

Flint Community Schools United States History Unit of Study – Grade 8

The preamble of the United States Constitution states that Americans are striving to form a “more perfect union.” How do Reconstruction era laws and agreements contribute to, or hinder, creating a more perfect union? How and why do historians interpret past actions?

History/Social Studies Grade Eight

“One starts with the end – the desired results (goals or standards) – and then derives the curriculum from the evidence of learning (performances) called for by the standard and the teaching needed to equip students to perform.”

- Wiggins & McTighe¹

The following unit design is based on the work of Grant Wiggins and Jay McTighe as explained in their book entitled *Understanding by Design (UBD)*. UBD is a standards-based backwards design process which leads to the development of big ideas and utilizes student work to guide teaching.

Why do we advocate for “Backwards Design”? Standards-based instruction and the Michigan history themes project ask teachers to “begin with the end in mind.” Beginning by thinking about the expected outcomes and designing an assessment before planning and lessons or drawing up learning experiences makes it easier to clarify our goals for students and ensure greater alignment between our lessons and assessments. It is a process that helps us determine whether students are able to master rigorous, grade appropriate work.

What is “Backwards Design”? This way of thinking starts with unpacking the content standards to focus on the big ideas and develop an essential question. The big idea is followed with development of appropriate assessments and evidence (such as an assessment that measures the student performance on the standards, rubric/scoring guides and anchor papers). Once the expectation for learning and the assessments are in place, the next step is to build a standards-based unit through carefully constructed learning experiences. The planning template following this cover letter includes our thinking process as we began this unit.

Why start with assessment? Starting with identifying what we want students to know and be able to do at the end of the unit ensures that we are clear about what we consider acceptable evidence of learning before we start teaching to guide our planning of teaching experiences. This way of looking at curriculum also allows us to build in checks for understanding during the course of our teaching so that we may adjust our instructional methods and content to meet the needs of the students, making sure that they are learning before we reach the final assessment.

How was the content chosen? During the summer of 2006 local and national scholars joined together in Flint to share their expertise through the Teaching American History Project. Several Flint Community Schools teachers attended the sessions, and suggested key knowledge and skills students should learn in a new unit of study. The materials in this unit were developed using some of the work from this summer as well as my own research as author. I discovered that several of the internet sites, such as Colonial Williamsburg and PBS, that have the primary documents and articles in this unit also

¹ Wiggins, G. and McTighe, J. (1998) *Understanding by design*. Alexandria, VA: Association for Supervision and Curriculum Development, p. 8.

offer recording of songs and images pertinent to the unit. These were not included in the unit specifically since not everyone has the technology to share these with their class. Those interested can visit these sites for supplemental materials.

Flint teachers familiar with readers and writers workshop will recognize the instructional strategies in the unit. I adapted a key workshop strategy of helping students think of themselves as writers. In this unit, students are to be taught how to think as historians in an authentic manner. The units expect students to learn how to read nonfiction, keep a historian's notebook and share their thinking with peers on a daily basis and in a concluding performance assessment as a means to building a discourse community. Since students may be new to this type of thinking the lessons may take longer while they familiarize themselves with the process.

In this unit you will find:

- (1) an overview of the unit;
- (2) identification of the standards to be addressed and development of what students should know and be able to do;
- (3) the big idea/essential questions to guide critical thinking and deepen understanding;
- (4) ten fifty-minute lessons; and
- (5) the final assessment and scoring guide (anchor papers will come over time).

I look forward to hearing about your success in using this unit.

Tiffany Shockley Jackson
Senior Associate
Perry and Associates, Inc.
August 2006

Flint Community Schools²
History/Social Studies Unit Two
Based on the work of *Understanding by Design* – McTighe & Wiggins

Course: History/Social Studies Grade Eight

Unit Title: The Time of Reconstruction

Essential Questions: The preamble of the United States Constitution states that Americans are striving to form a “more perfect union.” How do Reconstruction era laws and agreements contribute to, or hinder, creating a more perfect union? How and why do historians interpret past actions?

Identify Desired Results:

History Themes Addressed:

Theme 1: Technological and economic growth defines and promotes American culture and economic expansion within the United States and the global community.
(Civilization, Cultural Diffusion, and Innovation)

Theme 3: Citizens’ needs, values and beliefs can shape governmental policies and institutions. (Values, Beliefs, Economics, Political Ideas and Institutions)

Content Standards:

I.1HS2, I.3HS1, I.2HS3, II.1HS1, II.3HS2, II.4HS4, III.2HS1, IV.5HS1 and I.1HS3, I.2HS1, I.2HS3, I.3HS3, I.4HS1, II.4HS4, III.1HS2, III.2HS2, III.4.HS1, IV.3HS4, IV.4HS1, IV.4HS4, VI.1HS1

(Benchmark alignments copied from History Themes Project website)

What should students *know and be able to do*?

- How to read primary source documents
- How to determine the main ideas and supporting evidence of a document
- How to read a document or series of documents and determine various perspectives
- How to look at cause and effect within a document
- How to shape ideas into writing
- How to participate in a forum to share their papers and discuss the ideas presented

What specific insights about *big ideas* do we want student to end the unit with?

- Students should understand the complex civil rights issues during the Reconstruction era
- Students will understand the reasoning of the North and South regarding why they wanted a certain economy
- The reactions of the Southern states to Reconstruction
- Students will understand the role of the Amendments to the Constitution

What *essential question* will frame the unit to spark critical thinking about content?

The preamble of the United States Constitution states that Americans are striving to form a “more perfect union.” How do Reconstruction era laws and agreements contribute to, or hinder, creating a more perfect union? How and why do historians interpret past actions?

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Determine Acceptable Evidence:

Summative Assessment: What key performance task(s) can students engage in to indicate understanding?

On the last day of the unit students will use their learning from the previous days to address the essential questions and big ideas in writing. They will participate in a historian's forum with papers they have prepared to share.

Ongoing Assessment: What evidence will be collected along the way to check for understanding, knowledge, and skill?

After the end of each lesson teachers can collect the text to assess for evidence of literacy work and also the handouts to assess for understanding of content.

Scoring Guide: Please see separate scoring guide included in the unit.

Plan Learning Experiences:

What learning experiences and instruction will promote the desired understanding, knowledge, and skills?

Please see attached lessons 1 – 10

* Language and process of planning taken from the work of McTighe & Wiggins (1998) *Understanding by Design*, Alexandria, VA: Association for Supervision and Curriculum Development.

Explanation of Instructional Strategies:

Partnerships: Partnerships are typically pairs of students, although an occasional group of three is sometimes necessary due to odd numbers, who were placed together by the teacher based on factors such as ability, temperament, common interests, etc. The students work together for the duration of the unit so that they form an academic bond by learning about how a peer thinks. Students working in partnerships are equal since they both have ideas to offer and share in all work. It is critical that students speak in partnerships and learn how to function in an academic community, using questions or defending statements/opinions and incorporating vocabulary. In a whole group setting only one student can speak at a time, but with partnerships half the class can speak at a time and the other half has to respond, thereby increasing the amount of academic talk and engagement in the room. You will need to periodically teach students how to work in partnerships, such as how to ask a question or even how to properly sit next to your partner and share ideas so that everyone can hear their partner.

Shared Reading: This refers to a time when each student has access to a copy of the text that the teacher also has displayed. The teacher has chosen a literacy teaching point based on students needs and the text offers an opportunity to teach this point as well as appropriate content. The teacher explains the teaching point to the students and models the reading behavior, interacting with the text in a specific manner. The students follow

along and practice the strategy with the same text. While the students practice and also learn the content the teacher assesses their learning to determine if they can incorporate the strategy into other texts and content.

Historian’s Notebook: Many historians use a notebook as a way to record their notes and thoughts while reading. This notebook also functions as a place to draft thinking into paragraphs and multiple paragraphs for later extended papers and articles. It is critical that students learn how to develop and maintain this notebook so that they learn the importance of their own thinking and how to use the work of reading and talking with a partner and peers in extended writing. Often students fail to see the connectedness of each day’s lesson as it grows toward a larger whole and they fail to see the value of their own thoughts as they share with others. The notebook becomes a tool for recording those thoughts that are of value to be incorporated and developed and also as a reflective tool so that students can learn to see the connectedness of lessons across the year.

If lessons call for a handout as a way of teaching student to organize their thinking and note taking, teachers will either have the students tape the handout into the notebook or not use the handout and copy the format of the handout into the notebook for that lesson.

Marking the text: Students should “mark” the text to reflect their thinking, ask questions for clarification and write inferences near the sentence(s) that sparked a thought. In doing this they can better track their own comprehension and identify when their learning breaks down. The “markings” also act as a record of thoughts and learning to be used for preparation for a discussion with a partner, small groups, or with the whole class. When students mark the text it often helps them to refer back to the portions of the text and re-read their thinking to help them decide which quotes to incorporate into their writing or to summarize the main points of a document.

In addition to working with making meaning through marking the text with questions and inferences, it is critical that students recognize new words and use the context of grammar, context cues, etc. to determine the meaning of the new word and to write that meaning above the new word. This action not only aids in comprehension but builds a personal and class-wide word study opportunity. The teacher might collect these words and their meanings from students and have them post the words, their meanings, the sentence(s) with the word from the text and a new sentence written by the student using the word to post in the classroom. When students write and speak they need to refer to these posted words and practice incorporating them into spoken and written language.

Flint Community Schools
Grade 8
Historical Forum
Call for Papers

You have been selected to participate in a highly regarded forum of experts from your historical field. We ask that you prepare a paper based on the topic explained below and attend the forum ready to share your writing and engage in discussion with your peers.

The Flint Community Schools is interested in understanding the formation and development of the United States during the time of Reconstruction. Specifically they want to understand the ways in which the historical events, people, and opinions of that time period contributed to a “more perfect union”. Write a paper including and explaining what this term means and where it comes from, the major events related to civil rights of the Reconstruction, how these events added or detracted from creating a more perfect union.

In addition to writing your opinion, describe the process you used as a historian to write this paper. What did you have to do first, second, and so on until you finished.

You may refer back to your historian’s notebook and also the documents used in class.

Write your response on separate paper.

You will have an opportunity to share your opinion and hear the opinion of your peers in a forum format after completion of your paper.

FCS - Grade Eight Unit Two Scoring Guide for Final Assessment:

Category	1	2	3	4	5
<p>Content Knowledge</p> <ul style="list-style-type: none"> • Use of specific historical facts • Use of textual evidence • Opinion based on appropriate knowledge 					
<p>Writing Process</p> <ul style="list-style-type: none"> • Ability to explain importance of reading comprehension of documents • Inclusion of use of notebook • Explanation of pulling ideas together to develop writing 					
<p>Format and Structure</p> <ul style="list-style-type: none"> • Appropriate paragraph structure • Essay format for opinion statement 					
<p>Writing Fluency</p> <ul style="list-style-type: none"> • Academic word choice • Appropriate sentence structure 					
<p>Mechanics</p> <ul style="list-style-type: none"> • Spelling errors • Grammatical errors 					

Flint Community Schools³
History/Social Studies Unit Two Lesson 1

Course: History/Social Studies Grade 8
Unit: The Time of Reconstruction
Objective: to introduce students the role of the historian and the Preamble to the Constitution
Essential Question: (this should be posted in the classroom for all to easily see throughout the unit) The preamble of the United States Constitution states that Americans are striving to form a “more perfect union.” How do Reconstruction era laws and agreements contribute to, or hinder, creating a more perfect union? How and why do historians interpret past actions?
Time Frame: 50 min. lesson
Materials/Resources/Preparation: copies of the Preamble, notebooks, and chart paper

Introduction: (Anticipatory Set)	<i>In this unit we will study the role of the historian, which has often been compared to a detective, a professional analyst, a puzzle solver, a judge, and a philosopher. We will take on all of these roles, searching for clues in texts as a detective and analyzing them to solve a puzzle, in the form of whether or not actions and decisions of the past add to a “more perfect union” or not. We will act as the judge and philosopher as we think deeply and critically about what this term, “a more perfect union”, means.</i>
Teaching/Input: (Modeling, inquiry, working with reading, film, slides)	<i>Let’s begin with a discussion of the role of the historian. I stated that it is often compared to a detective, a professional analyst, a puzzle solver, a judge, and a philosopher. What do you understand about each of these roles and how are they like a historian? (discuss this with students – write down their thoughts on chart paper) What are the tools of a historian? (continue to discuss and take notes based on what students say – be sure they include inquiry, analysis, discussion, writing, reading, and the various documents historians use)</i> <i>Let’s practice with the Preamble, which includes the term a “more perfect union”. I would like you to work with a partner for this entire unit. This person is your partner to discuss ideas with as you learn, to learn more and to clarify confusion. Today, you and your partner will read the Preamble, which is an introductory statement of purpose, to be able to explain what this preamble says is the purpose of the Constitution and the men who developed it. I want you to address this issue in writing in your notebook and then we will share our thoughts.</i>
Independent Practice:	Allow time for the partnerships to work through the document and develop their thoughts into writing. Meet with each

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(Small group work, peer work, or independent work	partnership and offer your support.
Closing:	Have students share their thoughts and writing about the Preamble and also about how they worked as historians, if they can explain how they looked for clues as a detective analyzed the clues they found, and addressed a puzzle through writing.
Assessment: (How will we know the students understood today's lesson?)	Look at the student writing. This is your first writing sample and will tell you how formally academic students are at this point in the year (do they automatically use academic language, complex sentence structure, write in multiple paragraphs or refer to specifics in the text)?
Homework:	Write your own definition of a historian.

Constitution of the United States

Adopted by convention of States, September 17, 1787; Ratification completed, June 21,
1788

PREAMBLE

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

<http://www.law.emory.edu/FEDERAL/usconst.html>

Flint Community Schools⁴
History/Social Studies Unit Two Lesson 2

Course: History/Social Studies Grade 8
Unit: The Time of Reconstruction
Objective: to introduce students the role of the historian and the Preamble to the Constitution
Essential Question: (this should be posted in the classroom for all to easily see throughout the unit) The preamble of the United States Constitution states that Americans are striving to form a “more perfect union.” How do Reconstruction era laws and agreements contribute to, or hinder, creating a more perfect union? How and why do historians interpret past actions?
Time Frame: 50 min. lesson
Materials/Resources/Preparation: copies of the scoring guide, notebooks, copies of the scoring guide for the overhead

Introduction: (Anticipatory Set)	<p><i>At the end of the unit we will participate in a historian’s forum. Historians do this often and rather enjoy them. They study various documents, analyze them, formulate judgments or opinions in writing and then gather with their peers and share their writing and discuss one another’s work.</i></p> <p><i>Before we move any further into this work let’s look at the scoring guide used for the writing portion of this forum and make sure that we all understand the requirements.</i></p>
Teaching/Input: (Modeling, inquiry, working with reading, film, slides)	<p><i>Let’s begin with the first category, that of content knowledge, and read it together and explain what each bullet descriptor means by giving examples or describing what we need to see in a paper. The first bullet states “Use of specific historical events” which means that in the paper we expect to see factual information such as dates, people, names of documents, titles of wars, etc. included. (write this down on the paper – in your case the overhead and have the students copy this on their own scoring guides) The second bullet, “Use of textual evidence means that we expect to see quotes embedded into the running text of your paper or paraphrased sections of documents with a title or author name letting us know where the quote or paraphrased section came from. (again write and students copy) The last bullet, “Opinion based in appropriate knowledge” means that the choices of texts or events you use to build your opinion should be relevant to the topic or content. A reader should be able to trace your thinking through the content and never wonder where an idea came from. (again write and students copy)</i></p>

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	<i>I want you and your partner to continue with the rest of the scoring guide and we will share our thoughts at the close of class.</i>
Independent Practice: (Small group work, peer work, or independent work)	Meet with each partnership to offer your support and guidance.
Closing:	Allow time for students to share. Make a decision as to the most appropriate ideas and write those on the overhead for all students to include on their scoring guide.
Assessment: (How will we know the students understood today's lesson?)	The thoughts students share will tell you what they know about quality writing.
Homework:	What do you expect a quality paper to include? Assign the reading on the Emancipation Proclamation as background for the next class.

