

by Mariah Goodman - Friday, March 2, 2018, 3:06 PM

Historian Eric Foner's brings forth a compelling point in his speech about the legacy of Reconstruction, this being a quote from a Civil War commander of black soldiers, Thomas Wentworth Higginson, who claimed that "revolutions may go backward". I very much agree

with this statement as well as Foner's assertion that Reconstruction exemplifies this. Many people seem to think that after the Union victory in the Civil War, the issues of race were greatly improved. The ebb and flow of events to come proved that this is not true. While the progress of abolishing slavery was made with the establishment and even some enforcement of the 13th amendment, racial discrimination persisted. This was a major step backwards as whites began to find loopholes to addressing issues they had with newly freed peoples. The southern states' establishment of "Black Codes" represents well this regression. The codes made freedpeople bondsmen under the law once again, excluding them from juries and testimonies, voting, and leasing land -not to mention the fact that they would be punished more severely than whites for committing the same crime. This clearly demonstrates Foner's point that revolutions do not always result in progress. The emergence of the Ku Klux Klan is another prime example of this, as Confederate veterans spewed their hatred of Reconstruction by harassing not only freedmen, but the Carpetbaggers and Scalawags who looked to improve the south through Reconstruction using more unifying, equalizing methods. This resistance to change, while not as flagrant in the North, was certainly an issue there as well. Northerners imposed the responsibility of social reparations between the races in the South, with little action of doing the same up North. This could be because white Northerners had far fewer black people and far less need for slavery, but still, they were no exception to displaying prejudice toward black people, as we have learned many times over that the majority of Northerners were not abolitionists.

An interesting point that Foner made was that the Reconstruction, while not really a feat in itself, was certainly a component in the chain reaction that led to later successes, such as those of the Civil Rights Movement in the 1950s and '60s. This makes it apparent that while highly retroactive in its time, Reconstruction was still able to make some degree of immediate change and benefit a future revolution that made a lot larger of successful gains, despite the fact that it itself was only moderately successful.

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agree

by Luis Estrada Rivas - Friday, March 2, 2018, 4:28 PM

At the beginning of reconstruction which began in the North in 1962 it say Lincoln pondered on the issue of the change in acceptance for freedpeople in the outcome of the war. He asked for all freed blacks to emigrate to all-black countries such as Haiti so they could get ahead without the issue of white supremacy.(textbook pg.462) This is huge for me because it shows that even though the war was being fought over the freeing of slaves those in charge saw the issues that could arise following the war. I believe this allowed for there to be almost a century of hate crimes and terrorist attacks by white supremacist to those in support for civil right for demographics in the United States that weren't their own.

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Reconstruction and Romanticism

by Mariah Goodman - Saturday, March 3, 2018, 10:56 AM

I totally see the controversy behind Lincoln's initial suggestions to newly freed people, Luis. It is very contradictory to Lincoln's ultimate goal at the end of the Civil War to establish equality for all black people. I think that this exemplifies the concept of romanticism: Lincoln eventually began to dream of a nation of equal men, but when that goal was somewhat achieved, and Reconstruction reparations had to be made, he still witnessed that the race issue would persist even after slaves were freed. This to me seems like a valid explanation as to why Lincoln made the contradictory suggestion to freed slaves to move to all-black countries. It also brings back up an ignorance and possibly retrogression of Lincoln's ideals, as we should remember that in his earlier political career, he did not advocate for black man's equality, just for the fact that he deserves compensation for all of his labor. This too signifies the naivety of the romanticism behind the idea of freeing slaves. Reconstruction was a grueling and often unsuccessful endeavor that did not happily unite the reunified nation. Northern and southern differences would still persist long beyond the civil war and influence many issues, such as reentering the Union, preventing black people from becoming equal, and the struggle for Congress and its opponent President, Andrew Johnson, to pass legislation (such as the 14th and 15th amendments) to make all men equal.

