

Getting Curious with Jonathan Van Ness & Robert Icenhauer-Ramirez, Ph.D.

JVN [00:00:00] Welcome to "Getting Curious". I'm Jonathan Van Ness. And every week I sit down for a 40 minute conversation with a brilliant expert to learn all about something that makes me curious. On today's episode, I'm joined by lawyer, historian, author and lecturer at the University of Texas, Austin, Robert Icenhauer-Ramirez, where I ask, "What happened to the racist fucking asshole dick officials of the American Confederacy after the end of the Civil War"? Welcome to "Getting Curious". On today's episode, we have an incredible speaker, PhD lecturer from the University of Texas at Austin, Robert Icenhauer. Now, we're going to be covering a very interesting subject, honey. That is devastating, slash, interesting, slash, I think there's a lot of things that we can glean from this even now today, because, you know, I think through history, I just get really curious about how we, how it still affects us today. So the question is, what happened to all the generals of the Confederate states after the Civil War? What-? Thank God you're an expert in that, honey. You're a historian and you are and, you have a PhD with an emphasis in the Civil War.

ROBERT ICENHAUER-RAMIREZ [00:01:14] Correct.

JVN [00:01:14] Which that qualifies you as a historian, I guess. Right? I mean you-.

ROBERT ICENHAUER-RAMIREZ [00:01:17] Oh yes. Yeah, my PhD is in history.

JVN [00:01:19] Hello? Yeah.

ROBERT ICENHAUER-RAMIREZ [00:01:20] Yes.

JVN [00:01:21] That's amazing. Thanks so much. Welcome.

ROBERT ICENHAUER-RAMIREZ [00:01:22] Well, thank you for having me.

JVN [00:01:24] You're our first Texas guest.

ROBERT ICENHAUER-RAMIREZ [00:01:26] Oh, thank you.

JVN [00:01:27] Yeah, you're my first. "Getting Curious"- . Oh, actually, that's a full lie because I had Wendy Davis on when I was in Texas last time. So you're actually my second. But that's an incredible person to be second to. So-.

ROBERT ICENHAUER-RAMIREZ [00:01:37] I agree.

JVN [00:01:38] Right? So, OK, so let's set the stage. The Civil War starts in 1861.

ROBERT ICENHAUER-RAMIREZ [00:01:45] Correct.

JVN [00:01:45] And it basically I think the way that we think about it now, the way I understand it, is like a non-college educated, like hairdresser who's 32, who hasn't been in school, you know, in a long time. It's like it's over the issue of slavery and the Northern states take the position that obviously we shouldn't have slavery. The Southern states take the position that we, that they

should. It's too important to their economy. War ends up ensuing. It's from 1861 to 1865, when the Northern states win. And then my question is, because I don't the Confederate states have a president, a vice president, like a fully functioning cabinet. Did they have ambassadors? Like, and then what happens to all of them?

ROBERT ICENHAUER-RAMIREZ [00:02:28] Right. Right. Well, they did have a fully functioning government. And Jefferson Davis was the president of the Confederacy. Alexander Stephens was the vice president of the Confederacy. And they, Jefferson Davis, near the end of the war, began to try to flee from Richmond. He was warned by Robert E. Lee that the Confederate Army could not withstand the Union Army for much longer. Lee advised him to leave the the the capital and try to link up with someone further South. Joseph Johnston's Army. And so Davis leaves Richmond at that point at the very end of the war and.

JVN [00:03:21] In '65?

ROBERT ICENHAUER-RAMIREZ [00:03:21] In 1865.

JVN [00:03:22] And Richmond is the capital. You just said, right?

ROBERT ICENHAUER-RAMIREZ [00:03:25] Richmond is a capital of the Confederacy, which is only about 90 miles from Washington, D.C. So both capitals were very close to each other. There was a lot of warfare that went on between those two capitals. And Grant had finally sort of forced Lee into a trench warfare and surrounded Richmond and Petersburg and was putting an immense amount of pressure on Lee's army.

JVN [00:03:54] Okay, wait, wait, wait.

ROBERT ICENHAUER-RAMIREZ [00:03:56] Okay.

JVN [00:03:57] Yes, because you are slaying my life right now, comma, just to set the stage, because earlier today I was talking to my, this amazing person who, but when I said-. They're British. And when I said, you know, the Confederate states, they were like, what is that? And I was like, oh, that's like what the Southern states were called when they were going to break away. And they're just really quick. Grant, is Ulysses S. Grant.

ROBERT ICENHAUER-RAMIREZ [00:04:22] Correct.

JVN [00:04:22] Who is the Northern general? Right?

ROBERT ICENHAUER-RAMIREZ [00:04:26] Right. He's the general in chief. And so he commanded all of the armies of the Northern states.

JVN [00:04:32] And then Robert E. Lee is the head of the Southern Army.

ROBERT ICENHAUER-RAMIREZ [00:04:36] Well, he was the head of the army of Northern Virginia until the very end of the war when he was made head of all of the armies of the Confederacy. But that was at a point where, where he really didn't have much control.

JVN [00:04:49] Did, was that position filled by someone else prior to him? Like was there a main general, the South before Robert E. Lee?

ROBERT ICENHAUER-RAMIREZ [00:04:55] No, it was the commander in chief with Jefferson Davis, who is a president to the Confederacy.

JVN [00:05:00] And was he a general before the war or was he a politician?

ROBERT ICENHAUER-RAMIREZ [00:05:02] He was a politician. He had some experience as a as an officer leading a regiment of Mississippi volunteers in the Mexican War. And a lot of the generals involved, both North and South in the Civil War, had been involved in the Mexican War. And so Jefferson Davis had made, made a name for himself as a, an officer leading this Mississippi regiment in the Mexican War. He went on to become a politician for Mississippi. He had served as the head of the War Department, which is a equivalent of the Defense Department today. And so he was a very nationally prominent politician.

JVN [00:05:52] Jefferson Dav-.

ROBERT ICENHAUER-RAMIREZ [00:05:53] Jefferson Davis.

JVN [00:05:54] And he was from Mississippi.

ROBERT ICENHAUER-RAMIREZ [00:05:55] He was from Mississippi.

JVN [00:05:57] Now, quickly, just quick question, because also setting the stage like prior to this, because this is 1865, that the Civil War ends, but America was only began in 1776.

ROBERT ICENHAUER-RAMIREZ [00:06:10] That's when we declared.

JVN [00:06:11] The Revolution. Independence.

ROBERT ICENHAUER-RAMIREZ [00:06:13] Independence.

JVN [00:06:13] Yeah. So it's like that was only really like 90 years. Like America is still like a very like young country.

ROBERT ICENHAUER-RAMIREZ [00:06:19] Of course.

JVN [00:06:20] In the time of the Civil War, but like because, to also set the stage like England had outlawed slavery in 1830, I think.

ROBERT ICENHAUER-RAMIREZ [00:06:29] Correct.

JVN [00:06:29] And so like slavery was a topic that had been bubbling and talking about-. We learned on "Getting Curious", from this incredible historian in an earlier episode about what was it like to live in Philadelphia in 1775. And I had also learned that when I lived in Philadelphia that the first abolitionist group was started in 17-, or in Philadelphia. And I think it was started in the 1700s. So it's like people were talking about abolition and like the evils of slavery in America for like, you

know, a long time. Like, you know, from there, from the beginning of the col-, from the beginning of America, like in 1776, that people were talking about it. So I guess I'm just saying, like the the talk around it bubbling up and percolating all the way up to the Civil War and then Jefferson Davis and in the Confederacy being made was like, it was a really massive thing that was going to tear the country apart. And that's really, but it was like a worldwide thing, like people were abolishing it and like dealing with it and talking about it. It was like a cornerstone of life at that time. Like slavery.

