



THE RECONSTRUCTION ERA

UNIT 3

How did the period of Reconstruction bring promise and progress for Black Americans?

Reconstruction was a relatively short-lived era following the Civil War that lasted from 1865 to 1877. During this time, many Americans grappled with the dramatic social, economic and political changes that were taking place in the nation. With the end of legal chattel slavery came many questions related to the rights and opportunities for formerly enslaved people. They were now in charge of their own destinies. How would they move from chains to productive citizenship? Would they succeed or would their efforts to build independent lives be thwarted?

The Reconstruction era was a time of great possibility, and to help fulfill this possibility Congress established the “Bureau of Refugees, Freedmen and Abandoned Lands,” with the goal of helping millions of “former black slaves and poor whites in the South in the aftermath of the Civil War.”¹ The Freedmen's Bureau provided food, housing, medical aid, education and legal assistance to formerly enslaved people. It also promised to reallocate abandoned and confiscated southern land—“40 acres and a mule”—to the newly emancipated, “who had endured hundreds of years of unpaid toil.”² Though this order would later be reversed by President Andrew Johnson, many Black people seized the opportunity to move away from the plantations of their imprisonment and form new, freer communities.

In addition to providing social and economic aid, the U.S. Congress also laid the legal and political foundation for equality by passing the Reconstruction Amendments. The 13th Amendment, ratified in 1865, stated, “Neither slavery nor involuntary servitude, except as a punishment for crime...shall exist within the United States.” This amendment marked the first time slavery was addressed in the U.S. Constitution (though the phrase “except as punishment for crime” created a loophole that would later be used to persecute Black people). The 14th Amendment, ratified in 1868, granted former enslaved people citizenship rights, and “equal protection of the laws.” The 15th Amendment, ratified in 1870, gave formerly enslaved Black men the right to vote, stating: “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.” By enacting these amendments, government officials sought to right the wrongs of an institution Lincoln once called “an unqualified evil to the Negro, the white man, and the State.”³

With new rights in place, Black communities mobilized during Reconstruction, voting and serving in government in significant numbers. Historian Eric Foner wrote that, in 1870, “hundreds of blacks were serving as city

1 History.com, “Freedmen’s Bureau,” <https://www.history.com/topics/black-history/freedmens-bureau>.

2 Carol Anderson and Tonya Bolden, *We Are Not Yet Equal: Understanding Our Racial Divide* (London: Bloomsbury Publishing, 2018), 15.

3 Abraham Lincoln, “Speech at Edwardsville, Illinois, September 11, 1858,” in *The Collected Works of Abraham Lincoln*, Volume 3, ed. Roy P. Basler, <https://quod.lib.umich.edu/l/lincoln/lincoln3/1:13?rgn=div1.view=fulltext>.

policemen and rural constables... [and] in the courts, defendants confronted black magistrates and justices of the peace, and racially integrated juries."⁴ Over 1,400 Black men held office during Reconstruction—more than 600 in state assemblies and 16 in the U.S. Congress, the majority of whom were born into slavery.⁵ In 1872, the number of Black state and federal legislators in the South peaked at 320, a level that was not surpassed for well over a century.⁶

During this era, Black Americans also took advantage of new educational opportunities. In partnership with Northern missionary and aid societies, the Freedmen's Bureau created

hundreds of new schools throughout the South, staffing them with Black and white teachers, providing supplies and even publishing a "freedmen's textbook." By the end of 1865, more than 90,000 former enslaved people were enrolled in public schools.⁷ Thousands of these students went on to attend the more than 90 institutions of higher learning that were established between 1861 and 1900 to educate newly freed men and women.⁸ Many of these historically Black colleges and universities (HBCUs) continue to serve Black students today, including Shaw University, Talladega College, Howard University, Morehouse College and Hampton University.

4 Susan Cianci Salvatore. *Civil Rights in America: Racial Voting Rights*, Washington, D.C.: National Park Service, U.S. Department of the Interior, and National Historic Landmarks Program, 2009. https://www.nps.gov/subjects/tellingallamericansstories/upload/CivilRights_VotingRights.pdf.

5 Salvatore, *Civil Rights in America*.

6 J. Morgan Kousser, *Colorblind Injustice* (Chapel Hill, NC: University of North Carolina Press, 1999), 19.

7 Jim Warren, "Black History Month: Newly emancipated slaves eagerly enrolled in Freedmen's schools," *Lexington Herald Leader*, February 3, 2013, <https://www.kentucky.com/news/state/kentucky/article44401104.html>.

8 National Museum of African American History and Culture, "5 Things To Know: HBCU Edition," <https://nmaahc.si.edu/blog-post/5-things-know-hbcu-edition>.

FROM JUNETEENTH TO RECONSTRUCTION: THE PROMISE OF EQUALITY



ESSENTIAL QUESTION

How did new opportunities inspire Black people to turn hope into achievement during Reconstruction?



OBJECTIVES

Students will:

- Explore the historical importance of *Juneteenth* and ways in which it is observed today.
- Discuss the meaning of Reconstruction and how it relates to the history of enslavement.
- Produce a work product that reflects their learning about one aspect of Reconstruction, such as education, the growth of Black communities or the right to vote and run for elected office.



LEARNING STANDARDS

See the [standards alignment chart](#) to learn how this lesson supports New Jersey State Standards.



TIME NEEDED

60 minutes



MATERIALS

- *All Different Now: Juneteenth, the First Day of Freedom* by Angela Johnson (one copy of the book or access to online read-aloud: <https://www.youtube.com/watch?v=rRIExoTfm3g>)
- *Fifty Cents and a Dream: Young Booker T. Washington* by Jabari Asim (multiple copies of the book or access to online read-aloud: <https://www.youtube.com/watch?v=HZ7OYUDVWBE>)
- *Booker T. Washington Route Map* handout (copies for 1–2 small groups)
- *Nicodemus: The First Black Community West of the Mississippi* handout (copies for 1–2 small groups)
- *The First Black Members of Congress* handout (copies for 1–2 small groups)
- Drawing paper and implements
- Different colored sticky notes



VOCABULARY

13 th Amendment	emancipation	homestead	Union
14 th Amendment	Emancipation Proclamation	Juneteenth	U.S. Congress
15 th Amendment	enslaved	plantation	U.S. Constitution
amendment		Reconstruction	

Procedures

3

- 1 Write “Juneteenth” on the board. Have students do a turn-and-talk to discuss what they know about this term, and allow a few volunteers to share their thoughts with the class.
- 2 Read aloud the book *All Different Now: Juneteenth, the First Day of Freedom*, by Angela Johnson, (or show the online read-aloud at <https://www.youtube.com/watch?v=rRIExoT-fm3g>). Discuss the following questions as you read:
 - What does the title “All Different Now” mean? What changes took place that made things different?
 - How did the local people react to the news of freedom? How did their reactions make you feel?
 - The author says that the people ate, laughed and told stories “as a free people.” How do you think ordinary acts like eating and telling stories felt different to them after the news of freedom?
 - What do you think the people were thinking as they passed by the cotton fields that night after the celebration?
 - What do you think the people did the next day, week or month? How do you think they transformed their lives once things were “all different now”?
 - What individuals or groups of people do you know about in today’s world who have to adapt to big changes in their lives? How are things “all different now” for those people?
- 3 Tell students that Juneteenth marks the beginning of a period called *Reconstruction*. Explain that in the years following the end of slavery, Black people took advantage of their new freedoms and rights to get an education, build new communities and job opportunities, vote and run for elected office and more.

NOTE

All Different Now tells the story of the first Juneteenth (June 19, 1865) through the eyes of a young girl, as news of emancipation spreads to her Texas plantation and the last of the enslaved people in the South. See the Background Information section of this unit for more information on Juneteenth.

NOTE

The links to online resources provided for option (c) below may be challenging for students. Encourage them to scan for relevant facts rather than read through the entire articles. If you have access to a children's encyclopedia or other elementary-friendly reference materials, redirect students toward these sources.

4

Set up learning stations as described below. (Depending on your class size, you may want to create two stations for each activity.) Tell students that they will choose one activity to help them learn more about Reconstruction and some of the ways in which Black people improved their lives following the end of slavery. Form groups based upon students' interests and have them complete the station activities. Circulate and guide students as they work.

STATION WORK

TOPIC	MATERIALS	INSTRUCTIONS
a) Education	<ul style="list-style-type: none">→ <i>Fifty Cents and a Dream: Young Booker T. Washington</i> by Jabari Asim (physical copies of the book or online read-aloud at youtube.com/watch?v=HZ7OYUDVWBE)→ <i>Booker T. Washington Route Map</i> (handout)→ Different colored sticky notes	Students read about Booker's efforts to become literate and his 500-mile journey to enroll in college. They sketch or write about two challenges he faced and two accomplishments he achieved, which are recorded on sticky notes and attached to a route map of Booker's journey.
b) Building New Communities	<ul style="list-style-type: none">→ <i>Nicodemus: The First Black Community West of the Mississippi</i> (handout)→ Drawing paper and implements	Students read about a community developed for and by Black people. They sketch a town plan as they imagine it, including at least five people and places from the reading. Students may also use an online town-building platform to recreate Nicodemus if available, such as Minecraft, Townscaper, Urban Plan or Cities: Skylines.
c) Voting and Electing Leaders	<ul style="list-style-type: none">→ <i>The First Black Members of Congress</i> (handout)→ Access to the internet→ Drawing paper and implements	Students study a portrait of the first seven Black members of Congress and choose one to research further. They write a one-paragraph campaign speech for their subject that includes one detail about his background, one personal quality and one way he will improve his country.

- 5 If time allows, create small groups of students who completed different activities and have them share their work with each other. Conclude the lesson by gathering the class and discussing some of the questions below.

Discussion Questions

- 1 Why is Juneteenth an important day of celebration in the U.S.? If you have celebrated it, describe your experience.
- 2 What was Reconstruction? How did Black people rebuild their lives following the end of slavery?
- 3 What accomplishments during Reconstruction most stood out to you? What do you think it took for former enslaved people to achieve these things?
- 4 How did it feel for you to learn about the struggles and triumphs of newly freed Black people?
- 5 What struggles do Black people still face today? What modern-day triumphs do you know about?

Lesson Extensions

- Assign students to do additional research on the history of Juneteenth and the way it is celebrated today, including conducting interviews with community members, if appropriate. Then have them plan a Juneteenth school observance, which might include designing informative posters, delivering a multimedia presentation on the story of Juneteenth, reading or telling stories about the holiday and organizing a picnic or luncheon with red foods (symbolizing resilience).
- Have students read picture books about Reconstruction and then create their own picture book featuring the accomplishments and progress of Black people during this era. Recommended books include: *The Amazing Age of John Roy Lynch* by Chris Barton; *Ellen's Broom* by Kelly Lyons and Daniel Minter; and *Follow Me Down to Nicodemus Town* by A. LaFaye.

ADDITIONAL RESOURCES

- + American Battlefield Trust. "Reconstruction: The Civil War in Four Minutes." April 25, 2017. YouTube video, 4:45. <https://www.youtube.com/watch?v=6CKcGj4Cq8E>.
- + CBS Sunday Morning. "The story of Reconstruction." April 7, 2019. YouTube video, 8:13. <https://www.youtube.com/watch?v=CjetWrsQb-E>.
- + Cooper, Floyd. *Juneteenth for Mazie*. North Mankato, MN: Capstone Young Readers, 2015.
- + Dillard, Coshandra. "Teaching Juneteenth." *Teaching Tolerance*, June 12, 2019. <https://www.tolerance.org/magazine/teaching-juneteenth>.
- + Scholastic, "Reconstruction: A History Mystery Activity," <https://www.scholastic.com/teachers/activities/teaching-content/reconstruction-history-mystery-activity>.

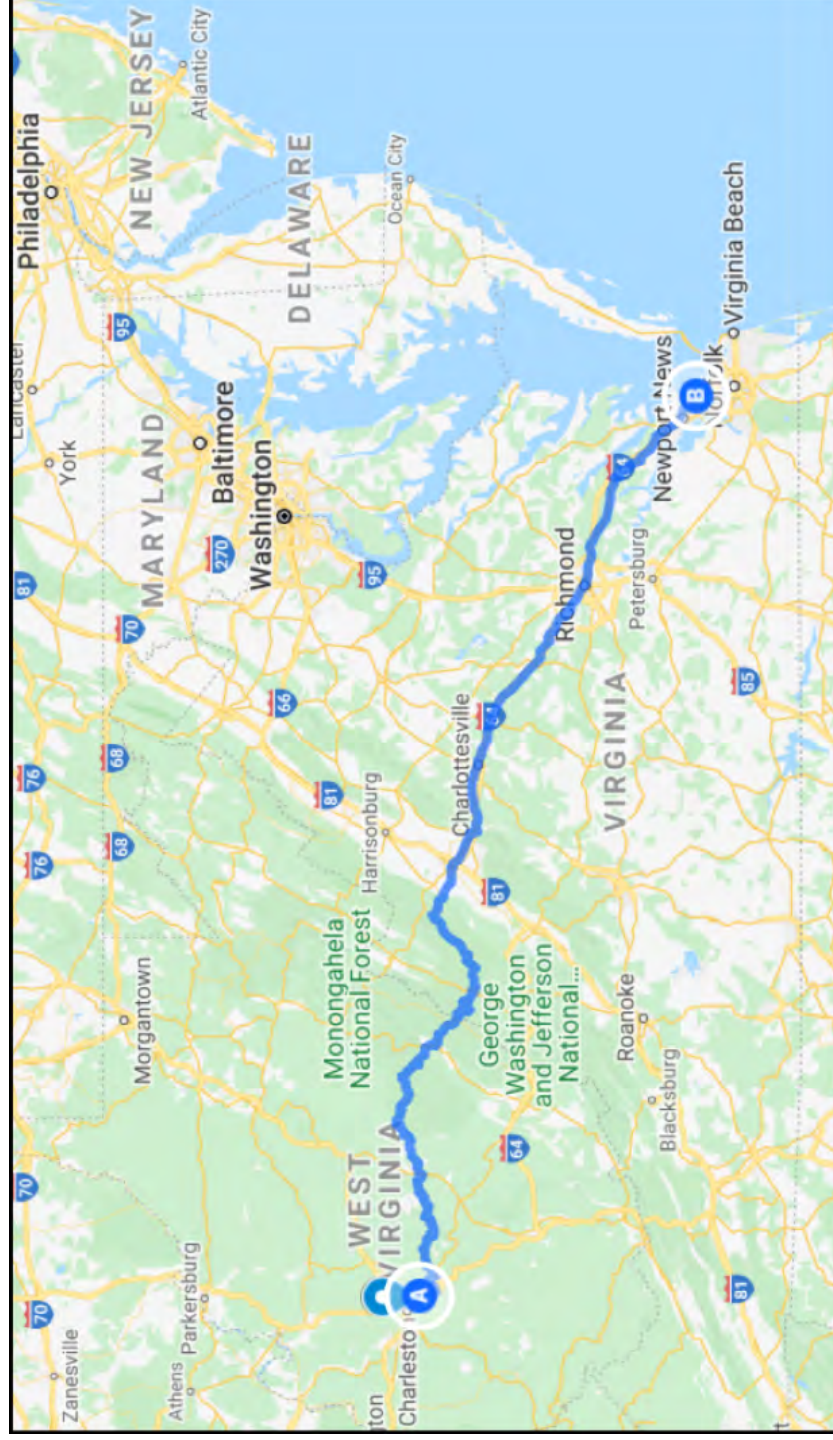
HANDOUT

Booker T. Washington Route Map



NAME: _____

Read about Washington's 500-mile journey from his home in West Virginia to Hampton Institute in Virginia. This historically Black university was created in 1868 to provide education to former enslaved people. As you read, think about the challenges Washington faced and the accomplishments he achieved. Sketch or write about at least two challenges and two accomplishments on sticky notes and attach them to the route map.



HANDOUT



Nicodemus: The First Black Community West of the Mississippi

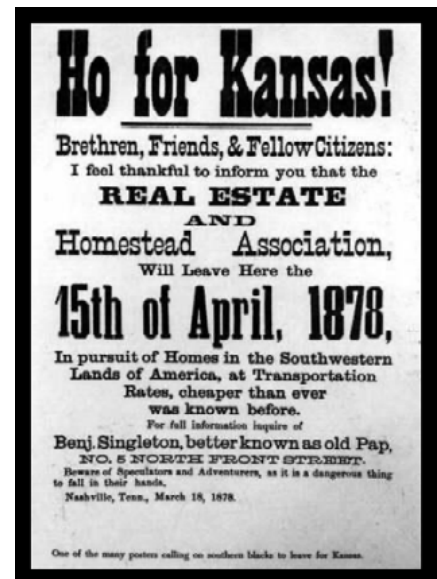
NAME: _____

Read about the community of Nicodemus and sketch a town plan as you imagine it. Include at least five people and places from the reading.

After the Civil War, many Black people wished to leave the places where they had been enslaved and start life anew. At that time, the U.S. government was giving away plots of land called “homesteads” to people who agreed to settle and farm them. Two men—a Black minister named W.H. Smith and a white land developer named W.R. Hill—decided to start a new community in Kansas. The state had declared itself free in 1861 and was far from the plantations of the South. They named their town Nicodemus, after a figure in the Bible, and in 1877 the first Black community west of the Mississippi River was born.

Now that they had a town, Hill and Smith set out to convince people to move there. They received help from Benjamin “Pap” Singleton, a carpenter from Tennessee. Pap traveled far and wide, handing out fliers about Nicodemus to other Black people looking for a fresh start. Pap couldn’t read or write himself, but he was an enthusiastic messenger. He handed out so many fliers, they nicknamed him the “Moses of the Colored Exodus” (exit), and those who followed were called “Exodusters.” Before long more than 300 settlers from Kentucky headed to Nicodemus, though many turned back when they saw how far-off and barren the land was. One of the settlers, Williana Hickman, remembered her reaction this way:

“When we got in sight of Nicodemus the men shouted, ‘There is Nicodemus!’ Being very sick, I hailed this news with gladness. I looked with all the eyes I had. I said, ‘Where is Nicodemus? I don’t see it.’ My husband pointed out various smokes coming out of the ground and said, ‘That is Nicodemus.’ The families lived in dugouts... The scenery was not at all inviting, and I began to cry.”