Flint Community Schools⁵
History/Social Studies Unit Two Lesson 3

Course: History/Social Studies Grade 8
Unit: The Time of Reconstruction
Objective: To understand the Proclamation Emancipation and reactions of various people
Essential Question: (this should be posted in the classroom for all to easily see throughout the unit) The preamble of the United States Constitution states that Americans are striving to form a “more perfect union.” How do Reconstruction era laws and agreements contribute to, or hinder, creating a more perfect union? How and why do historians interpret past actions?
Time Frame: 50 min. lesson
Materials/Resources/Preparation: copies of the handout, the article, and the Emancipation Proclamation, notebooks

Introduction: (Anticipatory Set)	<i>Today we will look at the Emancipation Proclamation and various reactions to it to understand what was actually happening at this time in history.</i>
Teaching/Input: (Modeling, inquiry, working with reading, film, slides)	<p><i>Let’s look at the Proclamation together and follow along and listen as I read so that you can learn how to interpret this document.</i></p> <p>Read the introductory paragraph and explain its main points. Explain that you are going to show students how to read the proclamation, focusing on how to deal with the long and complex sentences typically used by people in Lincoln’s time. Read the first paragraph of the proclamation and refer to the handout to explain how you choose textual evidence and write the main point.</p> <p>Assign sections of the proclamation to partnerships of students so that they can continue with the work on the handout. You can have them write on the handout and add that to their notebook or so the work directly in the notebook.</p> <p>When they are finished with their portion of the proclamation ask them to read the article and write a statement explaining the various reactions to the proclamation.</p>
Independent Practice: (Small group work, peer work, or independent work)	Allow time for students to work on their assignment. Meet with each partnership to offer support with the assignment.

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Closing:	Ask each partnership to share their main points from the proclamation. Discuss the article and ask student what they thought of the reactions to the proclamation.
Assessment: (How will we know the students understood today's lesson?)	Listen to the students during work time and closing to assess their understanding of the content and controversy of this document. Collect the handouts to assess their ability to determine a main point from a portion of text.
Homework:	Assign the Bill of Rights article as a background reading. How do historians use primary source documents to understand the past?

Emancipation Proclamation Background Information

The "victory," [at Antietam] if it could be called that, provided Lincoln with the occasion to announce the Proclamation of Emancipation. Five days after the battle, on September 22, the President issued his preliminary proclamation, declaring that if the South persisted in its rebellion, all the slaves of the rebels would be free on January 1, 1863. The effect was electrifying. Frederick Douglass wrote: "We shout for joy that we live to recall this righteous moment. . . . 'Free forever oh! long enslaved millions, whose cries have so vexed the air and sky, suffer on a few days in sorrow, the hour of your deliverance draws nigh! Oh! Ye millions of free and loyal men who have earnestly sought to free your bleeding country from the dreadful ravages of revolution and anarchy, lift up your voices with joy and thanksgiving for with freedom to the slave will come peace and safety to your country."

William Lloyd Garrison, who had been unsparing in his denunciation of Lincoln, had an immediate change of heart and hailed the proclamation as "a great historic event, sublime, in its magnitude, momentous and beneficent in its far-reaching consequences.

In New Orleans a bilingual newspaper, *L'Union*, started by the free blacks of the city in 1862, spread the word of the Emancipation Proclamation. "Brothers!" it announced. "The hour strikes for us; a new sun, similar to that of 1789, should surely appear on our horizon. May the cry which sounded through France at the seizure of the Bastille resonate today in our ears. . . . Let us all be imbued with these noble sentiments which characterize all civilized people. . . . Let us be resolute. Let us rise up in all the majesty and with the charity befitting Christians, let us preach by example to all men, so that they will follow the road which leads to liberty. . . . Compatriots! May this new era fortify us, and be for us a rampart against persecution; and in sweet accord with our brothers, let us fill the air with these joyous cries: 'vive la liberty vive l'union! viva la justice pour tous les hommes!.... Down with the craven behavior of bondage! Stand up under the noble flag of the Union and declare yourselves hardy champions of the right."

At Salmon Chases house in Washington, after the Emancipation Proclamation had been issued, there was a festive air. Everyone "seemed to feel a sort of new and exhilarated life," John Hay wrote; "they breathed freer; the President's proclamation had freed them as well as the slaves. They gleefully and merrily called each other and themselves abolitionists, and seemed to enjoy the novel accusation of appropriating that horrible name."

Austa French was being driven about Beaufort, South Carolina, by her black coachman when she heard the news, and she began exclaiming and praising the Lord. Then she turned to the coachman and asked how the news affected him. "Most beautiful, Missus; onspeakable," he replied. "But why don't you say Hallelujah as I do?" she asked. "I am burning inward, madam," he said.

The proclamation was not without its advocates in the South. Mary Chesnut at least was exultant. "if anything can reconcile me to the idea of a horrid failure after all efforts to make good our independence of Yankees, it is Lincoln's proclamation freeing the negroes. . . . Three hundred of Mr. Walter Blake's negroes have gone to the Yankees." Like Mary Chesnut, Kate Stone welcomed the freeing of the slaves. "The great load of accountability was lifted," she wrote, "and we could save our souls alive. God would not require the souls of the Negroes at our hands."

The reaction of Lieutenant Charles Colcock Jones was undoubtedly more typical. To him Lincoln's proclamation was "the crowning act of the series of black and diabolical transactions which have marked the entire course of his administration . . . a most infamous attempt to incite flight, murder, and rapine on the part of our slave population."

Nor was every Northerner, by any means, enthusiastic. Edward Ingersoll, brother-in-law of Sidney George Fisher, declared at a Democratic rally: "In the history of the world, what governmental atrocity has equaled this? . . . Do I exaggerate, fellow citizens, or mislead you when I say before the atrocities of this governmental decree, St. Bartholomew and King Herod pale and dwindle?" Fisher found it was wiser in the name of family peace to say nothing about the proclamation to his wife's relatives and connections.

John Hay quoted one of his "C--s," perhaps Chase, as saying in the aftermath of the Emancipation Proclamation and in reference to the secession of the Southern states, "This was the most wonderful history of an insanity of a class that the world had ever seen. If the slaveholder had stayed in the Union, they might have kept the life in their institution for many years to come. That which no party and no public feeling in the North could ever have hoped to touch, they had madly placed in the very path of destruction."

The effect of the proclamation in Europe was all that Charles Francis Adams and Carl Schurz had hoped for. Henry Adams wrote his brother Charles: "The Emancipation Proclamation has done more for us here than all our former victories and all our diplomacy. It is creating an almost convulsive reaction in our favor all over this country. The London Times furious and scolds like a drunken drab. Certain it is that public opinion is deeply stirred here and finds expression in meetings, addresses to President Lincoln, deputations to us, and standing committees to agitate the subject and to affect opinion, and all the other symptoms of a great popular movement" which "rest altogether on the spontaneous action of the laboring classes. . . ." Henry had gone to "a democratic and socialist meeting, most threatening and dangerous to the established state of things; and assuming a tone and proportions that are quite novel and alarming in this capital. . . . They met to notify the Government that 'they would not tolerate interference against us. . . . I never quite appreciated the 'moral influence of American democracy, nor the cause that the privileged classes in Europe have to fear us, until I saw how directly it works. At this moment the American question is organizing a vast mass of the lower orders in direct contact with the wealthy. They go our whole platform and are full of the 'rights of man. The old revolutionary leaven is working steadily in England. You can find millions of people who look up to our institutions as their model and who talk with utter contempt of their own system of government."

A few days later, writing of a great meeting in the industrial city of Manchester, Adams called it "tremendous, unheard of since the days of reform. The cry was 'Emancipation and reunion and the spirit was dangerously in sympathy with republicanism. . . . Every allusion to the South was followed by groaning, hisses and howls, and the enthusiasm for Lincoln and for everything connected with the North was immense.

While the proclamation did not change the status of slaves in states not technically in rebellion -- i.e., Maryland, Missouri, Tennessee--it did change contrabands

into free men and women and provided, as Mary Chesnut's comment indicates, a strong incentive for slaves to seek their freedom in Union lines.

Further, it was a proclamation *in anticipation*. Three months were allowed for states in rebellion to have a change of heart. The proclamation would not go into effect until January 1, 1863, and even then only on the President's confirmation of it. So the proclamation was, in a sense, double-barreled. The first barrel was its announcement; the second would be its confirmation. It was to this date, therefore, that blacks and abolitionists looked as one of the great days in all history. . . .

In this mood of deepening pessimism [from September through December], there was, at least for the enemies of slavery, one bright spot--the eagerly awaited final announcement of emancipation. It was known that a powerful campaign had been mounted to persuade Lincoln to rescind or at least to delay giving effect to the proclamation. But word was that he was resolute.

At the Cabinet meeting on December 29, Lincoln read the final draft of the proclamation and invited criticism. A few small changes were made, and the document was prepared for public announcement. The proclamation declared that anyone in revolt against the United States would be subject to fine and imprisonment and his slaves declared free. Those in that category included all officers in the Confederate army and public officials of the Confederacy. Further, "all the slaves of persons who shall hereafter be engaged in rebellion against the Government of the United States . . . escaping from such persons and taking refuge within the lines of the army, and all slaves captured from such persons or deserted by them . . . shall be deemed captives of war, and shall be forever free of their servitude, and not again held as slaves." Lincoln enjoined "the people so declared to be free to abstain from all violence, unless in necessary self-defense," and recommended "that in all cases when allowed they labor faithfully for reasonable wages. . . . And I further declare and make known that such persons of suitable condition will be received into the armed service of the United States to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service."

In Boston, the capital of abolitionism, and in many other Northern cities, free blacks began a vigil at dusk on New Year's Eve. Candles were placed in the windows of black homes, and every black church was filled, as midnight approached, with singing and praying congregations. In many churches, blacks were joined by white friends, who held hands and sang old spirituals calling on the Lord to deliver the slaves from their chains. Fanny and William Garrison, daughter and son of William Lloyd, were among the worshipers. It was a strange and moving moment--the blacks, with their expressiveness of voice and gesture, pouring out their hearts; their white friends, far more inhibited in their expressions of triumph, caught up in the exuberance of the moment. One minister declared: "Brethren and sisters tomorrow will be de day for der oppressed. But we all know dat evil is 'round de President. While we set here dey is trying to make him break his word. But we have come to dis Watch Night ter see dat he does not break his word. Der ole serpant is abroad tonight wid all his emissaries, in great power. His wrat is great, 'cause he knows the hour is near. *He will be in dis church dis evening!* As midnight comes on we will hear his *rage!* But brethren and sisters, dont be skeered. Well pray. Hell go ragin back to hell, and God Almighty's *New Year will make de United States der*

lan of freedom!" As the preacher spoke of the serpent, the congregation moaned and cried out, and then a great, prolonged sibilant hiss, the hiss of the serpent--the devil--rose with the cry "he's here—he's *here!*" The ministers prayer rose higher to drown out the devil. Then, at the moment when the whole body was swept by the ecstatic sound, the stroke of the clock could be heard sounding midnight. There was a moment of silence and then the first notes of a jubilee hymn.

At the Music Hall in Boston a great crowd of abolitionists gathered to celebrate the expected news of the proclamation. Mendelssohn's *Hymn of Praise*, Beethoven's Fifth Symphony, and Handel's *Hallelujah Chorus* were played, and favorite hymns were sung. All day and into the early evening the vigil was kept. At the Tremont Temple, Frederick Douglass, Anna Dickinson, William Wells Brown, Garrison himself, Harriet Beecher Stowe, and scores of other workers in the cause waited for the final word to come over the telegraph. Shortly before midnight the long-awaited telegram arrived. People wept and shouted, cried and embraced, and pounded each other on the back. There was a call for Garrison in the gallery. He stood up and was given three cheers. Then the crowd called for Harriet Beecher Stowe, who rose and smiled through her tears, acknowledging the deafening applause. The Reverend Charles Bennett Ray began to sing: "Sound the loud timbrel of Egypt's dark sea, Jehovah hath triumphed, his people are free!" Everyone joined in.

In Washington the Reverend Henry Turner, a leader in the fight for black rights and minister of the Israel Bethel Church, going to the offices of the *Evening Star*, in which the final proclamation would be printed, saw "such a multitude of people," black and white, waiting for the edition that he could only with difficulty obtain one, once the paper appeared. Seizing the portion containing the proclamation, Turner ran "for life and death" down Pennsylvania Avenue, waving the torn sheet over his head. When the crowd around the church saw their minister coming, "they raised a shouting cheer that was almost deafening," he recalled. "As many as could get around me lifted me to a great platform and I started to read the Proclamation." But Turner was too out of breath, having run the better part of a mile, and he handed it to a companion, who "read it with great force and clearness." While he was reading it, "every kind of demonstration and gesticulation was going on. Men squealed, women fainted, dogs barked, white and colored people shook hands, songs were sung, and by this time cannons began to fire at the navy-yard . . . great processions of colored and white men marched to and fro and passed in front of the White House and congratulated President Lincoln on his proclamation." Lincoln appeared at the window and bowed to ecstatic shouts and cheers. "It was indeed a time of times," Turner wrote; "nothing like it will ever be seen again in this life. . . . The first day of January, 1863, is destined to form one of the most memorable epochs in the history of the world."

Another Washington meeting was held in a contraband camp, where ex-slaves who had fled from the South were given temporary quarters by the government. George Payne, a former slave, addressed his companions: "Friends, don't you see de hand of God in dis? Haven't we a right to rejoice? You all know you couldn't have such a meetin as dis down in Dixie! Dat you all knows. I have a right to rejoice; an so have you; for we shall be free injus about five minutes. Dats a fact. I shall rejoice that God has placed Mr. Lincum in de president's chair, and dat he wouldn't let de rebels make peace until after dis new year Payne ended with an admonition: "De lazy man cant go to heaven. You

must be honest, an work, an show dat you is fit to be free; and de Lord will bless you and Abram Lincum. Amen!"