ROBERT ICENHAUER-RAMIREZ [00:07:36] That's absolutely right. If you read the the letters and documents that the founding fathers wrote, they recognized people like Washington and Jefferson and Madison all recognized that slavery was evil. And, but they didn't know how to deal with it. They didn't have the ability to abolish slavery at the constitutional convention, even though a lot of them would have liked to. And, but as decades go on, it's very interesting to see a shift in the intellectual thought in the South, where it goes from being an evil that everyone hoped would eventually extinguish itself to being a positive good in the view of Southerners. And that shift, it revolves largely around John Calhoun, who was a vice president. He was a senator from South Carolina. And they became very aggressive about slavery and wanting its expansion. And so the North was wanting to limit the expansion of slavery. And so it comes into conflict. And eventually, when Lincoln is elected, he's, he's viewed as an abolitionist, although he was not an abolitionist, but he definitely was an individual who believed that slavery should be restricted from the territories and, that were becoming new states. And so because he wanted that and because he was a Republican, which was largely where the abolitionists had had, you know, become part of the political system upon his election, the South didn't even wait to see whether or not he was going to take any active steps to abolish slavery. They simply seceded at that point.

JVN [00:09:40] So as Lincoln is elected, like Kansas and Missouri and Texas were all like territories, but we're like think-, but we're in the process of maybe becoming states. And they were also deciding if they would be slave states. Is that right?

ROBERT ICENHAUER-RAMIREZ [00:09:54] Only Kansas was a territory. Texas was a slave state. Missouri was a slave state. Now, Missouri did not secede. And that was one of the things that, there were three slave states, actually four that did not secede. It was Maryland, Delaware, Missouri and Kentucky.

JVN [00:10:12] What?

ROBERT ICENHAUER-RAMIREZ [00:10:13] Yes.

JVN [00:10:13] Maryland and Delaware were slave states.

ROBERT ICENHAUER-RAMIREZ [00:10:16] Absolutely.

JVN [00:10:17] Maryland and Delaware were slave states. And they did not secede.

ROBERT ICENHAUER-RAMIREZ [00:10:20] Correct.

JVN [00:10:20] But they stopped using slaves?

ROBERT ICENHAUER-RAMIREZ [00:10:22] No, they they had slaves during the Civil War. And that put Lincoln in a bit of a quandary because he didn't want them to secede. So he was, he had an eye largely on keeping Kentucky in the union because Kentucky had a great deal of population, they had a great deal of of horses, they, that, if they had seceded, it likely would have given the Confederate states a huge advantage that they didn't have.

JVN [00:10:50] So Kentucky also didn't secede.

ROBERT ICENHAUER-RAMIREZ [00:10:53] They did not secede.

JVN [00:10:54] Wow. But then they also didn't have to stop using slaves.

ROBERT ICENHAUER-RAMIREZ [00:10:58] No, they didn't. No.

JVN [00:10:59] So just really quickly, this so interesting. But in 1830, one thing I literally just learned about, about Great Britain is that when they stop slavery, they paid all the slave owners that owned the slaves in the United Kingdom this like massive pay out. But then really the slaves would go on to work for, I think, another 12 years as indentured servants like for free. And so took like twelve more years for them to gain their freedom in the United Kingdom. But the loan that the British government took out to pay the British slave holders so families like the Churchills, like these really iconic, you know, like British families that were super, super rich, they got these huge buyouts from the government to pay them off for their slaves. That loan was not finished, paid off, been being finished, paid off by British taxpayers until 2015.

ROBERT ICENHAUER-RAMIREZ [00:11:46] I did not know that.

JVN [00:11:47] Yeah. And so I was wondering if like there were if if when other countries like we're talking about how to get out of slavery, if like if the American South saw that as a threat or if there was ever like. Were there discussions of like how they could like. So when Lincoln gets elected, they just seceded. So there was never really like a negotiating table or was there prior to Lincoln about like, could you do this or could we phase it out by such a time? Like, was there ever negotiating between the North and the South to try to get rid of slavery?

ROBERT ICENHAUER-RAMIREZ [00:12:16] No, no there wasn't. The South simply was not going to to allow for slavery to to be ended. As Alexander Stephens, who became the vice president of the Confederacy, said before the Civil War, he made a speech that's called the Cornerstone Speech, which is interesting that you would use that phrase because he talked about how slavery was a cornerstone of the Southern society. And so there was never going to be a negotiation that would end slavery between North and South. Now, after Lincoln was elected and in an effort to try to emancipate slaves in the North, he suggested compensated emancipation to Delaware, which had very few slaves, and they rejected it out of hand. So until-

JVN [00:13:13] So Lincoln suggested that sort of model of paying off the slave holders with tax money and-?

ROBERT ICENHAUER-RAMIREZ [00:13:17] Right.

JVN [00:13:17] And they said no.

ROBERT ICENHAUER-RAMIREZ [00:13:18] They said no. And he made the point that that a single day of fighting the war would pay for the emancipation of every slave in Delaware. And so and they simply were not willing to do that.

JVN [00:13:31] So how did Kentucky and Delaware and Maryland, like, end up resolving? So in the Civil War is over where they like, "Okay, they're free now".

ROBERT ICENHAUER-RAMIREZ [00:13:39] No, the the 13th Amendment ended slavery. And so as Lincoln had warned them during the war, they should either do something to end slavery themselves, recognizing that it was on the road to eventual extinction and perhaps a very immediate extinction if an amendment was passed to the constitution. And, but they would not do it. What kept those states in the union was a real strong bond with the union. And so there were a lot of of Northerners who whose primary focus was saving the union. And it's a concept that I don't think we can fully understand today, because we just don't have the the emotion that's surrounding the union like they did in the 1860s.

JVN [00:14:33] One thing, I'm so glad we got back there, because that was one thing I wanted to ask and I got like off track about talk about the founding fathers and like slavery. I like my brain went away with me. But that's what I was going to say were any of the people in the Civil War, because that was only 90 years later. So was a lot of those generals. It was like their parents who were in the Revolution because what they just like one or two generations later.

ROBERT ICENHAUER-RAMIREZ [00:14:53] Correct. Correct.

JVN [00:14:55] So that there was like a very still like, you know, palpable sense of we fought for this independence, we fought for this freedom from Great Britain. And so the the scar tissue and the pain body in that Eckhart Tolle would say, you know, like the residual effects of like, you know, that the cultural trauma that, you know, the union went through when it went through its revolution was still very much a piece of life at 1860. There was only 90 years later.

ROBERT ICENHAUER-RAMIREZ [00:15:18] Absolutely.

JVN [00:15:19] And so there I think that makes sense to me that that would be a more difficult concept for us to to feel today. But then now, it's like 2020 is only like one hundred, two hundred, like 250, 240 years after these events so it's like the effects and and it's like we just see with the Great Britain like that loan that was just paid off in 2015, like there is opportunity costs lost from like, from, from black people, like black Americans, like the time loss and the money loss from opportunities that they didn't have as a result of slavery. Like we're still, they are still paying the price for that now. And really, the federal government has never. I think that's just like interesting to think about. It's what's fucked up to think it's not interesting. It's like there is a real cost to that. And it's still definitely affects us today, not only financially for black people, but like in how Southern people think about the war and monuments. And so I wanted to go back to how you're talking about the-. So when the, when America started, when the colonies are started and we see and writings and letters from like officials and generals, they were saying that it was that they knew that it was evil and that it needed to go towards, they needed to get rid of slavery. But then there's like this social shift from it's evil to no-no-no, this is a corner stone. We have to have this in order to go on. Yes, but I just saw the break sign but we're gonna go a little bit longer on this break and then

we'll take, tell me again in like three minutes or after we finish this point. So how did-, or actually. We're going to take a really quick break. We'll be right back with more "Getting Curious" right after this. Welcome back to "Getting Curious". We have Robert Icenhauer. PhD with an emphasis on the Civil War historian, lawyer, lecturer, amazing guest. So I was just we were just saying it's like. Oh, yeah. How did that cultural shift in the South happen from acknowledging that slavery is, you know, fucked up to know this is a cornerstone and we can't lose it?