Nicodemus: The First Black Community West of the Mississippi (continued)



Soon the settlers built houses from sod, the grassy surface of the ground, and they were called “sodbusters.” As their first winter approached, they didn’t have enough tools, seed or money. They survived by selling buffalo bones, working for the local railroad and with help from Native Americans. As time went on, the townspeople built a stable, town hall, post office, bank, schools, churches and shops. By 1880, there were 500 people living in Nicodemus, which grew to include an ice cream parlor, hotels, two newspapers and even a baseball team.

Today, Nicodemus is a National Historic Site and only about 20 people live in the tiny town. Every July the residents hold a homecoming for the family members of the first settlers. They remember the hardships faced by those former enslaved people and the bravery it took for them to build a new life on the frontier.

SOURCES:

“Ho For Kansas!” April 14, 1878. Copyprint of handbill. Library of Congress, Washington, D.C., <https://www.loc.gov/exhibits/african/afam009.html#obj9>.

Early Area Homestead—Nicodemus Historic District, Nicodemus, Graham County, KS. Photocopy of Historic Photograph. Library of Congress, Washington, D.C., <http://hdl.loc.gov/loc.pnp/hhh.ks0077/photos.069503p>.

Legends of America. “Nicodemus—A Black Pioneer Town.” <https://www.legendsofamerica.com/ks-nicodemus>.

National Park Service. “Kansas: Nicodemus National Historic Site.” <https://www.nps.gov/articles/nicodemus.htm>.

Washington Street Showing First Stone Church and Williams General Store—Nicodemus Historic District, Nicodemus, Graham County, KS. C. 1885. Photocopy of Historic Photograph. Library of Congress, Washington, D.C., <http://hdl.loc.gov/loc.pnp/hhh.ks0077/photos.069504p>.



The First Black Members of Congress

NAME: _____

Read the information below and study the portrait “The First Black Members of Congress.” Choose one person to learn about using the links on this handout. Then create a one-paragraph campaign speech for him. Include one detail about his background, one personal quality and one way he will improve his country.

The United States Constitution sets forth the laws and rights that are most important to our country. An amendment is a change or addition to the Constitution. After the Civil War, three major amendments were passed:

- **The 13th Amendment**, approved in 1865, ended slavery in the United States.
- **The 14th Amendment**, approved in 1868, gave citizenship to all people born in the U.S., including former enslaved people.
- **The 15th Amendment**, approved in 1870, gave Black men the right to vote.

Once Black men were able to vote, they worked to elect members of their own communities to public office. From 1869–1899, more than 20 Black men—mostly former enslaved people—were elected to the United States Congress. Their presence in government did not last long, though, due to resistance among many white people and discrimination against Black people in the voting process. Women would not win the right to vote until 1920, and a Black woman would not be elected to Congress until 1969—a full century after the election of the first Black man.

Learn about the first Black congressmen using these sources. (If an article is long or challenging, scan for the facts you need rather than trying to read the entire page.)

Black Americans in Congress

<https://history.house.gov/People/Search?filter=1>

BlackPast

<https://www.blackpast.org>

5 Former Slaves Turned Statesmen

<https://www.history.com/news/5-former-slaves-turned-statesmen>

The First Black Members of Congress (continued)



SOURCE: *The First Colored Senator and Representatives—in the 41st and 42nd Congress of the United States.* Color film copy slide. Library of Congress, Washington, D.C., <http://hdl.loc.gov/loc/pnp/ppmsca.17564>.

THE MONUMENTAL ACHIEVEMENTS OF RECONSTRUCTION



ESSENTIAL QUESTION

What progress did Black people achieve during Reconstruction to create a more equal nation?



OBJECTIVES

Students will:

- Define Reconstruction and identify some of the major achievements of this era.
- Investigate key people, places and events during Reconstruction that represent the ways in which Black people improved their lives following the Civil War.
- Explore the significance of Reconstruction Era National Historical Park and design a monument for it based on their research on Reconstruction.



LEARNING STANDARDS

See the [standards alignment chart](#) to learn how this lesson supports New Jersey State Standards.



TIME NEEDED

90 minutes



MATERIALS

- AV equipment to watch a video and project an image
- *Emancipation Day in South Carolina* handout (one copy to project)
- *Design a Monument to Reconstruction* handout (one copy per student)
- Laptops or tablets for small group research
- Drawing paper and implements



VOCABULARY

13 th Amendment	emancipation	Freedmen's Bureau	Union
14 th Amendment	Emancipation Proclamation	plantation	U.S. Congress
15 th Amendment	enslaved	Reconstruction	U.S. Constitution



Procedures

- 1 Write “Reconstruction (1865–1877)” on the board and have students participate in a think-pair-share in which they discuss what they know about Reconstruction and the accomplishments of this era. Allow students to share some of their thoughts with the class and list key ideas on the board. Post and review the following definition:

Reconstruction: The period after the Civil War, from 1865–1877, when steps were taken to remedy the inequalities of slavery and bring the 11 states that had seceded back into the U.S.

- 2 Show the video “The Story of Reconstruction” (up to 5:25): <https://www.youtube.com/watch?v=CjetWrsQb-E>. Direct students to listen for information that confirms or negates what they discussed during the think-pair-share, and for additional examples of accomplishments during Reconstruction. After the video, discuss some of the following questions and continue to add to the information listed on the board in step 1.

- What is your reaction to the story of Robert Smalls, the enslaved man who captured a Confederate ship and later went on to become one of the first Black members of Congress? Had you heard this story before? Why do you think stories like his are not widely known?
- In the video, Reconstruction is described as a time of “unparalleled hope” and “irrational exuberance.” What do these terms mean? Why did many Black people feel this way about the period from 1865–1877?
- What were some major achievements of the Reconstruction era?
- What does the commentator mean when he says it was “the first time in this country or anywhere that an interracial democracy was created”?
- Upon seeing the portrait of a Black senator, Frederick Douglass is quoted as saying, “At last, the Black man is represented as something other than a monkey.” What did this quote make you think or feel?


- 3 Tell students that a memorial to Robert Smalls was installed at the Tabernacle Baptist Church in Beaufort, South Carolina, near the house where he was born into slavery (and which he later purchased). Point out that according to the video (2019), this memorial is the only known statue in the South of any of the pioneering Black congressmen of Reconstruction. Show students a photo of the memorial, featuring the quote in the note to the right, and have them do a few minutes of reflective writing in response.
- 4 Share that Reconstruction Era National Historical Park was established in the final days of the administration of President Barack Obama as a way to honor the Black heroes of the Reconstruction era. Add that Beaufort, South Carolina—Robert Smalls’ birthplace—was chosen as the site for this park because of its special history in the struggle for racial equality.
- 5 Display the handout *Emancipation Day in South Carolina*, which depicts one of the earliest public readings of the Emancipation Proclamation at Port Royal, near Beaufort, on January 1, 1863. In pairs, have students write a caption for this image that imagines how Black residents of the region might have felt upon hearing the news that President Lincoln had declared the enslaved people of the Confederacy free.
- 6 Tell students that they will be conducting research into other people, places and events in and around Beaufort related to Reconstruction. Based on their research, they will design a monument for Reconstruction Era National Historical Park that represents the accomplishments of Black people during Reconstruction.
- 7 Distribute the handout *Design a Monument to Reconstruction*, and review the instructions with students. Form small groups and assign each one topic to investigate or allow them to choose the topic based on their interests. Provide students with access to laptops or tablets, and allow them time to research and design their monuments.
- 8 Post the monuments that groups have designed and direct students to conduct a “gallery walk” to view their peers’ work. Alternatively, form new small groups with a mix of students who have researched different topics and allow them to share in this forum. Encourage students to discuss what stood out to them about the ways in which Black people improved their lives in the years following the Civil War.

NOTE

The Smalls memorial can be viewed at <https://southcarolinalowcountry.com/beauforts-hero-rob-ert-smalls-and-tabernacle-baptist-church>. The words below the statue read, “My race needs no special defense, for the past history of them in this country proves them to be the equal of any people anywhere. All they need is an equal chance in the battle of life.”

NOTE

Research design contests or competitions that might be available to students and consider entering their monument designs, or hold your own class- or school-wide competition.

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- 9 Conclude the lesson with a discussion using some of the questions below.

Discussion Questions

- 1 The Reconstruction era has been called a time of “unparalleled hope.” How did Black people channel their hope into progress during this period?
- 2 What qualities do you think it took for a largely poor Black population without much formal education to rebuild their communities and their lives?
- 3 What people, places or events from the Reconstruction era most surprised or stood out to you? Why?
- 4 How did the achievements of Black people during Reconstruction improve not only their own lives, but the nation as well?
- 5 Why do you think there are relatively few monuments in the U.S. that celebrate Reconstruction?
- 6 Do Black communities today face challenges that you can trace back to the time of the Civil War? Despite the achievements of Reconstruction, how has racism and inequality been ongoing in the lives of Black people?

Lesson Extensions

- Assign students to investigate the Digital Public Library of America’s “Primary Source Set” on the Freedmen’s Bureau (<https://dp.la/primary-source-sets/the-freedmen-s-bureau#tabs>) or the 15th Amendment (<https://dp.la/primary-source-sets/the-fifteenth-amendment>). Have them create a collage depicting key ideas, people and events they learned about as part of their exploration.
- The term “40 acres and a mule” is a famous phrase that is associated with Reconstruction. Ask students to deduce the meaning based on what they know about the needs of newly freed Black Americans. Then have students watch the PBS Learning Media video “Forty Acres and a Mule” (4:08, <https://ny.pbslearningmedia.org/resource/mr13.socst.us.forty-acres/forty-acres-and-a-mule>) and/or read the excerpt from General William T. Sherman’s “Special Field Orders, No. 15” (https://d43fweuh3sg51.cloudfront.net/media/media_files/Special_Field_Order_15_Student_Handout.pdf). Discuss the significance of “40 acres and a mule” and the desire among Black people for land during the Reconstruction era.

ADDITIONAL RESOURCES

- + American Battlefield Trust. “Reconstruction: The Civil War in Four Minutes.” April 25, 2017. YouTube video, 4:45. <https://www.youtube.com/watch?v=6CKcGj4C-q8E>.
- + Digital Public Library of America. “Primary Source Sets: The Freedmen’s Bureau.” <https://dp.la/primary-source-sets/the-freedmen-s-bureau>.
- + Dillard, Coshandra. “Teaching Juneteenth.” *Teaching Tolerance*, June 12, 2019. <https://www.tolerance.org/magazine/teaching-juneteenth>.
- + Facing History and Ourselves. “Video Lessons: The Reconstruction Era and the Fragility of Democracy.” <https://www.facinghistory.org/reconstruction-era/lessons>.
- + PBS Learning Media. “The Reconstruction Amendments.” <https://ny.pbslearningmedia.org/resource/ilwnet17-soc-us-reconamend/the-reconstruction-amendments>.



Emancipation Day in South Carolina



"Emancipation Day in South Carolina"—The Color Sergeant of the 1st South Carolina (Colored) Volunteers addressing the regiment, after having been presented with the Stars and Stripes, at Smith's Plantation, Fort Royal Island, January 1—from a sketch by our special artist—see page 275.

SOURCE: *Emancipation Day in South Carolina*, 1863. Frank Leslie's Illustrated Weekly.
[https://commons.wikimedia.org/wiki/File:Emancipation_Day_in_South_Carolina_\(1863\),_by_Frank_Leslie%27s_Illustrated_Weekly.png](https://commons.wikimedia.org/wiki/File:Emancipation_Day_in_South_Carolina_(1863),_by_Frank_Leslie%27s_Illustrated_Weekly.png).



Design a Monument to Reconstruction

NAME: _____

- 1 Visit the website for Reconstruction Era National Historical Park to learn more about the park and Reconstruction: <https://www.nps.gov/reer/index.htm>. BONUS: If you have time, read the presidential proclamation establishing the park: <https://www.nps.gov/reer/learn/proclamation.htm>.
- 2 Choose one of the topics below to research. Review at least two sources and take notes on key people, places, events and other important facts.
- 3 Design a monument for Reconstruction Era National Historical Park based on what you learned. Choose a person, place or event that is an important part of the story of Reconstruction and freedom for Black Americans. Create your monument by sketching it, building a model of it or designing it online. Include a plaque with a brief paragraph describing it.

TOPIC	RESEARCH SUBJECT	SOURCES
The freedom to vote and serve as an elected representative	Robert Smalls , who escaped from slavery, served in the Union Army and was one of the first Black people elected to Congress	<p>Robert Smalls (U.S. House of Representatives) https://history.house.gov/People/Detail/21764</p> <p>Which Slave Sailed Himself to Freedom? https://www.pbs.org/wnet/african-americans-many-rivers-to-cross/history/which-slave-sailed-himself-to-freedom/</p> <p>Robert Smalls (American Battlefield Trust) https://www.battlefields.org/learn/biographies/robert-smalls</p> <p>Tabernacle Baptist Church—Resting Place of Robert Smalls and home of Robert Smalls monument http://www.beaufortsc.org/50-things-to-do/resting-place-of-robert-smalls</p> <p>Robert Smalls House, a National Historic Landmark http://www.nationalregister.sc.gov/beaufort/S10817707017/index.htm</p>



Design a Monument to Reconstruction (continued)

The freedom to
get an education

Penn School,
one of the first southern
schools created to educate
formerly enslaved people

Penn Center History Timeline

<http://www.penncenter.com/explore-penn-centers-history>

Penn Center

<https://southcarolinalowcountry.com/penn-center>

Charlotte Forten (first Black teacher at the Penn School)

<https://www.pbs.org/onlyateacher/charlotte.html>

Brick Baptist Church (first site of the Penn School)

<https://www.nps.gov/reer/planyourvisit/brick-baptist-church.htm>

TOPIC

The freedom to
own property

RESEARCH SUBJECT

Green-Meldrim House,
where Union General
William T. Sherman—
after meeting with Black
leaders—issued the order
to redistribute property
once owned by Confederate
landowners to Black people
(known as “40 acres and a
mule”)

SOURCES

Sherman's Headquarters During the Civil War

<http://stjohnssav.org/worship/visit/green-meldrim-house>

The Story Behind '40 Acres And A Mule'

<https://www.npr.org/sections/codeswitch/2015/01/12/376781165/the-story-behind-40-acres-and-a-mule>

The freedom to
self-govern

Mitchelville, the first
self-governing community
of formerly enslaved people
during the Civil War

Mitchelville: The Hidden Town at Dawn of Freedom

<https://www.bbc.com/news/magazine-16754502>

Mitchelville History

<https://exploremitchelville.org/history>

Mitchelville: One Town's Blueprint for Reconstruction

<https://www.battlefields.org/learn/articles/mitchelville-one-towns-blueprint-reconstruction>

RECONSTRUCTION: WHEN FREEDOM BROKE



ESSENTIAL QUESTION

What was the promise of Reconstruction and what achievements did Black people make toward this promise?



OBJECTIVES

Students will:

- Define Reconstruction and describe some of the key achievements of this era.
- Explain the significance of the Reconstruction Amendments (the 13th, 14th and 15th Amendments to the U.S. Constitution).
- Investigate the Freedmen’s Bureau and its role in aiding Black Americans during Reconstruction.
- Analyze primary source material to better understand the perspectives of Black Americans during Reconstruction, the challenges they faced and their accomplishments.
- Create a poster representing key achievements of Black Americans during Reconstruction in one area, such as employment, education, voting and elected office and land ownership.



LEARNING STANDARDS

See the [standards alignment chart](#) to learn how this lesson supports New Jersey State Standards.



TIME NEEDED

65 minutes + time for students to complete research project



MATERIALS

- AV equipment to listen to/view audio and video clips, and to project a website
- *Thomas Nast’s “Emancipation”* handout (one copy to project or one per student)
- *Thomas Nast’s “Emancipation” Explained* handout (one copy for teacher reference)
- *The Promise of Reconstruction* handouts (one set of each of the following per small group)
 - *Employment*
 - *Education*
 - *Voting and Elected Office*
 - *Land Ownership*
- Access to laptops or tablets



VOCABULARY

13 th Amendment	emancipation/emancipated	HBCUs
14 th Amendment	Emancipation	Juneteenth
15 th Amendment	Proclamation	reconstruction
“40 acres and a mule”	enslaved	secede/secession
Civil War	Freedmen’s Bureau	

Procedures

PART I

Defining Reconstruction (45 mins.)

NOTE

Mrs. Laura Smalley was born into slavery on a plantation in Hempstead, Texas, on an unknown date in the 1800s. She was interviewed in 1941 as part of *Born in Slavery: Slave Narratives from the Federal Writers' Project, 1936–1938*. This collection contains more than 2,300 first-person accounts of slavery gathered in the 1930s as part of the Works Progress Administration (WPA).

1 Tell students that they will listen to an audio recording of a former enslaved woman, Mrs. Laura Smalley, who recounts her life at the end of the Civil War, when enslaved people were emancipated. Share the background information from the note. Then project the page with the transcription and interview (1:49), and play the recording: <https://hearingvoices.com/webworks/juneteenth-emancipation>. After, discuss the following questions:

- Mrs. Smalley's timeline and memories seem to be a bit confused. Why might this be? How did her enslavers keep them in the dark about events that were taking place during and after the Civil War?
- Why did Mrs. Smalley think her enslaver ("old master") was dead? Why do you think the enslaved people did not know he was fighting in the war?
- Why didn't "old master" tell the enslaved people they had been emancipated at first?
- Why was there a big dinner on the 19th? What is the significance of this date? [*June 19, 1865—Juneteenth—is the day Union soldiers landed in Texas with news that the Civil War and slavery had ended.*]
- What does Mrs. Smalley say it was like for her family after "freedom broke"? What does she mean when she says, "turned us out just like...you turn out cattle"?
- What choices and resources do you imagine most former enslaved people had available to them after "freedom broke"?
- How did it feel to hear the actual voice of a former enslaved person? How was this different from reading about the experiences of enslaved people in a book?

