

“An Urgent Appeal”: Communication in W.E.B. Du Bois’ Work as *Crisis* Editor

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Their hands clasped in celebration, the faces of National Association for the Advancement of Colored People (NAACP) lawyers George C. Hayes, Thurgood Marshall, and James M. Nabrit were bright with happiness as they stood on the steps of the U.S. Supreme Court following their victory in *Brown v. Board of Education*. Elizabeth Eckford, one of the nine African American students to initiate the integration of Central High School in 1957 Arkansas, walked with firm resolve through a crowd of jeering white Little Rock residents. Images like these of the country's tumultuous history of gradual progress towards racial equality are cemented in the minds of many Americans, but lesser known is the foundation set by the early work of influential Civil Rights organizations including the NAACP. Before the Association earned fame throughout the country for its impressive legal victories, its primary source of publicity was its magazine, the *Crisis*. As the editor of the *Crisis*, W.E.B. Du Bois ensured the effective communication of information about the NAACP to increase support for its initiatives. His work helped the organization gain momentum and build its legal department to accomplish significant civil rights victories in later years.

### **Worsening Race Relations and Resulting Change**

From 1900 to 1925, African Americans faced increasing discrimination and violence. Sharecropping, the practice in which a tenant pays rent by surrendering a portion of their harvest to their landlord, became the most common labor arrangement for Black farmers in the South<sup>1</sup>. This limited their social mobility and made them vulnerable to disproportionately low incomes, while state-sanctioned segregation enabled legal and extra-legal persecution and violence<sup>2</sup>. In the North, many jobs remained unavailable because of strict discrimination<sup>3</sup>. Restricted access to

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<sup>1</sup> William A. Sundstrom, "African Americans in the U.S. Economy Since Emancipation," *Social Science Research Network* (2011): 2, <https://doi.org/10.2139/ssrn.1895596>.

<sup>2</sup> Ibid., 4.

<sup>3</sup> Ibid., 8.

voting led anti-lynching activist Ida B. Wells to declare in 1894 that “the [N]egro vote in the South has been nullified,”<sup>4</sup> while a 1905 study by the Political Science Quarterly substantiated a widespread sentiment by concluding that “Restrictions upon the franchise have long existed in a number of northern states”<sup>5</sup>. The racial tensions of the period at times erupted in violence, as 22 deadly race riots occurred between April and October of 1919 alone<sup>6</sup>. However, African Americans were not blind to the injustice of the treatment to which they were subjected, nor to the power of their resistance.

As a result of the worsening conditions of the early 1900s, Black people across the country took both individual and organized action to lessen the discrimination that restricted them. Around six million Black people migrated north between 1910 and 1970<sup>7</sup>, leaving often as singular family units or as individuals, in search of economic opportunities and the suffrage promised to them by the 15th amendment. Hundreds of thousands of African Americans supported Marcus Garvey and his mission to achieve Black prosperity through the establishment of an independent colony in Africa<sup>8</sup>. In addition, Booker T. Washington rose in influence as both a respected speaker and the principal of the Tuskegee Institute, dedicating his career to educating African Americans in practical skills and advocating for a more conciliatory approach to obtaining racial equality<sup>9</sup>. Both African Americans and sympathetic white activists recognized

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<sup>4</sup> "Ida Wells Heard Here.," *The Sun*, July 30, 1894, 2, <https://chroniclingamerica.loc.gov/lccn/sn83030272/1894-07-30/ed-1/seq-2/#words=B+b+Ida+IDA+Lynch+lynch+lynched+lynching+Lynching+Wells+wells+WELLS>.

<sup>5</sup> Francis G. Caffey, "Suffrage Limitations at the South," *Political Science Quarterly* 20, no. 1 (1905): 14, <https://www.loc.gov/resource/lcrbmrp.t1917/?sp=1>.

<sup>6</sup> Stanley B. Norvell and William M. Tuttle, Jr., "Views of a Negro During 'The Red Summer' of 1919," *The Journal of Negro History* 51, no. 3 (1966): 9, <https://doi.org/10.2307/2716062>.

<sup>7</sup> Isabel Wilkerson, *The Warmth of Other Suns* (New York: Random House, 2010), 9.

<sup>8</sup> A. Philip Randolph, interview with NBC News, September 2, 1963.

