



North Carolina Constitution, 1868

ESSENTIAL QUESTION

How can a defeated state reform itself?

Standards

Social Studies

(6-8) I.1.3, I.1.4; I.1.10 (9-12) I.1.3, I.1.5

8.B.1.1, 8.B.1.2, AH.B.1.3, AH.B.1.6

8.C&G.1, 8.C&G.1.1, 8.C&G.1.2, 8.C&G.1.3, 8.C&G.1.5

AH.C&G.1, AH.C&G.1.1, AH.C&G.1.2, AH.C&G.1.3, AH.C&G.1.4, AH.C&G.2.2, AH.C&G.2.3

8.G.1.2, AH.G.1.4

8.H.1, 8.H.1.3, 8.H.1.4, AH.H.1.1, AH.H.3.1, AH.H.3.3

English Language Arts

RI.6&8-12.1, RI.6&8-10.2, RI.6-12.3, RI.6-12.4, RI.6-8.5, RI.6-12.6, RI.11-12.8, RI.6-12.10

SL.6-12.1, SL.6-12.3

L.6-12.1, L.6-12.4, L.6-12.6

Standards for Extension Options

(6-8) I.1.6, I.1.7 (9-12) I.1.4

RI.9-10.5; W.6-12.2, W.6-12.3, W.6-12.4, SL.7-12.5, L.6-12.2, L.6-8.3

Objectives

- Analyze the 1868 state constitution and evaluate the reforms it implemented.
- Identify African American political leaders after the Civil War and understand shifting power of the political parties.

Lesson Contents

After the Civil War, the federal government required North Carolina and other states in the former Confederacy to create new constitutions. In 1865, U.S. Congress had passed the

13th Amendment, abolishing slavery and guaranteeing freedom for over 360,000 people in North Carolina. The new North Carolina Constitution of 1868 announced the state's allegiance to the Union. Former Confederate soldiers had to take an oath of allegiance to the Union before they were able to vote. Many in the Conservative (later Democratic) party were unhappy with governmental changes but could not vote against them. Republicans dominated the 120-member constitutional convention, which included 15 Black delegates.

To re-enter the Union and regain seats in U.S. Congress, North Carolina also had to ratify the 14th Amendment, which gave full citizenship and equal rights to African Americans. On July 4, 1868, the state re-entered the Union. Between 1870 and 1876, North Carolina had 30 Black state legislators and one U.S. Congressman. The 1868 constitution gave more power to the people and to the executive branch. The governor's term increased from two to four years. Other reforms included the election of state and county officials that were previously appointed. All men, regardless of race or property, could vote and hold office. The new constitution also called for free public schools and created state prisons and charitable institutions.

Primary Sources

State Constitution of 1868, VC.47.6, State Archives of N.C.

digital.ncdcr.gov/Documents/Detail/state-constitution-of-1868/788179

North Carolina map, from *A New General Atlas*, Philadelphia: A. Finley, Young & Delleker, c. 1832, plate 19, MC.150.1829f, State Archives of N.C., also available online

dc.lib.unc.edu/cdm/singleitem/collection/ncmaps/id/623/rec/8

Group photograph of the **N.C. House of Representatives, 1874-75**, Charlotte, N.C.: Rufus Morgan, Library of Congress, prints and photographs division; also N.92.10.32, State Archives of N.C.

Secondary Sources

Fred A. Olds, "**List of Negroes Who Served in N.C. Legislature**," *The Franklin Times*, October 4, 1929, p.6

St. Paul AME Historical Commission, "**Convention of the Freedmen of North Carolina, September 29-October 3, 1865, St. Paul AME Church**," 7.5-minute film,

youtube.com/watch?v=122nzzrkZPI&t=1s

Folder Contents

- **Background: State Constitution of 1868**
- **Selections & Questions: Changes in the State Constitution**
- **Activity: North Carolina's First Black Delegates**
- **Exit Tickets**

Lesson Preparation

- Review the primary sources, transcription, related materials, and slides to determine which options are appropriate for your students. Note that this box contains a variety of options from which teachers can select, based on available time, learning goals, and student capacities.
- Access original documents to project for the class and zoom in as needed. These may be found via online links or as files on the accompanying flash drive.
- Keep answer keys at hand for any handouts you choose.
- Vocabulary terms for this lesson may be posted or projected to discuss as a class. If you prefer to distribute an individual handout, copy and modify the table in the “procedures” section below to print or consider creating a quiz with the more relevant terms. Print copies as needed for students.
- Make copies of any handouts you choose.
 - **Document Analysis** sheet (found in the cross-lesson activity folder) is an optional assignment for individual work with any of the primary sources. Consider printing several copies of the transcribed version of the constitution to share between students. Print the analysis sheet double-sided, 1 copy for each student.
 - **Background: State Constitution of 1868** can be printed double-sided. Note: slides can substitute for background worksheets and may be more appropriate for upper levels. If selecting this worksheet, print 1 copy for each student.
 - **Selections & Questions: Changes in the State Constitution** may be printed for work in pairs or small groups. Print double-sided so that transcriptions are

on the back of each selection page. For example, print 15 copies for 30 students.