Another ex-slave also "testified," remembering the time that he cried all night because his daughter was to be sold. "Now, no more dat! No more dat! no more dat! When I tink what de Lords done for us, an brot us thro de trubbles, I feel dat I ought to go inter His service. Wese free now, bress de Lord! (Amens were vociferated all over the building.) Dey cant sell my wife and child any more, bress de Lord! (Glory, glory! from the audience.) No more dat! no more dat! no more dat, now! (Glory!) Preserdun Lincum have shot de gate!"

In Harrisburg the blacks of that town drew up a set of resolutions in which they declared that the "hand of God" was clearly recognizable in the proclamation, "and . . . we are constrained to say, roll forward the day when American soil shall no more be polluted with that crime against God, American slavery; but all will be able to say, 'Glory to God in the highest, on earth peace and good will to man.'"

On the Sea Islands there were also ecstatic celebrations of emancipation. Charlotte Forten wrote: "New-Years-Day-Emancipation Day-- was a glorious one to us. The morning was quite cold . . . but we were determined to go to the celebration at Camp Saxton [the camp of the 1st South Carolina Volunteers, the black regiment of ex-slaves organized and commanded by Thomas Wentworth Higginson] . . . on this, 'the greatest day in the nations history. " On board the ferry carrying the blacks under Fortens tutelage, "there was an eager, wondering crowd of the freed people in their holiday attire, with the gayest of head-handkerchiefs, the whitest of aprons, and the happiest of faces. The band was playing, the flags streaming, everybody talking merrily and feeling strangely happy. . . Long before we reached Camp Saxton we could see the beautiful grove. Some companies of the First Regiment were already drawn up in parade formation--a fine soldierly-looking set of men; their brilliant dress against the trees (they were then wearing red pantaloons) invested them with a semi-barbaric splendor."

Colonel Higginson introduced the chaplain, who read the proclamation, which was cheered to the skies. Two "very elegant flags" were presented to the regiments and then, before Colonel Higginson could reply, some of the blacks "of their own accord, commenced singing, 'My Country, 'tis of thee. It was a touching beautiful incident," Charlotte Forten added, "and sent a thrill through all our hearts. . ."

Then there was a dress parade, black soldiers marching and maneuvering. "To us," Forten wrote, "it seemed strange as a miracle,-- this black regiment, the first mustered into the service of the United States, doing itself honor in the sight of the officers of other regiments, many of whom, doubtless, 'came to scoff. The men afterwards had a great feast, ten oxen having been roasted whole for their special benefit." After the feast Charlotte and her friends gathered on the wall of an old fort nearby while the army band played "Home, Sweet Home." "The moonlight on the water, the perfect stillness around, the wildness and solitude of the ruins, all seemed to give new pathos to that ever dear and beautiful old song. It came very near to all of us--strangers in that strange Southern land." When the *Flora* came to carry them back to their plantation~ they all "promenaded the deck of the steamer, sang patriotic songs, and agreed that moonlight and water had never looked so beautiful as on that night." At Beaufort the party took the rowboat for St. Helena, "and the boatmen, as they rowed, sang some of their sweetest, wildest hymns. Our hearts were filled with an exceeding great gladness,"

Charlotte Forten wrote, "for although the Government had left much undone, we knew that Freedom was surely born in our land that day."

Gideon Welles noted: "The Emancipation Proclamation is published in this evenings *Star*. This is a broad step, and will be a landmark in history. The immediate effect will not be all its friends anticipate or its opponents apprehend.... The character of the country is in many respects undergoing a transformation. This must be obvious to all and I am content to await the results of passing events, deep as they may plough their furrows in our once happy land. This great upheaval which is shaking our civil fabric was perhaps necessary to overthrow and subdue the mass of wrong and error which no trivial measure could eradicate. The seed which is being sown will germinate and bear fruit, and tares and weeds will also spring up under the new dispensation."

George Templeton Strong wrote in *his* diary: "Be it remembered, with gratitude to the Author of all Good, that on January 1st the Emancipation Proclamation was duly issued. The nation may be sick unto speedy death and past help from this and any other remedy, but if it is, its last great act is one of repentance and restitution"

Robert Purvis, the Philadelphia lawyer who had suffered so from discrimination, spoke eloquently of the promise of a new day. He had once denounced the United States "as the basest despotism the sun ever shone upon. . . . I hated it with a wrath which words could not express; and I denounced it with all the bitterness of my indignant soul. . . . I was a victim, stricken, degraded, injured, insulted in my person, in my family, in my friends, in my estate; I returned bitterness for bitterness, and scorn for scorn. . . ." Now he was ready to forget the past: "Joy fills my soul at the prospect of the future. . . . In *spirit* and in *purpose*, thanks to *Almighty God!* this is no longer a slaveholding republic."

The Emancipation Proclamation elevated Lincoln in the minds of many black Americans to a semi-divine status. He was the instrument of the Lord sent to set them free from bondage. He came to them in dreams and visions. They declared fervently that he had come to their plantations, shaken their hands, and told them that they were free. If more sophisticated blacks failed to mythologize Lincoln in the same way, they also believed him an instrument of the Almighty. A black congregation in Baltimore raised some \$580 to buy a Bible the cover of which depicted Lincoln striking the chains off a slave in a cotton field. The Reverend S. M. Chase presented the Bible to the President, declaring, "Since our incorporation into the American family we have been true and loyal, and we are now ready to aid in defending the country, to be armed and trained in military matters, in order to assist in defending the star spangled banner." The Bible was presented "as a token of respect for your active participation in furtherance of the cause of the emancipation of our race. This great event will be a matter of history. Hereafter when our children shall ask what mean these tokens, they will be told of your worthy deeds, and will rise up and call you blessed." They would, moreover, remember him "at the Throne of Divine Grace" and pray that when he passed "from this world to that of eternity," he would be "borne to the bosom of your Saviour and your God." Lincoln replied, "I can only say now, as I have often said before, it has always been a sentiment with me that all mankind should be free. . . . I have always acted as I believed was just and right, and done all I could for the good of mankind. . . . In regard to the great Book, I have only to say, it is the best gift which God has ever given to man. All the good of the Savior of the world is communicated to us through this Book All those things desirable to men are contained in it."

In Georgia, Mary Jones believed that the emancipated slaves were destined to suffer most from the war; "with their emancipation," she wrote in her journal, "must come their extermination. All history, from their first existence, proves them incapable of self-government; they perish when brought in conflict with the intellectual superiority of the Caucasian race. Northern philanthropy and cant may rave as much as they please; but facts prove that *only* in a state of slavery such as exists in the Southern states have the Negro race increased and thriven most." Peace would bring changes in the system of slavery, to be sure, but "when once delivered from the interference of Northern abolitionism, we shall be free to make and enforce such rules and reformatations as are just and right. In all my life I never heard such expressions of hatred and contempt as the Yankees heap upon our poor servants. One of them told me he did not know what God Almighty made Negroes for; all he wished was the power to blow their brains out."

Source: "Trial by Fire, A People's History of the Civil War and Reconstruction" (Chapter 18) by Page Smith.

<http://www.civilwarhome.com/emancipationbackground.htm>

Emancipation Proclamation

This proclamation was a Presidential decree issued September 22, 1862 to take effect January 1, 1863, freeing all slaves in those parts of the nation still in rebellion. In July 1862 Lincoln had proposed such a move to his cabinet and read them a preliminary draft of the proclamation. Seward suggested that he wait, believing that such a dynamic change in the war's focus (heretofore fought to preserve the Union and not to disrupt the South's social fabric) would be little more than a plea for support without a military victory. The battle of Antietam, while hardly decisive, gave Lincoln that opportunity.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

"I, Abraham Lincoln, President of the United States of America, and Commander-in-Chief of the Army and Navy thereof, do hereby proclaim and declare that hereafter, as heretofore, the war will be prosecuted for the object of practically restoring the constitutional relation between the United States and each of the States and the people thereof in which States that relation is or may be suspended or disturbed. That it is my purpose, upon the next meeting of Congress, to again recommend the adoption of a practical measure tendering pecuniary aid to the free acceptance or rejection of all slave States, so called, the people whereof may not then be in rebellion against the United States, and which States may then have voluntarily adopted, or thereafter may voluntarily adopt, immediate or gradual abolishment of slavery within their respective limits; and that the effort to colonize persons of African descent, with their consent, upon this continent or elsewhere, with the previously obtained consent of the governments existing there, will be continued.

"That on the first day of January in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State or designated part of a State the people whereof shall then be in rebellion against the United States shall be then, thenceforward, and forever free; and the executive government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.

"That the Executive will, on the first day of January aforesaid, by proclamation, designate the States and parts of States, if any, in which the people thereof respectively shall then be in rebellion against the United States; and the fact that any State, or the people thereof, shall on that day be in good faith represented in the Congress of the United States by members chosen thereto at elections wherein a majority of the qualified voters of such State shall have participated shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that such State and the people thereof are not then in rebellion against the United States.

That attention is hereby called to an act of Congress entitled 'An act to make an additional article of war, approved March 13, 1862, and which act is in the words and figure following:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the following shall be promulgated as an additional article of war for the government of the Army of the United States and shall be obeyed and observed as such:

ART. --. All officers or persons in the military or naval service of the United States are prohibited from employing any of the forces under their respective commands for the purpose of returning fugitives from service or labor who may have escaped from any persons to whom such service or labor is claimed to be due; and any officer who shall be found guilty by a court-martial of violating this article shall be dismissed from the service.

Sec. 2. *And be it further enacted,* That this act shall take effect from and after its passage.

"Also to the ninth and tenth sections of an act entitled 'An act to suppress insurrection, to punish treason and rebellion, to seize and confiscate property of rebels, and for other purposes, approved July 17, 1862, and which sections are in the words and figures following:

SEC. 9. *And be it further enacted,* That all slaves of persons who shall hereafter be engaged in rebellion against the Government of the United States, or who shall in any way give aid or comfort thereto, escaping from such persons and taking refuge within the line of the Army; and all slaves captured from such persons or deserted by them, and coming under the control of the Government of the United States; and all slaves of such persons found on [or] being within any place occupied by rebel forces and afterwards occupied by the forces of the United States shall be deemed captives of war, and shall be forever free of their servitude and not again held as slaves.

SEC. 10. *And be it further enacted,* That no slave escaping into any State, Territory, or the District of Columbia from any other State shall be delivered up or in any way impeded or hindered of his liberty, except for crime or some offense against the laws, unless the person claiming said fugitive shall first make oath that the person to whom the labor or service of such fugitive is alleged to be due is his lawful owner, and has not borne arms against the United States in the present rebellion nor in any way given aid and comfort thereto; and no person engaged in the military or naval service of the United States shall under any pretense whatever assume to decide on the validity of the claim of any person to the service or labor of any other person or surrender up any such person to the claimant, on pain of being dismissed from the service.

"And I do hereby enjoin upon and order all persons engaged in the military and naval service of the United States to observe, obey, and enforce within their respective

spheres of service the act and sections above recited.

"And the Executive will in due time recommend that all citizens of the United States who shall have remained loyal thereto throughout the rebellion shall (upon the restoration of the constitutional relation between the United States and their respective States and people, if that relation shall have been suspended or disturbed) be compensated for all losses by acts of the United States, including the loss of slaves.

[SEAL.] "In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed. "Done at the city of Washington the twenty-second day of September, in the year of our Lord one thousand eight hundred and sixty-two, and of the Independence of the United States the eighty-seventh.

ABRAHAM LINCOLN.

Source: "The Official Records of the War of the Rebellion"

<http://www.civilwarhome.com/emancipation.htm>

FCS – Grade 8 Unit Two -Student Handout – Lesson 3

Textual Evidence	Main Point
<p>Paragraph 1: “the war will be prosecuted for the object of practically restoring the constitutional relation between the United States and each of the States” “recommend the adoption of a practical measure tendering pecuniary aid to the free acceptance or rejection of all slave States” “States may then have voluntarily adopted, or thereafter may voluntarily adopt, immediate or gradual abolishment of slavery”</p>	<p>Lincoln states that he wants to restore the Unites States to include all of the states and end the succession of the slave states. He also states that he wants the slave states to adopt away to slowly end slavery.</p>

Flint Community Schools⁶
History/Social Studies Unit Two Lesson 4

Course: History/Social Studies Grade 8
Unit: The Time of Reconstruction
Objective: to introduce student to the 13 th , 14 th and 15 th amendments, their effects and ways that they relate to our present situation
Essential Question: (this should be posted in the classroom for all to easily see throughout the unit) The preamble of the United States Constitution states that Americans are striving to form a “more perfect union.” How do Reconstruction era laws and agreements contribute to, or hinder, creating a more perfect union? How and why do historians interpret past actions?
Time Frame: 50 min. lesson
Materials/Resources/Preparation: copies of the amendments, the article, and the student handout for each partnership, notebooks

Introduction: (Anticipatory Set)	<i>“We are going to look at the 13th, 14th, and 15th Amendments to the Constitution and apply them to the idea of a “more perfect union” as we read in the Preamble. Ultimately, in this unit we want to learn how to gage actions based on our opinion of whether and what they add to this idea. To form this opinion we have to know specifically what the intent was, the effect, and to have a vision of what a “more perfect union” means.”</i>
Teaching/Input: (Modeling, inquiry, working with reading, film, slides)	Ask students if they have heard of the phrase “separate but equal” and what they think it refers to. Pose the question of separation in schools – that of race and gender. Ask students if they believe this is equality and ask them to explain their thinking. Ask them to explain why they think these practices exist and what it makes them think about our country. <i>“I am going to break you up into partnerships. You and your partner will work together for the duration of this unit. I want you to read through the amendments and the accompanying article. To save time split up the reading work and explain the main points to one another. Then together, in writing, respond to the questions on the handout in your notebook.”</i>
Independent Practice: (Small group work, peer work, or independent work)	Allow time for students to work on their assignment. Meet with each partnership to offer support with the assignment.
Closing:	Allow time for students to share their thinking. Address the question of why issues from the Reconstruction Era added to the

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	development of a “more perfect union” or did not.
Assessment: (How will we know the students understood today’s lesson?)	Listen to the students during work time and closing to assess their understanding. Collect the responses to the questions to assess their ability to read the article and amendments and their ability to apply ideas from the past to the present.
Homework:	Write a response to the question of why we study history? Assign the two articles on Reconstruction, and ask students to read them for meaning.

FCS – Grade 8 Unit Two - Student Handout – Lesson 4

What is an amendment and what is its relationship to the Bill of Rights and the Constitution?

What were the intended effects of the 13th, 14th, and 15th Amendment?

In reality, what were the actual effects of the amendments?

Did the Amendments make America a “more perfect union”? When and how?

The Bill of Rights and Amendments

The Bill of Rights (Amendments 1 through 10)

As noted on the Constitutional Convention Topic Page, several delegates to the convention refused to sign the newly drafted constitution because it did not include a bill of rights. Bills of rights were typically parts of the constitutions of the several states of the day (and today), placed there to ensure that certain rights were recognized by the government. Most of the delegates did not feel such a bill was necessary, and other may have been on the fence but were weary from the months of negotiations.