<sup>9</sup> "Booker T. Washington," in *Contemporary Heroes and Heroines* (Detroit: Gale, 1992), n.p., [https://link.gale.com/apps/doc/K1607000273/BIC?u=philly\\_free&sid=BIC&xid=3662b84a](https://link.gale.com/apps/doc/K1607000273/BIC?u=philly_free&sid=BIC&xid=3662b84a).

the need for an organization dedicated to fighting racial discrimination and ensuring the protection of civil rights on a nationwide level, leading to the founding of the NAACP in 1910<sup>10</sup>. The Association's work and other information regarding race relations would be detailed in its monthly magazine, the *Crisis*, which would be edited by respected intellectual W.E.B. Du Bois.

### **The *Crisis* Gains Influence Through Supporting The NAACP**

Du Bois used the *Crisis* to spread information about the NAACP's work and mission, summarizing later in an interview that he aimed to tell readers "just what the National Association for the Advancement of Colored People was and what it proposed to do"<sup>11</sup>. In addition to representing the Association, he wanted the magazine to cover current events across the country that affected race relations, explaining in the *Crisis*' first issue that it would "set forth those facts and arguments which show the danger of race prejudice, particularly as manifested to-day against colored people"<sup>12</sup>. While establishing the composition of the magazine, Du Bois also organized its production to give himself what he felt was reasonable authority over its contents.

Believing that no organization is capable of producing clear opinions on a variety of topics, Du Bois felt justified to freely share his own viewpoints in the *Crisis*<sup>13</sup> and strove to have authority over the material published in the magazine. This effort was successful, as historian Shawn Leigh Alexander notes that Du Bois "maintained complete control in his position as

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<sup>10</sup> Charles Flint Kellogg, *NAACP : a History of the National Association for the Advancement of Colored People* (Baltimore: Johns Hopkins University Press, 1967), 11-15, <https://archive.org/details/naacphistoryofna0000kell/mode/2up>.

<sup>11</sup> W.E.B. Du Bois, interview with Moses Asch, 1961.

<sup>12</sup> W.E.B. Du Bois, "Editorial," *The Crisis*, November 1910, 10, <https://modjourn.org/issue/bdr507789/#>.

<sup>13</sup> W.E.B. Du Bois, *The Autobiography of W.E.B. Du Bois : A Soliloquy on Viewing My Life from the Last Decade of Its First Century* (Canada: International Publishers, 2003), 261, <https://archive.org/details/autobiographyofw0000dubo/mode/2up>.

editor, despite attempts to place limitations on him”<sup>14</sup>. An example of this control came three years after the founding of the magazine in November 1910, when Du Bois and NAACP Board member Oswald Garrison Villard clashed because Villard felt entitled to share authority over the writing Du Bois published in the *Crisis*. A series of tense memoranda were exchanged between the two, ending with Villard resigning in protest<sup>15</sup>. Through his extensive correspondence, including a series of arguments with other Black newspapers<sup>16</sup>, Du Bois proved that he saw the material published in the *Crisis* as an extension of his personal opinions over which he had authority. Under his leadership, the *Crisis* experienced increasing success.

In its first decade the *Crisis* grew rapidly, reaching thousands of loyal readers. One such supporter, Hattie Wormble, wrote to Du Bois to express her appreciation:

Mr. W.E.B. Du Bois...For two years I have been a subscriber and a delighted reader of that very excellent journal "The Crisis"[.] I would not be without it. My children look forward to its arrival with almost as much eagerness as myself. I praise the Lord for your ability and boldness to thus (backed by hundreds of other great men and women of both races) defend the cause of our great Negro race<sup>17</sup>.

Also included in Ms. Wormble's letter was the \$2.00 fee to begin her membership with the NAACP, demonstrating how the *Crisis* aided the organization by spreading information about its work. The distribution of the magazine increased quickly, rising from 9,000 copies sold during its first full year of publishing in 1911 to 94,908 in 1919<sup>18</sup>. This increasing readership made it the second most popular source of Black journalism in the nation, behind only the *Chicago*

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<sup>14</sup> Shawn Leigh Alexander, "Introduction" in *Protest and Propaganda: W.E.B. Du Bois, the Crisis, and American History*, by Shawn Leigh Alexander et al. (Columbia: University of Missouri Press, 2014), 22, <https://archive.org/details/protestpropagand00unse/mode/2up>.

<sup>15</sup> Elliott M. Rudwick, "W.E.B. Du Bois in the Role of Crisis Editor," *The Journal of Negro History* 43, no. 3 (1958): 218, doi:10.2307/2715984.

<sup>16</sup> *Ibid.*, 220-221.

<sup>17</sup> Hattie Wormble, letter to W.E.B. Du Bois, November 1917, <https://credo.library.umass.edu/view/full/mums312-b163-i242>.