ROBERT ICENHAUER-RAMIREZ [00:17:21] Well, it happened, I think, because of the economics of slavery. Prior to the invention of the cotton gin. Slavery, you might argue, was not an economically advantage, advantageous system of labor. But once the cotton gin was invented, and-

JVN [00:17:42] Which is?

ROBERT ICENHAUER-RAMIREZ [00:17:42] Which is in the 1790s, it all of a sudden makes the growing of cotton very profitable. And growing cotton is very labor intensive. And so having free labor, having slave labor to do this really, really onerous work became the cornerstone of their economics. It became the cornerstone of their social system. And so it really became so important to the South that that they began to justify it intellectually as being good, both for white people and for African-Americans. And and so they simply were not willing to ever talk about the abolition of slavery or even the restriction of it. They they had begun to demand that it be allowed in every new territory that that was was formed.

JVN [00:18:51] Whether that was Texas, Kansas, Missouri. What about like Northern states, would they say like, well, we wanted in like in like what would have been like was there Northern states that were getting created at that time as well?

ROBERT ICENHAUER-RAMIREZ [00:19:02] There were. Nebraska was going to be considered basically a Northern state. I guess at some point the Dakota territories would would be Northern states. And Southerners would argue that the climate would not allow slavery to thrive there. But Northerners simply didn't want it extended into territories. What Lincoln had said was that the North was satisfied that slavery was on its eventual route to extinction. And by extending it into territories, by allowing it into the territories, it was simply going to to take away that eventual extinction of slavery. And so he was not willing to to allow it in the territories. That was his position.

JVN [00:19:53] Was there ever slaves in the Northern Territory? Was there ever slaves in like Illinois or like Indiana? I mean, I know that like Delaware, Kentucky, Maryland, and there was one other you said that ended up being considered Northern Territory that didn't succeed, but they still had slaves. But were there other ones?

ROBERT ICENHAUER-RAMIREZ [00:20:10] Yes. Now, before the Civil War and you know, back in the time of the founding, New York had slaves. Pennsylvania had slaves. Virtually every-

JVN [00:20:21] Colony?

ROBERT ICENHAUER-RAMIREZ [00:20:22] Colony had slaves. And so little by little, they began to abolish slavery. And you're right, you know, I think Benjamin Franklin was one of the members of the Abolitionist Society in Pennsylvania in the 1700s. And so they began to move towards abolition

much earlier. By the time of the Civil War, the North and South were divided on on slavery, the North being free, the South being slave.

JVN [00:20:53] So it really like. So states rights have been exercised. In the North, they had started abolishing slavery. And then by 1861, it is like a fever pitch. Now, who is the president before Abraham Lincoln?

ROBERT ICENHAUER-RAMIREZ [00:21:03] James Buchanan.

JVN [00:21:04] And what was going down during that time?

ROBERT ICENHAUER-RAMIREZ [00:21:07] James Buchanan is known as a doughface. Basically, a doughface was a Northern politician. He was from Pennsylvania who had Southern sympathies. And he was a Democrat. He was someone who was dependent on the slave states for his election.

JVN [00:21:25] But Democrats meant something different back then, didn't they? Wasn't there like something in some Whigs? There's something in something else?

ROBERT ICENHAUER-RAMIREZ [00:21:33] Initially it was Whigs and Democrats. Democrats and Republicans have sort of switched places today so that the Democratic Party is more progressive. The Republican Party more conservative. At the time, the Civil War, it was the exact opposite.

JVN [00:21:50] So, wait. Ok so at the beginning, it was Whigs. And who?

ROBERT ICENHAUER-RAMIREZ [00:21:55] Democrats.

JVN [00:21:56] Whigs and Democrats. And then it became Republicans and Democrats?

ROBERT ICENHAUER-RAMIREZ [00:21:58] Yes, the Whig Party simply dissolved.

JVN [00:22:01] Dissolved and then, so anyways, so by the Civil War, there was just Republicans and Democrats basically.

ROBERT ICENHAUER-RAMIREZ [00:22:08] Correct.

JVN [00:22:08] But the Republicans were the more progressive ones and the Democrats were the more Southern ones?

ROBERT ICENHAUER-RAMIREZ [00:22:14] Correct.

JVN [00:22:14] And like racist ones.

ROBERT ICENHAUER-RAMIREZ [00:22:15] Well, correct. And the Democrats also had a strong Northern presence in-. And the reason that Lincoln was elected was because the Democratic Party split into two sections in 1860 for that election. You had a Southern Democratic person running for president. You had a Northern Democrat running for president. And then you had Lincoln. And so Lincoln takes advantage of this split.

JVN [00:22:45] Oh, shit. Let's talk about that more. OK, so Buchanan, is this doeface who is born.

ROBERT ICENHAUER-RAMIREZ [00:22:52] Doughface.

JVN [00:22:52] Doughface. But he's born in the North in Pennsylvania. But he needs the slave states to win election. And he's a one term president?

ROBERT ICENHAUER-RAMIREZ [00:22:58] He's a one term president.

JVN [00:22:59] And he doesn't win for reel-. He doesn't run for reelection?

ROBERT ICENHAUER-RAMIREZ [00:23:02] He does not.

JVN [00:23:02] And so he says he's not going to run because he was just like, shit's getting real in here. People are getting mad. He's like, did people just not like him and fucked up a lot or something?

ROBERT ICENHAUER-RAMIREZ [00:23:10] He-. Yes, he was a very weak president and neither side was happy with him.

JVN [00:23:16] So he's just like, I'm not even gonna fuck with this reelection because I know I'm going to lose so he doesn't. And then three people end up running.

ROBERT ICENHAUER-RAMIREZ [00:23:22] Correct.

JVN [00:23:23] Which Lincoln represents the Republicans and then-, which is the more progressive party. So he's basically he's basically representing like what we would think of as the Democrats now.

ROBERT ICENHAUER-RAMIREZ [00:23:33] Correct.

JVN [00:23:33] And then and then the Democrats run a Northern Democrat and a Southern Democrat.

ROBERT ICENHAUER-RAMIREZ [00:23:40] Stephen Douglas of the Lincoln-.

JVN [00:23:42] Of the Lincoln-Douglas debates?

ROBERT ICENHAUER-RAMIREZ [00:23:43] Correct.

JVN [00:23:44] And Lincoln beat him?

ROBERT ICENHAUER-RAMIREZ [00:23:45] He beat him in 1860.

JVN [00:23:47] But didn't Douglas beat him for Senate before?

ROBERT ICENHAUER-RAMIREZ [00:23:49] He did.

JVN [00:23:50] But the Lincoln-Douglas debates was that, which by the way, every fucking body they happened in Quincy, Illinois, where I'm from. That's where the Lincoln-Douglas. It's true. Not even making it up. Google it. Did you know that?

ROBERT ICENHAUER-RAMIREZ [00:24:00] Yes.

JVN [00:24:01] So, yeah. So, um, that happened. And but so did that. Wasn't that debate for Senate, though? Or was that debate for president?

