

17.037/17.038 American Political Thought  
Spring 2004

4/6/04 Student Lecture Notes

### A New Birth of Freedom?

- Student presentations on readings.
- 3 themes pervade Lincoln readings:
  1. Lincoln was intellectually honest; curious; pragmatic.
  2. Tension between reason and passion.
  3. Tension between continuity and change.
- General points regarding Lincoln:
  - Lincoln recognized necessity of passion, but preferred reason.
  - Lincoln did not view Southerner's grounds for secession as legitimate.
- Reconstruction politics:
  - Radical Republicans: fought for full civic and political rights for Blacks.
  - Moderate Republicans: fought for full citizenship, but stopped short of advocating political equality.
  - Unifying Principle that guided Republican party through civil war
    - o Free labor ideology – Lockean idea of personal ownership of labor, and the fruits of that labor – later would conflict with labor contracts between white and blacks in South after the war's conclusion.
    - o Abolition.
    - o Civic equality – not consensus on granting full political equality to Blacks.
- Reconstruction:
  - Radical opportunity opened up for inclusion, but by 1890s window closed.
  - Points from Eric Foner's *Reconstruction*:
    - o Problem of reconstruction was with free labor ideology.
    - o Republican's unified by Lockean idea that people should own their own labor and belief that productive labor makes one virtuous.
    - o Republicans thought Blacks could just be added to economic system.
    - o Republicans also advocated strong national economy and government, including national bank; protective tariffs; believed in Madisonian view of republic.
  - Unanswered questions:
    - o Were Blacks ready to participate?
    - o Redistribution politically sustainable?
    - o What was the right balance between national and state policymaking?
    - o Was free labor reconcilable with the northern capitalist economy?

- Major accomplishments of early Reconstruction (1866-1876)
    - o Emancipation.
    - o Black suffrage, basic civil and political rights.
    - o 13<sup>th</sup>-15<sup>th</sup> Amendments to Constitution.
    - o 6 major statutes, including 4 civil rights bills.
  - Anti-Reconstruction forces:
    - o Southern sympathizers in the North.
    - o President Johnson.
    - o Most white southerners.
    - o States' rights advocates.
  - Reasons for failure of Reconstruction:
    - o Class conflict.
    - o Racism prevented alliance between black and white laborers.
    - o Economic system did not change in South; Foner argues that Reconstructionists did not think about necessary economic underpinnings of equality; free labor emphasis on individual not conducive to economic opportunity for Blacks.
    - o Doctrine of states' rights.
- *Myra Bradwell v. Illinois* (1873)
- Bradwell's lawyer based argument on privileges and immunities clause of 14<sup>th</sup> Amendment; argued for broad reading; this clause was written with focus on rights and opportunities for Blacks but later extended to other groups, including women.
  - At time, state courts used privileges and immunities clause to extend rights to women, including Illinois which enacted law allowing women to enter bar after this case.
  - Supreme Court: decided that allowing women into bar in Illinois was up to state; right to practice law should be determined by states and was not dependent on U.S. citizenship.
- Stanton:
- Arguments for women's suffrage shifted from inclusive to exclusive and ascriptive – upset that Black males enfranchised before White, Anglo-Saxon women
  - Broke with antislavery movement; afterwards fought for women's political rights exclusively.
  - Stanton felt betrayed by abolitionists who supported suffrage for black males, and not for women.