<sup>18</sup> "National Association for the Advancement of Colored People," *The Crisis*, February 1920, 198, <https://modjourn.org/issue/bdr512911/#>.

*Defender*<sup>19</sup>. As intended, the magazine was the NAACP's largest source of publicity and promotion<sup>20</sup>, and its success bolstered the organization by building its support base.

### **Successful Communication Throughout The Arkansas Cases**

As the NAACP's membership and influence grew in the late 1910s it was increasingly able to expand its work, the highlights of which were communicated to the public through the *Crisis*. In 1919, for example, the Association agreed to take on the cases of twelve Black sharecroppers who had been falsely convicted of murder after a race riot in Arkansas. By publishing articles informing the public of the NAACP's efforts surrounding the cases, the *Crisis* played a key role in the Association's work.

As the *Crisis* later explained, racial tensions built in the town of Elaine, Arkansas until there was a sudden confrontation at Hoop Spur Church on September 30th, 1919<sup>21</sup>. The NAACP sent Assistant Executive Secretary Walter White to investigate the massacre that grew from the armed conflict, which had over 250 casualties<sup>22</sup>. His findings, which included the long-term causes of the conflict, were published in the December 1919 *Crisis* to inform readers of the tragedy. He reported not only that armed white civilian men had travelled from neighboring states to inflict immense violence, but that over 1,000 Black people were wrongly arrested for their role in the massacre<sup>23</sup>. In the trials that followed, 54 men were sentenced to penitentiary terms and twelve to death after an average deliberation time of five to ten minutes<sup>24</sup>. The ordeal resulted in a tense disagreement in Elaine, in which the convicted knew of the terrible

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<sup>19</sup> Frederick G. Detweiler, *The Negro Press in the United States* (Chicago: University of Chicago Press, 1922), 6, <https://babel.hathitrust.org/cgi/pt?id=nyp.33433082403449&view=2up&seq=1>.

<sup>20</sup> Flint Kellogg, *NAACP*, 163.

<sup>21</sup> "The Real Causes of Two Race Riots," *The Crisis*, December 1919, 58, <https://modjourn.org/issue/bdr512635/#>.

<sup>22</sup> *Ibid.*, 60.

<sup>23</sup> *Ibid.*, 58-59.

<sup>24</sup> *Ibid.*, 60.

mistreatment that produced their incriminating confessions<sup>25</sup>, while the whites in power maintained that every effort had been made to defend the men<sup>26</sup>. Even though the NAACP lacked an extensive legal department and the defendants faced strong opposition in Arkansas, it took on the cases of the twelve men convicted of murder.

Fulfilling its role as the NAACP's organ, the *Crisis* published thirteen articles between December 1919 and April 1925 in order to raise awareness around the legal work being done for the men from Elaine. These articles included both the details of how the Arkansas cases were progressing and calls for readers to make donations toward legal expenses. In February of 1921, a time at which all twelve men remained on death row, the magazine declared: "An urgent appeal is made to every reader of the *Crisis* to contribute as much as he or she can to aid in the gigantic task of saving these men, and exposing to the world the evils of the peonage system in the South"<sup>27</sup>. As NAACP leader Walter White wrote later in his autobiography, the articles published in the *Crisis* led directly to substantial monetary support from sympathetic readers<sup>28</sup>. These contributions were then enumerated in the *Crisis* for its readers to see: \$8,704 was raised for the legal defense in Arkansas by the end of 1920<sup>29</sup>, \$11,299 by the end of 1921<sup>30</sup>, and over \$14,000 by the time the last six of the defendants received the decision for their case, *Moore v. Dempsey*, from the Supreme Court in 1923<sup>31</sup>.

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<sup>25</sup> Robert C. Cortner, *A Mob Intent on Death: The NAACP and the Arkansas Riots* (Middletown, CT: Wesleyan University Press, 1988), 85.

<sup>26</sup> "State Seeks Legal Course To Carry Out Executions Of Negroes Friday Morning," *Arkansas Democrat*, June 9, 1921, <https://www.newspapers.com/image/165957263>.

<sup>27</sup> "Arkansas Justice," *The Crisis*, February 1921, 165, <https://modjourn.org/issue/bdr513473/#>.

<sup>28</sup> Walter White, *A Man Called White* (New York: Viking Press, 1948), 52, <https://archive.org/details/in.ernet.dli.2015.5697/page/n3/mode/2up?q=gratifying>.

<sup>29</sup> "The Battle of 1920 and Before: Eleventh Annual Report, Abridged," *The Crisis*, March 1921, 207, <https://modjourn.org/issue/bdr513526/#>.