ROBERT ICENHAUER-RAMIREZ [00:24:08] It was for Senate in 1858. And there were seven different locations that they debated. And they, then the state legislature, whoever won the most, state legislators, the state legislature would elect the the the senatorial candidate. And so Lincoln lost that to Douglas.

JVN [00:24:34] And so he becomes senator. But then-.

ROBERT ICENHAUER-RAMIREZ [00:24:37] Douglas does.

JVN [00:24:37] Yes. But then Lincoln ends up winning the presidential election because essentially the Democrats split their vote.

ROBERT ICENHAUER-RAMIREZ [00:24:41] They did.

JVN [00:24:42] But that was. But they have. But that vote would have been by Electoral College too, right?

ROBERT ICENHAUER-RAMIREZ [00:24:46] Correct.

JVN [00:24:47] So but there was three candidates cuz did the Democrats run by as like a Northern party and the Southern party?

ROBERT ICENHAUER-RAMIREZ [00:24:53] Yes.

JVN [00:24:53] So there was three finals that like with their primaries and stuff back then?

ROBERT ICENHAUER-RAMIREZ [00:24:56] No.

JVN [00:24:57] No. But so those three ended up being the candidates and they split their vote so when Lincoln wins, the Southern people are just like were out immediately. So was the election in November back then?

ROBERT ICENHAUER-RAMIREZ [00:25:08] Yes.

JVN [00:25:09] So the elections in November. But he doesn't get inaugurated until January. Or does that change later.

ROBERT ICENHAUER-RAMIREZ [00:25:13] That that changed. He he didn't get inaugurated till March.

JVN [00:25:18] Oh. So he gets inaugurated March of 61?

ROBERT ICENHAUER-RAMIREZ [00:25:19] Correct.

JVN [00:25:21] And that's right when the Civil War breaks out.

ROBERT ICENHAUER-RAMIREZ [00:25:24] Yes, shortly thereafter.

JVN [00:25:26] So how did the Southerners secede?

ROBERT ICENHAUER-RAMIREZ [00:25:29] They they had they called conventions and statewide conventions. They organized amongst themselves. They were very well organized. And as soon as Lincoln was elected, he was known as a black Republican. It was sort of the death nail of slavery to the South. And you have to realize that the South was full of hubris at this point. They believe-.

JVN [00:25:56] What's hubris mean again?

ROBERT ICENHAUER-RAMIREZ [00:25:57] Hubris means sort of pride and arrogance.

JVN [00:26:01] I have one more question, not to interrupt but I think it's really important because I think it, ok. Was the election of 1860 seen as a referendum on slavery, like where people clear on if Abraham won, the South was gonna be like, fuck this, we're out? Or was that was slavery on the tip of everyone's tongues in that election?

ROBERT ICENHAUER-RAMIREZ [00:26:19] Slavery was, but there's a shift. The North fought, many people in the North fought for the union and not against slavery. So it's a mistake to say that everybody in the North was anti-slavery. That simply is not correct. But it was a referendum on whether or not the union was going to be broken. And John Breckinridge, who was a Southern Democrat, ran in the South. Lincoln was not even on the ballot in the Southern states. He was not allowed on the ballot. So the only, the only the people on the ballot were Breckinridge, that was a union party and that was it. And so they get the Southern votes. Lincoln basically wins the North and gets enough electoral votes to to win the the general election. But he was elected with 40 percent of the of the popular vote.

JVN [00:27:18] So Breckin-, so was Breckinridge, Douglas and Lincoln were the three in that election?

ROBERT ICENHAUER-RAMIREZ [00:27:23] Right. And then there was a fourth that was called the Union Party. And they had a candidate who didn't, I think won maybe one state.

JVN [00:27:33] And so then. But it wasn't. But they weren't talking about slavery a lot in that election? Like was, did people think that there was a possibility of a Civil War in the event of a particular candidate winning?

ROBERT ICENHAUER-RAMIREZ [00:27:45] Yes. Yes. And they recognized that if Lincoln was elected, that the chances are that the South would secede and that if the South seceded, the question would be, do you have a right to force him to stay in the union? Buchanan, in his final

address to Congress, had famously said that secession was illegal, but the North had no right to do anything about it.

JVN [00:28:15] So it leaves everyone in such a like, lukewarm quandary.

ROBERT ICENHAUER-RAMIREZ [00:28:18] Correct.

JVN [00:28:19] Yeah.

ROBERT ICENHAUER-RAMIREZ [00:28:19] And Lincoln has made clear that secession, in his view, is illegal. And he had the duty to maintain the constitution. And so-

JVN [00:28:30] And so when you say that people are unionists like that, like he was really like a unionist, like he wanted them together no matter what. And so really, that was the primary issue. And for a lot of people, their primary issue was maybe slavery. And but for a lot of people, it was the union, so, because I think for me coming up and you know, Illinois and, you know, learning history the way that I learned it in school, it's like I always wanted to paint the North with this brush of like we weren't racist, we weren't bias, we weren't, we were the ones fighting for the good thing. But I think that's too easy of an approach to take now. And I also think that that's why so many white people cringe and ride that the idea of like and a racial bias within them because they're like, "I'm not racist. Like I'm from the North. Like I couldn't be". Like but it's like, no no no, like your family has had one and you maybe do have a racial bias that you don't even realize. And we don't need to cringe at that. But that really is what white privilege is, is to realize these historical implications and how they very much color our world to this day. Because if you think about how like we couldn't grasp the idea of a unionist the same way today, but still, if you think about 90 years separating the the founding time of America to the Civil War and then like 250 years between now and then, that still permeates like the like the the scar tissue and the pain body and the culture around those things that were going on still exist in different ways today. You can't say that like, well, that was 250 years ago it doesn't impact us anymore. I think it just totally is not that you were saying that it doesn't. But I'm just like, you know, pontificating here that like, how could you think that it doesn't? And parlaying into that. So when in the, in the when they succeed or when they secede, what were some of the things and the attitudes that the South maintained against slaves and ideas that they held around black people?

ROBERT ICENHAUER-RAMIREZ [00:30:28] Well, they they considered them to be inferior in every way. And it. So, yes, they they they believe that their, their role was was justified to be a slave because they were they were not equal to white people. But the fact is, as you said, that that most people in the North did not believe that either. And so you'll find that Lincoln throughout, as you study the Civil War, that Lincoln tiptoes around the issue of slavery because he doesn't want to alienate the the people, the large majority of people who are fighting simply to maintain the union, not to free the slaves. And Lincoln is a wonderful politician. And he finally comes to the point where he can justify the abolition of slavery, which is some-, he had hated slavery his entire life. And there is written evidence of that dating back to when he was a young man. But he can finally justify abolishing slavery in order to save the union. And that's that's the tact that he pitches it to the North with because he understands that if he doesn't tie it to keeping the union together, they're going to be a lot of people in the North who simply say we're not going to fight to free slaves.

JVN [00:32:01] Because is he, because is he saying that like country or states that had voted to abolish slavery will secede and like they'll do their own thing because they just can't be a part of these like slave holding states?

ROBERT ICENHAUER-RAMIREZ [00:32:11] No, they, he was afraid that what they were going to do was that a lot of people in the army, generals included, might simply say we're not going to fight to free the slaves. So we're going to we're going to leave the Union Army. And-.

JVN [00:32:26] But how did he pitch to the union that this is-, we have to abolish slavery to save the union? Like-

ROBERT ICENHAUER-RAMIREZ [00:32:31] The way he did it was-.

JVN [00:32:34] Actually I think they take a really quick break, but we'll be right back with more of Robert Icenhauer after the break. Welcome back to "Getting Curious", this is Jonathan Van Ness. So we were just saying, or just asking what was I just asking?

