

HST 202: US History W20 (Escobar)

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Legacy of Reconstruction
by [Joe Escobar](#) - Friday, February 21, 2020, 5:26 PM

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

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IMPORTANT - SUBJECT LINES

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Guns dont kill people, people kill people!
by [Kerry Herring](#) - Saturday, February 22, 2020, 11:32 PM

Change the words in that phrase to laws and enforce so that it looks like this. "laws don't enforce people, people enforce people". I'm choosing to write about the legacy of reconstruction bullet point number 3. It stood out to me because like Foner stated in the audio clip at around the 6:38 mark that our biggest lesson is that just because laws are created and just because amendments are passed that it doesn't necessary mean that they will be enforced. All people are not created equal in todays society. There are still cases today that are going on that go against the 14th amendment such as people being denied equal protection of the law. There's not enough people to enforce these laws and amendments and with that some of them still operate on a prejudice mentality, where they treat you different based on your race or sex. I'm sure that after the amendment was adopted in 1868 that there still existed many of the majority that didn't treat the minority equal. Unless it's strictly enforced, no law is going to prevent someone from breaking them. I believe that as much as that was a problem then, its still a very big problem now.

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Birthright Citizenship and the US Today
by [Eric Shoaf](#) - Sunday, February 23, 2020, 8:04 PM

Having grown up in a more rural area, especially one with many Hispanic-Americans, I've heard of the idea of a non-citizen giving birth in the U.S. and the child becoming a citizen, also known as an anchor-baby. There are people who want to abolish the idea of birthright citizenship, because it functions as a loophole to get into the country without going through the proper channels. This is not what the law originally intended. Originally

birthright citizenship was put in place as a way of making all of the newly freed slaves citizens. This was because they were owed that, because they had been living here for generations. It was a simple way to make these freed slaves citizens. However the antiquated law has taken on a new meaning in modern times with these anchor babies, and how long the law will stay a law is up in the air.

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freedom progression response. (4)

by [Brett Lee](#) - Sunday, February 23, 2020, 9:12 PM

the progression of "freedom" is never a linear thing and the result of the civil war was an excellent example of this. The resulting inclusion of the 14th amendment and the civil rights legislation was important but as of the time period, it was not enforced; An example shown with the Dred Scott decision, although it was before this it still stands that the laws were not being enforced. This is not to say that these inclusions are not a valid one but one that will be hidden or not enforced until it becomes more relevant to the masses. the 14th amendment being an example as it was not enforced until decades later, and Re-Quoting from the video "Legacy of reconstruction" " Thomas Wentworth Higginson says Revolutions May go backward" and a fine example of this was the results of the civil war in the least documented time period, the period of reconstruction. Although they were not reinforced, the important piece of this was the inclusion itself, without the inclusion of these kind of laws who know how "backwards" this state might be. Would we still own slaves? or would women have the rights to vote or have the rights of man in general? I think its important for this country to regress a bit before we can progress, and I feel this trend will continue for the far future.

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Re: freedom progression response. (4)

by [Eric Shoaf](#) - Tuesday, February 25, 2020, 5:30 PM

I'm not sure what you meant when you said the Dred Scott decision was an example of laws not being enforced. The Dred Scott decision took place before the 14th Amendment, and I don't see how any part of that was violating an already existing law. The Supreme Court came to the decision, and thus set the precedent, that African Americans weren't citizens and couldn't sue for their freedom. This changed when the 14th Amendment rolled around, because there was legislation saying that black people were citizens and were allowed all the rights granted by the Constitution.

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Re: freedom progression response. (4)

by [Brett Lee](#) - Thursday, February 27, 2020, 6:27 AM

I was describing an example of the laws not being enforced, the Dred Scott decision was a prime example of this. a slave who wad moved with his owner to a free state had fought for his right to be free but was ultimately denounced of his freedom while living In that free state. Yes it was way before the 14th amendment was added to the constitution but it shows that the federal rule broke rules placed. Its meant to shown this whole "taking one step back to go four steps forward" dynamic that's happening.