<sup>30</sup> W.E.B. Du Bois, "N.A.A.C.P. and XMas," *The Crisis*, January 1922, 105, <https://modjourn.org/issue/bdr514056/#>.

<sup>31</sup> Walter F. White, "The Defeat of Arkansas Mob Law," *The Crisis*, April 1923, 259, <https://archive.org/details/crisis2526dubo/page/n263/mode/2up>.

The funds collected allowed the NAACP to continue defending the falsely convicted men as they went through appeals at the local, state, and federal level. In early 1923 NAACP lawyers paid by funds from *Crisis* readers petitioned successfully for the release of six of the men, known as the *Ware* defendants, based on a loophole in the Arkansas state constitution<sup>32</sup>. Later that year they won freedom for the other six men, known as the *Moore* defendants, in a Supreme Court decision that has been called a “landmark ruling”<sup>33</sup> because of its impact of expanding the conditions under which habeas corpus can be used and protecting constitutional rights. The April 1923 *Crisis* happily relayed information about the Association’s success, calling the legal battle “one of the most notable and difficult struggles ever undertaken by the NAACP in its twelve years of existence”<sup>34</sup>. As a result of the written appeals made to *Crisis* readers while the magazine was under Du Bois’ control, the public was able to understand the value of the NAACP’s legal work and make contributions. This allowed the Arkansas defendants to successfully appeal their convictions and gain their freedom, a significant victory for the NAACP’s early legal team.

### **The Impact of Du Bois’ Work As *Crisis* Editor**

In the short term, the support from the *Crisis* helped the NAACP to grow, spreading information about the organization and assisting in legal victories that propelled the progress of its legal department. Through the communication of the NAACP’s mission and work under Du Bois’ leadership, the magazine helped the Association to become more cohesive, informing readers of its efforts and encouraging new membership in the organization<sup>35</sup>. In addition, the NAACP’s victories in the Arkansas cases convinced them to increase the budget of their legal

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<sup>32</sup> Cortner, *A Mob Intent on Death*, 161-162.

<sup>33</sup> “Moore v. Dempsey,” Sarah Riva, Encyclopedia of Arkansas, revised November 11 2020, <https://encyclopediaofarkansas.net/entries/moore-v-dempsey-5200/>.

<sup>34</sup> White, *Arkansas Mob Law*, 259.

<sup>35</sup> Leigh Alexander, *Protest and Propaganda*, 22.



department from \$25,000 to \$50,000<sup>36</sup>, evidence of what Steven Anthony calls in his dissertation “a shift in strategy from one of publicity and politics to one of legal litigation”<sup>37</sup>. Moreover, Anthony asserts that the cases “demonstrated that American courtrooms could now be used to push forward the African American struggle for racial equality” because of their notoriety and impact of expanding the civil rights protections available through habeas corpus. In the 1930s the NAACP built on the progress of its legal department, eventually taking on so many cases that it had to limit new clients to those who had the potential to establish “a new precedent of historical significance”<sup>38</sup>. The NAACP’s successful legal advocacy and the subsequent publicity in the *Crisis* were set to continue into later decades.

As a result of substantially increasing the amount of resources dedicated to its legal work after the Arkansas cases and throughout the 1930s, the NAACP realized that both consistently available attorneys and persistent action against discriminatory policies were necessary for its success in the courts to continue<sup>39</sup>. This led to the establishment of the Legal Defense Fund (LDF), a fully-staffed litigation arm for the Association, in March 1940<sup>40</sup>. The LDF went on to accomplish significant civil rights victories that changed the country: in 1944 the case *Smith v. Allwright* banned the white-only primary, the *Brown* decision of 1954 and subsequent cases ended formal school segregation, the Voting Rights Act of 1964 solidified the 15th amendment, and the Civil Rights Act of 1965 ensured protections against racial discrimination<sup>41</sup>. The legal

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<sup>36</sup> Steven Anthony, “The Elaine Riot of 1919: Race, Class, and Labor in the Arkansas Delta,” (University of Wisconsin-Milwaukee, 2019), 191.

<sup>37</sup> Ibid.

<sup>38</sup> August Meier and John Bracy, “The NAACP as a Reform Movement, 1909-1965: ‘To Reach the Conscience of America,’” *The Journal of Southern History* 59, no. 1 (1993): 15, doi:10.2307/2210346.