The lack of a bill of rights was one of the main arguments that Anti-Federalists used to try to convince the public to reject the Constitution. But the need for change was all too evident, and it was not rejected. However, some of the states sent suggestions for amendments to the Constitution to add an enumeration of certain rights. The ratification messages of the states included many varying suggestions, which the very first Congress took under consideration in its very first session.

Representative James Madison, who was so instrumental in the creation of the Constitution in the first place, drafted a bill of rights. Though he originally opposed the idea, by the time he ran for a seat in the House, he used the creation of a bill as part of his campaign. He introduced the bill into the House, which debated it at length and approved 17 articles of amendment. The Senate took up the bill and reduced the number to 12, by combining some and rejecting others. The House accepted the Senate's changes, voting on September 24th and 25th, 1789; twelve articles of amendment were sent to the states for ratification.

The first two articles were not accepted by enough states, but the last ten were. We know them today as Amendments 1 through 10. The second article was eventually ratified as the 27th Amendment. The first ten amendments, collectively known as the Bill of Rights, were ratified on December 15, 1791 (811 days).

13th Amendment - Slavery was an institution in America in the 18th and 19th centuries. The Southern states, with their agricultural economies, relied on the slavery system to ensure the cash crops (cotton, hemp, rice, indigo, and tobacco, primarily) were tended and cultivated. Slaves were not unknown in the North, but abolition in the North was completed by the 1830's. In 1808, the Congress prohibited the slave trade, not a year later than allowed in the Constitution. A series of compromises, laws, acts, and bills tried to keep the balance between the slave states and the non-slave states.

South Carolina voted to secede from the United States as a result of Abraham Lincoln's election to the Presidency. Lincoln had, over time, voiced strong objections to slavery, and his incoming administration was viewed as a threat to the right of the states to keep their institutions, particularly that of slavery, the business of the states. More states seceded, eleven in all, forming the Confederate States of America. The secession movement led to the Civil War. In the waning days of the war, which ran from 1861 to 1865, the Congress approved an amendment to abolish slavery in all of the United States. Once the CSA was defeated, approval of the 13th Amendment was quick in the Northern states. By the end of 1865, eight of the eleven Confederate states had also ratified it. Proposed on January 31, 1865, it was ratified on December 6, 1865 (309 days).

Eventually, all of the CSA states except Mississippi ratified the 13th after the war; Mississippi ratified the amendment in 1995.

14th Amendment - The ratification of the 13th Amendment was a major victory for the North, and it was hoped that with the Emancipation Proclamation and the 13th Amendment, the effects of slavery in the United States would quickly diminish. The original plan to readmit states after acceptance of the 13th was supported by President Andrew Johnson, but the Radical Republicans, as they became known, wanted more than just a return to normalcy. They wanted to keep the power they had attained during the war years. The South did not make it easy for Johnson, however, and the so-called Black Codes started to be passed in Southern states. Congressional inquiries into the Black Codes found them to be a new way of controlling ex-slaves, fraught with violence and cruelty.

The ensuing Reconstruction Acts placed the former CSA states under military rule, and prohibited their congressmen's readmittance to Congress until after several steps had been taken, including the approval of the 14th Amendment. The 14th was designed to ensure that all former slaves were granted automatic United States citizenship, and that they would have all the rights and privileges as any other citizen. The amendment passed Congress on June 13, 1866, and was ratified on July 9, 1868 (757 days).

15th Amendment - The last of the Reconstruction Amendments, the 15th Amendment was designed to close the last loophole in the establishment of civil rights for newly-freed black slaves. It ensured that a person's race, color, or prior history as a slave could not be used to bar that person from voting. Though a noble idea, it had little practical effect for quite some time, as the Southern states found myriad ways to intimidate blacks to keep them from voting. The Congress passed the amendment on February 26, 1869, and it was ratified on February 3, 1870 (342 days).

Though ratification of the 15th Amendment was not a requirement for readmittance to the Congress of the Confederate states, one of the provisions of the Reconstruction Acts required that the states include a provision in their new constitutions that included a near-copy of the text of the 15th. All of the CSA states except Tennessee, which was immune from the Reconstruction Acts, eventually ratified the 15th Amendment.

In the Civil Rights Cases (1883), the Supreme Court considered the constitutionality of a civil rights act, enacted eight years earlier, that was remarkably broad in scope. The 1875 act banned racial discrimination in many types of public accommodations, including hotels, railroad cars, theaters, and amusement parks. If the 1875 act had been upheld and enforced, the United States would have had a much happier history. Not until 1964 would such sweeping civil rights legislation again make it through Congress.

<http://www.usconstitution.net/constamnotes.html>

AMENDMENT XIII

Passed by Congress January 31, 1865. Ratified December 6, 1865.

Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

<http://www.law.umkc.edu/faculty/projects/ftrials/conlaw/powers13th14th15th.htm>

Fourteenth Amendment - Rights Guaranteed Privileges and Immunities of Citizenship, Due Process and Equal Protection

Section. 1. All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section. 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section. 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

Fifteenth Amendment - Right of Citizens to Vote

Section. 1. 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.

Section. 2. The Congress shall have power to enforce this article by appropriate legislation.

Flint Community Schools⁷
History/Social Studies Unit Two Lesson 5

Course: History/Social Studies Grade 8
Unit: The Time of Reconstruction
Objective: to understand Reconstruction and the perspectives of the North and the South at this time
Essential Question: (this should be posted in the classroom for all to easily see throughout the unit) The preamble of the United States Constitution states that Americans are striving to form a “more perfect union.” How do Reconstruction era laws and agreements contribute to, or hinder, creating a more perfect union? How and why do historians interpret past actions?
Time Frame: 50 min. lesson
Materials/Resources/Preparation: copies of the two articles on the Reconstruction, notebooks, chart paper, overhead of the first page of the article entitled “The Reconstruction”

Introduction: (Anticipatory Set)	<i>The period of time after the Civil War is known as the Reconstruction. We know from the Emancipation Proclamation that Lincoln’s goal was to unify the country and also establish an economic need for the slow movement away from slavery for the South. We also know that the 13th, 14th, and 15th Amendments were written to be upheld and were meant to define this country. As historians, we need to be able to understand the Reconstruction and how each side reacted to it and also look at what portions of the plan worked and what did not.</i>
Teaching/Input: (Modeling, inquiry, working with reading, film, slides)	<i>I want you to think about what type of plan was necessary to unify the states and end slavery in the South. How can you help states recover after a war? Deal with change in the economy? Their way of life? What reactions do you expect to hear and see and how do you form a plan around this knowledge. Write your thoughts in your notebook. Ask students to share their thoughts briefly.</i> <i>Place your copy of “The Reconstruction” on the overhead. You are going to read two separate articles on the era of Reconstruction to understand the effects of it and the reactions of the North and South. I am going to read and model for you how I keep track of my thinking to meet my purpose or what I know I need to understand. Follow along with me as I read aloud and when I write on the overhead I want you to write on your copy of the article. Read aloud the first paragraph. I know from the first words of the opening sentence that the main points of the article will be listed. So I am going to underline the words “marked</i>

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	<p><i>irregularity” and “gain readmission” and “rebuild a devastated economy while suffering the emotional, psychic burden of defeat”. I know that these are key descriptors of the South at this time, so on my chart paper I am going to write these key words in a column on the left labeled evidence and in the other column labeled effects I will write that the Southern states experienced an interruption in their economy because of the Civil War and their loss. They also experiences humiliation as a result of their loss and now have to change their economy and swallow their pride to work to regain admission to the US. Write this and students should copy the chart in their notebook. This tells me the perspective of the South as we study the Reconstruction.</i></p> <p><i>I want you to continue this process with each paragraph as you read the articles.</i></p>
Independent Practice: (Small group work, peer work, or independent work)	Allow time for the partnerships to work together. Meet with each partnership to offer your support.
Closing:	Ask partnerships to share what they understand as the plan and its effects. Model taking notes on chart paper and post this in the room later. Ask students to share what they think a realistic plan may have been for this time and why.
Assessment: (How will we know the students understood today’s lesson?)	Use the notes and discussion to assess students understanding of the content and their ability to understand the views of the South vs. the government and the North.
Homework:	How did the Reconstruction add or not add to our idea of a “more perfect union”. Assign the background article on the Black Codes and ask students to read them marking the text.

TEACHING NOTE: The article titled “The Reconstruction” uses strong language to reflect the turmoil of emotions at this time in history as it attempts to provide a balanced view of what each side felt after the Civil War. The format of the article also follows traditional textbook writing formats such as strong transitions between paragraphs and headers that establish the topic and subtopic. The content provided in this article, such as the Ten Percent Plan and the Wade-Davis Bill are critical for students to be able to understand what the plan entailed. Most importantly this article explains the conflict between Lincoln and Congress and later Johnson and Congress, which raises many questions for its readers about how harsh the victors should be after the conclusion of a war given that you are trying to work with the same people and bring them into a union or partnership, meaning that their success is now a part of the union or partnership’s success as well as their failures. These are fascinating questions to engage in with

students when looking at notions of the Constitution and a time in history that tested the structure of our government. I also believe that this portion of the article is applicable to our contemporary world in that we still study the balance of powers between Congress and the president as well as the conflicts between parties.

The article “The Reconstruction and its Aftermath” provides the reader with information about how freed slaves dealt with their situation after the conclusion of the Civil War. It is erroneous to think that the changes were accepted or simple to enforce and that “freedom” meant the end of persecution or racism, and this article does not take that tone. By referring to migration or the stronger word exodus students in Michigan can also think back to their knowledge of the development of their own state and area and how Michigan was populated over the years. They may themselves have family and therefore stories to draw upon about previous generations who came from Michigan for opportunities from elsewhere during a period of migration.

The Reconstruction

The most important point is that Reconstruction was a period of marked irregularity for Southerners as they tried to gain readmission to the United States and rebuild a devastated economy while suffering the emotional, psychic burden of defeat and the "Lost Cause".

Certainly Reconstruction was abnormal for the people of the South. Slavery was abolished and blacks were given some limited rights. Reconstruction governments, imposed by the North, pursued active government policies that resulted in higher taxes. Reconstruction governments were relatively powerful in comparison to the weak, inactive antebellum governments Southerners had always preferred. The traditional political leaders of the South were temporarily disfranchised and blacks temporarily enfranchised.

Yet, when considered unemotionally from a historical perspective, the Reconstruction experience was very moderate compared to what it could have been. There were no mass executions of rebel leaders or ex-Confederate soldiers. There was no nationalization or appropriation of plantation lands by the victors. The North declined to force reparation payments on the defeated South.

All in all, Reconstruction, while exceedingly unpopular in the South, was quite moderate. The myth of Reconstruction arose from the emotional burden of defeat, the abolition of slavery, and the recognition that the North, because of population increases and industrialization, now was the strongest section of the nation. The South was no longer an equal partner.

Wartime Reconstruction

From the very beginning, Union political leaders disagreed on what requirements should be set for the South to regain its standing in the country after secession prompted the Civil War. The conflict between President Abraham Lincoln and the United States Congress during the war regarding the administration of occupied areas of the South presaged an enduring institutional conflict over Reconstruction.

President Lincoln's efforts to reconstruct several occupied states in 1863-64, while tentative, gave an indication of the way he would have dealt with a defeated South had he not been assassinated in early 1865. His efforts were quite lenient, designed to bring about rapid readmission rather than forcing fundamental changes on the South. Lincoln's initial efforts were known as the Ten Percent Plan.

Lincoln's Ten Percent Plan:

When ten percent of the voting population of a Southern state took a simple oath of loyalty to the United States, that state could hold a constitutional convention, set up a

loyal government, and be readmitted to the Union.

Under Lincoln's plan, few Southerners were disqualified from political participation. Barred were "all men who'd held Confederate civilian and diplomatic posts, all who'd served as rebel officers above the rank of colonel in the army or navy, all who'd resigned from the U. S. armed forces or left the Congress or judicial positions to assist the rebellion, and all who'd treated Union soldiers other than as prisoners of war." Lincoln, however, pledged to review individual pleas for pardon from these groups liberally.

All reconstructed governments must accept and obey the Emancipation Proclamation and all laws Congress might pass with respect to slavery.

Congress refused to recognize Lincoln's plan, choosing instead to put forward its own plan of Reconstruction in the Wade-Davis Bill. Though it was vetoed by President Lincoln, the Wade-Davis Bill, passed in July, 1864, demonstrated Congress felt it, rather than the chief executive, had the power and responsibility to set the requirements for readmission to the Union. Furthermore, it demonstrated that congressmen were not as inclined to leniency as was Lincoln.

Wade-Davis Bill:

Congress proposed that at least fifty percent of a state's voting population must take a simple oath of loyalty to the United States before the process of Reconstruction could commence.

Once the fifty percent requirement was met, the state could hold a constitutional convention, set up a loyal government, and apply for readmission. However, only those individuals who could swear an "iron clad oath" that they had never aided or fought for the Confederacy would be eligible to participate in this political process. Congress was thus determined to exclude from the process all persons who had participated in or supported the costly rebellion.

Further, the Wade-Davis Bill prohibited slavery in all reconstructed states and made slave owning a federal crime punishable by fines and imprisonment.

President Lincoln vetoed the bill in July, 1864, infuriating Congress. Thus it was clear that President Lincoln and Congress disagreed about the requirements and objectives of Reconstruction. Further conflict over Reconstruction was certain. Lincoln, however, was assassinated in April, 1865 and was succeeded by Andrew Johnson as president. The institutional conflict between the executive and legislative branches was far from over however. Rather, that institutional conflict would continue and intensify.

Postwar Reconstruction

Abraham Lincoln's assassination plunged the United States into institutional, political,

and constitutional crises.

The conflict between the executive and legislative branches of the federal government, which had been muted under President Lincoln because of the exigencies of the war effort, now broke into open warfare. President Johnson and Congress had totally different ideas about the objectives and methods by which the South would be readmitted to the Union. They fought each other savagely to insure the triumph of their positions.

There was also a partisan political crisis in the war's aftermath. Andrew Johnson, a loyal Democrat from the border state of Tennessee, had been placed on the Republican/Union party ticket in 1864 in order to enhance Lincoln's electability and to demonstrate that the military effort to preserve the Union was a bipartisan effort. This effort to show solidarity backfired, however, in the opinion of Republicans when Lincoln was assassinated and Andrew Johnson became both president and titular head of the Republican party. Every action he took regarding Reconstruction was suspect because he was a Democrat and because he came not from the North but from the border state of Tennessee.

These institutional and political conflicts culminated in a constitutional crisis. Determined to implement its own Reconstruction plan and rid itself of Johnson, the Republican-dominated Congress impeached and attempted to remove from office the president of the United States.

These institutional, political, and constitutional crises combined to make the Reconstruction experience one of the most emotional and bitter periods of American history.

Presidential Reconstruction Under Andrew Johnson

President Johnson attempted to continue the lenient policy of Reconstruction initiated by Lincoln during the war years. He did so not only because of his own inclinations and beliefs but also because he felt committed to carrying out the policies of his predecessor. While forced to make additional demands of the South as prerequisites to readmission, Johnsonian Reconstruction was still incredibly lenient given the temper of the times.

