



Session 4: Reconstruction & Jim Crow (1877-1950)

Focus: Imagine that after WW2 there were no trials for treason or war crimes; no leaders executed or jailed. Imagine that the military presence quickly evaporated and the local governments allowed to re-establish as they had before. Imagine that the Swastika was not banned but rather flown as a badge of honor. Imagine that monuments were built, roads and schools named after Hitler, Rommel, Goebbels, and Eichmann. Imagine that the persecuted minorities were still mistreated: the concentration camps were gone but laws and policy clustered targeted peoples in ghettos; the Yellow Stars vanished but other methods to segregate and demean appeared. Imagine that when the persecuted managed to use their vote to elect representatives, the lives of those representatives and their families were in imminent danger. Imagine that when they built successful businesses and communities that those were burnt to the ground. Imagine the gas chambers vanquished only to be replaced by the bullet, the rope, and human bonfire.

Thankfully, one has to stretch the imagination to visualize those events in post-war Germany. Unfortunately, one only has to know a little history to see the parallelism to the events that occurred in the United States after the Civil War.

Tonight we discuss the time of Reconstruction and Jim Crow.

Gathering Prayer: Holy One who is known to us by many names and in many ways, we give thanks for the blessings that we have in our lives. You know the thoughts of our hearts; hear our prayers. Be present now as we enter a time of thought and discussion.

Sentences on the Subject: *"But even if we are unaware of it, Reconstruction remains part of our lives, or to put it another way, key issues confronting American society today are in some ways Reconstruction questions"* (400 Souls p229).

What you are about to read is the story of the first war on terror. No...wait. This is actually the origin story of second-wave white supremacy known as "Jim Crow laws." *Four Hundred Souls* (p. 234).

By 1869, the worst fears of the Confederate white supremacists had all come true. The Thirteenth and Fourteenth amendments to the U.S. Constitution had been ratified, abolishing slavery, guaranteeing citizenship, and promising equal protection under the law. The treasonous states that previously decided they didn't want to be a part of the United States if they couldn't own Black people were now occupied by Union troops, some led by Black freedmen. Then came the last straw: On February 26, 1869, the U.S. Congress passed the proposal that would become the Fifteenth Amendment to the Constitution of the United States, proclaiming that the right 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."

According to the U.S. Commission on Civil Rights, the legislation resulted in more than 700,000 Black people registered as voters, slightly outnumbering the number of white voters in the South. In some states, the Black population equaled or surpassed the white population. But for the first time in decades, white Democrats—the original racists—were a minority in the South. Something had to be done, so they started a war.^{Four Hundred Souls (p. 235)}

Klux Klan members in North Carolina lynched so many Black voters in 1870 that Governor William Woods Holden declared an insurrection and suspended habeas corpus (the right against unlawful detention), imposing martial law in two counties. After Klansmen assassinated Republican state senator John W. Stephens—along with Wyatt Outlaw, a Black town commissioner—Holden had no choice but to hire Union colonel George Washington Kirk to quell the violence. Kirk and three hundred soldiers traveled to North Carolina, arresting some of the most prominent men in the state for conspiring with the Klan—including ex-congressman John Kerr—for fueling what would become known as the Kirk-Holden War.^{Four Hundred Souls (p. 235)}

The Enforcement Act of 1870 prohibited groups from banding together, using force, or even wearing disguises to violate the constitutional rights of other citizens—namely the right to vote. It did not work. The Second Enforcement Act was similar but imposed harsher fines and allowed federal oversight of local and federal elections. It was cute but, of course, it didn't work, either. It wasn't necessarily the elections that concerned Black voters, it was the fireworks at the Klan afterparties that caused so much consternation. It's almost like Congress didn't hear that whole "waited upon" part. Still, they gave it one more try. The Third Enforcement Act gave the president the right to suspend habeas corpus, an extraordinarily controversial power to hand to the commander in chief. Outside wartime, the United States has never invoked the authority to suspend this constitutionally guaranteed right, but Congress thought it was the only way to win this rapidly escalating race war. They didn't even try to pretend why they passed the legislation by calling it something like the "Patriot Act" or the "Please Be Nice to Black People Law of 1870." They called it the Ku Klux Klan Act. It did not work. Four Hundred Souls (p. 237).

I found that in order to justify these horrible atrocities [lynchings] to the world, the Negro was being branded as a race of rapists, who were especially mad after white women. I found that white men who had created a race of mulattos by raping and consorting with Negro women were still doing so wherever they could, these same white men lynched, burned, and tortured Negro men for doing the same thing with white women, even when the white women were willing victims. Four Hundred Souls (p. 254).

Plessy v. Ferguson (1896). Those familiar with the outlines of the legal battle for civil rights know that the U.S. Supreme Court case Plessy v. Ferguson served as the legal foundation for de jure racial segregation. This failed test case was put forward by the small group of Creole of Color New Orleans activists called the Citizens' Committee. The case set the precedent of "separate but equal" that stood for more than half a century. Indeed, when viewed strictly as a story about legal history, Plessy is the top of a slippery slope down to an American South where Jim Crow segregation marked every landscape. Four Hundred Souls (p. 258).

*Gunshot wound is a violent way to say gone missing
Your body will be laid to rest by your family's devoted palms
Black people will always find each other in the passage between death and America
A country designed in an image of rot
But we've always been able to ferment the good knuckle deep in prayer despite the steel*
Four Hundred Souls (p. 262).

Below is some “food for thought”, a few probes that might kick start a conversation. Read over them and pick one (or more, or none) to discuss. Remember to hold space for others to share and share only what you feel comfortable sharing.

Probe 1. *“But even if we are unaware of it, Reconstruction remains part of our lives, or to put it another way, key issues confronting American society today are in some ways Reconstruction questions”* (400 Souls p229).

Let's talk about some of these lingering issues and how they are manifest in America today.

Probe 2. The Plessey ruling held as the Law of the Land until 1954. *Brown v. Board of Education of Topeka* was the landmark 1954 Supreme Court case in which the justices ruled unanimously that racial segregation of children in public schools was unconstitutional. *Brown v. Board of Education* was one of the cornerstones of the civil rights movement, and helped establish the precedent that “separate-but-equal” education and other services were not, in fact, equal at all.

Brown eliminated segregation in governmental practices, yet many systemic practices remained in place. *What were/are some? Are you aware of any existing other practices that are a legacy from Jim Crow?*

Probe 3. Consider the verse from the poem *“A country designed in an image of rot”*. Is it too harsh? Why/why not? Can you think of any other poems/lyrics/works of art that depict the anger/frustration/despair of the Black community?

Probe 4. Like the *1619 Project* and *Critical Race Theory*, *400 Souls* seeks to re-frame our country's history by shifting a focus onto the role of slavery and Black Americans. Have these stories added to or shifted your thinking on Reconstruction and Jim Crow? How? What stories or examples can you share?

Commission: *Hold on to what is good. Love deeply. Honor others. Stay excited about life and your faith. Be joyful. Be patient. If you pray, have faith. Share with people who are in need. Welcome others into your homes. Be loving to those who hurt you. Be present; be in the moment. Be gentle, even with those with whom you disagree. Be humble. Be a friend of people who aren't considered important. Do the right thing. If possible, live in peace with everyone. And remember, no matter who you are, or where you are on life's journey- you are welcome here.*