<sup>39</sup> Kevern Verney and Lee Sartain, *Long Is the Way and Hard: One Hundred Years of the NAACP* (Fayetteville, AR: University of Arkansas Press, 2009), 147, [https://archive.org/details/longiswayhard00vern\\_0/page/146/mode/2up?q=AWP](https://archive.org/details/longiswayhard00vern_0/page/146/mode/2up?q=AWP).

<sup>40</sup> Ibid.

<sup>41</sup> Meier and Bracey, “The NAACP,” 2.

successes during the Civil Rights Movement both propelled the NAACP and made substantial progress towards the goals outlined at the organization's founding in 1910.

As the organization's legal victories became increasingly impactful on daily life, the *Crisis* continued to serve its original purpose of publicity for the NAACP. Under the editorship of Roy Wilkins from 1934 to 1949, for example, it focused on the Association's successes in court against statewide "Jim Crow" discrimination laws<sup>42</sup>. After the 1954 victory in *Brown v. Board of Education*, the magazine covered the long and sometimes violent process of nationwide school integration<sup>43</sup>. As long as the NAACP continued its influential advocacy for racial equality in the courts, the *Crisis* supported its efforts through communication to the public.

The LDF's work in the courts across the country did not end when the mass protests of the Civil Rights Movement stopped; the group won the case of *Griggs v. Duke Power Co.* in 1971, outlawing hiring policies that were "fair in form but discriminatory in operation"<sup>44</sup>. In fact, the LDF continues today as a prominent civil and human rights firm<sup>45</sup>, using its legal experience to protect and expand bills including the Elementary and Secondary Education Act, the Fair Housing Act, the Voting Rights Act, and the Civil Rights Act of 1964<sup>46</sup>. The LDF won Supreme Court cases protecting civil rights in 2010, 2013, and 2017, proving the long-lasting impact of not only the NAACP's early legal work but of the communication surrounding that advocacy by the *Crisis*.

## **Conclusion**

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<sup>42</sup> Leigh Alexander, *Protest and Propaganda*, 25.

<sup>43</sup> *Ibid.*, 244.

<sup>44</sup> Rosemary C. Hunter and Elaine W. Shoben, "Disparate Impact Discrimination: American Oddity or Internationally Accepted Concept?" *Berkeley Journal of Employment and Labor Law* 19, no. 1 (1998): 113,

[https://www.jstor.org/stable/24050853?read-now=1&refreqid=excelsior%3Af26e167db6248b7737188b356bfb4718&seq=6#page\\_scan\\_tab\\_contents](https://www.jstor.org/stable/24050853?read-now=1&refreqid=excelsior%3Af26e167db6248b7737188b356bfb4718&seq=6#page_scan_tab_contents).

<sup>45</sup> "History," NAACP Legal Defense Fund, n.d., <https://www.naacpldf.org/about-us/history/full>.

<sup>46</sup> *Ibid.*

As a result of worsening race relations in the early 1900s, the *Crisis* was founded as the primary means of publicity and promotion for the NAACP as the organization fought for racial equality. The magazine gained a substantial readership during Du Bois' time as editor, and through the *Crisis* he increased the communication around the NAACP's work. This communication expanded public support for the organization, created understanding of its work towards racial equality, and drew the donations that laid the foundation for the Legal Defense Fund. The LDF has accomplished major legal victories and continues to protect the civil rights legislation of earlier decades through the nation's justice system.

## Appendix

"Arkansas Justice," *The Crisis* February 1921

## National Association for the ... Advancement of Colored People.

1921

THE following program was submitted to the National Board by the Secretary of the Association, James Weldon Johnson, at the December meeting. The Board voted its approval.

1. *Anti-Lynching legislation by Congress*
2. *Abolition of Segregation in the Departments at Washington*
3. *Enfranchisement of the Negro in the South or reduction of southern representation, if necessary*
4. *Restoration of Haitian independence and reparation, as far as possible, for wrongs committed there by the American administration, through Congressional investigation of both military and civil acts of the American Occupation*
5. *Presentation to the new President of a mammoth petition of say, 100,000 bona fide signers, collected by the various branches, requesting the pardon of the soldiers of the 24th Infantry imprisoned at Leavenworth on the charge of rioting at Houston, Texas*
6. *The abolition of Jim Crow cars in interstate traffic*
7. *Treatment of colored men in the Navy; where once many ratings as non-commissioned officers were held by Negroes, now colored men can enlist only as mess boys, in other words, as servants*
8. *Appointment of a National Inter-Racial Commission to make an earnest study of race conditions and race relations in the United States*
9. *Appointment of colored assistant secretaries in the Labor and Agricultural Departments which would give the Negro official representation in the two phases of national life where he needs most and suffers most*
10. *Continuance of the fight in the Arkansas cases*

This is our goal. We cannot accomplish all of it in one year. We can, however, accomplish more than would have been possible in any past year in the Association's history if we have with us a great, virile organization. We set our figure at a quarter of a million members with which to back our undertakings.