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Re: freedom progression response. (4)

by [Eric Shoaf](#) - Thursday, February 27, 2020, 10:15 PM

Again I don't understand what rule was broken in the Dred Scott decision. Scott was trying to argue that since he was in a free state for an extended period of time, he should be free. There was no precedent or law saying a slave owner couldn't bring his slave to a free state, it was more that you could not buy or own slaves in free states. They were still treated as property at that time.

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Re: freedom progression response. (4)

by [Brett Lee](#) - Friday, February 28, 2020, 10:21 PM

in 1850 or something, the state court of Illinois Declared Scott free, but the verdict of the states court was revered in 1852 by the supreme court in Missouri who then declared Scott not free, I guess its not a rule break so my mistake but it did show the backwards aspect that I was originally describing in my parent post, in which the state wanted to move forward with the colored mans freedom but was reduced backdown by the supreme court ruling. The whole take one step forward and three steps back dynamic I was discussing earlier.

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Painful Progress
by [Ailah Altemus](#) - Sunday, February 23, 2020, 9:58 PM

In the video/audio clip Eric Foner states that "We Americans like to think that our history is a straight line of greater and greater freedom." he then goes on to explain, "Our history is a much more complicated; much more interesting story of ups and downs, of progress and retrogression." I strongly agree with this statement. Civil progression is a fight and over time we usually see the more morally correct standpoint, based on our human sympathies, win. You can see this during the civil rights movement. Even though African Americans were granted the right to citizenship, they were treated as lesser citizens. We see this with the uprise of the kkk after the civil war, thus being another example of retrogression. However, through the uproar of the civil rights movement progress was made. The once thought crazy and impossible biracial culture is now our day to day lives. The idea that we have "began perfect and have been getting better since," is a nice thought and may make you feel patriotic, and ease any uncomfortable feelings one may have about our nations history, however, it is historically inaccurate.

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Re: Painful Progress
by [Kelvin Johnson](#) - Saturday, February 29, 2020, 4:45 PM

Hello Ailah,
I'd say that being patriotic is being able to accept the past history and better your self. I thought it was a neat perspective you put on this period of time with the word "fight". I think that this word can very much so be applied to this era. Like you said, I also thought is was neat how the "crazy and impossible" became today because the good men and woman persisted and were able to control the senate and override President Jonson's vetoes. If the republicans were not able to control the senate then this would have been a big step backwards and more to build up.

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Birthright citizenship defined in the 19th Century
by [Kelvin Johnson](#) - Tuesday, February 25, 2020, 5:04 PM

Although, birthright citizenship is not in the constitution, it was an outcome of the civil war. The constitution never had to be rewritten, they just had to enforce it. All men are free in the United States of America. Are slaves not men? The white men needed a law to accept blacks to be free. So that is where the 13th amendment was needed, to free the slaves. But would the slaves then want to work. No, because it would be a different version of slavery. So, the white men gave them the option of "sharecropping". They were to work on the fields and receive their share of the crop, and to supposedly be given the land after a certain amount of time. The slaves that were freed; were American citizens and their children, born and the unborn. If a woman comes here illegally and has a child, that child is "Equal before the law to every other citizen in the United States", and that is birthright citizenship. (video 3:30) This is the policy that we have in place to today which is an outcome of the Civil War

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Re: Birthright citizenship defined in the 19th Century
by [Eric Shoaf](#) - Tuesday, February 25, 2020, 5:44 PM

While I agree that by today's standards, the constitution didn't have to be rewritten. However back then, African Americans weren't seen as equal to whites. Therefore they didn't deem them citizens.

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Question 1 : Birthright Citizenship

by [Jahaziel Reyes](#) - Tuesday, February 25, 2020, 10:10 PM

The Fourteenth amendment established the freedmen as citizens at birth, and this carries over today. If born here you become a citizen of the United States regardless of your parents nationality and you received all the constitutional rights any other citizen would. This was created to push slaves closer to equal rights in the 19th century, and to push back on the earlier Dred Scott case. After this citizenship was no longer determined by race but by birth thanks to the Civil War.