Johnson's Reconstruction Plan:

Before qualifying for readmission, Southern states would have to hold constitutional conventions which took each of the following actions:

- abolish the institution of slavery by ratifying the 13th amendment to the Constitution
- establish the civil status and rights of the ex-slave in society
- repudiate the ordinances of secession (avowing that secession was unconstitutional)
- repudiate the Confederate war debt, both state and confederate

Under Johnsonian Reconstruction, the majority of Southerners were allowed to

participate in the political process. Anyone who could swear the simple loyalty oath laid out originally by President Lincoln could vote and hold political office. President Johnson also was extremely liberal in pardoning individuals who had held high office in the Confederate governments or leadership positions in the Confederate armed forces. For instance, he pardoned Alexander Stephens, the vice president of the Confederate States of America, who was promptly selected as a U. S. Senator by the people of Georgia.

Given the temper of the times, such a lenient program was bound to produce problems with the Republican-dominated Congress.

<http://www2.austin.cc.tx.us/lpatrick/his1693/reconstr.html>

Reconstruction and Its Aftermath

The Emancipation Proclamation in 1863 freed African Americans in rebel states, and after the Civil War, the Thirteenth Amendment emancipated all U.S. slaves wherever they were. As a result, the mass of Southern blacks now faced the difficulty Northern blacks had confronted--that of a free people surrounded by many hostile whites. One freedman, Houston Hartsfield Holloway, wrote, "For we colored people did not know how to be free and the white people did not know how to have a free colored person about them."

Even after the Emancipation Proclamation, two more years of war, service by African American troops, and the defeat of the Confederacy, the nation was still unprepared to deal with the question of full citizenship for its newly freed black population. The Reconstruction implemented by Congress, which lasted from 1866 to 1877, was aimed at reorganizing the Southern states after the Civil War, providing the means for readmitting them into the Union, and defining the means by which whites and blacks could live together in a nonslave society. The South, however, saw Reconstruction as a humiliating, even vengeful imposition and did not welcome it.

During the years after the war, black and white teachers from the North and South, missionary organizations, churches and schools worked tirelessly to give the emancipated population the opportunity to learn. Former slaves of every age took advantage of the opportunity to become literate. Grandfathers and their grandchildren sat together in classrooms seeking to obtain the tools of freedom.

After the Civil War, with the protection of the Thirteenth, Fourteenth, and Fifteenth Amendments to the Constitution and the Civil Rights Act of 1866, African Americans enjoyed a period when they were allowed to vote, actively participate in the political process, acquire the land of former owners, seek their own employment, and use public accommodations. Opponents of this progress, however, soon rallied against the former slaves' freedom and began to find means for eroding the gains for which many had shed their blood.

During Reconstruction freed slaves began to leave the South. One such group, originally from Kentucky, established the community of Nicodemus in 1877 in Graham County on the high, arid plains of northwestern Kansas. However, because of several crop failures and resentment from the county's white settlers, all but a few homesteaders abandoned their claims. A rising population of 500 in 1880 had declined to less than 200 by 1910.

A page of photographs and a township map from a 1906 county land ownership atlas provide evidence that some of these black migrants still owned land in and around this small village. Their impressive determination in an area with few good natural resources has resulted in the only surviving all-black community in Kansas.

The Nicodemus Town Company was incorporated in 1877 by six black and two white Kansans. It was the oldest of about twenty towns established predominately for blacks in

the West. After the Civil War there was a general exodus of blacks from the South. These migrants became known as "Exodusters" and the migration became known as the "Exoduster" movement. Some applied to be part of colonization projects to Liberia and locations outside the United States; others were willing to move north and west. Benjamin Singleton led an exodus of African Americans from various points in the South to Kansas.

African American population distribution and migration patterns can be traced using maps published in the statistical atlases prepared by the U. S. Census Bureau for each decennial census from 1870 to 1920. The atlas for the 1890 census includes this map showing the percentage of "colored" to the total population for each county. Although the heaviest concentrations are overwhelmingly in Maryland, Virginia, and the southeastern states, there appear to be emerging concentrations in the northern urban areas (New York City, Philadelphia, Pittsburgh, Cleveland, Toledo, and Chicago), southern Ohio, central Missouri, eastern Kansas, and scattered areas in the West (Oklahoma, New Mexico, Arizona, Nevada, and California), reflecting migration patterns that began during Reconstruction.

<http://memory.loc.gov/ammem/aahtml/exhibit/aopart5.html>

Flint Community Schools⁸
History/Social Studies Unit Two Lesson 6

Course: History/Social Studies Grade 8
Unit: The Time of Reconstruction
Objective: to understand the intentions behind the Black Codes of southern states
Essential Question: (this should be posted in the classroom for all to easily see throughout the unit) The preamble of the United States Constitution states that Americans are striving to form a “more perfect union.” How do Reconstruction era laws and agreements contribute to, or hinder, creating a more perfect union? How and why do historians interpret past actions?
Time Frame: 50 min. lesson
Materials/Resources/Preparation: copies of the Black Codes and the articles

Introduction: (Anticipatory Set)	<i>Yesterday when we looked at the plan for reconstruction of the states, I asked you to think about potential reactions of southerners to reconstruction. As historians, it is important for us to think about why these states felt that they could write these codes.</i>
Teaching/Input: (Modeling, inquiry, working with reading, film, slides)	<i>Today, we will look at the reaction of the southern states, called Black Codes. Other states came up with their own Black Codes, but we will only look at two states specifically today.</i> <i>I want you and your partner to read the articles and the state’s codes that you receive and summarize each document and explain in writing what conditions were present that allowed states to write these codes. Students will do this work in their notebooks.</i> Assign only one state to a partnership.
Independent Practice: (Small group work, peer work, or independent work)	Allow time for the partnerships to work together. Meet with each partnership to offer your support.
Closing:	Allow time for partnerships to share their summaries and responses.
Assessment: (How will we know the students understood today’s lesson?)	Assess student ability to summarize and understand the content, the situation that allowed the states to think that they could enforce the Black Codes.
Homework:	Write your thoughts about the effects of the Black Codes on African Americans at the time. Assign the Timeline of 1863 and ask students to mark the text.

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Black Codes in the Former Confederate States

Encouraged by President Johnson's evident intention to return to them the management of their own affairs, Southern legislators, elected by white voters, passed what came to be called Black Codes. Their very evident purpose was to reduce free blacks to a new kind of legal servitude distinguished by all the disadvantages of slavery and none of its advantages--a state, many argued, that was worse than slavery itself. That the Black Codes were not the result of a brief lapse in judgment on the part of Southern legislatures or the work of extremists but rose, rather, out of the famous grassroots is indicated by an ordinance passed immediately after the war in the small town of Opelousas, Louisiana; it stated that "no negro or freedmen shall be allowed to come within the limits of the town of Opelousas without special permission from his employers. . . . Whoever shall violate this provision shall suffer imprisonment and two days work on the public streets, or pay a fine of five dollars." Any Negro found on the streets of the town after ten o'clock in the evening had to work for five days on the public streets or pay a \$5 fine. The ordinance further provided: "No negro or freedman shall be permitted to rent or keep a house within the limits of the town under any circumstances. . . . No negro or freedman shall reside within the limits of the town . . . who is not in the regular service of some white person or former owner. . . . No public meetings or congregations of negroes or freedmen shall be allowed within the limits of the town. . . . No negro or freedman shall be permitted to preach, exhort, or otherwise declaim to congregations of colored people without a special permission from the mayor or president of the board of police. . . . No freedman . . . shall be allowed to carry firearms, or any kind of weapons. . . . No freedman shall sell, barter, or exchange any article of merchandise within the limits of Opelousas without permission in writing from his employer In the parish of St. Landry it was required "that every negro [is] to be in the service of some white person, or former owner. . . .

In Alabama the Black Codes stipulated that it was the duty of all "Civil officers" of a county to report "the names of all minors whose parents have not the means, or who refuse to support said minors." They might be treated in the same way, arrested, fined, and then sentenced to work off their fines. In bidding for the services of "said minor . . . the former owner . . . shall have preference." In Mobile unemployed blacks, those who had no "fixed residence or [could not] give a good account of themselves," were required by another section of the code "to give security for their good behavior for a reasonable time and to indemnify the city against any charge for their support In the event they could not meet this requirement, they were, again, "to be confined to labor for a limited time, not exceeding six calendar months . . . for the benefit of said city." Also in Alabama, municipalities were authorized to "restrain and prohibit the nightly and other meetings or disorderly assemblies of all persons and to punish for such offences by fixing penalties not exceeding fifty dollars for any one offence Again if the accused were not able to pay the fine, he or she might be sentenced to labor for a period of time not exceeding six months.

The laws of Florida resembled those of Alabama but were, if anything, more severe since a vagrant might be hired out for twelve months. No "negro, mulatto, or person of color" was allowed in Florida and most other Southern states to "keep any bowie-knife, dirk, sword, firearms, or ammunition" without a license. A black owning

any weapon "of any kind" had to surrender his arm or arms to the informer, "stand in the pillory ... for one hour, and then [be] whipped with thirty-nine lashes on the bare back." The same penalty might be invoked for "any person of color . . . who shall intrude himself into any religious or other public assembly of white persons or into any railroad-car or other vehicle set apart for the accommodation of white persons." The South Carolina legislature decreed that no black man "shall pursue the practice, art, trade or business of an artisan, mechanic, or shopkeeper, or any other trade or employment besides that of husbandry, or that of a servant under contract for labor, until he shall have obtained a license from the judge of the district court, which license shall be good for one year only." A black shopkeeper or peddler had to pay \$100 a year for a license. If a black man under contract for his labor left or was fired before the end of his contract time, he must "forfeit his wages for that year up to the time of quitting." Moreover, any person "giving or selling to any deserting freedman, free negro, or mulatto, any food, raiment, or other things shall be guilty of a misdemeanor" punishable by a fine of up to \$200, and be subject to suit by the employer. In virtually every instance the inability to pay a fine would result in a sentence to labor for a period ranging from six months to a year.

A section of the Louisiana code stipulated that "every adult freed man or woman shall furnish themselves with a comfortable home and visible means of support within twenty days after the passage of this act," and anyone failing to do so "shall be immediately arrested by any sheriff or constable . . . and . . . hired out . . . to some citizen, being the highest bidder, for the remainder of the year." Laborers under contract were not allowed to keep livestock, and all time spent away from the job was to be charged against them at the rate of \$2 a day, to be worked out at the end of the contract period. An earlier Louisiana law required that all agricultural workers "make contracts for labor during the first ten days of January for the entire year." In the case of sickness the laborer lost his wages for the days absent, "and where the sickness is supposed to be feigned for the purpose of idleness, double the amount shall be deducted. . .

In addition, poll taxes were imposed in every state, ranging in amount from Georgia's \$1 per head on every man between the ages of twenty-one and sixty to \$2 in Alabama on every person between the ages of eighteen and fifty, and to \$3 in Florida. A black man could not buy or rent land except in a city. South Carolina required that a black man pay an exorbitant fee to engage in trade or open a store. Nor, in that state, could he serve on juries. Unemployment was treated as a crime, and the unemployed could be sentenced to work without pay.

In order to understand the impulse behind the Black Codes, we must keep in mind that white Southerners were entirely convinced that the freedmen presented a fearful menace to white society both by refusing to work (thereby becoming public charges and, more serious, bankrupting all planters who depended on them as a labor force) and by performing violent acts against their former masters. But plainly the principal motivation for the Black Codes was economic. White Southerners were determined to force freed blacks to work for them on the terms and under the conditions they prescribed. They were determined to dominate their ex-slaves almost as completely as they had dominated them under the institution of slavery itself. There was nothing about the simple fact of emancipation to alter, in the slightest degree, the white image of the black man or woman. Quite the reverse. As we have seen, under slavery many blacks had been protected to a degree at least by the closest personal contacts with their masters and

mistresses (as well as by their dollar value). Both races had trusted these ties to mitigate the harshest aspects of the system. Emancipation destroyed many, if not all, of these relationships or substantially altered them. Whites could no longer, for example, assume that loyalty and, indeed, love would be part of a relationship with any black man or woman. Removed from the "civilizing" and "refining" influences of the plantation (at least that was how the former masters and mistresses viewed it), the freed blacks must lapse back into that "savagery" and "barbarism" from which slavery had rescued them. Bizarre as such a notion seems in retrospect, it was the virtually universal paranoia of the South. Only by keeping these facts constantly in mind can we begin to understand the recklessness with which the South defied Northern opinion by enacting the Black Codes. One would think that a few minutes reflection would have convinced any reasonable white man south of the Mason-Dixon Line that the simplest dictates of self-interest required that they act with caution and forbearance in regard to the rights of their newly freed slaves. Any other course had to play into the hands of the most intractable enemies of the South. Undoubtedly there was some typical fire-eating Southern intransigence in the enactment of the codes. But it must also be conceded, I believe, that the men who passed them believed literally that they had to do so to preserve themselves, their families, and what was left of their fortunes from a rising tide of blacks determined to devour their substance, rape their wives, and exact a bloody vengeance for years of suffering and cruel oppression. That this corrosive fear, this incapacitating anxiety, did not relate to any substantial body of real facts made it not less compelling to white Southerners. They were a people, after all, schooled in violence. A violent response to a threatened danger was the only response they knew. They could not have been wholly indifferent to or unaware of the risks they were running in terms of anticipatable Northern reactions. But the immediate issue--what was to be done with the freedman--was a far more pressing matter than possible congressional reactions. In addition, the South undoubtedly misread the political situation in the North. The words and actions of the President produced a false sense of security in Southern minds.

In any event, we can hardly fail to agree with William Sinclair, the black historian of Reconstruction, who wrote apropos of his discussion of the Black Codes: "The ballot probably would not have been bestowed upon [the black], certainly not at the time nor in the way and manner it was, if the South had been lenient toward him and shown a disposition to respect the Emancipation Proclamation and the Thirteenth Amendment as accomplished results; and protected him in life and property, the right of contract, marriage relations, locomotion, the privilege of schools, and other just and equitable relations, irrespective of the ballot. All true enough, but to have accomplished this, the white South would have had to forget or reject everything it had believed and maintained for the previous century and more. It would have had, virtually overnight, to confess that it had been wholly mistaken about the nature and character of people of African origin and that slavery, the heart and essence of its famous culture," had been a horror based on a misconception. Such a course might have gratified the North (which gave no material indication that it was prepared to go so far in regard to its own black citizens), but it was asking more of the South than it was possible for it to concede without losing what we today like to call its identity. Individuals can express repentance, ask for forgiveness from those they have wronged, and thereby experience "redemption." But I am not aware that a nation or a large segment thereof has ever done so. It was evidently the one thing that the

South could not do; it could not collectively repent. So the tragedy of slavery could not end; the nightmare had to continue. The South was given a chance to put its own house in order in a form that would not violate the newly achieved rights of black citizens and, even more important, Northern opinion, and it emphatically rejected it. There are deeper levels of irony. If the South had simply been resourceful enough to bide its time, perhaps making a few tentative gestures toward the free blacks, any disposition in the North for "radical" Reconstruction would have been disarmed. "The hands of the nation," in Sinclair's words, "would have been tied hard and fast. The insistence on state rights would have prevented any legislation by Congress which might have interfered with the Black Code. The Fourteenth and Fifteenth Amendments to the Constitution of the United States, would, obviously, have been impossible." Taking off from Sinclair's analysis, we cannot emphasize too strongly the doubleness of the South's dilemma. The fact that the Southern states were unable to follow the course that reason and political expediency dictated is incontrovertible evidence that it was psychologically impossible for them to do so. Viewed another way, *it was even necessary that they should not*. If Sinclair was right; if some surface accommodation on the part of the South would have handcuffed the champions of Radical Reconstruction in the North and aborted the Fourteenth and Fifteenth Amendments, then must we not conclude that just as the actions of the South were *inevitable*, so they were *essential* to the passage of Radical Reconstruction and to the initiation of that process by which black people came eventually to be able to begin to claim their rights as American citizens?