The Rev. Robert W. Bagnall comes to us from Detroit to conduct our membership drive and become a permanent addition to our national staff. The March number will tell more of this.

### ARKANSAS JUSTICE

READERS of *THE CRISIS* know of the long legal fight which the National Association for the Advancement of Colored People has been making to defend the 79 colored men who were accused of complicity in the alleged massacre of October, 1919, in Phillips County, Arkansas. For the purpose of giving the complete story, I am writing this brief chronological summary of the steps the Association has taken.

Newspapers of October 2, 1919, told of the alleged uprising planned by colored men of Phillips County through an organization known as the Progressive Farmers' and Household Union of America for the purpose of killing all of the white citizens and seizing their land. The Assistant Secretary of the Association was immediately sent to Arkansas to secure the real facts. His investigation showed that the stories of an alleged massacre planned by Negroes were untrue; that the colored people of Phillips County, as well as other parts of the State of Arkansas and of other Southern States, had been for years subjected to vicious economic exploitation under the share-cropping system, and that they had formed an organization for the purpose of securing relief through the courts of the State.

Based on the facts gained by this investigation, the National Board of Directors of the N. A. A. C. P. at a specially called meeting on November 24, 1919, authorized the employment of counsel headed by Colonel George W. Murphy of Little Rock to defend the 12 colored men who had been sentenced to death and 67 others who had been sentenced to prison terms. These convictions had occurred within five days, and these men were tried in Phillips County while the mob spirit was high, despite all our efforts to obtain a change of venue, and when there was little chance of acquittals regardless of the testimony.

An appeal was first made for a re-trial in the Phillips County Circuit Court. This motion was denied. Habeas Corpus proceedings were then prepared and at the same



time an appeal was made to the Arkansas State Supreme Court for a review of the cases in that court. This motion applied to the 12 death sentences. On January 9, 1920, the appeal for a hearing was granted by the Arkansas State Supreme Court and the cases carried for review to that court.

At this point in the case, Robert L. Hill was arrested in Kansas and fight was begun to prevent his return to Arkansas. The December issue of *THE CRISIS* told of that part of the fight and the eventual freeing of Mr. Hill.

The decision of the State Supreme Court was finally rendered on March 30, when the court affirmed the verdict of death in 6 of the 12 cases and reversed the verdict in the remaining 6 cases. The latter were sent back to the Phillips County Circuit Court for a new trial. The reversals were made upon the ground that the jury had rendered its verdicts improperly. In the first 6 cases, attorneys for the Association immediately applied for a writ of certiorari in the United States Supreme Court. This effort was made in order to carry the cases directly to the highest tribunal.

In the meantime, the cases which had been sent back to the Phillips County Court had been re-tried after a change of venue had been applied for and denied. As was expected, the men were convicted a second time. Colonel Murphy was taken ill after the first day of the trial and the cases were carried on with exceptional ability by Attorney Scipio A. Jones, one of the associate counsel.

On October 11, the United States Supreme Court refused to review the cases of the 6 colored men whose conviction had been affirmed by the State Supreme Court.

As a result of his illness, due, it was felt, in part to the strenuous work he had done in these cases, Colonel George W. Murphy died about the same time of day on October 11 that the United States Supreme Court was denying the writ of certiorari. This refusal by the Supreme Court to review the cases acted as an automatic re-sentencing of the 6 men to death.

On November 8, the cases of the 6 men who had been re-tried and re-convicted by the Phillips County Court, were again appealed to the State Supreme Court of Arkansas. This appeal for a re-hearing was granted by the Supreme Court.

While the cases were being reviewed a

second time, Governor Charles H. Brough of Arkansas, in direct contravention of all precedent, issued a long statement to the newspapers which appeared on November 16, giving reasons why he believed the men were guilty and declaring that if the State Supreme Court refused to grant the appeal of the condemned men, he as Governor would grant no clemency.

In spite of these obviously unfair tactics on the part of the Governor in trying the cases in the newspapers, the State Supreme Court on December 6, reversed for a second time the verdict of death, on the ground that Negroes had been excluded from juries in Phillips County in direct contravention of the Fourteenth Amendment and the Civil Rights Act of 1875. The cases were again remanded to the Phillips County Court for re-trial. The decision in these cases will have a direct bearing upon the cases of the 6 men whose motions for a new trial were refused and who are now under sentence of death. A reprieve will probably be granted to these men pending a decision in other cases.