- 2** Ask students if they know the name of the period immediately following the Civil War, when “freedom broke,” or anything about this era. Allow a few volunteers to share their ideas. Post the following definition on the board and review with students.

Reconstruction: The period after the Civil War, from 1865–1877, when steps were taken to remedy the inequalities of slavery and bring the 11 states that had seceded back into the U.S.

- 3** Show the video, “Reconstruction in Four Minutes” (4:45): <https://www.youtube.com/watch?v=6CKcGj4Cq8E>. As students watch, have them note information that confirms or negates what they discussed earlier, and generate at least one question that they have about Reconstruction. Post their questions on the board.

- 4** Highlight the “Reconstruction Amendments” noted in the video and their critical importance in laying the foundation for a more equal life for Black Americans. Form small groups and assign each one of the Reconstruction Amendments—the 13th, 14th or 15th Amendment. Have groups consult one or more of the sources below and investigate what rights and freedoms their assigned amendment provided.


SOURCES

National Constitution Center: <https://constitutioncenter.org/learn/educational-resources/historical-documents/the-reconstruction-amendments>

Teaching Tolerance: <https://www.tolerance.org/sites/default/files/general/reconstruction.pdf>

Fasttrack Teaching Materials: https://www.fasttrackteaching.com/ffap/Unit_1_Reconstruction/U1_Reconstruction_Amendments.html

Kids Encyclopedia: https://kids.kiddle.co/Reconstruction_Amendments

- 
- 5** In their groups, have students prepare a brief oral summary of the amendment in the voice of a 19th century member of Congress (encourage them to have fun with the old-time role play). Then create new small groups that include a mix of students who studied different amendments. Have them perform their old-time oral summaries and question one another about the significance of each amendment.

PART II

The Achievements of Reconstruction (20 mins. + time for group research projects)

NOTE

If students have access to laptops or tablets, the image can be viewed online at <https://tile.loc.gov/storage-services/service/pnp/pga/03800/03898r.jpg>.

- 6** Project or distribute the handout *Thomas Nast's "Emancipation,"* and review the introduction as a class. In small groups, direct students to analyze this famous lithograph, which imagines the difference that Lincoln's Emancipation Proclamation would have on former enslaved people. Have groups create a T-chart with before and after conditions for Black people according to Nast. Use the handout *Thomas Nast's "Emancipation" Explained,* as needed to guide students' work.
- 7** As a class, discuss students' observations. Highlight Nast's emphasis on the themes of safe and adequate housing, public education and paid work. Ask students which of these predictions they think were realized during the period of Reconstruction.
- 8** Comment that Black people showed tremendous agency, imagination and innovation in building free lives with limited resources during Reconstruction. Note that the U.S. government aided Black people through an agency called the Freedmen's Bureau, and share the following brief summary:

"The Freedmen's Bureau, formally known as the Bureau of Refugees, Freedmen and Abandoned Lands, was established in 1865 by Congress to help millions of former Black slaves and poor whites in the South in the aftermath of the Civil War. The Freedmen's Bureau provided food, housing and medical aid, established schools and offered legal assistance. It also attempted to settle former slaves on land confiscated or abandoned during the war. How-

ever, the bureau was prevented from fully carrying out its programs due to a shortage of funds and personnel, along with the politics of race and Reconstruction.”¹

- 9 Tell students they will conduct research, using primary documents from the Reconstruction era, to learn more about the achievements of Reconstruction in the areas of: (a) employment, (b) education, (c) voting and elected office, and (d) land ownership. Have students select one topic to study further and form small groups based on their chosen topics. Distribute the relevant *Promise of Reconstruction* handouts to each group and provide them with access to laptops or tablets.
- 10 Assign groups to review at least two of the primary documents on the handouts and consult one to two additional sources on their topic. After conducting their research, groups should create a poster representing key ideas, people, places and/or events related to their topic and the “Promise of Reconstruction.” Groups can create physical posters or design them digitally using online tools such as Glogster, Canva and Emaze.
- 11 When the posters are complete, display them in the classroom or in an online gallery (e.g., Voodoochilli), and allow groups to present their work. Conclude the lesson by conducting a discussion using the questions on the next page and by revisiting the questions students posed in step 3 of this lesson.

¹ “Freedmen’s Bureau,” History.com, last modified October 3, 2018, <https://www.history.com/topics/black-history/freedmens-bureau>.



Discussion Questions

1

What accomplishments during the Reconstruction era most stood out to you? What personal qualities did Black Americans exhibit in order to accomplish these things?

2

What challenges and obstacles did Black people encounter as they tried to rebuild their lives?

3

How did the U.S. government both help newly freed Black Americans and hinder their efforts?

4

How did Reconstruction change life for Black people? How did it change the United States?

5

What does it mean to be free? What does it mean to be equal? Do you think Black Americans secured freedom or equality during the Reconstruction era?

6

Do you think the promises of the Reconstruction era were fulfilled? Why?

7

Do Black communities today face challenges that you can trace back to the time of the Civil War? Despite the achievements of Reconstruction, how has racism and inequality been ongoing in the lives of Black people?

Lesson Extensions

- As of 2021, there have only been 11 Black senators in the history of the United States, and two of them were elected during the Reconstruction era—Hiram Revels (served 1870-1871) and Blanche K. Bruce (served 1875-1881). Assign students to research these senators and learn how they advocated for the needs of Black people following the Civil War. Then direct students to research how one modern-day Black senator is working on behalf of Black Americans. Have them compare the types of issues and needs addressed by early and current U.S. senators.
- Have students watch the PBS Independent Lens film *Tell Them We Are Rising: The Story of Black Colleges and Universities* (<https://www.pbs.org/independentlens/films/tell-them-we-are-rising>). Discuss the history of historically Black colleges and universities (HBCUs)—from the pre-Civil War era to today—and their significance for Black Americans. Assign students to choose one HBCU and investigate its unique history, which they can share through a brief oral report or multimedia presentation.
- Discuss that while there are few memorials to the Black heroes of the Reconstruction era, there are over 700 statues and monuments in the U.S. honoring the Confederacy. Have students analyze the map of “Confederate Symbols in the U.S.” at <https://www.politico.com/interactives/2017/confederate-monuments>. Investigate possible reasons for the large number of tributes to people and events that propped up slavery as opposed to the Black people who helped to rebuild our country after the Civil War.

ADDITIONAL RESOURCES

- + CBS Sunday Morning. “The Story of Reconstruction.” April 7, 2019. YouTube video, 8:13. <https://www.youtube.com/watch?v=CjetWrsQb-E>.
- + CrashCourse. “Reconstruction and 1876: Crash Course US History #22.” July 18, 2013. YouTube video, 12:59. <https://www.youtube.com/watch?v=newsS7p-MApl&t=504s>.
- + Digital Public Library of America. “Primary Source Sets: The Freedmen’s Bureau.” <https://dp.la/primary-source-sets/the-freedmens-bureau#tabs>.
- + Facing History and Ourselves. “Video Lessons: The Reconstruction Era and the Fragility of Democracy.” <https://www.facinghistory.org/reconstruction-era/lessons>.
- + Library of Congress. “Born in Slavery: Slave Narratives from the Federal Writers’ Project, 1936-1938.” <https://www.loc.gov/collections/slave-narratives-from-the-federal-writers-project-1936-to-1938>.
- + New Jersey State Bar Foundation Resources on the 13th, 14th and 15th Amendments: <https://njsbf.org/wp-content/uploads/2017/03/respect-fall-2012.pdf>
- + <https://njsbf.org/wp-content/uploads/2017/03/Respect-Winter-2007.pdf>
- + <https://njsbf.org/wp-content/uploads/2017/03/Respect-Winter-2015.pdf>
- + PBS Learning Media. “The Reconstruction Amendments.” <https://ny.pbslearningmedia.org/resource/ilwnet17-soc-us-reconamend/the-reconstruction-amendments>.

HANDOUT

Thomas Nast's "Emancipation"

Thomas Nast (1840-1902) was a famous editorial cartoonist, considered to be the "Father of the American Cartoon." He created "Emancipation" for the magazine *Harper's Weekly* in 1863, in response to President Lincoln's "Emancipation Proclamation." Issued on January 1, 1863, this proclamation set free all enslaved people in the 11 rebel states that had seceded from the Union.

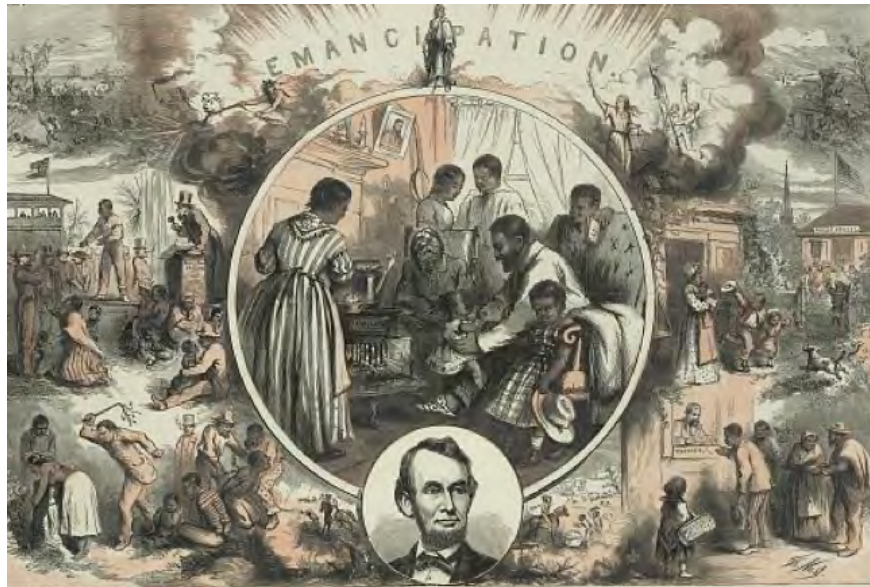
In "Emancipation of the Negroes—The Past and the Future," Nast depicts life for Black Americans before and after freedom. What predictions does he make? Which do you think were attained during the period of Reconstruction?



Thomas Nast. *Emancipation of the Negroes—The Past and the Future* (from "Harper's Weekly"), January 24, 1863, digital file from original print. Library of Congress, Washington, D.C., <http://hdl.loc.gov/loc.pnp/pga.03898>.



Thomas Nast's "Emancipation" Explained



The following description of Nast's lithograph is adapted from the Library of Congress:

- The central scene shows the interior of a freedman's home with the family gathered around a "Union" wood stove. The father bounces his small child on his knee while his wife and others look on.
- On the wall near the mantel hang a picture of Abraham Lincoln and a banjo.
- Below this scene is an oval portrait of Lincoln and, above it, Thomas Crawford's statue of "Freedom," which sits atop the dome of the U.S. Capitol.
- On either side of the central picture are scenes contrasting Black life in the South under the Confederacy (left) with visions of the freedman's life after the war (right).
- At top left, fugitive enslaved people are hunted down in a coastal swamp.
- Below, a Black man is sold, apart from his wife and children, on a public auction block.
- At bottom, a Black woman is flogged and an enslaved man branded.
- Above, two "hags," one holding the Cerberus (a multi-headed dog from Greek mythology that guards the gates of the Underworld), preside over these scenes and flee from the gleaming apparition of Freedom.
- In contrast, on the right, a woman with an olive branch and scales of justice stands triumphant. Here, a freedman's cottage can be seen in a peaceful landscape.
- Below, a Black mother sends her children off to "Public School."
- At bottom, a free Black man receives his pay from a cashier.
- Two smaller scenes flank Lincoln's portrait. In one, a mounted overseer flogs a Black field slave (left); in the other, a foreman politely greets Black cottonfield workers.

SOURCE: "Emancipation." Library of Congress. Accessed October 29, 2020. <https://www.loc.gov/pictures/item/2004665360/#:~:text=Summary%3A%20Thomas%20Nast's%20celebration%20of,a%20%22Union%22%20wood%20stove.>



The Promise of Reconstruction: Employment

- 1 View** at least two of the primary documents below online.
- 2 Consult** one to two additional sources to learn about employment opportunities for former enslaved people following the Civil War. Examples include work in Black churches (e.g., the network of African Methodist Episcopal or AME churches), farming (including sharecropping), industrial work (e.g., factories and railroads), domestic work (e.g., maids and dishwashers), and government service (e.g., holding elected office).
- 3 Create** a physical or digital poster representing some of the key ideas, people, places and/or events related to your topic. Your poster should show the opportunities and challenges for Black Americans during Reconstruction.

Month	Wages
September 1866	\$ 11.00
October 1866	\$ 11.00
November 1866	\$ 11.00
December 1866	\$ 11.00
Total	\$ 44.00

Hampton Plantation Account Book, 1866–1868, South Carolina

<https://iowaculture.gov/history/education/educator-resources/primary-source-sets/reconstruction/hampton-plantation>

Former enslaved people sometimes worked for their former enslavers as wage laborers on plantations. This account book documents the wages of Black workers on a South Carolina plantation.

A Freedman's Work Contract, 1865, North Carolina

<https://dp.la/primary-source-sets/the-freedmen-s-bureau/sources/116>

The Freedmen's Bureau witnessed and documented work contracts for newly freed Black people to ensure they would collect their wages.

Letter to Claim Wages, 1866, North Carolina

<https://dp.la/primary-source-sets/the-freedmen-s-bureau/sources/113>

The Freedmen's Bureau helped Black people recover unpaid wages. This letter is to an employer who failed to pay one of his workers.



The Promise of Reconstruction: Education

- 1 **View** at least two of the primary documents below online.
- 2 **Consult** one to two additional sources to learn about education opportunities for former enslaved people following the Civil War. Examples include the Penn Center (one of the first schools for formerly enslaved people); Freedmen's schools (thousands were built by the U.S. government); and the establishment of historically Black colleges and universities (HBCUs).
- 3 **Create** a physical or digital poster representing some of the key ideas, people, places and/or events related to your topic. Your poster should show the opportunities and challenges for Black Americans during Reconstruction.



Education Among the Freedmen, 1866–1870, South Carolina

<https://www.loc.gov/exhibits/african-american-odyssey/images/05/0502001r.jpg>

The Pennsylvania Freedmen's Relief Association published this newsletter featuring "Sea-island School, No 1—St. Helena Island, Established April 1862." Donations from various organizations aided 1,400 teachers in providing literacy and vocational education for 150,000 freedmen.



The Freedmen's Union Industrial School, 1866, Virginia

<https://www.loc.gov/pictures/resource/cph.3a38219/>

Northern teachers, mostly white women, traveled to the South to provide education for formerly enslaved women from primary to college levels. They taught literacy, arts, theology and vocational skills, such as sewing (as seen in this image).



School in Liberty County, Georgia, about 1890

<https://dp.la/primary-source-sets/the-freedmen-s-bureau/sources/110>

The Freedmen's Bureau established schools throughout the South, such as this one created by the Freedmen's Bureau in Georgia between 1865 and 1870.



Howard University Medical School, Washington, D.C., 1868

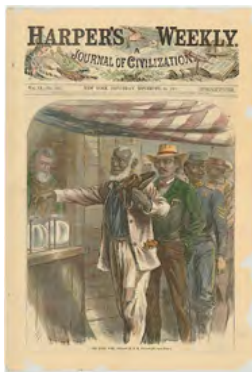
[https://commons.wikimedia.org/wiki/File:Medical_faculty_\(IA_101487174.nlm.nih.gov\).pdf](https://commons.wikimedia.org/wiki/File:Medical_faculty_(IA_101487174.nlm.nih.gov).pdf)

Howard University was among the first historically Black colleges and universities (HBCUs) established in the South following the Civil War. This flier announces their first medical session in 1868, just three years after emancipation.



The Promise of Reconstruction: Voting and Elected Office

- 1 **View** at least two of the primary documents below online.
- 2 **Consult** one to two additional sources to learn about opportunities to vote and hold office for former enslaved people following the Civil War. Examples include the ratification of the 15th Amendment to the U.S. Constitution, people like Tunis G. Campbell (the Georgia clergyman and politician who organized for voting rights), organizations like the Union League of America (a patriotic club that lobbied for Black political rights), and the achievements of the 2,000 Black men who won office in the South between 1869 and 1877.
- 3 **Create** a physical or digital poster representing some of the key ideas, people, places and/or events related to your topic. Your poster should show the opportunities and challenges for Black Americans during Reconstruction.



The First Vote, 1867

<http://objectofhistory.org/objects/extendedtour/votingmachine/?order=2>

The 15th Amendment to the U. S. Constitution, ratified March 30, 1870, provided the right to vote to all male citizens. This illustration from Harper's Weekly in November 1867 imagines the first voting experience for Black men.



The First Colored Senator and Representatives, 1872

<https://digital.librarycompany.org/islandora/object/digitool%3A129464>

Once Black men were able to vote, they worked to elect members of their own communities to public office. From 1869-1899, more than 20 Black men—mostly former enslaved people—were elected to the United States Congress. This Currier & Ives lithograph depicts the first seven Black members of Congress.



Reply of the Colored Delegation to the President, 1866

<https://rbscp.lib.rochester.edu/4391>

A delegation of Black leaders, including Frederick Douglass, met with President Andrew Johnson in the White House in 1866 to persuade him to change his approach to freedom and reconciliation. Among other issues, they argued for the right to vote for Black people and a new political party bringing together freedmen and poor whites. Johnson could not be persuaded, and Douglass wrote this open letter for publication in newspapers.



The Promise of Reconstruction: Voting and Elected Office

- 1 **View** at least two of the primary documents below online.
- 2 **Consult** one to two additional sources to learn about opportunities for land ownership for former enslaved people following the Civil War. Examples include General William T. Sherman's order leading to "40 acres and a mule," the Homestead Acts (granting public lands to individual families), and the many towns founded by former enslaved people after the Civil War (such as Shankleville and Kendleton in Texas).
- 3 **Create** a physical or digital poster representing some of the key ideas, people, places and/or events related to your topic. Your poster should show the opportunities and challenges for Black Americans during Reconstruction.