Today this has created a way for undocumented to gain citizenship through birth right, and a lot of friction has come because of this on whether this method of citizenship is valid or sustainable. Its purpose of bringing slaves into more equal footing has already been done and we remain one of the only countries in the world that still counts citizenship this way. In part because of the horrific violence and turbulence that came from uplifting a once slave race into becoming citizens, and all the resentment and violence that came with these rights.

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Re: Question 1 : Birthright Citizenship

by [Kelvin Johnson](#) - Wednesday, February 26, 2020, 7:47 AM

Hello Jahaziel,
I liked how you brought out the reason for the fourteenth Amendment, Birthright Citizenship. Although it would be good to bring the reason into anything you are discussing concerning the reconstruction period. We have no unfree man or woman in the United States today, so why do we need Birthright Citizenship? I liked how you stated "valid or sustainable". Plus you're right, it has already been accomplished, but what would be it's purpose in this day in age? There are other ways to become a citizen in the United States today.

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Re: Question 1 : Birthright Citizenship

by [Jahaziel Reyes](#) - Saturday, February 29, 2020, 10:49 PM

Thanks for the thoughtful reply Kelvin,
After thinking on it some more thought into this I believe that the use of the Fourteenth Amendment, even to this day, is not only because it is part of the Constitution and thus very difficult to amend or remove. But because of the circumstances for its creation or its history, the United States will almost indefinitely keep this form of citizenship. The Fourteenth Amendment is the beginning of greatly improving the lives of thousands of not only freedmen and women but African Americans in their totality; today even with the problems it will bring, the history of the Amendment and the symbolic consequences of removing the Amendment isn't something I can see the United States doing at any time. Especially if we still have the racism or bigotry that stems from the Civil War towards them. It would be to controversial.

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Birthright Citizenship

by [Thomas Lemelin](#) - Tuesday, February 25, 2020, 11:31 PM

The citizenship clause was a very important aspect of the Fourteenth Amendment that can be traced back to the reconstruction era of the United States in attempt to address the issue of granting citizenship to the newly freed slaves and their children. The clause states that any persons born on American Soil are automatically U.S. citizens, and they are to be granted the same liberties that any other citizen would receive regardless of race. This guaranteed that the future black population wouldn't be questioned as citizens or not. A case like Dredd Scott could never again happen because this is now a constitutional right.

The Fourteenth Amendment is still something that is discussed today due to its relevance to immigration. Eric Foner touches upon this, and addresses the fact that pregnant mothers from other countries can come to the U.S. on a tourist visa or illegally and give birth to their babies, utilizing the clause to make their child a legal citizen. By doing this, they have essentially legally emigrated their child in a very fast and effective manner. This is something that a lot of people disagree with and criticize the amendment for allowing it to happen. At the time of its creation, I

don't believe that the authors of the amendment had the foresight to predict the way that it would be used against their initial intentions, and I don't think they would be particularly happy about it, but regardless of intention and approval, I think that it's good that we haven't ratified the amendment at all and we still abide by it. The alternative to allowing the constitution to automatically define citizenship is to give it to one of the branches to define, and after the Dredd Scott case, I don't particularly trust any of them to do that unbiasedly

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freedom trajectory for the U.S.
by [Kelvin Johnson](#) - Thursday, February 27, 2020, 10:55 AM

The United States has been divided into two halves, slaves and no slaves until the civil war. Then reconstruction came and a gap finally opened for the slaves to slowly gain their rights as a citizen. Starting with the Emancipation Proclamation by Abraham Lincoln, then came the 13th 14th and 15th amendments. These were all to help unify and bring right to all 'men', black and white.

The question from the video that Mr. Foner brought out about the newly freed emancipated slaves, was "What role were they going to play in American society." This question was going to continue into the next one-hundred years. Sometimes going in a positive direction for the newly freed slaves and sometimes in a negative direction. Right after the civil war the government took a big step forward, even though it was pushed back in that the laws were not always enforced. For years later the laws would be in place to protect all men, specifically the blacks.