ROBERT ICENHAUER-RAMIREZ [00:32:48] About how he pitched it to the North?

JVN [00:32:50] Yes. Thank you.

ROBERT ICENHAUER-RAMIREZ [00:32:51] He pitched it by saying that in order to win the war, which was paramount to the North, they wanted to force the South back into the union. In order to win the war that they were going to have to to abolish the cause of the war. And he said, we all know the cause of the war is slavery. And so in order to to win this war, we're going to have to abolish what the cause was. And the short answer is that. But it took many months and a lot of effort and a lot of convincing to to sort of drag a reluctant Northern public along with them.

JVN [00:33:31] Because they were just like scared of the war?

ROBERT ICENHAUER-RAMIREZ [00:33:33] They were scared of. Well, they they were largely against fighting for anything but the union. There were a lot of people who wanted simply to fight for the union without touching slavery in the South.

JVN [00:33:49] So. Did you see the movie "Harriet"?

ROBERT ICENHAUER-RAMIREZ [00:33:52] No.

JVN [00:33:52] OK. Well, in the movie "Harriet", you see, so she escapes the South and then she goes, ends up going back to like get with her man like a year later. But he's already moved on and she's like, fucking devastated. And then she ends up like getting a bunch of her family back to the North on that trip. But then she ends up realizing, like she, like she starts going back and forth cause she's like, I gotta get my family up into into Pennsylvania. But then in like 1770 and something, I can't remember the year, it's escaping me. But they passed like this slave, like the Fugitive Slave Act.

ROBERT ICENHAUER-RAMIREZ [00:34:24] Right.

JVN [00:34:24] Which allows like slave catchers to, like, go into Northern states, any territory, and like find-. What was the deal with that law? That's like a real thing.

ROBERT ICENHAUER-RAMIREZ [00:34:33] Yes. The fugitive slave clause is part of the U.S. Constitution. The Fugitive Slave Act was part of a compromise in 1850 that allowed Southerners to go into the North. And they seized a lot of free African-Americans by claiming that they were slaves that had escaped and it allowed them to go into the Northern states, seize these individuals and bring them before a magistrate. Interestingly, the South had been behind the passage of that bill, along with doughface politicians, the judge who decided it would get paid double if he decided that the person was a slave, as if he decided that the person was free. So when they take him in front of-, the the slave or the person accused of being a runaway slave, in front of a judge, he has, the judge has a financial interest in finding that the person is a slave. And the individual who is accused of being a runaway is not allowed to testify in their own behalf. So so it was designed to make it very easy to seize people and take them into slavery.

JVN [00:35:49] Were there states that resisted that act after 1850?

ROBERT ICENHAUER-RAMIREZ [00:35:52] There were a lot of states that did that. Northern states were absolutely appalled by it, because if a marshal coming from the South ordered you to go and assist in in capturing someone he thought was a fugitive slave, you were forced under the law to do it or you could be jailed. So so Northerners and that that's where the idea that the South was a states rights kind of of government-.

JVN [00:36:21] Is wrong because they were down to violate other states.

ROBERT ICENHAUER-RAMIREZ [00:36:23] Sure.

JVN [00:36:25] Yeah.

ROBERT ICENHAUER-RAMIREZ [00:36:25] Absolutely. It became states rights after the war when when they realized that they had been fighting for slavery. And it sounded much better to to nuance it into states rights. In my opinion.

JVN [00:36:36] But they were trampling on other people's rights in the process-.

ROBERT ICENHAUER-RAMIREZ [00:36:38] Oh absolutely.

JVN [00:36:38] And well not only slaves, but like other states that-. So what did other states pass laws after 1850 to counter it, to like to nullify the Fugitive Slave Act or like defend their borders from marshals or anything like that?

ROBERT ICENHAUER-RAMIREZ [00:36:50] They tried to and that was being litigated in the courts as they tried to do it, because they tried to pass laws that would that would nullify this particular act, which they found to be appalling.

JVN [00:37:04] So were stories like the story of like "12 Years a Slave" were like, you see, there's a black man that kidnaped. He was, he was a free African-American. And then they sell him into slavery and then it takes them a long time to win his freedom back. Did stories like that get back

up to the North? Like where other, were white people and politicians like appalled at these stories the more they talked about it in the press and in the media like, you know, violations of the Fugitive Slave Act as far as like people selling free people and that basically being like. I mean, obviously, there was obviously a legal slave trade that was going on. But was it known that they were using that law to make an illegal slave trade on top of the legal one?

ROBERT ICENHAUER-RAMIREZ [00:37:43] Absolutely. Absolutely.

JVN [00:37:44] So for the unionists and then the abolitionists, like, wasn't that just like a slow like was that getting the unionists to fight for the abolitionist causes that was that were those sort of laws and those sort of instances like the persuasive things over those months and was that when Lincoln would use to get people to come over to his side?

ROBERT ICENHAUER-RAMIREZ [00:38:02] Well, what Lincoln used more than that even was a fact that if you freed the slaves, then you were going to take that that huge group of people who were working for, being forced to work for the Confederacy away from them because they would suddenly flee to union lines. They would they would try to get-. They were so thirsty for freedom that they were going to go to the first blue coat that they see. And if you made it known to them that they were going to be free, you were going to be taking away that labor from from the South. And the Confederacy was so dependent on the labor. Their white men were fighting. So if if you take these individuals off of farms and plantations, you take away their ability basically to fight. And the cut that the Southern states suffered very heavily once the Emancipation Proclamation was signed and allowed to come into law because African-Americans wanted to be free and they would flee as soon as a union army got near.

JVN [00:39:10] So what, what we saw was the Emancipation Proclamation?

ROBERT ICENHAUER-RAMIREZ [00:39:13] The Emancipation Proclamation was an executive order that Lincoln issued in 1862 that said if Southern states don't come back into the union by January 1st, 1863, he gave them several months. If they didn't come back into the union, every slave that was held in the territories that we're still fighting and under Southern control would be free. And he said forever free. So he had put his neck on the line, not knowing whether or not the next president might simply-

JVN [00:39:50] Rescind it.

ROBERT ICENHAUER-RAMIREZ [00:39:51] Rescind that order and put these people back in in slavery, which meant that he he was very interested in getting a constitutional amendment to abolish slavery.

JVN [00:40:02] So he passed it. So he does the executive order in 1862. Did any states come back into the union as a result of that?

ROBERT ICENHAUER-RAMIREZ [00:40:07] Not at all.

JVN [00:40:08] So no one takes the-. No one does that. And fighting and battles were already going on when he does that order.

ROBERT ICENHAUER-RAMIREZ [00:40:14] Absolutely.

JVN [00:40:14] And they continue to rage.

ROBERT ICENHAUER-RAMIREZ [00:40:16] Sure.

JVN [00:40:16] And then in 60-. So then in '65, Fort Sumter was the last battle, right?

ROBERT ICENHAUER-RAMIREZ [00:40:21] No. Fort Sumter was a first.

JVN [00:40:23] Oh Fort Sumter was the first.

ROBERT ICENHAUER-RAMIREZ [00:40:24] Yes,.

JVN [00:40:25] And then, which was the la-, the treaty at something something where Robert E. Lee-.

ROBERT ICENHAUER-RAMIREZ [00:40:28] Appomattox.

JVN [00:40:29] OK. And so one more time.

ROBERT ICENHAUER-RAMIREZ [00:40:31] Appomattox.

JVN [00:40:32] Appomattox. And that's where Robert E. Lee and Ulysses S. Grant come together and they sign a peace thing.

ROBERT ICENHAUER-RAMIREZ [00:40:36] No. Lee simply surrendered his army there.