It is impossible to tell how far the cases will eventually go. The decision of December 6 is the most important victory thus far, in that the reversal was upon Constitutional grounds. If justice is denied in the State Courts, it is hoped that the cases can be carried finally into the Federal Courts. The order of procedure in the Federal Courts will be, first, to the Federal Court of the Eastern District of Arkansas; second, the Circuit Court of Appeals of the Federal Court; and finally the United States Supreme Court. All of the testimony and evidence which have been secured since October, 1919, points conclusively to the fact that the men were not guilty of the crime charged and that they are imprisoned because of race prejudice in the State of Arkansas. The fight to free these men is not solely one effecting 79 individuals, but a fight to determine whether or not men shall be sent to death solely because they are colored. Another important determining factor is that this case may be the entering wedge in the struggle to end economic exploitation of colored men and women through the share-cropping system which is so widespread in Southern States.

To date the Association has expended more than \$8,000 in this fight and is obligated to pay its lawyers in Arkansas an



additional \$5,000 within a very short time. If the cases are eventually carried to the United States Supreme Court, the cost will probably be in excess of \$30,000. An urgent appeal is made to every reader of *THE CRISIS* to contribute as much as he or she can to aid in the gigantic task of saving these men, and **exposing** to the world the evils of the peonage system in the South.

#### DISFRANCHISEMENT IN CONGRESS

**O**N December 29 and 30, James Weldon Johnson, Walter F. White and William Pickens of the National Office, together with James A. Cobb, Archibald H. Grimké and other representatives of the District of Columbia Branch, and George H. Murray, an attorney of Washington, appeared before the Committee on the Census of the House of Representatives at a hearing on the House Reapportionment Bill.

The testimony presented by the Association showing the vicious tactics used in Southern States to debar colored citizens from registering and voting by intimidation, terrorization and chicane aroused a storm of protest from the southern members of the committee. The representatives of the Association presented figures published in this number of *THE CRISIS*, proving the disfranchisement of colored voters; the names, addresses and registration certificate numbers of 941 colored citizens of Jacksonville, Fla., who were deliberately prevented from voting on November 2; showed that the names of 3,000 additional persons who likewise were prevented from voting, were being secured; introduced as evidence photographs showing the long lines of colored citizens who stood before the polls on election day, but were not allowed to vote; told of the election riots in Orange County, Fla., where more than 30 Negroes were burned to death because one duly qualified colored voter attempted to exercise the right of franchise; and presented much evidence of similar nature showing the deliberate methods used to disfranchise colored men and women in Southern States. Representatives of the Association directly charged the suppression of most of the colored vote in the South. They demanded, first, that a complete Congressional investigation be made of the elections of 1920 in Southern States; and, second, the full accordance of the right of franchise or a reduction of representation in the House

of Representatives in proportion to the suppression of votes in those states where a Congressional investigation proved such suppression.

The tactics of Representatives Carlos Bee of Texas, W. W. Larsen of Georgia, and James H. Aswell of Louisiana, were most undignified in their efforts to heckle and harass the witnesses. Their attempts apparently were aimed to prevent, as far as possible, the inclusion of testimony in the records of the Committee. Their efforts finally became so flagrant that it was necessary for Chairman Isaac Siegel of New York to call them to order so that the hearing might continue. At the end of the hearing on the second day, a newspaper photographer appeared in the Committee room to take a photograph of the Committee and witnesses. Representative Aswell of Louisiana left the room with the statement that he "wasn't going to have his picture taken with a bunch of niggers." Representative Larsen of Georgia, according to the *New York Tribune* of December 31, informed Chairman Siegel that he did not intend leaving the room, but would "raise hell" if a picture were made with the spectators on hand as a background.

In order to avoid a row with the southern representatives, the Committee went into executive session, thus clearing the room and then the group picture was taken.

#### THE DULUTH CASES

**S**PLENDID work has been done in the defense of the colored men accused of assault upon a young girl, which led to the lynching in June in Duluth, Minn., of 3 colored men. Following the lynchings, 13 colored men were arrested, charged with criminal assault. Led by the Duluth Branch of the Association which, like the Fresno Branch, was only recently organized, and aided by the Minneapolis and St. Paul Branches, Attorneys F. L. Barnett of Chicago, R. C. McCullough of Duluth, and Charles Scrutchins of Bemidji, Minn., were employed to defend these men. The Duluth Branch raised more than \$1,200 for the employment of lawyers, reporters and investigators and supplied the men who were friendless and penniless with clothes and meals while incarcerated in prison.