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Re: freedom trajectory for the U.S.
by [Noah Francis](#) - Saturday, February 29, 2020, 11:53 PM

Hey Kevin, I liked how you brought up the question that Eric Foner brought up. Following the civil war I don't think anybody had an idea of what the roles of ex slaves was going to be. As most of us know, many people never thought that blacks would ever integrate into our society. Even after the civil war they were still looked at as being less than whites. Groups like the KKK were formed because of their inability to see the equality between whites and blacks. I think it's extremely interesting to see how the decisions of our ancestors hundreds of years ago still affect us today. The 13th, 14th, and 15th amendments were all made for the benefit of African Americans, now we see people from all over the world using these same amendments to come to our country to create a better life for themselves.

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Legacy is still unknown.
by [Kerry Herring](#) - Friday, February 28, 2020, 4:11 PM

One of the biggest question marks for me in the 15th amendment is the very last sentence in the first section where its stated "states shall not deny to any person within its jurisdiction the equal protection of the laws". This clause is so widely misused and unused in some cases. If you're poor you'll most likely get the maximum sentence, if you have the money you almost get off with a slap on the hand. If you ask me is that not what we did 156 years ago and further back to the blacks? Blacks were considered mostly poor then and received the worst punishments, they were considered lower than the worst white man. There is still that stereotype of blacks being bad people. You see it everywhere. If we still cant see through the window of "groups" being different are we not any worse then our predecessors before us? No legacy was clearly written in our history. All this shows is that there are good people out there but not everyone is good. There more division now then perhaps than ever. Whether you're black or white, rich or poor, different sexes, sexual preferences, democrat or republican, friend or foe, bad or good and right or wrong. Why do we as a nation allow our differences dictate how we should feel about our fellow human beings, where this planet is just one? Should we not be as one people also?

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Re: Legacy of Reconstruction
by [Noah Francis](#) - Friday, February 28, 2020, 8:45 PM

Before taking this class, I had very little knowledge of the reconstruction period and the effects it would leave for years to come. Reconstruction was incredibly difficult to achieve after the years following the civil war. This is partly because of Andrew Johnson as well as the overall hate between the north and the south. According to Eric Foner, one of the biggest problems the north and south both had was the fact that there were over four million freed slaves that needed to be dealt with. Although slavery was banned after the civil war following the 13th Amendment, it did not make them citizens of the country. Because of this, the treatment of the slaves never got any better. Before they were somebody's property. After the 13th Amendment they were no longer viewed as somebody's property, but as something less than human. With the help of the American people, congress was able to pass the 14th and 15th Amendment that would make any person born in the United States a citizen.

Results of this can still be seen today. Many people who come into the country illegally have their children in the United States making them legal citizens. Many of them seek asylum from their own countries. It's interesting to see what the 14th and 15th Amendment was first created for and how it's being used today. Although it's not being used the way the founding fathers imagined it would, it's changed the ethics throughout our nation allowing for diversity to spread.

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Re: Legacy of Reconstruction

by [Joshua Dalton](#) - Saturday, February 29, 2020, 1:55 PM

I am writing about the differences that Professor Foner illustrated within the section of his lecture about racial nationalism and civic nationalism in the United States, before and after Emancipation and Reconstruction. I begin when the Abolitionist William Lloyd Garrison published the first issue of the "Liberator", in 1831. Garrison condemned slavery as more than a social problem or just a bad idea. He declared slavery as "America's great national sin." William demanded immediate emancipation and citizenship for African Americans. In publishing this issue he opposed discrimination and slavery, exposing the question of race to his many readers. At the time Abolitionist were seen as radicals for their views on the treatment of African Americans in non-free states. (textbook pg. 343)

In the Dred Scott Decision of 1856 I point out the stance of the Supreme Court. When five Justices, lead by Justice Roger B. Taney, ruled in support for racial or ethnic nationalism. Justice Taney issued the court ruling stating that Congress lacked the power to keep slavery out of the territories, because slaves were property and the Constitution protects the right of property. He further wrote, the circuit court should not have accepted the case because black men were not citizens of the United States (Textbook pg. 387). The Dred Scott decision generated lots of blow back from Abolitionist within the citizenry and Congress.