JVN [00:40:40] So he surrenders. And then what happens?

ROBERT ICENHAUER-RAMIREZ [00:40:42] Well, at that point, the the best known Confederate Army has surrendered. Grant writes out a an agreement that if Southerners would simply put down their arms and go home, that they would never be bothered by the federal government. He had been given that. OK by by Lincoln. Just a few weeks before in a meeting. And so Lee surrenders. He goes back to Richmond. And the war is not quite over, though, because there are still another large Confederate army that has not surrendered. And so that army surrenders after Lincoln's assassinated and-.

JVN [00:41:30] Little known fact. I don't think people realize that.

ROBERT ICENHAUER-RAMIREZ [00:41:32] Right.

JVN [00:41:33] So so Lee surrender in '65?

ROBERT ICENHAUER-RAMIREZ [00:41:38] In April of 1865.

JVN [00:41:40] And then Lincoln is assassinated.

ROBERT ICENHAUER-RAMIREZ [00:41:41] Five days later.

JVN [00:41:43] What?

ROBERT ICENHAUER-RAMIREZ [00:41:44] Yes.

JVN [00:41:45] I don't think people realize that.

ROBERT ICENHAUER-RAMIREZ [00:41:46] Yeah, he. The surrender was five days prior to him being assassinated at Ford Theater.

JVN [00:41:55] So the the, when is that, when did what day does he surrender?

ROBERT ICENHAUER-RAMIREZ [00:41:59] He surrenders, I believe April the 9th.

JVN [00:42:02] April 9th and-.

ROBERT ICENHAUER-RAMIREZ [00:42:03] Of 1865.

JVN [00:42:05] And then the April 14th, Lincoln is shot.

ROBERT ICENHAUER-RAMIREZ [00:42:07] Correct.

JVN [00:42:07] In the head in front of Mary Todd at that theater.

ROBERT ICENHAUER-RAMIREZ [00:42:10] Ford theater.

JVN [00:42:11] And then and, and, oh god, that's another podcast. I can't get sidetracked. So he gets assassinated. And then his vice president was.

ROBERT ICENHAUER-RAMIREZ [00:42:20] Andrew Johnson, who is a Southerner.

JVN [00:42:22] Yeah, who is a Southerner. And it wasn't he the only Southerner who decided to not secede and stay with the union senator or something?

ROBERT ICENHAUER-RAMIREZ [00:42:29] The only senator. Yes. But there were a lot of Southerners who were union men just like Johnson. But the interesting thing is that talking about what happened to people after the war, Lincoln had made it clear that he didn't want retribution. He wanted people to surrender. He wanted them to go home. He wanted them to be left alone. He would have thought that if Jefferson Davis had been able to escape the union to get to Canada or to get to England, it would keep the North from having to deal with that issue. Once he is assassinated, Johnson, who has a personal hatred for Jefferson Davis and has said that treason must be made odious, wants to have these Southerners hanged. And so by assassinating Lincoln, the South really put their own leaders in jeopardy, because Lincoln would not have sought to to hang their leaders.

JVN [00:43:30] But the South didn't really have anything to do with that? Wasn't John Wilkes Booth just like a crazy asshole?

ROBERT ICENHAUER-RAMIREZ [00:43:34] So-. John Wilkes Booth was a Southern sympathizer and he had been in Richmond before the war. So he he had a lot of ties to the South and some of his conspirators had ties to Richmond. So there was a little bit more than than him just being crazy.

JVN [00:43:54] So that could have been a coordinated hit?

ROBERT ICENHAUER-RAMIREZ [00:43:56] It could have been they were never able to prove it. But but John Wilkes Booth, initially wanted to kidnap Lincoln, but when Lincoln makes the speech that he makes just an impromptu speech after Lee's surrender. John Wilkes Booth is in the audience. Lincoln talks about how African-Americans who served in the Army ought to be allowed to vote. And John Wilkes Booth turns to the person next to him and says that's going to be the last speech he ever makes. Because Booth was a very strong Southern sympathizer and believe that that African-Americans should never have any rights.

JVN [00:44:42] So as the so, when he, so the 13th Amendment does Lincoln lived to see that pass?

ROBERT ICENHAUER-RAMIREZ [00:44:49] He does. And he actually signs it even though the president doesn't need to sign it. He had it brought to him and he signed it.

JVN [00:44:54] And when, when does that pass?

ROBERT ICENHAUER-RAMIREZ [00:44:56] That's passed in January of 1865. I think.

JVN [00:45:00] And so and it was he up for reelection that year?

ROBERT ICENHAUER-RAMIREZ [00:45:03] No, he had he had won reelection in November of 1864.

JVN [00:45:07] Oh, he had won reelection in '64. Then the war is over by like April-ish.

ROBERT ICENHAUER-RAMIREZ [00:45:14] Correct.

JVN [00:45:14] But so then he gets assassinated five days later and that imperils all the Confederate officers. And so then Jefferson Davis, who, wasn't he like a racist ass fucking guy?

ROBERT ICENHAUER-RAMIREZ [00:45:26] Jefferson Davis was like a lot of confederates. He was, he was a racist. But a lot of Northerners were.

JVN [00:45:32] Yeah, but he was the union, but he was a union-. So he was on the side of in the beginning when you were saying, like, you know, there is unionists and then there was abolitionists like, you know, on the North. Right? Like some people were fighting more like to keep the union together. Some people were more fighting like because they wanted to abolish slavery.

ROBERT ICENHAUER-RAMIREZ [00:45:48] Now you're talking about Jefferson Davis or Andrew Johnson?

JVN [00:45:51] I'm talking about just like Northerners generally.

ROBERT ICENHAUER-RAMIREZ [00:45:53] Okay. Yes.

JVN [00:45:54] And so then Andrew Johnson, the vice president, he would have been like a unionist, but like a Southern unionist.

ROBERT ICENHAUER-RAMIREZ [00:46:00] Oh, yes, he was. He was pro-slavery. He did not believe that African-Americans had any real rights.

JVN [00:46:08] So did he just-. But he thought that-. But he agreed with the abolishment to the extent of like, well, you know, yeah, slavery is a-. Yes. Black people are inferior. But we should just get rid of this to appease our our friends up here who don't like it? But he agreed with it.

ROBERT ICENHAUER-RAMIREZ [00:46:25] I don't know that he agreed with it. I don't know that he had much of a role in the passage of it. He was vice president at that point. There was, he was not, he was really pretty much of a minimized politician until after Lincoln's assassinated.

JVN [00:46:40] But what did he think about slavery?

ROBERT ICENHAUER-RAMIREZ [00:46:44] Oh, he was not anti-slavery.

JVN [00:46:46] But he didn't-. But he was okay with-. But he agreed that the South should get rid of it to appease, to keep the union together?

ROBERT ICENHAUER-RAMIREZ [00:46:52] I think that he believed that, that the South ought to, that it ought to be abolished simply to win the war as a war objective.

JVN [00:47:03] So but he didn't think that slavery-. Because so Lincoln gets assassinated and then, so then what happens with that other, that other Confederate army that was, that hadn't surrendered yet?

ROBERT ICENHAUER-RAMIREZ [00:47:14] Eventually they surrender to William Sherman.

JVN [00:47:16] Who's that?

ROBERT ICENHAUER-RAMIREZ [00:47:18] William Sherman was the guy who marched through Georgia and burned all of the towns.

JVN [00:47:24] So he was like another Northern general?

ROBERT ICENHAUER-RAMIREZ [00:47:26] He was right under Grant. He and Grant were very close. And they were both the the team that sort of defeated the South.