The Black Codes are important for another reason. A substantial class of historians of both Northern and Southern origins (it turned out that Jefferson Davis's anxieties about having New England historians tell the story of the South's "struggle" were largely groundless; it might be argued that, on the whole, Northern historians have done better by the South than by the North) has been disposed, over the years, to argue that Radical, or Congressional, Reconstruction was a terrible error; that the South should have been left alone to work out its problems in its own way and by its own lights. But the prompt passage, under Presidential Reconstruction, of the Black Codes is an insurmountable stumbling block to this thesis. By their passage the Southern states made crystal clear their Rhadamanthine determination to deny freed blacks the most basic political, social, economic, and constitutional rights. When we have said everything that it is possible to say in explanation and exculpation of the codes, there can be no question that they were entirely incompatible with any conceivable theory of democratic government or social justice. For the United States to have acquiesced in them would have been to have made a mockery of thirty years of antislavery agitation and, indeed, to have conceded to the South the most doggedly held article of its faith--the irredeemable inferiority of African Americans and, beyond that, their inability to function as citizens of a democratic society. It would be another two or three decades, when the war, for most Americans, had faded to a romantic dream, before any substantial number of Americans living north of the Mason-Dixon Line would be willing publicly to acquiesce in that dogma. By that time the generous ardor of the abolitionists for black rights had been largely forgotten.

It must also be added that the Black Codes alone did not fully measure the intractability of the South. Southern Unionists on September 3, 1866, met in a convention in Philadelphia and presented a resolution to Congress calling for support and protection

by the government. "Every original Unionist in the South," it read, "has been ostracized. ... More than one thousand devoted Union soldiers have been murdered in cold blood since the surrender of Lee, and in no case have their assassins been brought to judgment." A few months earlier, in July, a convention of Union men meeting in New Orleans was raided by ex-Confederates and more than two hundred Union men were killed or wounded.

While the Black Codes of Virginia and North Carolina were less severe than those of the other Southern states and while in Tennessee the effort to pass such a code was defeated by Unionists, the critical point is that the South did not believe them to be in any way harsh or unfair. Even Welles had to admit that "the tone of sentiment and action of people of the South is injudicious and indiscreet in many respects. I know not if there is any remedy, but if not, other and serious disasters await them,--and us also perhaps, for if we are one people, dissension and wrong affect the whole." When the municipal elections in Richmond were overturned by the military commander there, Welles wrote, "the Rebels have been foolish and insolent, and there was wanting a smart and stern rebuke rightly administered. From various quarters we learn that the Rebels are organizing through the Southern States with a view to regaining political ascendancy, and are pressing forward prominent Rebels for candidates in the approaching election."

In addition to framing constitutions little different, in most instances, from those under which they had fought the war and electing wholly white legislatures that proceeded to pass Black Codes, most states elected Senators and Representatives to serve in the Congress of the United States who had been active in the rebel cause. All this was done with at least the tacit approval of the President, who clearly hoped to present Congress when it assembled in the fall with a *fait accompli*. According to William Wilkins Glenn, Johnson told a group of Radical Republican Congressmen: "The South has done more in fourteen months than I expected to see accomplished in several years. Slavery is abolished. The Confederate debt is repudiated. The people are submissive. What more do you want? Why do you go on demanding exaction after exaction? You are actually trying to cut the heads of the Southern [men] and thus leave the legs to manage political affairs. I must oppose such policy."

Johnson's policy of restoring the rebellious states to the Union at once and virtually without conditions as regards the civil rights of blacks brought him into immediate conflict with the congressional leaders of his own party, most spectacularly Sumner and Stevens. . . .

Source: "Trial By Fire, A People's History of the Civil War and Reconstruction" by Page Smith

<http://www.civilwarhome.com/blackcodes.htm>

Black Codes

As newly freed slaves would soon learn, freedom was not as they had anticipated. White southerners were anxious to regain power over them, and used the law in order to achieve that objective. In 1865, southerners created Black Codes, which served as a way to control and inhibit the freedom of ex-slaves. Codes controlled almost all aspects of life, and prohibited African Americans from the freedoms that had been won.

Not only did whites want to control ex-slaves, but also they needed laborers. While things could no longer be exactly the same as in slavery, they found a way to guarantee that blacks would serve as their laborers. To do this, they created Black Codes. While Codes were unique to the post-Civil War south, they encompassed some of the antebellum restrictions on free blacks, northern apprenticeship laws, and the Freedmen's Bureau and the War Department regulation.

Codes regulated civil and legal rights, from marriage to the right to hold and sell property to the predestined definition of African Americans as agricultural laborers.

Laws were different in each state, but most embodied the same kinds of restrictions.

Commonly, codes compelled freedmen to work. In many states, if unemployed, blacks faced the potential of being arrested and charged with vagrancy. Many of those that did work had their day regulated. Codes dictated their hours of labor, duties, and the behavior assigned to them as agricultural workers.

Black Codes left African Americans with little freedom. Even the freedom to chose a type of work was often regulated. Many white southerners believed blacks were predestined to work as agricultural laborers. In addition, the advantage of regulating occupations provided them with laborers. In South Carolina, for example, a special license and certificate from a local judge attesting to a freedman's skill had to be obtained in order to pursue work in any occupation other than in agriculture or domestic work.

Self-sufficiency was also discouraged. Codes prevented African Americans from raising their own crops. In Mississippi, for instance, they were restricted from renting or leasing any land outside of cities or towns and black ownership was left up to local authorities. Almost every aspect of life was regulated, including the freedom to roam. Often blacks were prohibited from entering towns without permission. In Opelousas, Louisiana, blacks needed permission from their employer to enter the town. A note was required, and it had to state the nature and length of the visit. Any black found without a note after ten o'clock at night was subject to imprisonment. Residency within towns and cities was also discouraged. Local ordinances in Louisiana made it almost impossible for blacks to live within the towns or cities. Residency was only possible if a white employer agreed to take responsibility for his employee's conduct.

The creators of the codes did not try to hide the obvious bias and prejudice. Not surprisingly, by 1866, Black Codes were suspended by Federal officials who deemed that the codes were too harsh, and decided that blacks should be subject to the same penalties and regulations as whites.

www.afroamhistory.about.com/od/blackcodes/a/blackcodes1865.htm

AN ACT Relative to apprentices and indentured servants.

Section 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened, That it shall be the duty of Sheriffs, Justices of the Peace and other civil officers of this State, to report to the Clerks of the District Courts of their respective Parishes, and in the Parish of Orleans (left bank) to the Mayor of the City of New Orleans, and on the right bank to the President of the Police Jury, on the first Monday of each month, for each and every year, all persons under the age of eighteen years, if females, and twenty-one, if males, who are orphans, or whose parent, parents, or tutor, have not the means, or who refuse to provide for and maintain said minors; and, thereupon, it shall be the duty of the Clerks of the District Courts, Mayor and President of the Police Jury aforesaid, to examine whether the party or parties, so reported from time to time, come within the purview and meaning of this Act, and if so, to apprentice said minor or minors, in manner and form as prescribed by the Civil Code of the State of Louisiana; provided, that orphans coming under the provisions of this Act shall be authorized to select said employers when they have arrived at the age of puberty, unless they shall have been previously apprenticed; provided, that any indenture of apprentice or indentured servant, made before a Justice of the Peace and two disinterested witnesses, and the original deposited with and recorded by the Recorder of Mortgages for the Parish, in a book provided for that purpose, shall be valid and binding on the parties, and when made by the clerk, shall be also deposited with the Recorder of Mortgages, and all expenses for passing said acts of indenture shall be paid by the employer.

Sec. 2. Be it further enacted, &c., That persons who have attained the age of majority, whether in this State or any other State of the United States, or in a foreign country, may bind themselves to services to be performed in this country, for the term of five years, on such terms as they may stipulate, as domestic servants and to work on farms, plantations or in manufacturing establishments, which contracts shall be valid and binding on the parties to the same.

Sec. 3. Be it further enacted, &c., That in all cases, when the age of the minor cannot be ascertained by record testimony, the Clerks of the District Courts, Mayor and President of the Police Jury, or Justices of the Peace aforesaid, shall fix the age, according to the best evidence before them.

Sec. 4. Be it further enacted, &c., That all laws or parts of laws conflicting with the provisions of this Act, be, and the same are hereby repealed, and that this Act take effect from and after its passage.

DUNCAN S. CAGE, Speaker of the House of Representatives.

ALBERT VOORHIES, Lieutenant Governor and President of the Senate.

Approved December 21, 1865. J. MADISON WELLS, Governor of the State of Louisiana

Mississippi Black Codes

An Act to Confer Civil Rights on Freedmen, and for other Purposes

Section 1. All freedmen, free negroes and mulattoes may sue and be sued, implead and be impleaded, in all the courts of law and equity of this State, and may acquire personal property, and chooses in action, by descent or purchase, and may dispose of the same in the same manner and to the same extent that white persons may: Provided, That the provisions of this section shall not be so construed as to allow any freedman, free negro or mulatto to rent or lease any lands or tenements except in incorporated cities or towns, in which places the corporate authorities shall control the same.

Section 2. All freedmen, free negroes and mulattoes may intermarry with each other, in the same manner and under the same regulations that are provided by law for white persons: Provided, that the clerk of probate shall keep separate records of the same.

Section 3. All freedmen, free negroes or mullatoes who do now and have herebefore lived and cohabited together as husband and wife shall be taken and held in law as legally married, and the issue shall be taken and held as legitimate for all purposes; and it shall not be lawful for any freedman, free negro or mulatto to intermarry with any white person; nor for any person to intermarry with any freedman, free negro or mulatto; and any person who shall so intermarry shall be deemed guilty of felony, and on conviction thereof shall be confined in the State penitentiary for life; and those shall be deemed freedmen, free negroes and mulattoes who are of pure negro blood, and those descended from a negro to the third generation, inclusive, though one ancestor in each generation may have been a white person.

Section 4. In addition to cases in which freedmen, free negroes and mulattoes are now by law competent witnesses, freedmen, free negroes or mulattoes shall be competent in civil cases, when a party or parties to the suit, either plaintiff or plaintiffs, defendant or defendants; also in cases where freedmen, free negroes and mulattoes is or are either plaintiff or plaintiffs, defendant or defendants. They shall also be competent witnesses in all criminal prosecutions where the crime charged is alleged to have been committed by a white person upon or against the person or property of a freedman, free negro or mulatto: Provided, that in all cases said witnesses shall be examined in open court, on the stand; except, however, they may be examined before the grand jury, and shall in all cases be subject to the rules and tests of the common law as to competency and credibility.

Section 5. Every freedman, free negro and mulatto shall, on the second Monday of January, one thousand eight hundred and sixty-six, and annually thereafter, have a lawful home or employment, and shall have written evidence thereof as follows, to wit: if living in any incorporated city, town, or village, a license from that mayor thereof; and if living outside of an incorporated city, town, or village, from the member of the board of police of his beat, authorizing him or her to do irregular and job work; or a written contract, as provided in Section 6 in this act; which license may be revoked for cause at any time by the authority granting the same.

Section 6. All contracts for labor made with freedmen, free negroes and mulattoes for a longer period than one month shall be in writing, and a duplicate, attested and read to said freedman, free negro or mulatto by a beat, city or county officer, or two disinterested white persons of the county in which the labor is to performed, of which each party shall have one: and said contracts shall be taken and held as entire contracts, 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 his wages for that year up to the time of quitting.

Section 7. Every civil officer shall, and every person may, arrest and carry back to his or her legal employer any freedman, free negro, or mulatto who shall have quit the service of his or her employer before the expiration of his or her term of service without good cause; and said officer and person shall be entitled to receive for arresting and carrying back every deserting employee aforesaid the sum of five dollars, and ten cents per mile from the place of arrest to the place of delivery; and the same shall be paid by the employer, and held as a set off for so much against the wages of said deserting employee: Provided, that said arrested party, after being so returned, may appeal to the justice of the peace or member of the board of police of the county, who, on notice to the alleged employer, shall try summarily whether said appellant is legally employed by the alleged employer, and has good cause to quit said employer. Either party shall have the right of appeal to the county court, pending which the alleged deserter shall be remanded to the alleged employer or otherwise disposed of, as shall be right and just; and the decision of the county court shall be final.

Section 8. Upon affidavit made by the employer of any freedman, free negro or mulatto, or other credible person, before any justice of the peace or member of the board of police, that any freedman, free negro or mulatto legally employed by said employer has illegally deserted said employment, such justice of the peace or member of the board of police issue his warrant or warrants, returnable before himself or other such officer, to any sheriff, constable or special deputy, commanding him to arrest said deserter, and return him or her to said employer, and the like proceedings shall be had as provided in the preceding section; and it shall be lawful for any officer to whom such warrant shall be directed to execute said warrant in any county in this State; and that said warrant may be transmitted without endorsement to any like officer of another county, to be executed and returned as aforesaid; and the said employer shall pay the costs of said warrants and arrest and return, which shall be set off for so much against the wages of said deserter.

Section 9. If any person shall persuade or attempt to persuade, entice, or cause any freedman, free negro or mulatto to desert from the legal employment of any person before the expiration of his or her term of service, or shall knowingly employ any such deserting freedman, free negro or mullato, or shall knowingly give or sell to any such deserting freedman, free negro or mulatto, any food, raiment, or other thing, he or she shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than twenty-five dollars and not more than two hundred dollars and costs; and if the said fine and costs shall not be immediately paid, the court shall sentence said convict to not exceeding two months imprisonment in the county jail, and he or she shall moreover be liable to the party injured in damages: Provided, if any person shall, or shall attempt to, persuade, entice, or cause any freedman, free negro or mullatto to desert from any legal

employment of any person, with the view to employ said freedman, free negro or mullato without the limits of this State, such costs; and if said fine and costs shall not be immediately paid, the court shall sentence said convict to not exceeding six months imprisonment in the county jail.

Section 10. It shall be lawful for any freedman, free negro, or mulatto, to charge any white person, freedman, free negro or mulatto by affidavit, with any criminal offense against his or her person or property, and upon such affidavit the proper process shall be issued and executed as if said affidavit was made by a white person, and it shall be lawful for any freedman, free negro, or mulatto, in any action, suit or controversy pending, or about to be instituted in any court of law equity in this State, to make all needful and lawful affidavits as shall be necessary for the institution, prosecution or defense of such suit or controversy.