Before the Civil War and Reconstruction American citizenship was defined by race and ethnicity and not civic nationalism. Professor Foner stated, "People who fought against slavery, fought for a definition of American citizenship severed from the concept of slavery." Unfortunately the laws put in place to stop racial nationalism where not implemented fully until the Civil Rights Movement a century after the Civil War and the Reconstruction.

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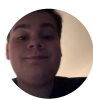
2. Racial Nationalism vs. Civic Nationalism

by [Leon Bohmer](#) - Saturday, February 29, 2020, 3:07 PM

The United States defined today, as Dr. Foner states, is that of a civic nationalistic character, meaning the nation does not derive its legitimacy from a sole ethnically homogeneous group. The US has large populations from many ethnic backgrounds, all citizens and enfranchised, in the modern day. This is in contrast to many of the nations in the world today, to use the same example as Dr. Foner, Germany would be a good example of a nation that is founded based on racial or ethnonationalism, the core principle behind the formation of the German nation was to give the German people a Nation. As such obtaining German citizenship without being ethnically German is rather difficult; contrast this to the United States, were mass immigration is very much tied to the growth of the United States as a nation. The argument could be made that the United States began its life as a nation in a racial nationalistic framework, then over time, via, the immigration of large German and Irish populations, as well as the freeing and enfranchisement of the slaves, the nation transitioned into a nation of civic nationalistic character.

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Re: Birthright Citizenship & Modern Immigration
by [Caleb Willis](#) - Saturday, February 29, 2020, 9:56 PM

When it comes to today, the U.S has a system known as "Birthright citizenship," where a child of an illegal immigrant born on U.S soil is automatically a citizen and receives the same opportunities and rights as any other citizen. The era of Reconstruction led to much success in schools and churches being built, and reducing the illiteracy rate of freedman significantly. Reconstruction, post-Civil War, was to reintegrate the seceded states back into the Union, and integrating freedman into society and determining what to do with their statuses. Now, according to Foner, this modern system of birthright citizenship is in place because of the civil war (video 3:55), and not existing prior. Before the Civil War, those who were born in the U.S, slaves and free blacks were not citizens, regardless of being born here. The struggle to abolish slavery and the issue of black peoples' statuses led to the laws in the 14th Amendment about birthright citizenship (video 4:18). Pre-Civil War, blacks were not deemed citizens of the United States, but only white people were deemed such. We know this because of the Supreme Court case of Dred Scott in 1857, which ruled this into place (textbook chapter 14:pg.387). The issue of citizenship was defined by race, rather than birth, far different compared to the modern system of birthright citizenship and illegal immigration. Essentially, today's system of birthright citizenship is due to the 14th Amendment that was ratified in 1868, during the Reconstruction era, granting citizenship to anybody born or naturalized in the U.S, even former slaves.

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Re: Ethnic & Civil Nationalism, modern and pre-Civil War
by [Caleb Willis](#) - Saturday, February 29, 2020, 10:42 PM

There are indeed profound differences between ethnic nationalism and civic nationalism. Foner states at (5:35) in the video, ethnic nationalism is based on the folk, language, culture, and ancestry. This is in place in different countries, and is quite different in comparison to America's civic nationalism, in that anybody can become an American citizen (today). This is far different, however, to the pre-Civil War and pre-Reconstruction's idea of civic nationalism. The idea was that this all applied to white people, but in no way shape or form to slaves or free blacks. According to Foner (5:50), we had an ethnic nationalism which was grounded in the racial boundaries of slavery. When the end of the Civil War and the reconstruction era was in operation, civic nationalism, in that it applied to all people regardless of their race, was installed. The only people before the Civil War to really believe in this were the abolitionists. Foner says, "The people who fought against slavery also fought for a definition of American citizenship severed from the concept of race" (video 6:25). In the end, this was only brought upon because of the Civil War and Reconstruction.

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