JVN [00:47:33] And then. So that happened. And then what does Jefferson Davis take for, like did that promise of like if they stopped fighting and put their guns down from that point of the second surrendering, go home, did that still stand for like typical soldiers?

ROBERT ICENHAUER-RAMIREZ [00:47:49] It stood for soldiers. It did not stand for for civilian politicians. And so Lincoln had met with Grant and Sherman and had told them that if Davis escaped, he'd be fine with that. He didn't tell them directly. He told a story. But but it was very clear that that's what he meant. Then Davis is trying to flee the union, trying to flee the United States. But once Lincoln's assassinated, people think that he's involved in it. So they seize him and they they put him in jail for two years, charge him with treason. And eventually that case is dropped. But, you know, it's Andrew Johnson who's actually after him.

JVN [00:48:34] And he just doesn't like them because they were trying to break up the union or waw their other animosity? Like-.

ROBERT ICENHAUER-RAMIREZ [00:48:39] Johnson?

JVN [00:48:40] Yeah.

ROBERT ICENHAUER-RAMIREZ [00:48:40] Johnson had personal animosity. Johnson was illiterate till he was an adult. Jefferson Davis was very well educated. They were both in the U.S. Senate before the war. And Johnson had, was a tailor.

JVN [00:48:54] What state was Johnson from?

ROBERT ICENHAUER-RAMIREZ [00:48:55] He was from Tennessee. And during a speech, Jefferson Davis, according to Johnson, insulted Johnson and his intelligence, his education. Jefferson Davis didn't even remember ever making a speech that that would have insulted. Johnson said that he would not have done it intentionally. But Johnson took great offense at it and hated Jefferson Davis from that point on, even when they were in the Senate. So after the war, he wanted, Johnson, Davis tried for treason and wanted him hung. If if he could.

JVN [00:49:32] And so the ends up getting dropped because because Johnson goes on to become the first president ever, gets impeached and doesn't get removed from office by one vote. But it turns out that vote was a totally bought and super corrupt and stuff. So that's interesting. But he is, so but he is also a one term president?

ROBERT ICENHAUER-RAMIREZ [00:49:49] He is.

JVN [00:49:49] So he's from '65 to '69.

ROBERT ICENHAUER-RAMIREZ [00:49:53] Right. And he's not elected, you realize. I mean-

JVN [00:49:55] Yeah.

ROBERT ICENHAUER-RAMIREZ [00:49:55] He's never elected. So he but he is you know, he sits out the remainder of Lincoln's term.

JVN [00:50:02] Oh. Which would have been from 64 to 68.

ROBERT ICENHAUER-RAMIREZ [00:50:05] 64 right. Until the beginning of '69.

JVN [00:50:08] And then who wins then '69?

ROBERT ICENHAUER-RAMIREZ [00:50:11] '69 is in the-.

JVN [00:50:12] '68 but takes over in '69.

ROBERT ICENHAUER-RAMIREZ [00:50:14] Grant.

JVN [00:50:14] Grant. Oh, Ulysses S. Grant.

ROBERT ICENHAUER-RAMIREZ [00:50:16] Right.

JVN [00:50:16] Oh, yeah. Interesting. So then what happens with like the Jim Crow laws and like in all of that stuff because doesn't that really pick up at that point?

ROBERT ICENHAUER-RAMIREZ [00:50:23] Well, initially under Johnson, the South has their own politicians who, for instance, Alexander Stephens, who had been the vice president. He's imprisoned from May of 1865 until about October 1865. I think he goes back to Georgia where he's from and he's promptly elected to the U.S. Senate. And Johnson is fine with that. He's fine with these former confederates coming back and governing. And the radical Republicans like Stephens and and Ben Wade and all of these radical Republicans and in Congress said, no way, we're not going to let people who just seceded get reelected and come back and pass laws.

JVN [00:51:16] Right.

ROBERT ICENHAUER-RAMIREZ [00:51:16] And so during that time frame, which is called presidential reconstruction, a lot of black codes were passed and black codes restricted the rights of African-Americans to to contract for labor. There were vagrancy laws. They it was just-.

JVN [00:51:36] What's vagrancy laws?

ROBERT ICENHAUER-RAMIREZ [00:51:37] A vagrancy law is basically a law that allows a sheriff to arrest you if they say you don't have any sign of employment so that you might be walking down the street as an African-American. And they say, look, you're not at work. You're coming to us, to jail. And they would pass a law that would-.

JVN [00:51:57] And then do force labor with like jail people?

ROBERT ICENHAUER-RAMIREZ [00:51:59] Exactly. Or they would contract you out with your former print, plantation owner. And so it was an oppressive code that state legislatures passed.

JVN [00:52:09] Almost immediately after this.

ROBERT ICENHAUER-RAMIREZ [00:52:10] Almost immediately. And that's when the radical Republicans said, no, we're not going to allow that and actually occupied and divided the the Southern states into military districts. And it was, I heard one of your former podcast guests talk about how once the the election of 1876 ended that Hayes, Rutherford B Hayes, withdrew the

Union Army and the South basically just was able to to reestablish white rule. And that's what happened, is that the the occupation of the South ended with that election. And-

JVN [00:52:53] Oh so the radical Republicans are like "no no no no". And so then they go down and they occupy that goes on from 1869 to '76?

ROBERT ICENHAUER-RAMIREZ [00:53:02] It's it's before 1869, probably 1867 to 1876.

JVN [00:53:09] And then they put they put an end to those codes. But then around 76, they start again.

ROBERT ICENHAUER-RAMIREZ [00:53:13] At that point is when these laws that, yes, the white power begins to reestablish itself. And so people like Alexander Stephens after that is elected governor of Georgia.

JVN [00:53:28] So they don't let him serve in the Senate, but then he does end up becoming governor.

ROBERT ICENHAUER-RAMIREZ [00:53:31] Right. And he during the interim, he's elected to the U.S. House of Representatives where he does serve. So, you know, there's a lot of people who had been part of the Confederacy and high up in the Confederacy who all of a sudden are back in the U.S. Congress.

JVN [00:53:50] So no one really in the cabinet of the Confederacy, like had long term, like paid repercussions.

ROBERT ICENHAUER-RAMIREZ [00:53:57] No one.

JVN [00:53:59] Like federal time? Well, I guess some of them did.

ROBERT ICENHAUER-RAMIREZ [00:54:01] Well.

JVN [00:54:02] Shortly.

ROBERT ICENHAUER-RAMIREZ [00:54:02] A very short, very short amounts of time. There were a couple of of Confederates, Stevens, John Reagan, who was postmaster general, who served a few months in jail and then were released and never prosecuted. Jefferson Davis, if anyone served the longest amount of time in jail, he served two years and then he's released on a bond. And the case is dropped in 1869.

JVN [00:54:28] By Johnson.

ROBERT ICENHAUER-RAMIREZ [00:54:30] By Johnson. By his attorney general.

JVN [00:54:33] And then who, like do they all go on to lead like quiet lives? They all go on to be kind of racist as fuck and perpetuating more racist legacies?

ROBERT ICENHAUER-RAMIREZ [00:54:41] It just depends on on who the individual is. Jefferson Davis actually struggled financially. He had lost his plantation or the economic sort of viability of it. And so he he goes from job to job. But he's never he's never really punished for leading the nation into a war that that cost 800,000 lives.

JVN [00:55:08] 800,000 lives.

ROBERT ICENHAUER-RAMIREZ [00:55:10] That's that's the figure that historians now believe is accurate.

JVN [00:55:15] That's a lot, is a lot of people.

ROBERT ICENHAUER-RAMIREZ [00:55:17] It's in in terms of the United States today. It would be in the multi-millions.