- If completing **Activity: Political Participation Chart**, found in the “Cross-Lesson Activities” folder, as individual work, print page 2 for each student. If discussing as a class, replicate the chart on a large piece of paper to tape to the wall.
- **Activity: North Carolina’s First Black Delegates** requires students to fill out sticky-note strips with delegates names to place on a map. Make copies of the North Carolina map, found in the primary source folder and on the final page of the **Activity** file, in a number depending on whether this activity will be completed as individuals, pairs, or as a class. If as individuals or small groups, print pages 1-4 of **Activity** double-sided in needed numbers.
- **Exit Tickets**—print single-sided and cut, 4 tickets per page (8 copies for 32 students)

Supplies

Projector (optional)

Sticky notes (provided)

Scissors (for cutting sticky notes)

Background Knowledge

(10 minutes)

Facilitate a class discussion by asking students: *What happened to formerly enslaved people after the Civil War? How might some have had the ability to lead their communities?*

Student answers may include a discussion of preachers, teachers, soldiers from the U.S.

Colored Troops, and some African Americans who had been free before the war.

Discuss: *what needed to change about the state constitution after the Civil War?* Answers will vary but may include voting rights and the abolition of slavery.

Procedure

- Show the 7.5-minute film, “Convention of the Freedmen of North Carolina, September 29-October 3, 1865, St. Paul AME Church,” [youtube.com/watch?v=122nzzrkZPI&t=1s](https://www.youtube.com/watch?v=122nzzrkZPI&t=1s). Allow time for student questions. (15 minutes)
- Pass out **Background: State Constitution of 1868** double-sided sheets and allow students to complete. Review fact-check answers using key. (15 minutes)

- Find the **Glossary** in the **Cross-Lesson Activities** folder. Review, project, or distribute terms necessary to understand the document. Discuss any additional terms that cause students comprehension difficulty during the lesson.
(10 minutes)
- Divide students into pairs or small groups to try transcribing 4 selections of the constitution in **Selections & Questions: Changes in the State Constitution**. Transcribed passages are on the back of each. Students can complete this individually, in small groups, or as a class discussion. Multiple groups will receive the same selection and all can share their thoughts on the questions in a class-wide discussion.
(20 minutes)
Modification: skip the transcription exercise and begin analyzing.
- Pass out the **Document Analysis** sheet. Allow students to come to their own conclusions after reading the transcribed constitution. The analysis may work with either the full primary source transcription or selections from the **Selections & Questions** worksheet.
(20 minutes)
- Allow time for students to complete the 1868 section of **Activity: Constitutional Timeline**. Ask: *Who is missing?* If continuing to work with the DocsBox for additional lessons, have students keep their completed chart and page to complete the 1901 section at another time.
(10 minutes)
- If not completing as a class discussion, pass out **Activity: North Carolina's First Black Delegates**, and at least 3 sticky notes and scissors for each student or small group. Discuss the marked maps and regional patterns. Discuss why some delegates relate to multiple locations.
(25 minutes)
- Pass out **Exit Tickets**. Choose an option or use both if lesson extends multiple days:
(5 minutes)
 - *What change would you work for if you could be a state legislator?*
 - *Which political leader inspires you?*

Modifications

- Student pages/worksheets could be shared with students needing to take notes individually, with vision issues, or who have issues focusing (even if the slides are being used collectively).

- Students could be paired with a higher-achieving or differently behaving student for extra support.
- Students could be given extension activities if they finish early or are high-achieving and need more challenging or independent work. These can be done independently or collaboratively.

Extension Options

- Create a newspaper article or short biography on one of the Black delegates. Include the person's accomplishments, contributions to the community, leadership and vision, and historical significance or legacy.
- Examine all sections of the Declaration of Rights and discuss the extent to which it fulfills the ideals of a democratic republic and/or Reconstruction.
- In the years 1868 -1899, 111 African Americans were representatives in the N.C. General Assembly. Find names of the first 20 in a 2013 joint resolution to recognize those legislators, along with additional names in Fred Olds' 1929 list, found in the **Primary Sources** folder, ncleg.gov/Sessions/2013/Bills/Senate/HTML/S133v0.html. Select one or more to research in genealogy databases, period newspapers and/or, House and Senate Journals from the year(s) they served, digital.ncdcr.gov/documents?adv_53=9459443|AND|9295674|OR|9459479|OR|9295731|OR&searchtypes=Full%20text|Metadata&applyState=true (Tip: find newspapers from the legislator's home county on Digital NC, esp. the *Raleigh Daily Standard*, digitalnc.org/newspapers/the-daily-standard-raleigh-n-c/, which detailed legislative discussions.
- Create a class digital exhibit by arranging brief biographies that students have completed with images of the men, something connected to them, or details of primary sources mentioning their activities.

Field Trip Connection

State Capitol in Raleigh. From there, walk 3 blocks to St. Paul AME Church, the site of the 1865 Freedmen's Convention. stpaulamechurchraleighnc.org/.

N.C. History Center on the Civil War, Emancipation, & Reconstruction in Fayetteville, nccivilwarcenter.org/.

Recommended Resources

"The Kirk-Holden War of 1870," digital exhibit, mosaicnc.org/kirk-holden-war