"Negroes of Savannah," 1865

<http://www.freedmen.umd.edu/savmtg.htm>

This newspaper account, from February 13, 1865, describes a meeting between Black religious leaders and Union military authorities to discuss matters relating to former enslaved people in Georgia. When asked about caring for themselves, leaders replied, "The way we can best take care of ourselves is to have land, and turn it and till it by our own labor."



Special Field Order No. 15, 1865

<http://www.freedmen.umd.edu/sfo15.htm>

In 1865, Union General William T. Sherman issued a set of military orders resulting in the confiscation of 400,000 acres of land that once belonged to Southern plantation owners, and the redistribution of this land to freed Black people in parcels of up to 40 acres ("40 acres and a mule"). The plan—which would have settled 18,000 formerly enslaved families along the Atlantic coast of South Carolina, Georgia and Florida—was later revoked by President Andrew Johnson.



Rev. Ulysses L. Houston, 1865

<https://www.loc.gov/item/2008675489>

<https://www.pbs.org/wnet/african-americans-many-rivers-to-cross/history/the-truth-behind-40-acres-and-a-mule>

Baptist minister Ulysses L. Houston, one of the pastors who met with Union General William T. Sherman, led 1,000 Black people to Skidaway Island, Georgia, where they established a self-governing Black community with Houston as the governor.

How was the promise of Reconstruction broken by white supremacy and hatred?

Following the Civil War, federal assistance from the Freedmen's Bureau and the passage of the Reconstruction Amendments to the U.S. Constitution supported Black Americans as they forged freer lives. Millions of formerly enslaved people mobilized to participate in government, build institutions of education and form independent communities. Their efforts, however, were thwarted from the moment the shackles of slavery were broken.

In 1865, following the assassination of Abraham Lincoln, Vice President Andrew Johnson assumed the presidency. A Southern Democrat and known racist, Johnson was instrumental in reversing the limited civil and political liberties afforded to Black people after the Civil War.¹ Johnson restored Southern states to the Union, granting amnesty to most former Confederates and allowing rebel states to form new governments hostile to Reconstruction. In 1866, Johnson vetoed the Freedmen's Bureau and Civil Rights bills, and reversed the famous "40 acres and a mule" order granting land to Black people. Johnson also attempted to block ratification of the 14th Amendment, providing citizenship rights to Black people, and was impeached, in part, for suspending a secretary of war who opposed his Reconstruction policies.

Fueled by rage over their defeat in the Civil War and an unwillingness to relinquish generations of privilege and white supremacy, the reestablished Southern states sought to build back their confederacy. From 1865–1866, a series of Draconian laws known as the Black codes were enacted in most Southern states that attempted to return Black Americans to a state of subordination and dependency on the white-owned plantation system.² The Black codes took away the rights of Black people to vote, hold office and testify against white people in court. They segregated schools and public facilities, limited land and home ownership and restricted access to certain neighborhoods and jobs. Repressive vagrancy statutes constrained the assembly rights of Black people and punished them for unemployment. Since job opportunities were severely restricted, Black people were forced to labor in low-paying agricultural jobs, as sharecroppers and on the plantations of their former imprisonment. The children of those arrested for Black codes violations were commonly seized under the guise of "apprenticeship" and forced into servitude. The Black codes were thus a coercive instrument that exploited Black people as cheap labor to rebuild the destroyed Southern economy, and that reinstated the conditions of slavery.

1 Elizabeth R. Varon, "Andrew Johnson: Impact and Legacy," The Miller Center, <https://millercenter.org/president/johnson/impact-and-legacy>.

2 Constitutional Rights Foundation, "Southern Black Codes," <https://www.crf-usa.org/brown-v-board-50th-anniversary/southern-black-codes.html>.

In addition to repressive laws, white Southerners used violence to control Black communities and obstruct the growth of interracial democracy. In 1865, six Confederate veterans from Pulaski, Tennessee, formed the Ku Klux Klan, which began as a fraternal organization but quickly evolved into a terror movement aimed at crushing political equality and restoring a white-dominated social order.³ Klan membership included Democratic veterans, poor white farmers and southerners sympathetic to white supremacy. Keeping Black people from the voting booth and restoring white dominance became the organization's main goals. Men claiming to be the ghosts of Confederate soldiers galloped on horses in the dead of night, terrorizing, flogging and murdering Black Americans. To prevent their identity from being revealed in public, members dressed in disguise, wearing sheets and hooded masks.

The Ku Klux Klan and, later, groups such as the White League and Red Shirts, incited violence and massacres throughout the South. In 1866 in Memphis, three days of rioting took place after a clash between white police officers and Black veterans of the Union Army. Mobs of white residents and police rampaged Black neighborhoods, killing 46 Black people and committing arson and robbery.⁴ Two months later in New Orleans, white, conservative Democrats—including police and firemen—attacked progressive Republicans (mostly Black) over attempts to rewrite the state's constitution. At least 34 Black people were killed

and 119 wounded.⁵ Such violence was a way to enforce white supremacy by disenfranchising Black people and keeping them from housing and employment opportunities considered to be for white people.

The injustice of the Black codes and unrestrained violence perpetrated by groups such as the Ku Klux Klan drew the attention of Republican leaders in the U.S. Congress and led to new protections for Black Americans. The Civil Rights Act of 1866 (ratified in 1870), Enforcement Act of 1870 and Ku Klux Klan Act of 1871 affirmed Black citizenship rights, curbed intimidation of Black voters and allowed the federal government to use military force to suppress terrorist organizations. Such safeguards allowed Black communities to make progress throughout the 1870s; however, the atmosphere of extreme hostility to racial equality had been indelibly cemented in Southern culture. The Compromise of 1877—which settled the disputed presidential election of 1876—resulted in the last of the federal troops being pulled from the South, the loss of political positions won by Black representatives and the demise of Reconstruction. Soon Black people were completely absent from state and local government, and no longer held positions in the U.S. House or Senate. The Black codes were replaced by Jim Crow segregation, and a new era of white supremacy and domination was ushered in that would last for nearly a century.

3 History.com, "Ku Klux Klan," November 2, 2020, <https://www.history.com/topics/reconstruction/ku-klux-klan>.

4 Ryan, James Gilbert. "The Memphis Riots of 1866: Terror in a Black Community During Reconstruction." *The Journal of Negro History* 62, no. 3 (1977): 243-57. Accessed December 9, 2020. doi:10.2307/2716953.

5 Reconstruction Era National Historical Park, "An Absolute Massacre"—The New Orleans Slaughter of July 30, 1866," <https://www.nps.gov/articles/000/neworleansmassacre.htm>.

RESISTING OPPRESSION, CLAIMING FREEDOM



ESSENTIAL QUESTIONS

How did those opposed to equal rights for Black people try to prevent the progress that was being made during Reconstruction? How did Black people show resistance?



OBJECTIVES

Students will:

- Discuss what is required to live a free and happy life.
- Describe how laws passed following the Civil War, such as Black codes and Jim Crow laws, limited freedom and equality for Black Americans.
- Analyze images depicting Black resistance to oppression and inequality during the era of Reconstruction.



LEARNING STANDARDS

See the [standards alignment chart](#) to learn how this lesson supports New Jersey State Standards.



TIME NEEDED

60 minutes



MATERIALS

- AV equipment to project an image
- Index cards or sticky notes
- *Examples of Laws Limiting Freedom* (one per student)
- *Analyzing Images of Resistance* (one or more copies per student)
- *Images of Resistance* (one or more copies per small group)



VOCABULARY

Black codes

Civil War

emigrant

Exoduster

Freedmen's Bureau

Jim Crow

Jim Crow laws

segregate/segregation

Reconstruction

Procedures

PART 1

A Free and Happy Life (30 minutes)

1 Ask students to consider the following question: “What do you most need to lead a free and happy life?” Post the list below on the board. In pairs, have students copy each item onto a separate index card or sticky note. Direct pairs to rank the list according to the needs they feel are most important for freedom and happiness. Encourage them to discuss and share their reasoning as they sort.

- communication
- education
- family
- freedom to express opinions
- health and hygiene
- housing
- leisure
- nutrition
- safety
- transportation

2 Debrief the exercise by discussing the following questions as a class:

- Which items did you rank as the top two or three? Why were these most important to you?
- How would your life be different if one of these things were taken from you?
- Are you aware of any groups of people—in history or today—who were/have been deprived of one of these things? How do you think this affects/has affected their lives?

NOTE

The name “Jim Crow” refers to a fictional minstrel character created in the 1830s, depicting a clumsy and dim-witted enslaved man. The widely performed act was popular among white audiences and “Jim Crow” became a common pejorative term for Black people.

NOTE

Circulate and help students with any old-fashioned or legalistic language that they might not understand. Explain that “negro” and “colored” were terms commonly used to describe Black people in other times, and that they are inappropriate to use today.

3

Transition to your study of slavery and Reconstruction. Remind students that following the Civil War, there was a period of time in which Black Americans enjoyed new rights and progress. Explain that some white people felt threatened by these new rights and created unfair laws—known as Black codes and later as Jim Crow laws—that diminished the freedoms of Black people. Use the definitions below as needed to elaborate with students.

Black Codes: These were laws that restricted the freedom and movement of Black people and forced them to work for low wages. Though they existed before the Civil War throughout the U.S., most of these laws were passed in the South from 1865–1866.

Jim Crow laws: These were laws that segregated (separated) Black people from white people and limited their opportunity to vote, hold jobs, get an education and enjoy other freedoms. These laws started in 1876 and lasted until 1965. They existed throughout the U.S., but were more widespread and long-lasting in the South.

4

Form small groups of four by having the pairs formed in step 1 join with another pair. Distribute copies of the handout *Examples of Laws Limiting Freedom*. Direct groups to read just the examples that reflect the number one item(s) from their ranked lists in step 1. Collaboratively, have them create an illustration or write a paragraph showing how the lives of Black people became less free and equal as a result of the laws.

5

Allow groups to share their work with the class as time permits. Discuss the following questions:

- How did it feel to read about these prejudiced and unfair laws?
- How do you think the laws you read about affected the ability of Black Americans to lead a free and happy life?
- How do you think Black people might have resisted or fought back against laws like these?

PART 2

Images of Resistance (30 minutes)

- 6** Tell students that they will investigate images depicting some of the ways that Black people resisted unfair laws and treatment in the years following the Civil War. Project the handout *Analyzing Images of Resistance*. Introduce students to the TACOS method (see handout) and demonstrate it by engaging the class in an analysis of any sample image.
- 7** Divide the class into small groups and distribute copies of the handout *Analyzing Images of Resistance*. Have small groups analyze at least one of the drawings from *Images of Resistance*. You can assign one or more to each group or provide groups with the whole gallery and allow them to select according to their interest. Circulate as students work and encourage them to discuss their different perspectives and ideas as they observe.
- 8** Bring the whole group back together. As time allows, project the *Images of Resistance* and allow groups to share the titles they assigned to each image along with their rationales. Emphasize the idea that although some Americans were unwilling to accept change, many Black people and others worked hard to resist hate and make our country freer and fairer for all people.
- 9** Conclude the lesson by engaging students in a final discussion using some of the questions on the next page.



Discussion Questions

1

Why did some Americans want to limit freedom and opportunities for Black Americans after the Civil War?

2

How did Black codes, Jim Crow laws and other unfair practices affect Black Americans?

3

How did Black people resist being treated unfairly during this time period?

4

What peaceful methods did you see in use to resist unfair treatment?

5

Which of the images that you observed do you think you'll most remember? Why?

6

What are some of the ways we can resist things that are wrong today?

Lesson Extensions

- Have students read *The Slave Who Went to Congress* (see Additional Resources), which profiles one of the first Black congressmen. Then have them research one or more of the Black congressmen from the Reconstruction era listed below, who also started their lives as enslaved people. Assign students to create a collage showing some of the ways that these men emerged from slavery to resist unfair laws and treatment during the period following the Civil War.
 - ➔ Blanche Kelso Bruce
 - ➔ Jefferson Franklin Long
 - ➔ Robert Smalls
 - ➔ Jeremiah Haralson
 - ➔ John Roy Lynch
 - ➔ Benjamin Sterling Turner
 - ➔ John Adams Hyman
 - ➔ Joseph Hayne Rainey
 - ➔ Josiah Thomas Walls

- One of the most important ways that Black people resisted oppression and created opportunity after the Civil War was through the establishment of schools for Black students. Between 1861 and 1900, more than 90 historically Black colleges and universities (HBCUs) were created. Shaw University, founded in North Carolina in 1865, was the first Black college set up after the Civil War. Other early HBCUs include Talladega College, Howard University, Morehouse College and Hampton University. Assign students to select one of these schools to research and have them give a short presentation on the school's history. Students may also research famous alumni from the school (past and present) and report on the accomplishments of these individuals.

ADDITIONAL RESOURCES

- + Constitutional Rights Foundation, "Southern Black Codes," <https://www.crf-usa.org/brown-v-board-50th-anniversary/southern-black-codes.html>.
- + Digital Public Library of America, "Primary Source Sets—Exodusters: African American Migration to the Great Plains," <https://dp.la/primary-source-sets/exodusters-african-american-migration-to-the-great-plains>.
- + Digital Public Library of America, "Primary Source Sets—The Freedmen's Bureau," <https://dp.la/primary-source-sets/the-freedmen-s-bureau>.
- + Gaillard, Frye and Rosner, Marti. *The Slave Who Went to Congress*. Montgomery, AL: NewSouth Books, 2020.
- + PBS Learning Media. "Reconstruction: The Black Codes." <https://ny.pbslearningmedia.org/resource/reconstruction-black-codes/reconstruction-the-black-codes>.



Examples of Laws Limiting Freedom

Focus only on the laws below that match the number one categories you chose in response to the question, "What do you most need to lead a free and happy life?"

Communication The Corporation Commission is hereby vested with power and authority to require telephone companies...to maintain separate booths for white and colored patrons when there is a demand for such separate booths. (Oklahoma)

Education The schools for white children and the schools for negro children shall be conducted separately. (Florida)

Education Books shall not be interchangeable between the white and colored schools, but shall continue to be used by the race first using them. (North Carolina)

Family It shall be unlawful for a white person to marry anyone except a white person. Any marriage in violation of this section shall be void. (Georgia)

Nutrition It shall be unlawful to conduct a restaurant or other place for the serving of food in the city, at which white and colored people are served in the same room, unless such white and colored persons are effectually separated by a solid partition extending from the floor upward to a distance of seven feet or higher, and unless a separate entrance from the street is provided for each compartment. (Alabama)

Health There shall be maintained by the governing authorities of every hospital...separate entrances for white and colored patients and visitors, and such entrances shall be used by the race only for which they are prepared. (Mississippi)

Health No person or corporation shall require any white female nurse to nurse in wards or rooms in hospitals, either public or private, in which negro men are placed. (Alabama)

Housing Any person...who shall rent any part of any such building to a negro person or a negro family when such building is already in whole or in part in occupancy by a white person or white family...shall be punished by a fine of not less than twenty-five (\$25.00) nor more than one hundred (\$100.00) dollars or be imprisoned not less than 10, or more than 60 days, or both... (Louisiana)



Examples of Laws Limiting Freedom (continued)

Hygiene	No colored barber shall serve as a barber [to] white women or girls. (Georgia)
Leisure	It shall be unlawful for any amateur colored baseball team to play baseball in any vacant lot or baseball diamond within two blocks of any playground devoted to the white race. (Georgia)
Leisure	It shall be unlawful for colored people to frequent any park owned or maintained by the city for the benefit, use and enjoyment of white persons... (Georgia)
Leisure	Every person...operating...any public hall, theatre, opera house, motion picture show or any place of public entertainment...which is attended by both white and colored persons, shall separate the white race and the colored race and shall set apart and designate... certain seats...to be occupied by white persons and a portion...to be occupied by colored persons. (Virginia)
Safety	No organization of colored troops shall be permitted where white troops are available, and...colored troops shall be under the command of white officers. (North Carolina)
Transportation	The conductors or managers on all...railroads shall have power, and are hereby required, to assign to each white or colored passenger his or her respective car, coach or compartment. If the passenger fails to disclose his race, the conductor and managers...shall be the sole judges of his race. (Virginia)
Freedom to express opinions	Any person...who shall be guilty of printing, publishing or circulating printed... matter...or general information, arguments or suggestions in favor of social equality or of intermarriage between whites and negroes, shall be...subject to fine...not exceeding five hundred (500.00) dollars or imprisonment not exceeding six (6) months or both. (Mississippi)

SOURCE: Jim Crow Museum of Racist Memorabilia, "Examples of Jim Crow Laws," <https://www.ferris.edu/htmls/news/jimcrow/links/misclink/examples.htm>.



Analyzing Images of Resistance

Examine the image closely using the TACOS strategy. Record your observations on the chart. Then give the image a title relating to the theme of resistance during the Reconstruction period.

IMAGE NUMBER: _____ **YOUR TITLE:** _____

TIME

(When was this image created? If a date is not provided, are there clues about the time?)

ACTIONS

(Who are the people in the image? What are they doing or saying? What is going on?)

CAPTION

(What text accompanies the image? What does it mean? Does the text match the actions you see?)

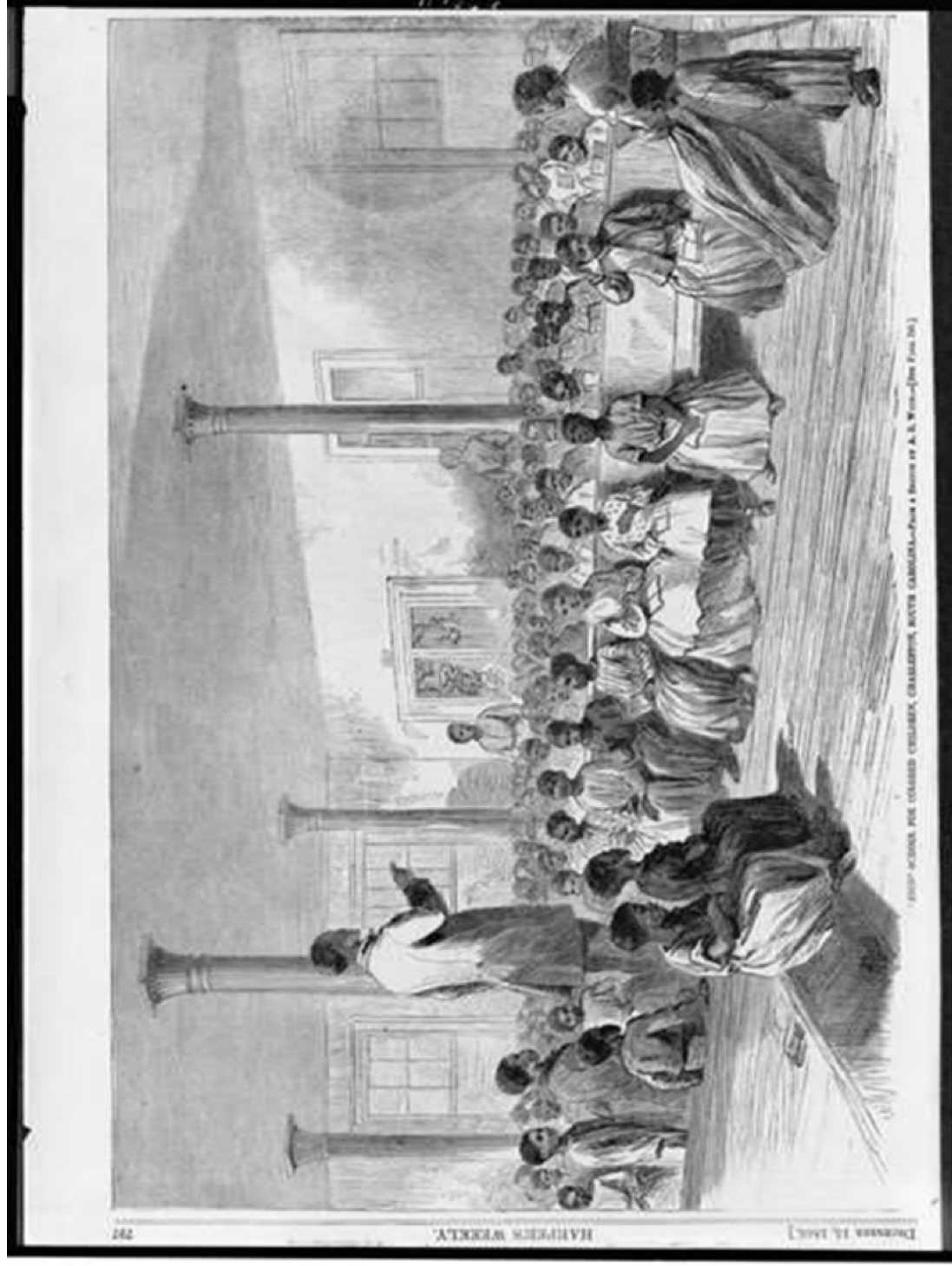
OBJECTS

(What objects stand out the most or are most important? How do they support the artist's message?)

SUMMARY

(What is the meaning or message of the image? What is the mood or feeling?)

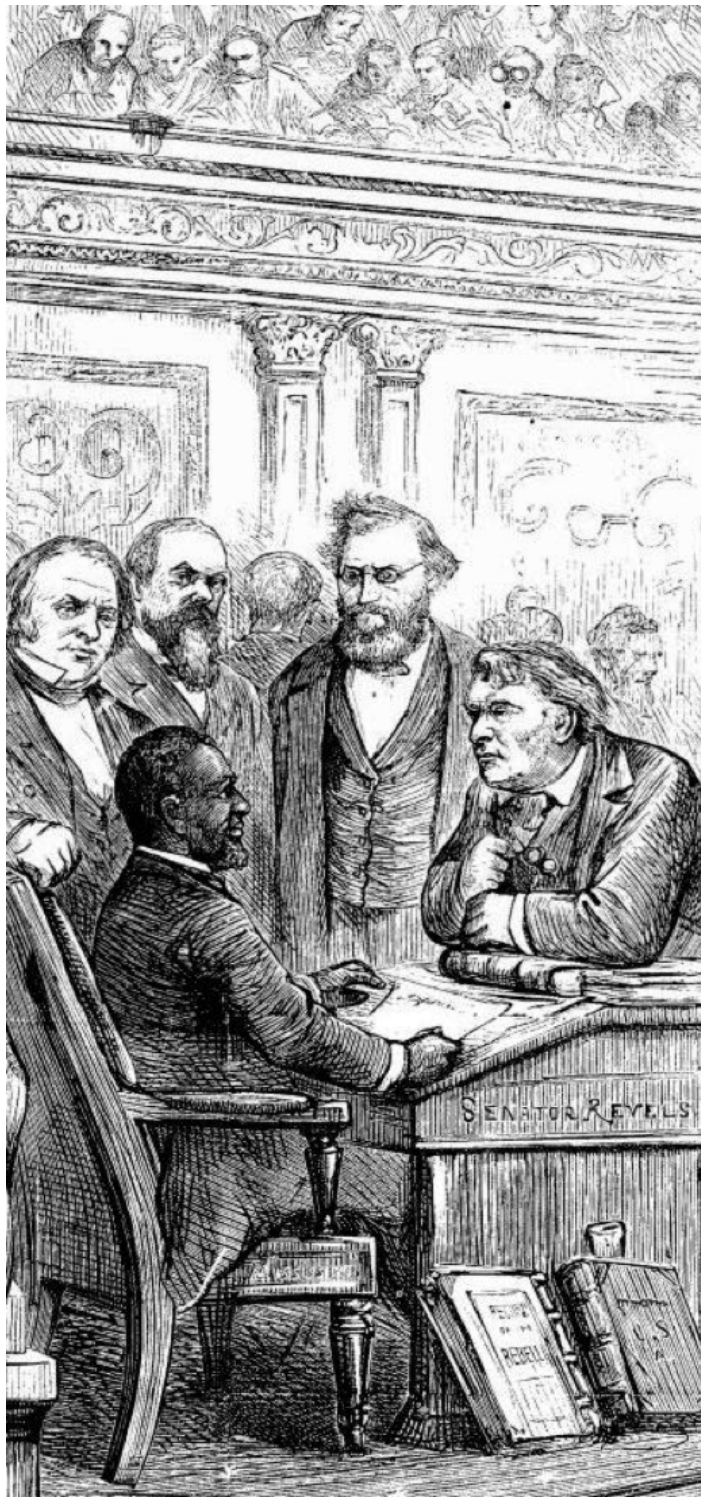
Images of Resistance #1



School for colored children, Charleston, South Carolina



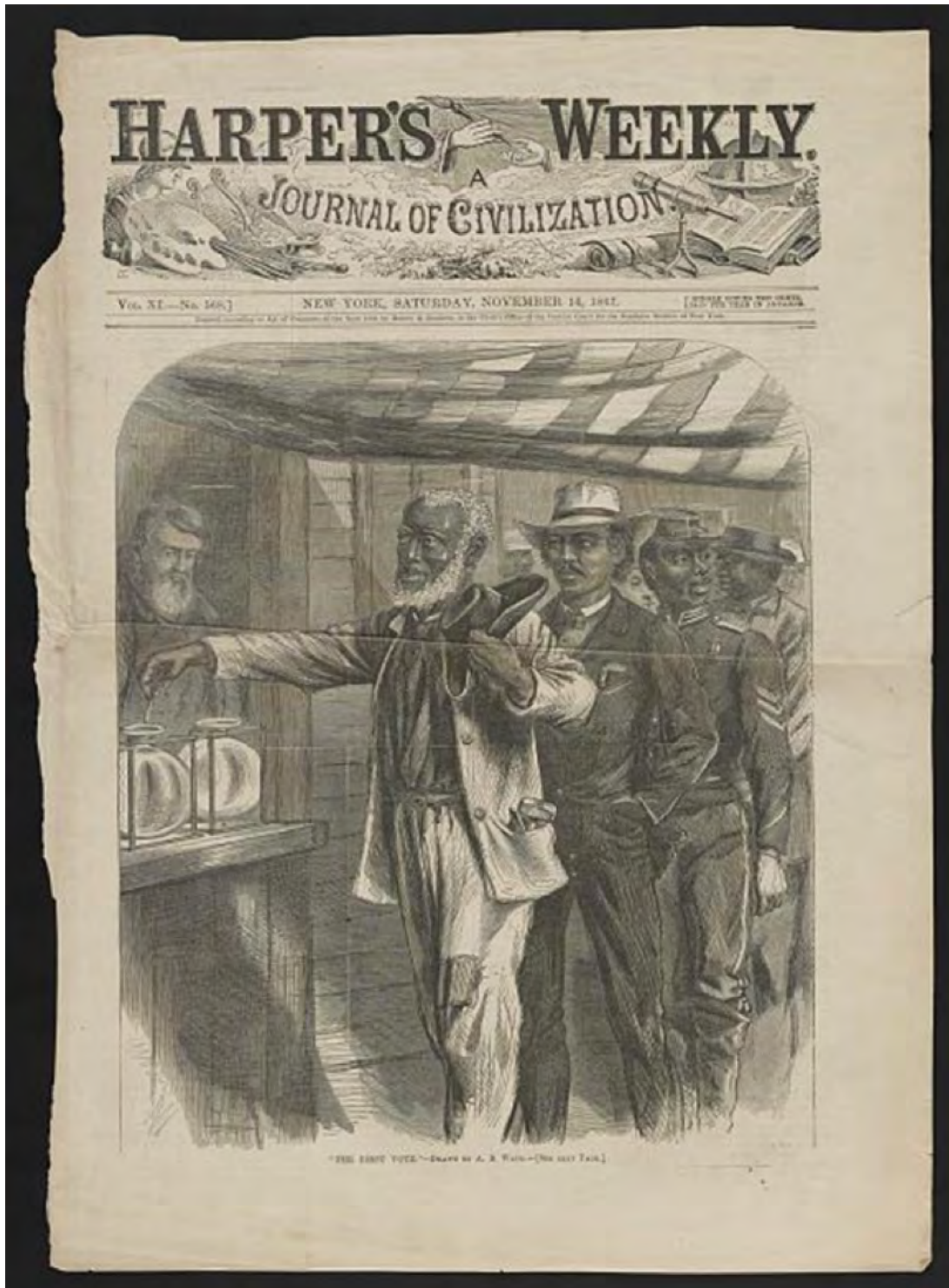
Images of Resistance #2



Hiram Revels takes a seat for Mississippi in the U.S. Senate amidst a group of other senators



Images of Resistance #3



The First Vote

Images of Resistance #4



Exoduster Movement: Procession of refugees from the steamboat landing to the colored churches

Images of Resistance #5



Colored emigrants seeking homes in the North

Images of Resistance #6



The Freedmen's Bureau

Images of Resistance #7



Court in session

Images of Resistance #8



Marriage of a colored soldier at Vicksburg by Chaplain Warren of the Freedmen's Bureau



Images of Resistance: Sources and Citations

IMAGE #1: Zion African-American School, Charleston, South Carolina, winter 1866

Waud, A.R. "Zion" school for colored children, Charleston, South Carolina. 1866. Wood engraving. Library of Congress, Washington, D.C., <https://www.loc.gov/pictures/item/97501517>.

IMAGE #2: Hiram Revels, 1870

Hiram Revels (one of the first Black members of Congress) takes a seat for Mississippi in the U.S. Senate amidst a contemplative group of other senators (from left to right: Henry Wilson, Oliver Morton, Carl Schurz and Charles Sumner). https://commons.wikimedia.org/wiki/File:Revels,_Schurz_and_Sumner.jpg.

IMAGE #3: The First Vote, 1867

A queue of African American men: the first, dressed as a laborer, casting his vote; the second is dressed as a businessman; the third is wearing a Union army uniform; and the fourth appears to be dressed as a farmer.

Waud, A.R. *The First Vote*. 1867. Print: wood engraving. Library of Congress, Washington, D.C., <https://www.loc.gov/pictures/item/2011648984>.

IMAGE #4: Exoduster Movement, Frank Leslie's Illustrated Newspaper, April 19, 1879

Procession of refugees from the steamboat landing to the colored churches. Exodusters was a name given to Black people who migrated from states along the Mississippi River to Kansas in the late 19th century, as part of the Exoduster Movement. It was the first general migration of Black people following the Civil War. As many as 40,000 Exodusters left the South to settle in Kansas, Oklahoma and Colorado.

Frank Leslie's Illustrated Newspaper. *Exoduster Movement*. 1879. Science Source, <https://www.science-source.com/CS.aspx?VP3=SearchResult&VBID=20PVH KU7ZRG2S&SMLS=1&RW=1536&RH=722&POPUP-PN=4&POPUPID=2OPEBM9GAKPN>.

IMAGE #5: Colored emigrants seeking homes in the North, Harper's Weekly Magazine, August 3, 1867

"African-American internal migration from Virginia to New York City by ship, July 1867, artist's impression, zoomable image," House Divided: The Civil War Research Engine at Dickinson College, <http://hd.housedivided.dickinson.edu/node/47538>.

IMAGE #6: The Freedmen's Bureau, Frank Leslie's Illustrated Newspaper, July 25, 1868

Man representing the Freedmen's Bureau stands between armed groups of Euro-Americans and Afro-Americans.

Waud, A.R. *The Freedmen's Bureau*. 1868. Print: wood engraving. Library of Congress, Washington, D.C., <https://www.loc.gov/pictures/item/92514996>.

IMAGE #7: Court in session, Frank Leslie's Illustrated Newspaper, August 25, 1866

Freedmen's Bureau offices, Richmond, Virginia, summer 1866

"Court in session, Freedmen's Bureau offices, Richmond, Virginia, summer 1866, artist's impression," House Divided: The Civil War Research Engine at Dickinson College, <http://hd.housedivided.dickinson.edu/node/45575>.

IMAGE #8: Freedmen's Bureau Wedding, Vicksburg, Mississippi, Harper's Weekly Magazine, June 30, 1866

Marriage of a colored soldier at Vicksburg by Chaplain Warren of the Freedmen's Bureau.

"Freedmens' Bureau Wedding, Vicksburg, Mississippi, June 1866, artist's impression," House Divided: The Civil War Research Engine at Dickinson College, <http://hd.housedivided.dickinson.edu/node/45472>.

THE BLACK CODES



ESSENTIAL QUESTION

What brought about the Black codes and how did they restrict the lives of Black Americans?



OBJECTIVES

Students will:

- Discuss the circumstances for Black Americans following the Civil War.
- Investigate how the Black codes limited rights and freedoms for Black Americans, using primary and secondary source materials.
- Describe examples of resistance to the Black codes.



LEARNING STANDARDS

See the [standards alignment chart](#) to learn how this lesson supports New Jersey State Standards.



TIME NEEDED

75 minutes



MATERIALS

- AV equipment to watch a video
- *Excerpt from "What the Black Man Wants"* handout (one per pair of students)
- *Examples of Black Codes* handout (one per student)
- *Black Codes: Scenarios* handout (one per small group)



VOCABULARY

apprentice/apprenticeship

Black codes

emancipation

Reconstruction

vagrant/vagrancy

Procedures

- 1** Project or distribute the handout *Excerpt from “What the Black Man Wants.”* In pairs, have students read the passage and discuss the questions that follow it. Reconvene the class and ask for volunteers to share their response to the last question. Discuss what conditions students think Black people faced following the Civil War.
- 2** Tell students that they will learn about the Black codes, a set of laws—passed mostly in the South from 1865–1866—that aimed to restrict Black people’s freedoms, keep their wages low, and force them back into slavery-like servitude. Explain that they will watch a video and take notes on ways that the Black codes limited rights and freedoms.
- 3** Show the PBS Learning Media video “Reconstruction: The Black Codes” [4:05]: <https://ny.pbslearningmedia.org/resource/reconstruction-black-codes/reconstruction-the-black-codes>. Pause the video in key places to highlight important information and allow students to record notes; play the video twice if beneficial for students. After the video, allow students to share some of the main ideas they noticed and list them on the board.
- 4** Highlight the idea from the video that vagrancy laws were a core part of the Black codes. Ask students what a vagrant is or what vagrancy means, and share the definition below as needed.

A **vagrant** is someone who is homeless, poor and may drift from place to place; **vagrancy** is the state of wandering from place to place.

Ask students how Black people were punished for vagrancy and if this was fair. Make sure they understand that Black people who did not have a job or assembled in public were unjustly labeled as vagrants and penalized harshly. These laws controlled the movement of Black people and forced them into low-wage jobs, often at the plantations on which they had once been enslaved.

NOTE

The speech “What the Black Man Wants” argued for voting rights for Black people and condemned the practice of accusing free Black people of vagrancy and then penalizing them with hard labor or forcing them to sign labor contracts for work on plantations. The full text of the speech can be found at <https://www.blackpast.org/african-american-history/1865-frederick-douglass-what-black-man-wants>.

NOTE

During this lesson, make sure that students understand these additional key concepts about the Black codes:

- The Black codes were an attempt to replicate the conditions of slavery even as they acknowledged the end of slavery.
- The Black codes restricted freedom of movement by imposing vagrancy and loitering statutes that prevented Black people from assembling or moving about without permission from white authorities.
- The Black codes provided cheap labor by compelling Black people to work for white employers (mostly in the agricultural sector) at low wages and with limited ability to protest poor working conditions, leave jobs or collect back wages.
- The Black codes forced children into servitude by removing them from parents unfairly convicted of Black codes violations and “apprenticing” them for little or no wages.
- The Black codes were enforced through violence, perpetrated by both law enforcement officers and hate groups, such as the Ku Klux Klan.

NOTE

Circulate and help groups interpret any difficult language or concepts. Explain that “negro,” “mulatto” and “colored” were terms commonly used to describe Black and mixed-race people in other times, and that they are inappropriate to use today.

5

Tell students that they will look at the text of some actual Black codes and apply them to situations that Black people may have faced in the post-Civil War era. Divide the class into small groups and distribute copies of the handout *Examples of Black Codes* (give each group the handout for just one state—LA, MS or FL). After reading the introduction together, direct groups to collaboratively review the text and record their ideas in the column labeled, “What freedoms were limited or taken away?”

6

Next, form new groups comprised of students who have investigated Black codes from different states. Distribute the handout *Black Codes: Scenarios*. Have groups cut apart the cards and place them face down. Instruct them to read the scenarios one at a time and respond, using evidence from the *Examples of Black Codes* handouts. Allow enough time for groups to respond to at least three scenarios. When time is up, review their answers as a class in order to check for understanding and clarify any concepts that may have been unclear to students.

7

Comment that although the Black codes severely limited the rights and freedoms of Black people, many found ways to organize and challenge the unjust laws. One example of resistance is the 1865 Colored People’s Convention of the State of South Carolina, during which community members advanced a “declaration of rights and wrongs” and a petition to the legislature, among other protests.

- 8 Play the video clip of a dramatic reading of the petition mentioned above—*FOURTEEN: A Theatrical Performance* [2:06-3:58]: <https://constitutioncenter.org/learn/hall-pass/14th-amendment-discussion-starter-the-black-codes>. As they listen, direct students to record one phrase that they find most meaningful or inspiring. Following the video, conduct a read-around, in which students take turns sharing their phrases aloud.
- 9 Share that the harsh nature of the Black codes, violent anti-Black riots in the South and resistance among Black Americans led Northern politicians to pass the Civil Rights Act of 1866 and to enact Radical Reconstruction (1865–1877). Reconstruction abolished the Black codes; however, they would reemerge in the form of Jim Crow laws a decade later.
- 10 Conclude the lesson by engaging students in a final discussion using some of the questions on the next page.

3

NOTE

If time allows, consider showing the full video clip [4:26]—the first two minutes feature performers reading sections of the Black codes. The full text of the petition featured in the video can be found at <https://omeka.colored-conventions.org/items/show/570>.

Discussion Questions

ADDITIONAL RESOURCES

- + Childs, David. "Exploring Historic Black Codes: Combating Prejudice with Social Studies Teaching." Democracy&Me, May 31, 2019. <https://www.democracy-andme.org/exploring-his-toric-black-codes-com-bating-prejudice-with-so-cial-studies-teaching>.
- + History.com. "Black Codes." October 10, 2019. <https://www.history.com/topics/black-history/black-codes>.
- + National Constitution Center. "14th Amendment Discussion Starter: The Black Codes." [https://con-stitutioncenter.org/learn/hall-pass/14th-amendment-discussion-starter-the-black-codes](https://constitutioncenter.org/learn/hall-pass/14th-amendment-discussion-starter-the-black-codes).
- + "What Were the Black Codes." January 28, 2012. YouTube video, 1:51. <https://www.youtube.com/watch?v=aAUXdd-DAh0>.

1

What was the purpose of the Black codes? How were they similar to slavery?

2

Which Black codes did you find most surprising or troubling? Why?

3

How did the Black codes affect Black communities? What was the impact on white communities?

4

In what ways were Black people freed but not truly free following Reconstruction?

5

How did the Black codes make it difficult—even impossible—for Black people to fight back *physically*? How might they have resisted *spiritually*, or through their family and cultural lives?

Lesson Extensions

- The Black codes of 1865–1866 receded, only to be replaced by Jim Crow laws a decade later. Have students research the two types of laws and create a Venn diagram analyzing the similarities and differences, making sure to include two to three examples of each.
- While the Black codes were state-level laws, their establishment was tied to presidential politics of the day. Have students research the stances of Presidents Andrew Johnson (Democrat, 1865–1869) and Ulysses S. Grant (Republican, 1869–1877) on Reconstruction and the Black codes. Assign them to write a one-paragraph speech in the voice of each president, reflecting their viewpoints.



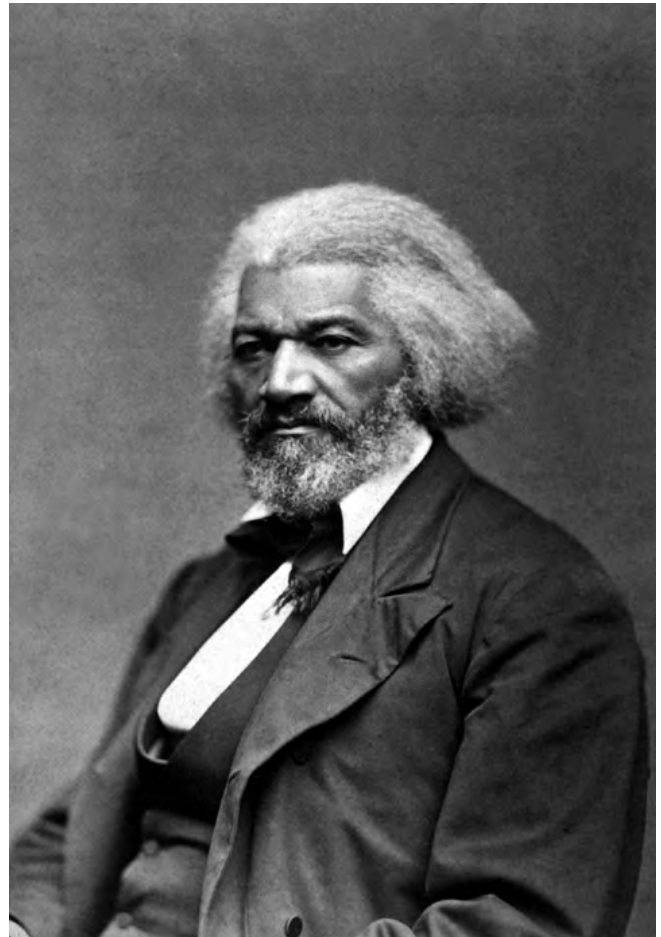
Excerpt from “What the Black Man Wants”

The following selection is from a speech delivered by Frederick Douglass to the Annual Meeting of the Massachusetts Anti-Slavery Society in April 1865—just before the end of the Civil War.

“What I ask for the Negro is not benevolence, not pity, not sympathy, but simply justice. The American people have always been anxious to know what they shall do with us...Everybody has asked the question...“What shall we do with the Negro?” I have had but one answer from the beginning. Do nothing with us! Your doing with us has already played the mischief with us. Do nothing with us!...All I ask is, give him a chance to stand on his own legs! Let him alone! If you see him on his way to school, let him alone, don’t disturb him! If you see him going to the dinner table at a hotel, let him go! If you see him going to the ballot-box, let him alone, don’t disturb him! If you see him going into a work-shop, just let him alone,—your interference is doing him a positive injury...If you will only untie his hands, and give him a chance, I think he will live. He will work as readily for himself as the white man.”

DISCUSS:

- What is benevolence? How is this different from justice?
- Why do you think Douglass’ plea is, “Do nothing with us!”? What does he most want for Black Americans?
- After the Civil War and emancipation, do you think Black people were “let alone”? What do you know about this period or what do you suppose were the circumstances for newly freed Black people?



Frederick Douglass (1818–1895) was an important writer, speaker and leader in the struggle for equal rights for Black people. After escaping from slavery in Maryland, he lived in Massachusetts and New York, and became a leader of the national movement to abolish slavery.



Examples of Black Codes: Louisiana

Black codes were laws that restricted the freedom and movement of Black people and forced them to work for low wages. Though they existed before the Civil War throughout the U.S., most of these laws were passed in the South from 1865–1866. Below are some examples of Black codes from one state. As you review them, note what freedoms each law was trying to limit or take away.

SOME BLACK CODES IN LOUISIANA

WHAT FREEDOMS WERE LIMITED OR TAKEN AWAY?

Every negro is required to be in the regular service [employment] of some white person, or former owner, who shall be held responsible for the conduct of said negro. But said employer or former owner may permit said negro to hire his own time [get additional work] by special permission in writing, which permission shall not extend over seven days at any one time.

Independence
Decision making
Choosing a job

No negro shall be permitted to rent or keep a house within said parish [community]. Any negro violating this provision shall be immediately ejected and compelled to find an employer; and any person who shall rent, or give the use of any house to any negro, in violation of this section, shall pay a fine of five dollars for each offence.

No public meetings or congregations of negroes shall be allowed within said parish [community] after sunset; but such public meetings and congregations may be held between the hours of sunrise and sunset, by the special permission in writing of the captain of patrol [police], within whose beat such meetings shall take place...

No negro shall be permitted to preach...or otherwise declaim [make public speeches] to congregations of colored people, without a special permission in writing from the president of the police jury.

SOURCES:

Central Piedmont Community College, "Black Code and Jim Crow Law examples," <https://sites.google.com/a/email.cpcc.edu/black-codes-and-jim-crow/black-code-and-jim-crow-law-examples>.

Cengage Learning, "Louisiana Black Code," <https://college.cengage.com/history/us/resources/students/primary/blackcode.htm>.



Examples of Black Codes: Mississippi

Black codes were laws that restricted the freedom and movement of Black people and forced them to work for low wages. Though they existed before the Civil War throughout the U.S., most of these laws were passed in the South from 1865–1866. Below are some examples of Black codes from one state. As you review them, note what freedoms each law was trying to limit or take away.

SOME BLACK CODES IN MISSISSIPPI

WHAT FREEDOMS WERE LIMITED OR TAKEN AWAY?

All freedmen, free negroes and mulattoes in this State, over the age of eighteen years...with no lawful employment or business, or found unlawfully assembling themselves together, either in the day or night time...shall be deemed vagrants [beggars, drifters], and on conviction thereof shall be fined in a sum not exceeding...fifty dollars...and imprisoned at the discretion of the court [but] not exceeding ten days.

Gathering/assembling with others
Moving around freely

All contracts for labor made with freedmen, free negroes, and mulattoes for a longer period than one month shall be in writing... and if the laborer shall quit the service of the employer before the expiration of his term of service, without good cause, he shall forfeit [surrender] his wages for that year up to the time of quitting.

...It shall not be lawful for any freedman, free negro, or mulatto to intermarry with any white person; nor for any white person to intermarry with any freedman, free negro, or mulatto; and any person who shall so intermarry, shall be deemed guilty...[and] confined in the State penitentiary for life.

If any freedman, free negro, or mulatto, convicted of any of the misdemeanors [crimes]...shall fail or refuse for the space of five days, after conviction, to pay the fine and costs imposed, such person shall be hired out by the sheriff or other officer...to any white person who will pay said fine and all costs, and take said convict for the shortest time.



Examples of Black Codes: Florida

Black codes were laws that restricted the freedom and movement of Black people and forced them to work for low wages. Though they existed before the Civil War throughout the U.S., most of these laws were passed in the South from 1865-1866. Below are some examples of Black codes from one state. As you review them, note what freedoms each law was trying to limit or take away.

SOME BLACK CODES IN FLORIDA

WHAT FREEDOMS WERE LIMITED OR TAKEN AWAY?

No person shall be a Representative [elected to office] unless he be a white man, a citizen of the United States, and shall have been an inhabitant of the State two years next preceding his election...

Representing one's community

Working in government

Participating in democracy

... If any white female resident within this State shall...attempt to intermarry...with any negro, mulatto, or other person of color, she shall be deemed to be guilty of a misdemeanor [crime], and upon conviction shall be fined in a sum not exceeding one thousand dollars, to be confined in the public jail not exceeding three months, or both...and shall...be disqualified to testify as a witness against any white person.

...It shall not be lawful for any negro, mulatto, or other person of color, to own, use or keep in his possession or under his control, any Bowie-knife, dirk, sword, fire-arms or ammunition of any kind, unless he first obtain a license to do so from the Judge...and any negro, mulatto, or other person of color, so offending...shall be sentenced to stand in the pillory [wooden post] for one hour, or be whipped, not exceeding thirty-nine stripes, or both...

...If any negro, mulatto, or other person of color, shall intrude himself into any religious or other public assembly of white persons, or into any railroad car or other public vehicle set apart for the exclusive accommodation of white people, he shall...be sentenced to stand in the pillory [wooden post] for one hour, or be whipped, not exceeding thirty-nine stripes, or both...



Black Codes: Scenarios

Cut apart the scenarios below. Place them face down like a deck of cards. Choose the top one and discuss with your group, using evidence from the *Examples of Black Codes* handouts to determine your answer. Discuss as many scenarios as time allows.

A Black woman in Louisiana works on a farm. In her spare time, she wishes to take a second job sewing clothes. The second job will last for five days. Can she do it? What does the law say?

A Black man in Mississippi spends his days looking for a new job, but isn't having any luck. He meets up with some friends in a local park to see if they have any leads. A police officer approaches them. What happens?

A Black preacher in Louisiana wishes to form his own church, where he can deliver sermons every Sunday. Can he do it? What does the law say?

A Black man in Mississippi is fined for owning a hunting rifle, even though white community members are allowed to own guns. He doesn't have the money to pay the fine. What happens to him?

In Mississippi, a Black woman signs a one-year contract for a job cleaning houses, but she quits after three months because her boss doesn't allow her to take any breaks. Her boss refuses to pay her for the work she has done, so she goes to court. What happens?

A Black woman in Florida, exhausted from work, falls asleep on her train ride home. She doesn't realize that she has taken a seat in a "whites only" car. When the train stops, the porter summons a police officer. What happens to the woman?

THE BACKLASH AGAINST INTERRACIAL DEMOCRACY



ESSENTIAL QUESTION

How was racial violence and terror used against Black Americans during Reconstruction and what were the goals of its perpetrators?



OBJECTIVES

Students will:

- Discuss the backlash and violence against Black communities during the Reconstruction era.
- Analyze images from the 1860s and 1870s depicting the promises of Reconstruction and threats to Black progress.
- Identify the motivations of the Ku Klux Klan and the tactics they employed to dehumanize Black people.
- Interpret primary source documents demonstrating ways in which some Black people resisted intimidation by white supremacist groups.



LEARNING STANDARDS

See the [standards alignment chart](#) to learn how this lesson supports New Jersey State Standards.



TIME NEEDED

90 minutes



MATERIALS

- AV equipment to watch a video
- *W.E.B Du Bois on Reconstruction* handout (one to project)
- *See-Think-Wonder* handout (one per small group)
- *Images from Reconstruction* handout (one image per small group)
- *Background: Images from Reconstruction* handout (one for teacher reference)
- *The Ku Klux Klan Trials* handout (one per student)



VOCABULARY

Confederate
emancipation

15th Amendment
Ku Klux Klan

Reconstruction
white supremacist

Procedures


NOTE

During this lesson, there are numerous references to U.S. political parties during the 1860s and 1870s that may be confusing to students. In that era, the Republicans (the “party of Lincoln” and Ulysses S. Grant) were the more liberal party and generally favored the abolition of slavery and efforts toward Reconstruction. The Democrats (including James Buchanan and Andrew Johnson) were more conservative and generally opposed Radical Reconstruction and Black civil and political rights. Make sure students understand the inconsistency between present and historical conceptions of the parties before they delve into lesson sources.

- 1 Project the handout *W.E.B Du Bois on Reconstruction*. Introduce students to W.E.B. Du Bois using the biographical information on the handout. Explain that Du Bois wrote these words in reference to the Reconstruction era. Have students do a few minutes of reflective writing in response to the quote, interpreting what Du Bois meant.
- 2 Allow a few volunteers to share their responses and discuss the quote as a class. Emphasize that following emancipation, much of white America—especially white Southerners—felt threatened by the prospect of engaging with Black people on an equal footing, particularly in the spheres of politics and government.
- 3 Show the following video in order to explore the hostility that Black people faced following emancipation: *The Reconstruction Era: Violence and Backlash* [to 7:49]: <https://www.facinghistory.org/resource-library/video/part-five-violence-and-backlash>. As they watch, have students take notes on the notion of fear introduced in the Du Bois quote—what did white society fear about Black progress and how did their fear manifest? After the video, discuss the following questions:
 - The narrator talks about the “revolutionary possibility for racial progress.” What were some of those possibilities following the Civil War?
 - What were some of the reasons for violent backlash by white people in response to this possibility?

NOTE

If time allows, show the entire video [16:45]. The first half focuses on why and how violence erupted against Black Americans following emancipation. The second half explores federal intervention to quell racial violence and the economic depression of 1873–78 that contributed to the end of Radical Reconstruction.

- 
- How did violence against Black people manifest? What were the purposes of different forms of violence?
 - What are examples of political violence? Why did this particular type of aggression arise during Reconstruction?
 - What was the Ku Klux Klan? Who formed it and what were its aims?
 - In addition to Black people, who else was targeted by the Ku Klux Klan and similar groups?
 - How was the “homegrown terror” leveled against Black people a form of dehumanization?

4 Tell students that they will continue to explore the promise and backlash of the Reconstruction era by analyzing images from this period. Divide the class into small groups and provide each group with one illustration from the handout *Images from Reconstruction*. (Make sure all of the images are distributed. Depending on your class size, more than one group may receive the same image.) Distribute copies of the *See-Think-Wonder* handout and direct groups to do a close observation of their image as instructed on the handout.

5 Gather the class and project the first image on a large screen. Invite the groups that studied this image to read aloud their responses to the question about whether the image represents a *promise realized* or a *promise broken*. Allow other groups to respond with their thoughts. Then share information about the image using the handout *Background: Images from Reconstruction*. Repeat this process until all of the images have been discussed.

6 Debrief the image analysis activity using the following questions:

- What did you learn about the promise of the Reconstruction era?
- What did you learn about how this promise was threatened or broken?
- What is something you are wondering about as a result of your examination?
- Taken together, what story do you think these images tell about the experiences of Black people during the Reconstruction era?

- 7** Comment that while the Ku Klux Klan and other white supremacist groups terrorized Black communities and weakened Black political participation, many Black people spoke out against the violence, sometimes risking their own lives to do so. Distribute copies of the handout *The Ku Klux Klan Trials*. Read the introduction as a class and provide any necessary context or clarification.
- 8** Next, have small groups read at least three of the testimony excerpts included in the handout. Direct them to annotate the text to indicate evidence for the following:
- The motivations of the Ku Klux Klan or purpose for their attacks (*indicate by underlining text*)
 - The impact of Klan violence on individuals, families and communities (*indicate by circling text*)
 - Examples of resistance to Klan violence and intimidation (*indicate with a box around the text*)
- 9** Discuss what students learned from the testimonies. Ask them what words or phrases from the testimonies resonated most for them and why. Conclude the lesson by discussing some of the additional questions on the next page.

NOTE

If students do not bring it up, make sure to highlight these three patterns in the testimonies: (a) Most of the violence was of a political nature—retaliation or intimidation related to voting and holding office; (b) many of the witnesses talked about “lying out” or sleeping in nearby woods out of fear of being in their own homes during the night; and (c) many witnesses also discussed fleeing their towns and seeking refuge in safer counties.



Discussion Questions

1

What promise existed for Black equality following the Civil War? How was some of this promise realized?

2

What were the main causes of backlash against the promise of Reconstruction?

3

What were the motivations and aims of the Ku Klux Klan and other terrorist groups?

4

How did it feel to learn about specific examples of violence perpetrated by the Ku Klux Klan and other groups? What images or actions have stayed with you the most? Why?

5

Do you think the Klan and other groups achieved their goals of disenfranchising and repressing Black people during the 1860s and 1870s? Explain.

6

How did some Black people assert their humanity and voice in the face of efforts at dehumanization?

7

How did efforts during the Reconstruction era pave the way for interracial democracy? Do you think we have achieved interracial democracy in the U.S. today? Explain.

Lesson Extensions

- Violent, racially motivated riots were frequent in the South following emancipation, and ultimately motivated national Republican leaders to enact legislation protecting the rights of Black Americans. In groups, assign students to create and deliver a presentation on one of these events, conveying its causes and impact on society. Examples include the Memphis Massacre of 1866, the New Orleans Massacre of 1866 and the Colfax Massacre of 1873.
- Have students research the rise and fall of the original Klan, which was formed in 1865 and waned in the early 1870s. Then have them research the resurgence of the Klan in 1915 and compare the aims and impact of these two distinct, yet related organizations.
- Show the video “Sherrilyn Ifill on today's black codes” (see Additional Resources). Have students research the original Black codes of 1865–1866 and then discuss the ways in which some of the belief systems behind these codes continue to influence behavior and attitudes in modern society.
- Have students read the article about police brutality during Reconstruction, titled “On Riots and Resistance” (see Additional Resources). Then have them read at least three articles from diverse media sources on police treatment of Black people today and discuss ongoing problems related to the policing of Black communities.
- Define and discuss the meaning of interracial or multiracial democracy with students. Explore photographs showing the integration of Black men into government during Reconstruction: Radical Republicans in the South Carolina Legislature (https://commons.wikimedia.org/wiki/File:Radical_Republicans_in_the_South_Carolina_Legislature.jpg), The First Colored Senator and Representatives (<http://hdl.loc.gov/loc.pnp/ppmsca.17564>). Have students research the diversity of government locally or nationally today and discuss the extent to which we have achieved interracial democracy in current times.

ADDITIONAL RESOURCES

- + 60 Minutes. “Sherrilyn Ifill on today's black codes.” June 7, 2020. YouTube video, 3:29. <https://www.youtube.com/watch?v=1RGt3SX55Go>.
- + Bland, Robert. “On Riots and Resistance: Freedpeople’s Struggle Against Police Brutality During Reconstruction.” *Journal of the Civil War Era*, August 11, 2020. <https://www.journalofthecivilwarera.org/2020/08/on-riots-and-resistance-freedpeoples-struggle-against-police-brutality-during-reconstruction>.
- + Facing History and Our-selves. “The Reconstruction Era and the Fragility of Democracy.” <https://bit.ly/2JHfPwl>.
- + Loewen, James W. “Five Myths About Reconstruction.” Zinn Education Project, 2015. <https://www.zinnedproject.org/materials/five-myths-about-reconstruction>.
- + NBC News Learn. “The Early Ku Klux Klan and White Supremacy.” May 1, 2020. YouTube video, 3:07. <https://www.youtube.com/watch?v=7o-uNsOMeV4>.
- + PBS American Experience. “Reconstruction—The Second Civil War, Image Gallery: Thomas Nast's Political Cartoons.” <https://www.pbs.org/wgbh/americanexperience/features/reconstruction-thomas-nasts-political-cartoons>.

W.E.B Du Bois on Reconstruction



There was one thing that the white South feared more than negro dishonesty, ignorance, and incompetency, and that was negro honesty, knowledge, and efficiency.

—W.E.B. Du Bois

William Edward Burghardt (W.E.B.) Du Bois (1868-1963) was an American historian, writer and civil rights activist. He was the first Black person to earn a doctorate from Harvard University and became a professor at Atlanta University. Du Bois was the leader of the Niagara Movement and a co-founder of the National Association for the Advancement of Colored People (NAACP), where he fought against lynching, Jim Crow laws and discrimination in education and employment. Du Bois published many works, including *The Souls of Black Folk* and *Black Reconstruction in America*.

SOURCES:

Quote: W.E.B Du Bois, *The Gift of Black Folk: The Negroes in the Making of America* (Boston, MA: The Stratford Co., 1924), 248.

Image: William Edward Burghardt Du Bois, Library of Congress, Washington, D.C., <http://loc.gov/pictures/resource/cph.3a29260>.

See-Think-Wonder



Closely observe your assigned image and complete the chart below. Then answer the following question. Thinking about the Reconstruction era, does your image represent a *promise realized* or a *promise broken*? Explain why in two to three sentences.

What do you SEE?

(note observations)

- What is the setting?
- Who are the people?
- What are they doing or not doing?
- What other details do we notice?



What do you THINK?

(explain observations, make inferences)

- Based on our observations, what might be occurring?
- When and where might it have happened?
- What might have caused it?
- Who might the people be and how might they be reacting?



What do you WONDER?

(raise questions, make connections, inquire deeply)

- How is this image related to our study of Reconstruction?
- What does the image make us think about?
- What are we uncertain about?
- What other questions come up as a result of our analysis?



Images from Reconstruction



August 25, 1866.]

HARPER'S WEEKLY.

537



THIS RIOT IN NEW ORLEANS—MURDERING NEGROES IN THE REAR OF MECHANICS' INSTITUTE. [SKETCHED BY THEODORE R. DAVIS.]



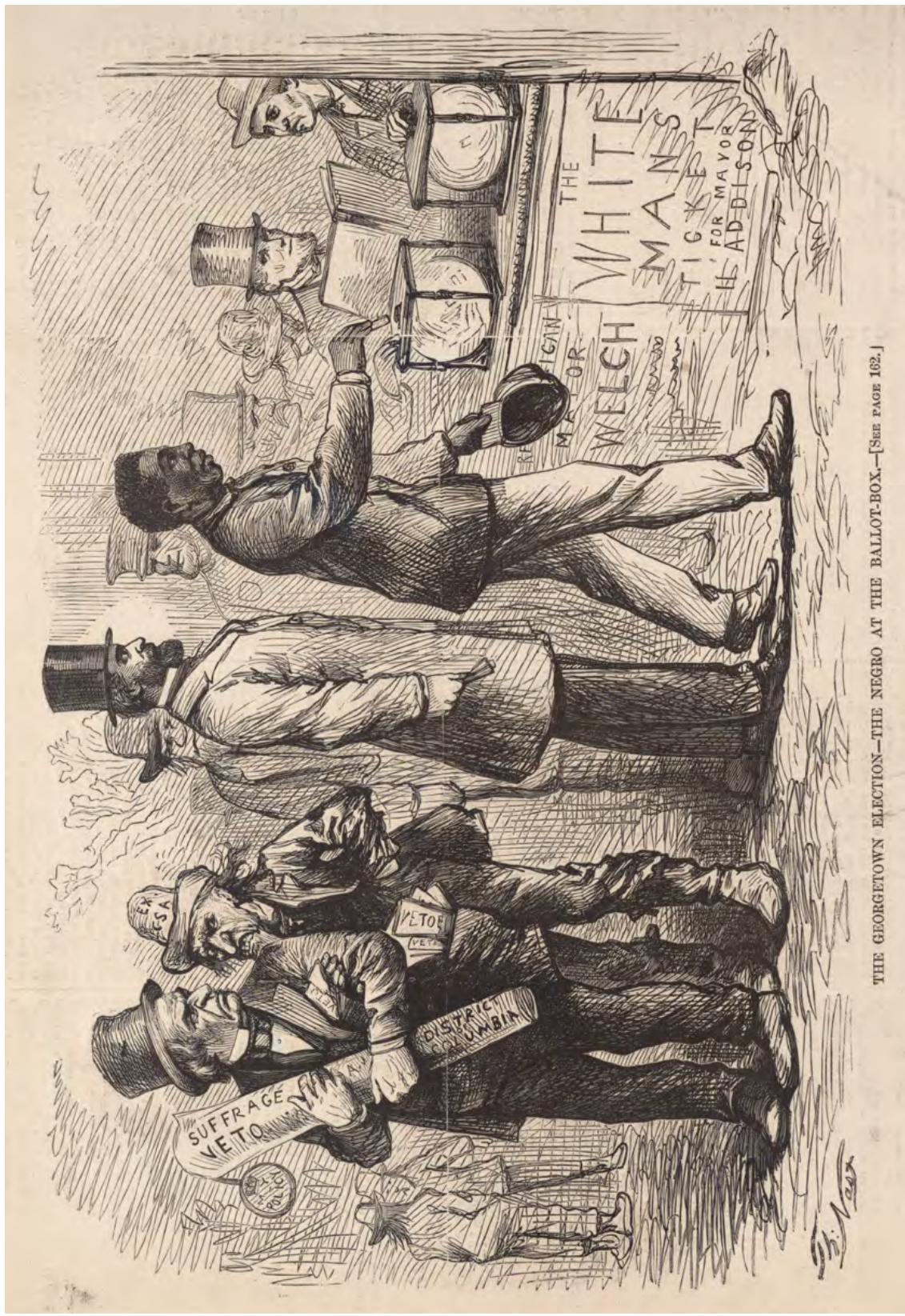
THE RIOT IN NEW ORLEANS—PLATFORM IN MECHANICS' INSTITUTE AFTER THE RIOT. [SKETCHED BY THEODORE R. DAVIS.]

“The New Orleans Riot—Murdering Negroes
in the rear of Mechanics’ Institute”

“The New Orleans Riot—Platform in
Mechanics’ Institute after the riot”

SOURCE: Theodore R. Davis, *The Riot in New Orleans*, 1866, wood engraving, <https://www.loc.gov/resource/cph.3c38353>.

Images from Reconstruction



THE GEORGETOWN ELECTION—THE NEGRO AT THE BALLOT-BOX.—[SEE PAGE 162.]

The Georgetown Election—The Negro at the Ballot-Box

SOURCE: Thomas Nast, *The Georgetown Elections* – *The Negro at the Ballot-Box*, March 16, 1867, wood engraving, Harper's Weekly, <https://www.loc.gov/pictures/item/2010652200>

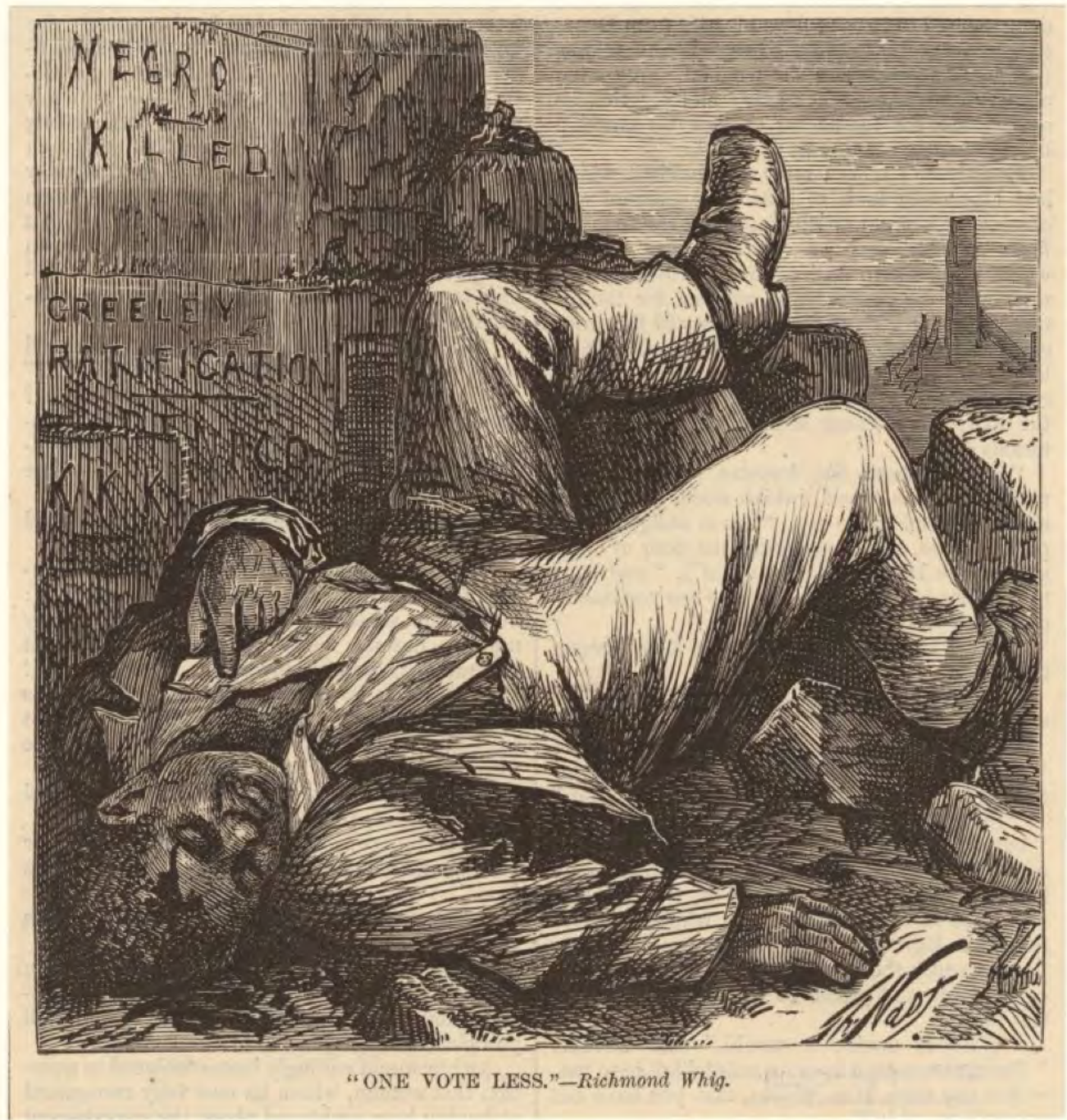
Images from Reconstruction



SOURCE: Frank Bellew, *Visit of the Ku-Klux*, February 24, 1872, still image, Harper's Weekly, <http://digitalcollections.nyu.org/items/510d47dc-8f15-a3d9-e040-e00a18064a99>.



Images from Reconstruction

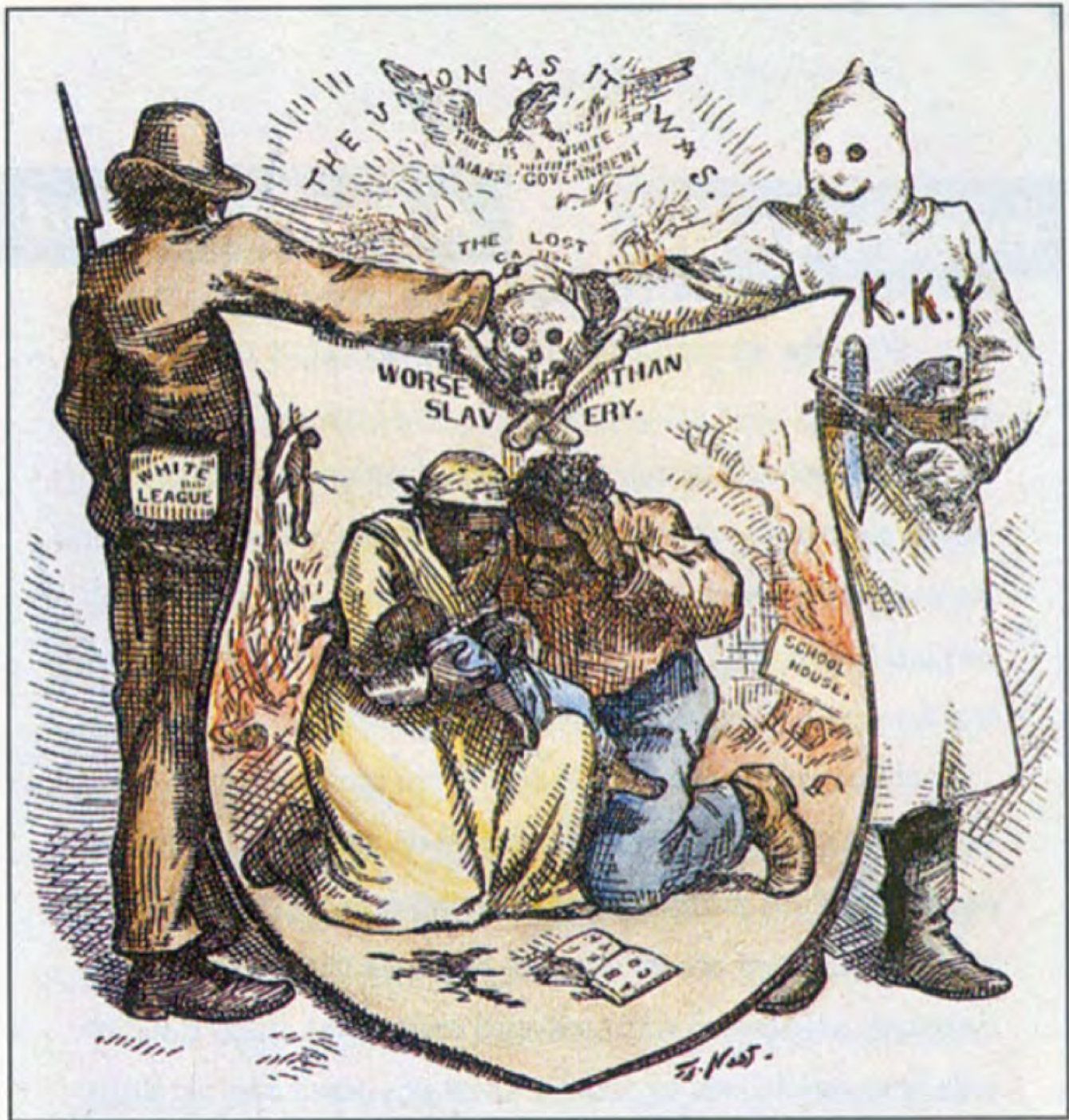


One Vote Less

Source: Thomas Nast, *One Vote Less*, 1872, still image, *Richmond Whig*, <https://dp.la/primary-source-sets/voting-rights-act-of-1965/sources/1385>.



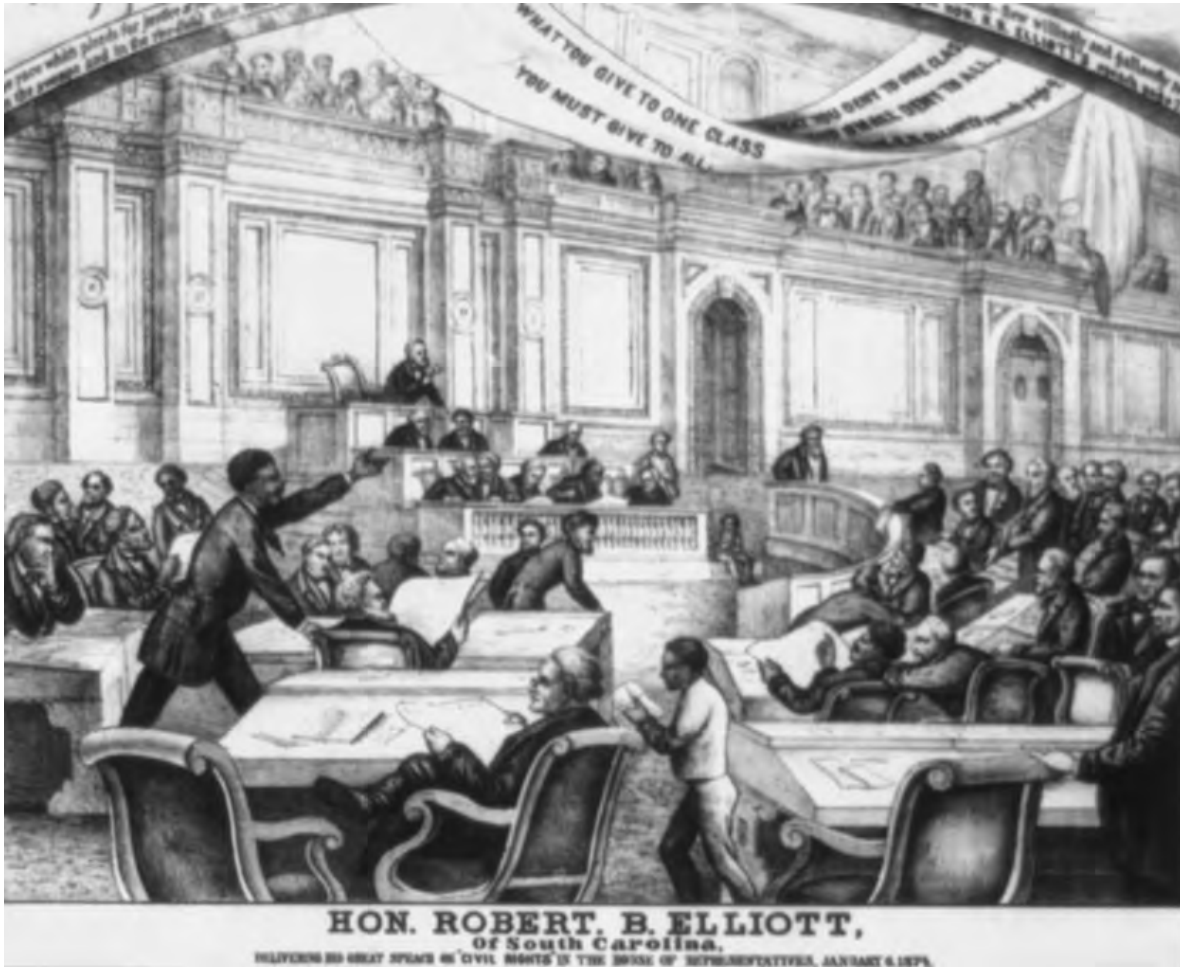
Images from Reconstruction



SOURCE: Thomas Nast, *Worse than Slavery*, October 24, 1874, newspaper illustration, Harper's Weekly, [https://commons.wikimedia.org/wiki/File:Worse_than_Slavery_\(1874\)_by_Thomas_Nast.jpg](https://commons.wikimedia.org/wiki/File:Worse_than_Slavery_(1874)_by_Thomas_Nast.jpg).



Images from Reconstruction



Hon. Robert B. Elliott of South Carolina

SOURCE: E. Sachse & Co., *The Shackle Broken—by the Genius of Freedom*, 1874, lithograph and print, Library of Congress, Washington, D.C., <https://www.loc.gov/pictures/item/2003690777>.



Background: Images from Reconstruction

IMAGE



BACKGROUND

The captions read, “The New Orleans Riot—Murdering Negroes in the rear of Mechanics’ Institute” and “Platform in Mechanics’ Institute after the riot.” On July 30, 1866, white, conservative Democrats attacked progressive Republicans (mostly Black) over political disagreements. The Republicans called a convention to rewrite the state’s constitution due to anger over the Black codes, discriminatory laws that prevented Black people from voting. The Democrats—including police and firemen—opposed increased political power for Black people. At least 34 Black people were killed and 119 wounded. Riots like this one were widespread, leading Republican leaders in the U.S. Congress to implement new protections for Black Americans.

SOURCE

Theodore R. Davis, *The Riot in New Orleans*, 1866, wood engraving, <https://www.loc.gov/resource/cph.3c38353>.

IMAGE



BACKGROUND

At a polling place in Washington, D.C., a Black Union Army veteran places his ballot in the box for “Republican Mayor Welch,” which is next to the empty ballot box for “The White Man’s Ticket for Mayor H. Addison.” President Andrew Johnson (a conservative Democrat) is standing on the left, holding his “Suffrage Veto” (a reference to his opposition to voting rights for Black people) and additional “Vetoes” are stuffed in his coat pocket. A man labeled “Ex. C.S.A.” (Confederate States of America) stands next to him. The 15th Amendment, giving Black men the right to vote, was not ratified until 1870.

SOURCE

Thomas Nast, *The Georgetown Elections—The Negro at the Ballot-Box*, March 16, 1867, wood engraving, Harper’s Weekly, <https://www.loc.gov/pictures/item/2010652200>.

IMAGE



BACKGROUND

A Black woman is cooking, with a man and three children around her. A member of the Ku Klux Klan aims a rifle at them through the doorway. This illustration was meant to bring about sympathy from white Northern readers for Black victims of the Klan.

SOURCE

Frank Bellew, *Visit of the Ku-Klux*, February 24, 1872, still image, Harper’s Weekly, <http://digitalcollections.nypl.org/items/510d47dc-8f15-a3d9-e040-e00a18064a99>.



Background: Images from Reconstruction

IMAGE



BACKGROUND

A Black man lies murdered, with markings near his body that say, “Negro Killed,” “Greeley Ratification,” and “KKK.” Horace Greeley was a Presidential candidate in 1872, who belonged to the more liberal Republican Party, but favored ending Reconstruction. The Klan and other groups used violence to intimidate Black people and keep them from voting.

SOURCE

Thomas Nast, *One Vote Less*, 1872, still image, Richmond Whig, <https://dp.la/primary-source-sets/voting-rights-act-of-1965/sources/1385>.

IMAGE



BACKGROUND

White groups used terror, violence, and intimidation to restore “white man’s government” and to remedy the “lost cause” of the Civil War. In this image, members of the Ku Klux Klan and White League are shaking hands over a skull and crossbones. Below, a Black woman and man kneel over their dead child. In the background, a school burns and a Black person is lynched.

SOURCE

Thomas Nast, *Worse than Slavery*, October 24, 1874, newspaper illustration, Harper’s Weekly, [https://commons.wikimedia.org/wiki/File:Worse_than_Slavery_\(1874\),_by_Thomas_Nast.jpg](https://commons.wikimedia.org/wiki/File:Worse_than_Slavery_(1874),_by_Thomas_Nast.jpg).

IMAGE



BACKGROUND

South Carolina representative Robert B. Elliott was one of the first Black Members of Congress. Here, he delivers a famous speech in favor of the Civil Rights Act on January 6, 1874. The act, which guaranteed equal treatment in all places of public accommodation regardless of race, was passed on March 1, 1875. The image shows Elliott speaking from the floor of the House of Representatives. Above him hangs a banner with a quotation from his speech: “What you give to one class you must give to all. What you deny to one class. You deny to all.”

SOURCE

E. Sachse & Co., *The Shackle Broken—by the Genius of Freedom*, 1874, lithograph and print, Library of Congress, Washington, D.C., <https://www.loc.gov/pictures/item/2003690777>.



The Ku Klux Klan Trials

The Ku Klux Klan (KKK) was founded in 1865 by Confederate veterans in Tennessee as a social club, and evolved into a terror movement aimed at crushing political equality for Black people and restoring white people to their “rightful place” in the Southern social order.

Following the ratification of the 15th Amendment to the Constitution, granting Black men the right to vote, and in response to widespread violence against Black people, Congress passed two important laws. The Enforcement Act of 1870 protected the rights of citizenship and aimed to stop bribery and intimidation of voters. The Ku Klux Klan Act of 1871 allowed the federal government to impose harsh penalties and use military force to suppress terrorist organizations.

Arrests and trials soon began throughout the South. In South Carolina, where Klan activity was out of control,

President Ulysses S. Grant sent in troops to make arrests and stop the violence. By the end of the year, hundreds of Klansmen were arrested and put on trial. The juries consisted largely of formerly enslaved people.

Of the 220 people charged in the trials of 1871–1872, 53 pleaded guilty and five were prosecuted for conspiracy to “oppress, threaten, and intimidate” Black men for having voted or to prevent them from voting in the upcoming 1872 election. Penalties for those convicted ranged from three months to five years imprisonment and fines from \$10 to \$1,000. After the trials, Klan terrorism in the South declined dramatically, though other white supremacist groups continued to perpetrate anti-Black violence.

The examples of testimony below from the Ku Klux Klan hearings and trials demonstrate the nature of Klan violence and the great bravery of Black people who risked their lives to speak out against it.

1. Abraham Colby, a former enslaved man and Georgia state legislator, was attacked by the KKK in 1869.

COLBY: On the 29th of October 1869, [the Klansmen] broke my door open, took me out of bed, took me to the woods and whipped me three hours or more and left me for dead. They said to me, “Do you think you will ever vote another damned Radical ticket?” I said, “If there was an election tomorrow, I would vote the Radical ticket.” They set in and whipped me a thousand licks more, with sticks and straps that had buckles on the ends of them.

QUESTION: What is the character of those men who were engaged in whipping you?

COLBY: Some are first-class men in our town. One is a lawyer, one a doctor, and some are farmers. They had their pistols and they took me in my night-clothes and carried me from home. They hit me five thousand blows. I told President Grant the same that I tell you now. They told me to take off my shirt. I said, “I never do that for any man.” My drawers fell down about my feet and they took hold of them and tripped me up. Then they pulled my shirt up over my head. They said I had voted for Grant and had carried the Negroes against them. About two days before they whipped me they offered me \$5,000 to go with them and said they would pay me \$2,500 in cash if I would let another man go to the legislature in my place. I told them that I would not do it if they would give me all the county was worth... The worst thing was my

mother, wife and daughter were in the room when they came. My little daughter begged them not to carry me away. They drew up a gun and actually frightened her to death. She never got over it until she died. That was the part that grieves me the most.

QUESTION: How long before you recovered from the effects of this treatment?

COLBY: I have never got over it yet. They broke something inside of me. I cannot do any work now, though I always made my living before in the barber-shop, hauling wood, etc.

QUESTION: You spoke about being elected to the next legislature?

COLBY: Yes, sir, but they run me off during the election. They swore they would kill me if I stayed. The Saturday night before the election I went to church. When I got home they just peppered the house with shot and bullets.

QUESTION: Did you make a general canvas [to secure votes] there last fall?

COLBY: No, sir. I was not allowed to. No [Republican] man can make a free speech in my county. I do not believe it can be done anywhere in Georgia.



The Ku Klux Klan Trials

2. Charlotte Fowler, from Spartanburg County, South Carolina, witnessed the murder of her husband by the Klan.

QUESTION: Tell how [your husband] was killed.

FOWLER: ...I reckon I did not lay in bed a half an hour before I heard somebody by the door; it was not one person, but two—ram! ram! ram! at the door. Immediately I was going to call [my husband] to open the door; but he heard it as quick as lightning, and he said to them: "Gentlemen, do not break the door down; I will open the door;" and just as he said that they said: "God damn you, I have got you now." I was awake, and I...got out of the bed, and fell down on the floor. I was very much scared. The little child followed its grandfather to the door—you know in the night it is hard to direct a child... [H]e said, "Don't you run," and just then I heard the report of a pistol, and they shot him down; and this little child ran back to me before I could get out, and says, "Oh, grandma, they have killed my poor grandpappy." He was such an old gentleman that I thought they just shot over him to scare him; but sure enough, as quick as I got to the door, I raised my right hand and said, "Gentlemen, you have killed a poor, innocent man." My poor old man! Says he,

"Shut up." I never saw but two of them, for, by that time, the others had vanished.

QUESTION: Did these men have masks on?

Fowler: [The mask worn by the killer] was all around the eyes. It was black; and the other part was white and red; and he had horns on his head. He came in the house after he killed the old man and told me [he wanted] light, and I made the little girl make a light; he took the light from her and looked over the old man. Another man came out of the gate, and looked down on the old man and dropped a chip of fire on him, and burnt through his shirt—burnt his breast.

QUESTION: Are the colored people afraid of these people that go masked?

FOWLER: Yes, sir; they are as afraid as death of them. There is now a whole procession of people that have left their houses and are lying out. You see the old man was so old, and he did no harm to anybody; he didn't believe anybody would trouble him.

3. Reverend Elias Hill was a Baptist minister in York County, South Carolina. He was also a schoolteacher and president of the local Union League (a club formed during the Civil War to promote loyalty to the Union). He gave the following testimony after being whipped by the Klan.

QUESTION: What effect did [widespread whippings] have on the colored people up there—are they alarmed?

HILL: Yes, sir; so alarmed that they did not sleep in the houses at night.... I did not hear of any who did not sleep out—not at all; during last winter and spring all slept out from the effect of this excitement and fear... Men and women both. Some women would sleep out with their

husbands. The women would be so excited when their husbands left that they would go too with the children, and one stayed in a rainstorm while her husband was fleeing for his life, as they were about to kill him. There is June Moore; his wife went out with her little baby and rain every night until late in the spring, and many, many of them did the same.



The Ku Klux Klan Trials

4. Sam Nuckles, a former enslaved person, was elected to the South Carolina State Legislature in 1868 and was threatened by the Klan soon after. He sought refuge in Columbia County.

QUESTION: Where did [the colored people who fled the county] go to?

NUCKLES: There are a great many refugees here and in Fairfield county, and in Chester too, and a good many at York; a great many have come here [Columbia]—a great many...do not feel safe in going back...unless something is done.

QUESTION: What has become of the republican party up there?

NUCKLES: The republican party, I may say, is scattered and beaten and run out. And just like scattered sheep everywhere. They have no leaders up there—no leaders... If there are, they are afraid to come out and declare themselves leaders—colored men or white men.

QUESTION: What is to become of you up there?

NUCKLES: I give it up. Here's a gentleman named Mr. Burke Williams, professed to be a thoroughgoing republican with us. He is there, but I suppose he has gone back. I don't know what keeps him there; I suppose he has, maybe, agreed to sniff anything they say or do. That is the report that has been sent to us several times: if we come back and submit and resign being republicans and vote the democratic ticket, and take sides with them, we can stay there; but we do not propose to do that.

5. Harriet Hernandez and her husband were whipped by the Klan in Spartanburg County, South Carolina. This punishment was inflicted after Harriet's husband rented some land and she decided to leave her job as a domestic laborer. The Hernandez family and others felt forced to hide out in the woods at night to escape further violence.

QUESTION: Had he been afraid for any length of time?

HERNANDEZ: He has been afraid ever since last October [for nine months]. He has been lying out. He has not laid in the house ten nights since October... That is the way they all have to—men and women both.

QUESTION: What were they afraid of?

HERNANDEZ: Of being killed or whipped to death... Because men that voted radical tickets they took the spite out on the women when they could get at them.

QUESTION: How many colored people have been whipped in that neighborhood?

HERNANDEZ: It is all of them, mighty near. I could not name them all... They have no satisfaction to live like humans, no how. It appears to me like all summer I have been working and it is impossible for me to enjoy it.

SOURCES:

Lowcountry Digital History Initiative, Freedpeople's Testimony on the Effects of Klan Violence,

http://ldhi.library.cofc.edu/exhibits/show/after_slavery_educator/unit_nine_documents/document_9.

PBS American Experience, Reconstruction: The Second Civil War, <https://www.pbs.org/wgbh/americanexperience/features/reconstruction-southern-violence>.

Teaching American History, Testimony to Sub-Committee on Reconstruction in Spartanburg, South Carolina, Charlotte Fowler, July 6, 1871, <https://teachingamericanhistory.org/library/document/testimony-to-sub-committee-on-reconstruction-in-spartanburg-south-carolina>.