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The enforcement of civil rights.

by Lloyd Higgins - Friday, March 2, 2018, 9:15 PM

After listening to Professor Forner's podcast, he explains how the 14th amendment, among others, are ignored or sometimes outright violated within the United States. I would absolutely agree with his stance on the rights and laws that U.S. citizens have, and the fact that many of them are regularly ignored in favor of differing policy. The 14th amendment serves as his first example, for many decades after it was ratified in the constitution. There were plenty of laws that outright discriminated against Black minorities within the United States. Examples of these include black codes and Jim Crow laws. These laws were passed by legislatures in state governments to ban blacks from drinking fountains, segregate at schools and further disenfranchise black voters in certain parts of the country. Without proper enforcement of the amendments of the constitution many of these so-called 'laws of the land' are ignored. Forner recites the quote that 'the price of freedom is eternal vigilance'. This couldn't be more true. A contemporary example of rights being ignored or violated today is the U.S. Patriot act, a law that assists in "Providing Appropriate Tools Required to Intercept and Obstruct Terrorism." This term is incredibly vague when referring to the 'tools' that the U.S. intelligence community may or may not use, such as wiretapping. Many constitutional lawyers have called the patriot act a basic violation of civil rights in the United States, yet little seems to have been done to overturn the patriot act. Forner expresses the cold truth that while many believe that there are certain rights that cannot be violated, history proves to us that they often are, despite critique and backlash.

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http://www.olcu.org/PDFs/USPatriotAct_Summary.pdf

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Birthright citizenship

by Lloyd Higgins - Friday, March 2, 2018, 9:22 PM

The concept of birthright citizenship that Professor Forner talked about intrigued me for a number of reasons. He explained the birthright citizenship really didn't exist in a widespread scale until right after the civil war during the reconstruction era, which is included as a clause in the 14th amendment. As someone who's parents were born in the United States, I would not necessarily have to worry if this law were somehow overturned, as the present executive branch seems interested in doing. However, it is also interesting to note that many countries Forner explained, did not in fact have birthright citizenship. This actually surprised me, as it almost makes sense that someone born on the soil of a nation would inherit that nation's citizenship as well as the laws and customs that come with it. The 14th amendment proved to be a vital addition to the U.S constitution as many would find a much easier time naturally becoming citizens as they would be born here to begin with. This also gives rise to the question of nativism within the United States. What qualifies as truly 'American'? Does that mean that all of our ancestors would be born on the soil of North America? If that would have been the case, rather than birthright citizenship, then perhaps none of us would be truly 'American' if we were to trace our genealogy back far enough.

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Passing laws or "having rights" is not the same as enforcing the laws or exercising rights.

by Cody Simon - Saturday, March 3, 2018, 7:29 PM

Phoner describes having rights or laws isn't the same as enforcing or exercising them. We see this developed during the reconstruction period because during this time there was many changes in the country. The truth behind the reconstruction period is that it was essentially a building block or base for the country we live in today. The 14th amendment was established during this time but not much came forth from this establishment it wasn't until civil rights movements when these rights and laws were actually, say, written in stone and enforced. Of course blacks were no longer enslaved but they weren't truly given their constitutional rights. Also although they may not have been enslaved in a way they truly were, working for bare minimum wages and working the same positions they had worked prior to the civil war. So this was a time that opened a door for civil rights, and without the period establishing said laws there would have been no place for civil rights and the U.S.citizenship may remain in only white hands.

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Birthright Citizenship

by Nicholas Stevens - Saturday, March 3, 2018, 9:59 PM

Birthright Citizenship isn't a widely practiced rule or law. As Foner said in the video, America didn't even have birthright citizenship until after the Civil War, we had ethnic citizenship, meaning that anyone who wasn't white was considered an alien, not a citizen. The reason we adopted Birthright citizenship was to deal with the question of what would happen with the 4 million freed black men and women. We couldn't send them all back to Africa, this was the only home that some of them knew. The meaning of birthright citizenship has changed since then. Back then it was used to give a home to these people that have lived here all their lives, nowadays it's used to make any baby born of an illegal immigrant a legal citizen. People have taken a law that was meant to help these newly freed blacks and use it as a way to easily become a citizen of the United States.

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