As a result of these efforts, 12 men have been freed. One of these was freed by a jury and their verdict thoroughly discredited

## Annotated Bibliography

**Primary Sources:**

*Address of Booker T. Washington, Principal of the Tuskegee Normal and Industrial Institute, Tuskegee, Alabama : Delivered at the Opening of the Cotton States and International Exposition, at Atlanta, Ga., September 18, 1895 ; with a Letter of Congratulation from the President of the United States.* Atlanta, GA, 1895. <https://www.loc.gov/resource/lcrbmrp.t0c15/?sp=10&st=text>.

This is a printed transcript of Booker T. Washington's speech at the Cotton States and International Exposition in 1895, along with a signed letter from President Grover Cleveland and Clark Howell, a newspaper editor and politician. In this speech Washington spoke about the importance of cooperation between races, and said that racial equality will come after African Americans learn to work effectively to support the southern economy. This source is biased because it expresses Booker T. Washington's opinion, which is why I read it to have a better understanding of his views on racial equality for my section on worsening conditions.

"Another Victory in Arkansas." National Association for the Advancement of Colored People. *The Crisis*, January 1921, 118-19. <https://modjourn.org/issue/bdr513420/#>.

This is a brief piece of writing that describes how the decision of the case involving six men sentenced to death after the Arkansas riots in 1919 was reversed by the Arkansas Supreme Court and will be heard again by the lower court. Also written about is the belief of Arkansas governor Charles Hillman Brough that the men are guilty and his efforts against them. While this successful appeal ultimately ended in another death

verdict for the six men, it is a helpful example of the *Crisis* writing about the Arkansas cases.

"The Arkansas Cases." National Association for the Advancement of Colored People. *The Crisis*, March 1923, 220-21. <https://archive.org/details/crisis2526dubo/page/n225/mode/2up>.

This is an article written in the section of the *Crisis* reserved for NAACP updates that explains that Moorfield Storey argued in the Supreme Court that habeas corpus should be applied to the case *Moore v. Dempsey*, which determines the fate of six of the twelve men convicted of murder. It details the evidence that Storey had in the brief he submitted to the court, which included statements from white people who were present at the riots. The article ends by mentioning that while the Supreme Court has not made its decision yet, several judges have already responded with surprise that such bad conditions as those present at the original trials in Elaine could be possible. This source was useful in researching the events in the cases that resulted from the riot in 1919, as well as how the *Crisis* covered them.

*Arkansas Democrat* (Little Rock, AR). "State Seeks Legal Course To Carry Out Executions Of Negroes Friday Morning." June 9, 1921, 1-2.  
<https://www.newspapers.com/image/165957263>.

E.M. Allen is quoted in this article justifying the imprisonment of the twelve men convicted of murder after the massacre in Arkansas in 1919. Because Allen was a member of the committee of Phillips County white men tasked with running the investigation before the original trials, I used this source to better understand the opinion of officials in Arkansas. I ultimately included Allen's beliefs in my section about the Arkansas cases in order to show the multiple perspectives present in the state.



"Arkansas Justice." National Association for the Advancement of Colored People. *The Crisis*, February 1921, 163-65. <https://modjourn.org/issue/bdr513473/#>.

This 1921 article in the section of the *Crisis* reserved for NAACP updates summarizes the riot in 1919 as well as the appeals the twelve defendants had gone through up to that point. This source helped me learn more about the legal process the twelve men endured. In addition, the sentence that begins with "An urgent appeal is made to all readers..." inspired my title and appears in my Arkansas cases section because it is a good example of how the *Crisis* communicated the details of the trials and the importance of funds raised for them.

"The Battle of 1920 and Before; Eleventh Annual Report, Abridged." National Association for the Advancement of Colored People. *The Crisis*, March 1921, 202-08. <https://modjourn.org/issue/bdr513526/#>.

Wanting to keep readers informed about the organization, the *Crisis* published this report of the NAACP for the year 1920, which includes a summary of the most important work the organization had done as well as its financial situation. Within this report there are several paragraphs about the effort the NAACP was making to free the twelve men convicted of murder after the riots in Arkansas and a budget that said about \$8,700 has been spent on their legal defense. I used this as evidence that the *Crisis* was successful in raising funds for the Arkansas cases.

Caffey, Francis G. "Suffrage Limitations at the South." In *Daniel Murray Pamphlet Collection*, 1-15. