

# Answer Key

## Lesson Three: **The Lost Promise of Reconstruction and Rise of Jim Crow, 1860-1896**

### Background Reading

1. The Thirteenth Amendment banned slavery and protected the constitutional right of liberty, the Fourteenth Amendment protected the constitutional rights of citizenship and equality under the law, and the Fifteenth Amendment protected the constitutional right of Black men to vote. Federal laws and agencies such as the Civil Rights Act of 1866 and the Freedmen's Bureau protected Black citizenship and promised economic aid to freed people.
2. Black Americans suffered horrific acts of violence, including lynchings; Black farmers endured the crushing debt of sharecropping; Blacks were legally separated in public with Jim Crow segregation laws; and states curtailed Black suffrage with poll taxes, literacy tests, and grandfather clauses.
3. Black Americans won equal constitutional rights in the wake of the Civil War, but then lost many of those rights over the next few decades due to racist laws and policies that limited their legal, political, and economic rights. Blacks pursued education in earnest after emancipation and worked for social, political, and economic equality in a variety of ways.

### Primary Source Warmup

**Image: “Is this a republican form of government? Is this protecting life, liberty, or property? Is this the equal protection of the laws?”, Thomas Nast, 1876**

1. Answers may include:
  - a. Burned school
  - b. Workshop in background with a sign that reads “the White Liners were here”
  - c. Distraught man in ripped clothing looking upward over the bodies of Black men
  - d. Women, and children

2. Accept reasonable answers, such as:
  - a. Why were these men and women harmed?
  - b. Who was the cartoonist and why did he draw this?
  - c. Was violence common in this period?

## Primary Sources

### General Order No. 3, June 19, 1865, U.S. Major General Gordon Granger

1. This order ensures that the Emancipation Proclamation will be carried out and the enslaved people in Texas will finally be freed. The time gap shows that the Proclamation did not take immediate effect because the Civil War continued for 2 more years. It could not be enforced in rebellious states without the presence of the army.
2. The order suggests the freedmen should “quietly” stay at their present homes and work as hired labor for wages for their former masters. This was likely to—and did—lead to a pattern of dependence for work on large landowners and a cycle of poverty that was difficult to escape.

### The Reconstruction Amendments: Thirteenth Amendment, 1865, Fourteenth Amendment, 1868, Fifteenth Amendment, 1870

1. Slavery is banned in the United States.
2. Citizenship.
3. States cannot limit or infringe upon the privileges and immunities of citizens, nor can they deny due process and equal protection of the laws to any person.
4. Voting gives people a voice in politics and the laws that govern them as citizens.

### Frederick Douglass, “What the Black Man Wants,” 1865

1. He asks two rhetorical questions: Shall we justify one wrong by another? Shall we at this moment justify the deprivation of the Negro of the right to vote, because someone else is deprived of that privilege?
2. Douglass says that Black men must secure the right to vote because it is their right, it is essential for education, and it is just.

## **The Freedmen's Bureau Act, March 3, 1865**

1. The new bureau was to provide support to freedmen and refugees. They needed this support because most freed people lacked property and would need this for survival in a largely agricultural society.
2. The bureau was to operate during the end of the Civil War ("the present way of rebellion") and for 1 year after.
3. The Department of War oversaw the Freedmen's Bureau. It was created during the Civil War and dealt with refugees and freedmen from that war.
4. By providing freedmen with land, the bureau was trying to help them become economically self-sufficient.

## **An Act to Confer Civil Rights on Freedmen, and for Other Purposes, 1865, Mississippi**

1. Freed people are not allowed to become landlords and thus achieve a level of status and financial independence in their communities.
2. Freed people are subject to the whims of government officials to be able to earn a living.
3. Vagrancy could lead to fines and imprisonment.
4. The loose description of behaviors that constituted vagrancy essentially allowed white officials to imprison almost any freed person if they so desired.

## **Civil Rights Act of 1866**

1. All people born in the United States, excluding Native Americans and people subject to foreign governments, are citizens by this law.
2. All citizens have the right to make and enforce contracts, to sue and give evidence in court, and to inherit, purchase, lease, sell, hold, and pass on property. All citizens also receive "equal benefit of all laws."

## **Attacking the Freedmen's Bureau Poster, 1866**

1. The figure's reclining position is meant to invoke idleness and reinforce the stereotype of laziness. With this pose and the facial expression, the cartoonist is seeking to make the reader believe that Black life is easy and pleasant.
2. The white men are shown hard at work. The figure in the foreground is chopping wood, and the one in the background is plowing a field.

3. The cartoonist wants the reader to infer that the hard work and industriousness of white men are paying for the idleness enjoyed by Blacks.
4. This stereotype was intended to justify prejudice and racism against Blacks by suggesting they are lazy or even subhuman, as indicated by the exaggerated facial features.

### **African Methodist Episcopal (A.M.E.) Pastor S. B. Williams Reports Atrocities to Governor Holden, 1869**

1. The Klan has murdered anyone they deem “improper” to live in the community, that is, Blacks. Williams specifically cites the murders of 3 men in recent days.
2. Williams is a target because, as a pastor and teacher, he is a leader in the Black community and one of the “loyal citizens” he references in his letter.
3. Williams points out that Blacks being targeted are peaceful and loyal citizens. They are equal to white citizens in the eyes of the law.
4. Williams asks for the Klan to be stopped, and if they cannot be, for Blacks to be sent arms so they may defend themselves.

### **Albion W. Tourgée’s Letter to Senator Joseph C. Abbott, May 24, 1870**

1. According to Tourgée, the Klan targets Republicans and Blacks. S. B. Williams describes the Klan attacking Blacks, but Tourgée indicates that several leading Republicans have also been targeted and even killed.
2. Tourgée describes officials arming themselves because they are expecting violence. He also says “another brave, honest Republican citizen . . .” was murdered, meaning there have been others killed.
3. He is ashamed that no solution to or protection from this violence is forthcoming.

### **Thomas Nast, “The Union As It Was,” 1874**

1. Pastor Williams describes Ku Klux Klan members murdering Blacks in grotesque ways. He also implies that the law is powerless to stop them. He also says that he has been threatened. The same sense of murder and lawlessness is captured in Nast’s cartoon with the image of the lynched man, the burning schoolhouse, and the family huddled together. Both the Klansman and the White League member hold a skull and hold weapons, whereas the Black family is unarmed and cannot defend themselves.

2. Despite the Enforcement Acts, Klan violence continued. Students may note that federal law was difficult to enforce at the local level when it was so strongly and violently resisted by white supremacists.

### **Congressman Robert B. Elliott's Speech in Support of the Civil Rights Act, January 1874**

1. Elliott notes that Blacks “willingly and gallantly” supported the Union. The suffering of enslaved men and women and their valor in fighting for the Union should convince Congress to pass such an act.
2. A capstone is the culminating and essential piece of a project or program, so guaranteeing civil status to all people would make the Founding principles of liberty, equality, and justice a reality. Elliott notes that this cause is not about just Blacks, but also affects any group that is discriminated against.
3. Accept reasonable answers.

### **Congressman James T. Rapier's Speech in Support of the Civil Rights Act, February 1875**

1. Rapier presents the case for civil rights in a simple yes or no question: Am I a man or not? He goes further to explain the implications of saying he, as a Black man, is not a man—then he cannot vote and any member of Congress or governor elected with Black votes cannot legitimately take office.
2. The law is the same for all people. You cannot divide a law any more than you can divide the concept of God. Students should support their opinion of Rapier's effectiveness.

### **Civil Rights Act, 1875**

1. This bill outlaws racial discrimination in places of public “conveyances and amusement.”
2. Republican leaders were forced to take away some of Sumner's proposed protections in the original bill as a compromise to ensure it would pass.

## ***Strauder v. West Virginia, 1880***

1. The amendment was designed to ensure Blacks equal civil rights under the law.
2. The law singled out Blacks specifically, denying them the ability to participate in the administration of the law.
3. Strong argues that the law deliberately makes Blacks inferior and stimulates racial oppression, creating an impediment to the securing of equal justice.

## ***Civil Rights Cases, 1883***

1. Strong means that the Constitution does not denounce when an individual is deprived of a civil right by an individual that is not acting on behalf of the state. He makes a distinction between a state action (or an action of an individual on behalf of the state) versus an individual action.
2. The decision opens the door for private individuals to infringe upon others' civil rights because it leaves enforcement of private civil rights up to the states. Some states will not be willing to protect those rights.

## ***Frederick Douglass, "Speech on the Civil Rights Cases," 1883***

1. Douglass is angry. Examples:
  - a. He says Blacks have been "grievously wounded."
  - b. He calls out the "absurdity" of the court's ruling.
  - c. He criticizes the United States for being the only "civilized" country where "a man is denied civil rights on account of his color."
2. Douglass states that the decision is unjust because the court is allowing individuals to violate the rights of other individuals, which denies equality and undermines the Founding principles of the United States.

## ***Louisiana Separate Car Act, 1890***

1. The Separate Car Act provided that all railroad cars have "equal but separate accommodations" based on race.
2. Passengers who refused to occupy their assigned car would be fined or imprisoned; railroad employees who did not enforce this separation would also be fined or imprisoned; and the law exonerated the railroad companies of any damages that could result from this law.

## Mississippi Constitution of 1890

1. Children in segregated schools would experience segregation as “normal.” In addition, Black schools were typically underfunded compared with white schools.
2. A poll tax and literacy test were required to vote. Voters had to also interpret the meaning of the state constitution. Poor or uneducated voters would be unlikely to pass such requirements.
3. The number of Black voters in Mississippi would likely decrease.

## Anna Julia Cooper, “A Voice from the South,” 1892

1. Since the founding of the country, multiple beliefs were present; thus, no single interest or belief can be supreme. All must compromise and tolerate.
2. Because true democracy and religious arguments state that all are equal, Cooper believes equality will ultimately prevail, though she notes that it may occur in the distant future.

## Frederick Douglass, “The Blessings of Liberty and Education,” 1894

1. Race is narrow and seeks to point out differences, whereas all people are humans and share a common, broad humanity.
2. Law, learning, religion, science, education, the Word of God, and all the virtues apply to all regardless of race.
3. The appeal to common humanity won the “great battle of liberty.”
4. Douglass is optimistic about the future because education will lead to a better future. Students should support their opinion with evidence.

## Booker T. Washington, Atlanta Exposition Address, 1895

1. Washington means that Blacks should not leave the Jim Crow South but should dedicate themselves to living alongside their white neighbors. In addition, he urges southern whites to rely on Black labor rather than foreign labor to rebuild the region.
2. Washington suggests agriculture, mechanics, commerce, domestic service, and the professions.



3. Washington states that social equality will come at a cost of constant struggle and that Blacks should not expect it to come automatically. They must work constantly to improve their condition. Douglass argued in Document 20 that he thought it was a “great mistake in saying so much of race and color.” Rapier too in his speech (Document 12) argued in terms of absolutes: either you are a man, or you are not. Either you are equal, or you are not. Students should support their opinions by referring back to the documents.

## **Plessy v. Ferguson, 1896**

1. Brown, on behalf of the court, argues that the Constitution can protect civil and political rights, but not rights dealing with social status. Blacks cannot be put “upon the same plane” as whites. Therefore, to require Blacks to sit in separate areas of the railcar is permissible and not in violation of the Constitution.
2. Blacks are essentially conferred second-class citizenship status. Segregation has been sanctioned.
3. Harlan meant that the Constitution’s protections and regulations apply to all people equally, regardless of race.

## **Images from Historically Black Colleges and Universities, 1866–1900**

1. Both men and women are seen in the first, second, and fifth photographs, and only men in the third and fourth photographs. The bricklaying photograph shows evidence of training in trades, whereas the second, fourth, and fifth photograph are more classical forms of study—math, debate, and history.
2. Douglass ended his speech by saying that “The light of education is shedding its beams more brightly,” a cause for optimism for Blacks. Schools and universities would assist in this endeavor. Washington encouraged Blacks to take up industry in trades and work upward, which is alluded to in the bricklaying photograph. Tuskegee Institute trained a large number of Black teachers, showing that Washington did not believe Blacks should exclusively devote themselves to vocational education.



## Graphic Organizer for Document Analysis

Document Title and Date	Main Ideas	Connection to or Violation of Founding Principles
General Order No. 3, June 19, 1865, U.S. Major General Gordon Granger	Final execution of Emancipation Proclamation in Texas	Emancipation realizes equality in theory but was not enforced in southern states during the Civil War
The Reconstruction Amendments: Thirteenth Amendment, 1865, Fourteenth Amendment, 1868, Fifteenth Amendment, 1870	Constitutional amendments guaranteeing citizenship, due process, equal protection, and voting rights for Blacks	Formal end of slavery; steps to ensure equality for Blacks in highest law of the land
Frederick Douglass, "What the Black Man Wants," 1865	Slaves follow status of mother (codifying slavery)	Predates Founding
The Freedmen's Bureau Act of 1865	Individual protesting slavery based on its violation of natural right of freedom	Predates Founding; "preview" of Declaration's claim that all are equal
An Act to Confer Civil Rights on Freedmen, and for Other Purposes, 1865 (Mississippi Black Code)	Limiting rights of Blacks	Violation of federal policy
Civil Rights Act of 1866	Defines citizenship and equal benefit of law for citizens	Guarantee of "equal benefit" of the law

Attacking the Freedmen's Bureau Poster, 1866*	Criticism of Reconstruction efforts to ensure rights for Blacks	Illustration of racial stereotypes at odds with Founding principle of equality
African Methodist Episcopal (A.M.E.) Pastor S. B. Williams Reports Atrocities to North Carolina Governor Holden, 1869	Violence against Blacks prevalent in the South	Denial of equality for Blacks with violent resistance; mockery of justice that crime is unpunished
Albion W. Tourg��e's Letter to Senator Joseph C. Abbott, 1870	Violence against Blacks and Republicans prevalent in the South	Denial of equality for Blacks with violent resistance; mockery of justice that crime is unpunished
Thomas Nast, "The Union As It Was," 1874	Southern violence makes mockery of Civil War	Denial of equality for Blacks with violent resistance; mockery of justice that crime is unpunished
Congressman Robert B. Elliott's Speech in Support of the Civil Rights Act, January 1874	Civil rights legislation required to finish the "temple of liberty"	Argument to build on Founding principles by extending them to all
Congressman James T. Rapier's Speech in Support of the Civil Rights Act, February 1875	Civil rights legislation required for justice	Argument to build on Founding principles by extending them to all
Civil Rights Act, 1875	Outlaws racial discrimination in public, conveyances, and places of amusement, but not schools and juries	Extending definitions of civil rights to apply to all citizens

<i>Strauder v. West Virginia</i> , 1880	Denied Blacks the right to serve on juries in violation of the Equal Protection Clause of the Fourteenth Amendment	Examining conditions for which justice and due process must be met
<i>Civil Rights Cases</i> , 1883	The Fourteenth Amendment was said to apply to actions of the states rather than to discrimination by a private business	Created a loophole to allow for denial of equal political and civil rights
Frederick Douglass, "Speech on the <i>Civil Rights Cases</i> ," 1883	Anger at ruling in <i>Civil Rights Cases</i> above	Supreme Court ruling denies equality and undermines the Founding principles of the United States
Louisiana Separate Car Act, 1890	All railroad cars can have "equal but separate accommodations" based on race	Denial of equality
Mississippi Constitution of 1890	Calls for school segregation and limits to African American voting rights	Denial of equality
Anna Julia Cooper, "A Voice from the South," 1892	Compromise and tolerance will prevail over racism	Equality is a natural way of democracy and religion and will prevail
Frederick Douglass, "The Blessings of Liberty and Education," 1894	All people are humans and share a common, broad humanity; importance of education	Education will lead to a brighter future where principles of equality are faithfully applied

Booker T. Washington, Atlanta Exposition Address, 1895	Social equality will come at a cost of constant struggle and hard work to improve each person's own condition	Principles will be realized through hard work
<i>Plessy v. Ferguson</i> , 1896	Challenge to Louisiana Separate Car Act, 1890	"Separate but equal" ruled OK
Images from Historically Black Colleges and Universities, 1866-1900	Denied Blacks the right to serve on juries in violation of the Equal Protection Clause of the Fourteenth Amendment	Examining conditions for which justice and due process must be met

## Concluding Analysis - Suggested Answers

Document Title and Date	Laws and Policy	The Courts	"We the People" - Individuals and Groups
Thirteenth Amendment, 1865	<i>Constitutional amendment banning slavery</i>		
General Order No. 3, June 19, 1865, U.S. Major General Gordon Granger	Military order ensuring execution of Emancipation Proclamation in Texas		
Frederick Douglass, "What the Black Man Wants," 1865			Thought leader; suffrage must be secured for Black men

The Freedmen's Bureau Act of 1865	Federal law establishes agency to give aid to freed slaves and refugees		
An Act to Confer Civil Rights on Freedmen, and for Other Purposes, 1865 (Mississippi Black Code)	Law to support refugees and freedmen from Civil War		
Civil Rights Act of 1866	Federal law defines citizenship and equal benefit of law for citizens		
Attacking the Freedmen's Bureau Poster, 1866			Anonymous racist critique of Freedmen's Bureau
Fourteenth Amendment, 1868 and Fifteenth Amendment, 1870	Constitutional amendments to guarantee equal protection, due process, and Black male suffrage		
African Methodist Episcopal (A.M.E.) Pastor S. B. Williams Reports Atrocities to North Carolina Governor Holden, 1869			Black leader protesting Klan violence

Albion W. Tourgée's Letter to Senator Joseph C. Abbott, 1870			White journalist/lawyer protesting Klan violence and criticizing Republican party for inaction
Thomas Nast, "The Union As It Was," 1874			Political cartoon protesting paramilitary violence in the South
Congressman Robert B. Elliott's Speech in Support of the Civil Rights Act, January 1874	Speech in support of Civil Rights Act		
Congressman James T. Rapier's Speech in Support of the Civil Rights Act, February 1875	Speech in support of Civil Rights Act		
Civil Rights Act, 1875	Law guaranteeing some civil rights to African Americans		
Strauder v. West Virginia, 1880		Denying Blacks the right to serve on juries violates Fourteenth Amendment's Equal Protection Clause	

Civil Rights Cases, 1883		Federal laws against discriminatory practices apply to states, not private businesses	
Frederick Douglass, Speech on the Civil Rights Cases, 1883			Thought leader protesting Supreme Court decision allowing discrimination in private businesses
Louisiana Separate Car Act, 1890	State law enforcing segregation		
Mississippi Constitution, 1890	State laws codifying segregation, limits on civil rights, limits on suffrage for African Americans		
Anna Julia Cooper, A Voice from the South, 1892			Thought leader arguing that race prejudice violates religious teaching and toleration and liberty of “the nation’s birth”
Frederick Douglass, “The Blessings of Liberty and Education,” 1894			Thought leader advocating education as a means for bettering ourselves



Booker T. Washington, Atlanta Exposition Address, 1895			
Plessy v. Ferguson, 1896		Policy of “separate but equal” is constitutional and permissible	
Images from Historically Black Colleges and Universities, 1866–1900			Groups and individuals establish schools for African Americans

1. The absence of Founding principles, particularly equality, was referenced in speeches and works by Black leaders in Congress such as Elliott and Rapier and by thought leaders like Frederick Douglass, Anna Julia Cooper, and Booker T. Washington. The cartoonist Thomas Nast also pointed out how racial violence in the South violated the Founding principles in his cartoons of the Reconstruction era (“The Union As It Was”).
2. Answers may include:
  - Emphasis on education/building of schools
  - Continued leadership advocates for full rights and economic gains
3. Answers may include:
  - Courts and laws hindered the cause with conflicting rulings in the Strauder, Civil Rights, and Plessy cases.
  - Policies and laws were contradictory (Reconstruction Amendments, Freedmen’s Bureau Act, Civil Rights Act), yet state put limits on rights through Jim Crow.
  - Throughout the period, leaders continually spoke out against violence toward Blacks and the injustice of segregation.
4. Students should support their opinions with historical reasoning and specific evidence contained in the documents.