JVN [00:55:23] So. Wow, that is just staggering, you know, to think about. So I see people who ended up becoming like repentant and were like trying to do good after the war. Like, did any of them become like good people?

ROBERT ICENHAUER-RAMIREZ [00:55:37] Yes. And they paid a price in popularity. One of them was James Longstreet, who was a Confederate general right under Robert E. Lee. Lee had called him his old warhorse. He was a great general and very popular during the war, after the war. He begins to say that, you know, they need to reintegrate into the, into the union. And so he's he's seen more as a collaborator and his reputation suffered because of that. And he suffered socially because of that.

JVN [00:56:15] And then also in the movie, Harry, you do see like the people who, like, were the subject of like the plantation that she escapes from, like they end up there suffering with financial stuff. And they I think they would of the story probably would have gone that they end up losing it. But you don't get that far. But or maybe you do. But there does seem like there's a good Downton Abbey-ness to, like, you know, a lot of these plantations, like are falling apart. And the labor and like all the just the fucked up business model has really, has now cost a lot of them their land. But there are some of them that are still going on, but it does seem like it becomes more unstable. I also wanted to ask about voting. What was the deal with voting? For after the Civil War, and John Wilkes Booth says that that's the last speech he's ever going to give. And Lincoln says, you know, people were soldiers. They should really be allowed to to vote. But at that time, women still can't vote no matter what color they are.

ROBERT ICENHAUER-RAMIREZ [00:57:05] That's correct.

JVN [00:57:05] But he says that, you know, black male soldiers should have a vote. Was it still white male property owners only allowed to vote in the Civil War or was it just white men, period?

ROBERT ICENHAUER-RAMIREZ [00:57:12] White men.

JVN [00:57:14] So white men and then it, and then is it Johnson that says, when does the three-fifths rule start?

ROBERT ICENHAUER-RAMIREZ [00:57:18] The three-fifths rule was was part of the original constitution. And so by the abolition of slavery, it actually expands the representation of Southerners because every individual is now counted as a whole person.

JVN [00:57:37] So from '76, 1776 until 1865, black men could vote in the South, but it only counted for three-fifths?

ROBERT ICENHAUER-RAMIREZ [00:57:45] No, no. From 1789, passage of the Constitution until 1861. Black people were not allowed to vote, but representation was apportioned as if each black individual was three-fifths of a person. Which gave the South a advantage numerically, because otherwise, if you're just counting white people.

JVN [00:58:16] There wasn't enough.

ROBERT ICENHAUER-RAMIREZ [00:58:17] There weren't enough.

JVN [00:58:18] But did white people get to cast the vote for their slaves or something?

ROBERT ICENHAUER-RAMIREZ [00:58:21] They didn't get to cast the vote for their slaves. But but they would have a disproportionate number of representatives, because when you did a census, you know, if there were 100 people in in New York, at a hundred in, white people in New York, a hundred white people in Virginia. Well, you also counted the hundred black people who couldn't vote and you would count those as 60. So Virginia would be given representation for 160. New York would be 100. So it-

JVN [00:58:51] Oh, so you're talking about. Oh, yeah. Because we're a representative democracy.

ROBERT ICENHAUER-RAMIREZ [00:58:54] Right.

JVN [00:58:55] So they they never got to vote. It was only for census, the three-fifths rule counted.

ROBERT ICENHAUER-RAMIREZ [00:58:59] Right. And then for the apportionment of representatives, which is what the Electoral College, the way it is, it means that they had a a much bigger influence on elections than they should have justified by their population. If that makes sense.

JVN [00:59:17] Yeah. But then after that it became one to one. And then when did black men get the right to vote?

ROBERT ICENHAUER-RAMIREZ [00:59:23] Well, they got the right to vote in certain areas right after the war, but it was taken away through these laws that we've talked about.

JVN [00:59:33] When did they get reinstated?

ROBERT ICENHAUER-RAMIREZ [00:59:35] Well, in the 1960s.

JVN [00:59:37] What?

ROBERT ICENHAUER-RAMIREZ [00:59:37] With the Civil Rights Act. Sure.

JVN [00:59:38] So it wasn't until 1963 that black men had the right to vote?

ROBERT ICENHAUER-RAMIREZ [00:59:42] No. Now you had a legal right to vote. But it was very difficult to exercise it because there would be poll taxes, there would be literacy tests, and the people administering the literacy tests would be white people. So if you went up, they would ask you a series of questions if you couldn't answer them. You weren't allowed to vote. And so there were a lot of legal hurdles to them voting, despite the fact that they had a legal right to vote. Does that?

JVN [01:00:09] Yeah, absolutely. So really, when we think about it, because I grew up, you know, hearing white people justify and saying that racism is no longer an issue because slavery was 250 years ago. But when you think about the, the real har-, I mean, voting, voting as a, you want to talk about cornerstone. Voting is a cornerstone to democracy, into being an American, to thinking of ourselves as American, like the American values that we fight for. It's like democracy. Your right to vote. That was infringed upon so fully in all these ways and voter suppression is still an issue because there's a lot that, the 13th says it like, you know, felons can't vote. So there's certain states where like if you ever been convicted of a felony, you will never get to vote again.

ROBERT ICENHAUER-RAMIREZ [01:00:50] Right.

JVN [01:00:50] I think Alabama, like there's 30 percent of the adults over 18, can't vote because, and a lot of those felonies are like for marijuana possession and just like stuff that's, you know, also racist. Yeah. So I think the voting situation, that is crazy when you think about it, I mean, that is just such a long effect imprint of slavery. So. Okay. Now, back to the question when I interrupted you of what do we not talk about that we need to? And then we have to wrap up.

ROBERT ICENHAUER-RAMIREZ [01:01:15] Okay. After the war, the the South made a concerted effort to to make it look like the Northern reconstruction and the aftermath of the war was really terrible for the South. And you'll have books that were written in the 1920s by Southern historians, by Northern historians too, calling it the age of hate, where where it was just a terrible time for the South. And it really was not a terrible time for the South. You know, nobody was hung after the war except one person that was for a war crime at Andersonville. The leaders of the Confederacy were not, were not prosecuted. The South basically reacquired the white power that it had prior to the war. So the idea that reconstruction was some terrible infliction on the South is simply not a true fact. Historically. In my opinion.

JVN [01:02:21] And then, oh, my God, we were going to, we literally have to have you back. We have to have you about to talk about more. You're just so incredibly interesting. Thank you so much for your time. Yeah, I can't wait to read all your book. "Treason on Trial: The United States vs. Jefferson Davis". Robert Icenhauer, thank you so much for your time. I just had so much fun talking with you. Thank you so much.

ROBERT ICENHAUER-RAMIREZ [01:02:40] Thank you so much for having me.

JVN [01:02:41] I guess fun is a weird way to say, I learned so much from talking to you and what an eloquent speaker you are.

ROBERT ICENHAUER-RAMIREZ [01:02:47] Well, thank you. I had fun.

JVN [01:02:48] Thanks for coming in.

ROBERT ICENHAUER-RAMIREZ [01:02:49] Thank you.

JVN [01:02:53] You've been listening to "Getting Curious" with me, Jonathan Van Ness. My guest this week was Robert Icenhauer-Ramirez. You'll find links to his work in the episode description of whatever you're listening to the show on. Our theme music is "Freak" by Quin. Thank you so much to her for letting us use it. If you enjoyed our show, introduce a friend, honey, and show the subscribe. Please! Follow us on Instagram and Twitter at CuriousWithJVN. Our socials are run and curated by Emily Bossak. "Getting Curious" is produced by me, Julie Carrillo, Emily Bossak, Rae Ellis, Chelsea Jacobson and Colin Anderson.