Section 11. The penal laws of this state, in all cases not otherwise specially provided for, shall apply and extend to all freedman, free negroes and mulattoes...

An Act to Regulate the Relation of Master and Apprentice, as Relates to Freedmen, Free Negroes, and Mulattoes

Section 1. It shall be the duty of all sheriffs, justices of the peace, and other civil officers of the several counties in this State, to report to the probate courts of their respective counties semiannually, at the January and July terms of said courts, all freedmen, free negroes, and mulattoes, under the age of eighteen, in their respective counties, beats, or districts, who are orphans, or whose parent or parents have not the means or who refuse to provide for and support said minors; and thereupon it shall be the duty of said probate court to order the clerk of said court to apprentice said minors to some competent and suitable person on such terms as the court may direct, having a particular care to the interest of said minor: Provided, that the former owner of said minors shall have the preference when, in the opinion of the court, he or she shall be a suitable person for that purpose.

Section 2. The said court shall be fully satisfied that the person or persons to whom said minor shall be apprenticed shall be a suitable person to have the charge and care of said minor, and fully to protect the interest of said minor. The said court shall require the said master or mistress to execute bond and security, payable to the State of Mississippi, conditioned that he or she shall furnish said minor with sufficient food and clothing; to treat said minor humanely; furnish medical attention in case of sickness; teach, or cause to be taught, him or her to read and write, if under fifteen years old, and will conform to any law that may be hereafter passed for the regulation of the duties and relation of master and apprentice: Provided, that said apprentice shall be bound by indenture, in case of males, until they are twenty-one years old, and in case of females until they are eighteen years old.

Section 3. In the management and control of said apprentices, said master or mistress shall have the power to inflict such moderate corporeal chastisement as a father or guardian is allowed to infliction on his or her child or ward at common law: Provided,

that in no case shall cruel or inhuman punishment be inflicted.

Section 4. If any apprentice shall leave the employment of his or her master or mistress, without his or her consent, said master or mistress may pursue and recapture said apprentice, and bring him or her before any justice of the peace of the county, whose duty it shall be to remand said apprentice to the service of his or her master or mistress; and in the event of a refusal on the part of said apprentice so to return, then said justice shall commit said apprentice to the jail of said county, on failure to give bond, to the next term of the county court; and it shall be the duty of said court at the first term thereafter to investigate said case, and if the court shall be of opinion that said apprentice left the employment of his or her master or mistress without good cause, to order him or her to be punished, as provided for the punishment of hired freedmen, as may be from time to time provided for by law for desertion, until he or she shall agree to return to the service of his or her master or mistress: Provided, that the court may grant continuances as in other cases: And provided further, that if the court shall believe that said apprentice had good cause to quit his said master or mistress, the court shall discharge said apprentice from said indenture, and also enter a judgment against the master or mistress for not more than one hundred dollars, from the use and benefit of said apprentice, to be collected on execution as in other cases.

Section 5. If any person entice away any apprentice from his or her master or mistress, or shall knowingly employ an apprentice, or furnish him or her food or clothing without the written consent of his or her master or mistress, or shall sell or give said apprentice spirits without such consent, said person so offending shall be guilty of a misdemeanor, and shall, upon conviction thereof before the county court, be punished as provided for the punishment of person enticing from their employer hired freedmen, free negroes or mulattoes.

Section 6. It shall be the duty of all civil officers of their respective counties to report any minors within their respective counties to said probate court who are subject to be apprenticed under the provisions of this act, from time to time as the facts may come to their knowledge, and it shall be the duty of said court from time to time as said minors shall be reported to them, or otherwise come to their knowledge, to apprentice said minors as hereinbefore provided.

Section 9. It shall be lawful for any freedman, free negro, or mulatto, having a minor child or children, as provided for by this act.

Section 10. In all cases where the age of the freedman, free negro, or mulatto cannot be ascertained by record testimony, the judge of the county court shall fix the age....

An Act to Amend the Vagrant Laws of the State

Section 1. All rogues and vagabonds, idle and dissipated persons, beggars, jugglers, or persons practicing unlawful games or plays, runaways, common drunkards, common night-walkers, pilferers, lewd, wanton, or lascivious persons, in speech or behavior, common railers and brawlers, persons who neglect their calling or employment, misspend

what they earn, or do not provide for the support of themselves or their families, or dependents, and all other idle and disorderly persons, including all who neglect all lawful business, habitually misspend their time by frequenting houses of ill-fame, gaming-houses, or tippling shops, shall be deemed and considered vagrants, under the provisions of this act, and upon conviction thereof shall be fined not exceeding one hundred dollars, with all accruing costs, and be imprisoned, at the discretion of the court, not exceeding ten days.

Section 2. All freedmen, free negroes and mulattoes in this State, over the age of eighteen years, found on the second Monday in January, 1866, or thereafter, with no lawful employment or business, or found unlawful assembling themselves together, either in the day or night time, and all white persons assembling themselves with freedmen, Free negroes or mulattoes, or usually associating with freedmen, free negroes or mulattoes, on terms of equality, or living in adultery or fornication with a freed woman, freed negro or mulatto, shall be deemed vagrants, and on conviction thereof shall be fined in a sum not exceeding, in the case of a freedman, free negro or mulatto, fifty dollars, and a white man two hundred dollars, and imprisonment at the discretion of the court, the free negro not exceeding ten days, and the white man not exceeding six months.

Section 3. All justices of the peace, mayors, and aldermen of incorporated towns, counties, and cities of the several counties in this State shall have jurisdiction to try all questions of vagrancy in their respective towns, counties, and cities, and it is hereby made their duty, whenever they shall ascertain that any person or persons in their respective towns, and counties and cities are violating any of the provisions of this act, to have said party or parties arrested, and brought before them, and immediately investigate said charge, and, on conviction, punish said party or parties, as provided for herein. And it is hereby made the duty of all sheriffs, constables, town constables, and all such like officers, and city marshals, to report to some officer having jurisdiction all violations of any of the provisions of this act, and in case any officer shall fail or neglect any duty herein it shall be the duty of the county court to fine said officer, upon conviction, not exceeding one hundred dollars, to be paid into the county treasury for county purposes.

Section 4. Keepers of gaming houses, houses of prostitution, prostitutes, public or private, and all persons who derive their chief support in the employment's that militate against good morals, or against law, shall be deemed and held to be vagrants.

Section 5. All fines and forfeitures collected by the provisions of this act shall be paid into the county treasury of general county purposes, and in case of any freedman, free negro or mulatto shall fail for five days after the imposition of any or forfeiture upon him or her for violation of any of the provisions of this act to pay the same, that it shall be, and is hereby, made the duty of the sheriff of the proper county to hire out said freedman, free negro or mulatto, to any person who will, for the shortest period of service, pay said fine and forfeiture and all costs: Provided, a preference shall be given to the employer, if there be one, in which case the employer shall be entitled to deduct and retain the amount so paid from the wages of such freedman, free negro or mulatto, then due or to become due; and in case freedman, free negro or mulatto cannot hire out, he or she may be dealt with as a pauper.

Section 6. The same duties and liabilities existing among white persons of this State shall attach to freedmen, free negroes or mulattoes, to support their indigent families and all colored paupers; and that in order to secure a support for such indigent freedmen, free negroes, or mulattoes, it shall be lawful, and is hereby made the duty of the county police of each county in this State, to levy a poll or capitation tax on each and every freedman, free negro, or mulatto, between the ages of eighteen and sixty years, not to exceed the sum of one dollar annually to each person so taxed, which tax, when collected, shall be paid into the county treasurer's hands, and constitute a fund to be called the Freedman's Pauper Fund, which shall be applied by the commissioners of the poor for the maintenance of the poor of the freedmen, free negroes and mulattoes of this State, under such regulations as may be established by the boards of county police in the respective counties of this State.

Section 7. If any freedman, free negro, or mulatto shall fail or refuse to pay any tax levied according to the provisions of the sixth section of this act, it shall be *prima facie* evidence of vagrancy, and it shall be the duty of the sheriff to arrest such freedman, free negro, or mulatto, or such person refusing or neglecting to pay such tax, and proceed at once to hire for the shortest time such delinquent taxpayer to any one who will pay the said tax, with accruing costs, giving preference to the employer, if there be one.

Section 8. Any person feeling himself or herself aggrieved by judgment of any justice of the peace, mayor, or alderman in cases arising under this act, may within five days appeal to the next term of the county court of the proper county, upon giving bond and security in a sum not less than twenty-five dollars nor more than one hundred and fifty dollars, conditioned to appear and prosecute said appeal, and abide by the judgment of the county court; and said appeal shall be tried *de novo* in the county court, and the decision of the said court shall be final.

www.afroamhistory.about.com/library/blmississippi_blackcodes.htm

Flint Community Schools⁹
History/Social Studies Unit Two Lesson 7

Course: History/Social Studies Grade 8
Unit: The Time of Reconstruction
Objective: to understand how the Compromise of 1877 reflects a growing power in the south
Essential Question: (this should be posted in the classroom for all to easily see throughout the unit) The preamble of the United States Constitution states that Americans are striving to form a “more perfect union.” How do Reconstruction era laws and agreements contribute to, or hinder, creating a more perfect union? How and why do historians interpret past actions?
Time Frame: 50 min. lesson
Materials/Resources/Preparation: copies of the Timeline of 1863 and the article <i>Compromise of 1877</i>

Introduction: (Anticipatory Set)	<i>Based on what we have studied of the Reconstruction Era, the Southerners felt that they lost power as states, economically, and were at odds with the federal government. Events in history show that southerners were gaining influence at the federal level, which we will study today.</i>
Teaching/Input: (Modeling, inquiry, working with reading, film, slides)	<i>Before we read about the Compromise of 1877, let’s look at the timeline and search for the years 1877. What do you notice is going on in the country during this year? How focused on the South are these events? Is the US still just a North and a South?</i> <i>When you read about the Compromise of 1877 I want you to read to think about how the south is making a type of “comeback” and how you know this. I also want you to look through the timeline and notice the patterns of interactions amongst various people in America. What do you notice about these patterns and how does all of this make you think of America becoming a “more perfect union”</i>
Independent Practice: (Small group work, peer work, or independent work)	Allow time for the partnerships to work together. Meet with each partnership to offer your support.
Closing:	Allow time for partnerships to share their: understanding of the compromise patterns observed in the timeline ideas around the development of America as a “more perfect union”

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Assessment: (How will we know the students understood today's lesson?)	Assess student ability to read, notice patterns, and apply to the context of the time
Homework:	From what we have studied thus far, what has added to the development of a "more perfect union" in your opinion?

Time Line of The Civil War, 1863

January 1863 -- Emancipation Proclamation.

In an effort to placate the slave-holding border states, Lincoln resisted the demands of radical Republicans for complete abolition. Yet some Union generals, such as General B. F. Butler, declared slaves escaping to their lines "contraband of war," not to be returned to their masters. Other generals decreed that the slaves of men rebelling against the Union were to be considered free. Congress, too, had been moving toward abolition. In 1861, Congress had passed an act stating that all slaves employed against the Union were to be considered free. In 1862, another act stated that all slaves of men who supported the Confederacy were to be considered free. Lincoln, aware of the public's growing support of abolition, issued the Emancipation Proclamation on January 1, 1863, declaring that all slaves in areas still in rebellion were, in the eyes of the federal government, free.

March 1863 -- The First Conscription Act.

Because of recruiting difficulties, an act was passed making all men between the ages of 20 and 45 liable to be called for military service. Service could be avoided by paying a fee or finding a substitute. The act was seen as unfair to the poor, and riots in working-class sections of New York City broke out in protest. A similar conscription act in the South provoked a similar reaction.

May 1863 -- The Battle of Chancellorsville.

On April 27, Union General Hooker crossed the Rappahannock River to attack General Lee's forces. Lee split his army, attacking a surprised Union army in three places and almost completely defeating them. Hooker withdrew across the Rappahannock River, giving the South a victory, but it was the Confederates' most costly victory in terms of casualties.

May 1863 -- The Vicksburg Campaign.

Union General Grant won several victories around Vicksburg, Mississippi, the fortified city considered essential to the Union's plans to regain control of the Mississippi River. On May 22, Grant began a siege of the city. After six weeks, Confederate General John Pemberton surrendered, giving up the city and 30,000 men. The capture of Port Hudson, Louisiana, shortly thereafter placed the entire Mississippi River in Union hands. The Confederacy was split in two.

June-July 1863 -- The Gettysburg Campaign.

Confederate General Lee decided to take the war to the enemy. On June 13, he defeated Union forces at Winchester, Virginia, and continued north to Pennsylvania. General Hooker, who had been planning to attack Richmond, was instead forced to follow Lee. Hooker, never comfortable with his commander, General Halleck, resigned on June 28, and General George Meade replaced him as commander of the Army of the Potomac. On July 1, a chance encounter between Union and Confederate forces began the Battle of Gettysburg. In the fighting that followed, Meade had greater numbers and better defensive positions. He won the battle, but failed to follow Lee as he retreated back to Virginia. Militarily, the Battle of Gettysburg was the high-water mark of the

Confederacy; it is also significant because it ended Confederate hopes of formal recognition by foreign governments. On November 19, President Lincoln dedicated a portion of the Gettysburg battlefield as a national cemetery, and delivered his memorable "Gettysburg Address."

September 1863 -- The Battle of Chickamauga.

On September 19, Union and Confederate forces met on the Tennessee-Georgia border, near Chickamauga Creek. After the battle, Union forces retreated to Chattanooga, and the Confederacy maintained control of the battlefield.

Meade in Virginia -- August-November 1863

After the Battle of Gettysburg, General Meade engaged in some cautious and inconclusive operations, but the heavy activity of the photographers was confined to the intervals between them -- at Bealeton, southwest of Warrenton, in August, and at Culpeper, before the Mine Run Campaign.

November 1863 -- The Battle of Chattanooga.

On November 23-25, Union forces pushed Confederate troops away from Chattanooga. The victory set the stage for General Sherman's Atlanta Campaign.

Chattanooga -- September-November 1863

After Rosecrans's debacle at Chickamauga, September 19-20, 1863, Confederate General Braxton Bragg's army occupied the mountains that ring the vital railroad center of Chattanooga. Grant, brought in to save the situation, steadily built up offensive strength, and on November 23-25 burst the blockade in a series of brilliantly executed attacks. The photographs, probably all taken the following year when Chattanooga was the base for Sherman's Atlanta campaign, include scenes on Lookout Mountain, stormed by Hooker on November 24.

The Siege of Knoxville -- November-December 1863

The difficult strategic situation of the federal armies after Chickamauga enabled Bragg to detach a force under Longstreet to drive Burnside out of eastern Tennessee. Burnside sought refuge in Knoxville, which he successfully defended from Confederate assaults. These views, taken after Longstreet's withdrawal on December 3, include one of Strawberry Plains, on his line of retreat. Here we have part of an army record: Barnard was photographer of the Chief Engineer's Office, Military Division of the Mississippi, and his views were transmitted with the report of the chief engineer of Burnside's army, April 11, 1864.

<http://rs6.loc.gov/ammem/cwphtml/tl1863.html>

The Compromise of 1877

The Compromise of 1877 between the Republicans and Democrats, occurring in January of that year, was the solution to the contested Presidential election of 1876 and furthermore brought an end to the period of Reconstruction following the Civil War.

Both Rutherford B. Hayes, the Republican candidate, and Samuel L. Tilden, the Democratic candidate, were moderate reformers, and the election was very close. Tilden led in the popular vote, but the count from four states, which represented a total of 20 votes in the electoral college, was disputed. No precedent had yet been set for dealing with contested votes, and tenacious partisanship during Reconstruction intensified the matter. Congress eventually, in January 1877, set up a special electoral commission with an equal number of Democrats and Republicans to decide the disputed votes. The tiebreaker member swayed to the Republican side, and the commission awarded all disputed votes to Hayes, who won the election with 185 electoral votes to Tilden's 184.

The Compromise came about as Democrats in the Senate threatened to prevent the commission from reporting with a filibuster. Republicans negotiated with the Democrats to abandon the filibuster by offering the following: the withdrawal of federal troops from the South, appointment of at least one Southerner to Hayes's cabinet, and economic benefits to industrialize the South. Unfortunately, withdrawal of troops meant the Republicans essentially abandoning the enforcement of racial equality in the South.

The era of Reconstruction was characterized by the attempt to restore the Union after the Civil War, but it was perceived differently by Southerners, Northerners, and African-American former slaves. The South saw it as tyrannical; the North saw it as necessary to prevent the reoccurrence of ante-bellum South; and African-Americans hoped to gain political and economic freedom from the policies of the Reconstruction.

Various political plans were proposed and instituted to deal with the South after the war. The Republicans held the Presidency and Congress, but they could not agree on an appropriate policy. The party was divided into the moderates and conservatives and the radicals. The radical Republicans, led by Representative Thaddeus Stevens (PA) and Senator Charles Sumner (MA), held racial equality and strict retribution as their platform. The moderates were represented by President Lincoln, who proposed a less punitive plan.

Lincoln's 1863 Reconstruction plan required that 10% of the voters in a state needed to pledge allegiance to the Union for the state to be readmitted. The Wade-Davis Bill of 1864, which Lincoln vetoed, required a majority to pledge allegiance and swear the "Ironclad Oath" that they had never borne arms against the Union.

President Andrew Johnson, who succeeded Lincoln as a Republican but had been a Democrat until joining Lincoln's ticket, devised a plan known as "Restoration" which really required nothing from the South to rejoin the Union except some formalities which satisfied his personal thirst for power. Opposed to Johnson's "Presidential

Reconstruction" was "Congressional Reconstruction" from the radical Republicans. As a response to the South's instituting Black Codes, the radicals expanded the Freedman's Bureau and proposed the first Civil Rights legislation. The Fourteenth Amendment gave citizenship to black men. Later the Fifteenth Amendment was also passed which granted suffrage to black men. Reconstruction failed, however, to provide economically for the freed slaves.

After Lincoln and Johnson's moderate policies, the Congressional Reconstruction seemed particularly harsh to Southerners. Post-Reconstruction, Southern Democrats began to assert their power.

<http://www.thenagain.info/WebChron/USA/1877Comp.html>

Flint Community Schools¹⁰
History/Social Studies Unit Two Lesson 8

Course: History/Social Studies Grade 8
Unit: The Time of Reconstruction
Objective: to understand how the Compromise of 1877 reflects a growing power in the south
Essential Question: (this should be posted in the classroom for all to easily see throughout the unit) The preamble of the United States Constitution states that Americans are striving to form a “more perfect union.” How do Reconstruction era laws and agreements contribute to, or hinder, creating a more perfect union? How and why do historians interpret past actions?
Time Frame: 50 min. lesson
Materials/Resources/Preparation: copies of the <i>Origins of Democracy</i> , notebooks, Preamble

Introduction: (Anticipatory Set)	<i>We have read and analyzed many documents to understand what the Founders meant by a “more perfect union” and to decide what added to this idea and what detracted from this idea. Let’s look at the history of democracy to understand where some of the ideas of the Founders came from to sharpen and deepen our understanding of the Preamble.</i>
Teaching/Input: (Modeling, inquiry, working with reading, film, slides)	<i>I want you and your partner to read this article, <i>Origins of Democracy</i>, and be able to explain what in history may have helped shape the thinking that went into the Preamble and the Constitution. Read through the article and underline any ideas that relate to the Preamble or the purpose of developing the Constitution.</i>
Independent Practice: (Small group work, peer work, or independent work)	Allow time for the partnerships to work together. Meet with each partnership to offer your support.
Closing:	Allow time for partnerships to share their understandings of the article and how it relates to the Preamble.
Assessment: (How will we know the students understood today’s lesson?)	Assess student ability to read and apply that reading to the idea of another document.
Homework:	From what we have studied thus far, what has not added to the development of a “more perfect union” in your opinion?

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Origins of Democracy

The word "democracy," as well as the concept it represents, can be traced back to the area surrounding the Mediterranean Sea. The beginnings of democracy can be credited to the Greeks of the sixth century BC. The word comes from two Greek words: demos, meaning "the people," and krates, meaning "to rule." These two words are joined together to form democracy, literally meaning "rule by the people" (Pious). The Greek system of government was perhaps closer to a true democracy or rule by the people than any other in history. The Greeks viewed dictatorship as the worst possible form of government, so their government evolved as the exact opposite. Their civilization was broken down into small city-states (never more than 10,000 citizens), and all the men voted on all issues of government. There were no representatives in the Greek system of government. Instead, they ruled themselves directly; each man was a life long member of the decision making body. This was almost a total democracy except for the fact that women and slaves (over 50% of the population) were not considered citizens and were not allowed to vote. Despite this, no other civilization has come as close to democracy as its creators, the Greeks, and many later civilizations have incorporated this Greek idea as part of the foundation for their government (Lee; Lefebvre).

Ideas of democracy similar to that of the Greeks were used by the Romans, though not to the same extent. The Roman Empire (509-27 BC) took some of their governmental ideals from the Greeks. Their government was a representative democracy, which had representatives from the nobility in the Senate and representatives from the commoners in the Assembly. Governmental power was divided between these two branches and they voted on various issues. Many Roman political thinkers were fond of democracy. The Roman Statesman, Cicero was one. Cicero suggested that all people have certain rights that should be preserved. He and other political philosophers of the time taught that governmental and political power should come from the people (Lefebvre; Lee). After the trend of democracy was started by the Greeks and carried on by the Romans, it has been seen in many later governmental systems throughout history.

Democracy in the Middle Ages

Though democracy was not directly instituted in the Middle Ages, many democratic ideas were prevalent throughout the period. Because Christianity, which taught that men were created equal in the eyes of God, was deeply ingrained into the society of the Middle Ages, the democratic idea of equality was understood by many of the people. The Middle Ages, however, utilized another form of government, which was developed during this period called feudalism. Feudalism stressed that all people have certain rights and developed a system of courts to defend these rights. From these courts came the modern day judicial branch of the American government along with many of the ideas such as kings councils, assemblies and eventually parliamentary systems (Sanford 20-27).

Democracy in England

In 1215 AD, the Magna Carta opened the door to a more democratic system in England. Nobles forced King John to sign this "Great Charter" that created the English "Parliament", or law-making body, and stated that the written laws held a higher power than the king, thereby limiting the power of the Royal family and giving some of that power to the people. Later, the Petition of Right (1628) stipulated that the King could no longer tax without parliament's permission and the Bill of Rights (1689) provided freedom of speech and banned cruel or unusual punishment. These strengthened Parliament further and gave the people more right to express themselves. Though these reforms did not make England a true democracy in any sense, they did incorporate democratic ideals, which would later be used to form the government of the United States (Lefebvre; Pious).

The concept of democracy continued to be prevalent in Europe with the philosophies of an English philosopher by the name of John Locke and a French philosopher named Jean Jacques Rousseau. Locke's book, Two Treatises (published in 1690), stated that under the "social contract," the government's job was to protect "natural rights", which included "the right to life, liberty, and the ownership of property." Rousseau expanded on this idea with his book, The Social Contract, in 1762. In essence, these two philosophers said that the people should have input on how their government is run. This school of thought paved the way for modern day American Democracy (Lefebvre).

The Path to Modern Democracy

The American Revolution is another important event in the history of democracy. The first step, of course, in America's pursuit of democracy was the Declaration of Independence in 1776. In this great document, written by Thomas Jefferson, many ideas are taken from the aforementioned philosophers, Locke and Rousseau. From Locke, Jefferson borrowed the idea that all men are created equal, and he altered the right to life, liberty and property to "the right to life, liberty and the pursuit of happiness." Jefferson borrowed a little from Rousseau as well when he said that all men should have the right to take up arms against the government if it did not respect these rights (Jefferson). In the French Revolution, a similar cause was espoused. Political thinkers and philosophers such as Montesquieu, Voltaire, and Rousseau inspired the people by building off of American ideas and insisting that freedom comes only after the legislative, judicial and executive branches of the government are separated. The people of France overthrew the king, then set forth the "Declaration of the Rights of Man," which changed Locke's right to life, liberty and property to the right to "liberty, property, security, and resistance to oppression." (The resistance of oppression probably came from Rousseau.) These ideas, like the ones in the American Declaration of Independence, lent themselves to a partially democratic system where the powers of the king are limited and the people have some say in their government (Pious; Lefebvre).

All over the world, revolutions began to spring up against monarchies, and democratic governments began to develop. Before the end of the 19th century, almost all of the Western European monarchies had adopted a constitution limiting the power of the Royal Family and giving some power to the people. Parliamentary type representative

legislatures were also developed in many of these countries, giving the people more power to rule (Pious).

With the growing success of democracy in the United States and in other countries throughout the world, democracy became more and more popular. By the 1950's, almost every independent country on the planet had a government that embodied some of the principals and ideals put forth by democracy. The model nation for these principals became the United States (Pious; Sanford 20-27).

Democracy in America

Modern American democracy is in the form of a democratic republic or a representative democracy. A representative democracy came about in the United States because the colonists were tired of taxation without representation and wanted a more fair system where the people had more say in the rule of the country. They did not desire the Athenian form of democracy however; as they feared it would give the people too much power and would lend control of the government to the uneducated masses. What they came up with was a representative democracy wherein elected representatives rather than direct rule by the people rule the government. These representatives are elected with the idea that they will accurately represent their constituents, but in case some don't, the U.S. government is divided into three branches to keep corruption in check. These three branches are the Executive, Legislative, and Judicial branches. No one branch contains absolute power, rather, each branch is balanced off of the others creating a system of checks and balances to protect the principals of democracy. This system is in no way perfect, and this is why we must pursue a more perfect form of democracy and a more perfect union between our citizens, states and country (Pious; Sanford 20-27).

<http://library.thinkquest.org/26466/history>

Flint Community Schools¹¹
History/Social Studies Unit Two Lesson 9

Course: History/Social Studies Grade 8
Unit: The Time of Reconstruction
Objective: to reflect on the role of historians
Essential Question: (this should be posted in the classroom for all to easily see throughout the unit) The preamble of the United States Constitution states that Americans are striving to form a “more perfect union.” How do Reconstruction era laws and agreements contribute to, or hinder, creating a more perfect union? How and why do historians interpret past actions?
Time Frame: 50 min. lesson
Materials/Resources/Preparation: notebook; all previous work and documents; copies of call for papers, lined paper

Introduction: (Anticipatory Set)	<i>Today we have the opportunity to reflect back on the learning that we have engaged in during class and at home working on homework and to use that knowledge to act as historians and write a paper. It is typical of professional historians to write papers and share them in a format called a forum, in this case a collection of experts gathered together to discuss their informed opinions. I have copies of the call for papers that will guide you as to the topic of discussion for the forum. You will have time in class to write your opinion and tomorrow we will begin our forum. As historians you may refer back to your notebooks and documents for information.</i>
Teaching/Input: (Modeling, inquiry, working with reading, film, slides)	
Independent Practice: (Small group work, peer work, or independent work)	Allow time for students to write and prepare for the forum, which will take place tomorrow (lesson 10).
Closing:	Explain that tomorrow in class students will participate in the forum. They will need their papers for the forum.
Assessment: (How will we know the students understood today’s lesson?)	
Homework:	Finish your paper, your writing regarding the process of your work, and prepare for the forum.

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Flint Community Schools¹²
History/Social Studies Unit Two Lesson 10

Course: History/Social Studies Grade 8
Unit: The Time of Reconstruction
Objective: students participate in a forum
Essential Question: (this should be posted in the classroom for all to easily see throughout the unit) The preamble of the United States Constitution states that Americans are striving to form a “more perfect union.” How do Reconstruction era laws and agreements contribute to, or hinder, creating a more perfect union? How and why do historians interpret past actions?
Time Frame: 50 min. lesson
Materials/Resources/Preparation: paper for sharing – You may want to move the tables or desks in your room to form a circle or reserve a space such as the library for your forum – You may also want to break the class into smaller groups if you have large numbers and anticipate that the class time will not allow for everyone to share or you may want to keep the class together since this is their first experience with a forum and know that not everyone will have a chance to share

Introduction: (Anticipatory Set)	<i>Today we are going to participate in a historians’ forum. You have each been asked as experts to develop a paper including specific content and your opinions. We will now use the time to not only share each paper but also discuss the thoughts in the paper. This means that as your peer reads you should formulate questions to start a discussion after the reading.</i>
Teaching/Input: (Modeling, inquiry, working with reading, film, slides)	Provide students with the scoring guide and your instructions for the forum. Establish that it is time for the forum to begin. Invite each expert to join in a circle and explain that one historian will begin sharing his/her writing while others listen and prepare their questions for the expert. Everyone should have a chance to share their writing and field questions from their peers.
Independent Practice: (Small group work, peer work, or independent work)	
Closing:	Ask students to reflect on this forum and what they learned from others and how the format helped them learn.
Assessment: (How will we know the students)	The final papers should be considered drafts since students wrote them in class and did not go through revision and editing cycle. There are five general categories for scoring the writing (content

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understood today's lesson?)	<p>knowledge, writing process, format and structure, writing fluency, and mechanics). Within the content knowledge section, teachers can assess student ability to use the documents and ideas from class, ascertaining knowledge as to their comprehension of the documents and ability to apply them to this specific situation. Within the writing process section students should be able to refer back to learning from the unit about the thinking process of historians. The format and structure and writing fluency sections provide an opportunity to determine how well students are learning to write from the in class teaching and practice and homework. The first four sections are designed to allow students to show what they have learned in the lessons and how they can apply this learning. Each section, including mechanics, show where the strengths and needs of each individual and the class as a whole lies in order to adjust any future teaching to meet those needs and build off of the strengths. Lastly, there is space at the bottom of the scoring guide grid for specific comments to the student. This can be used to include some comments regarding the experience and performance in the forum.</p>
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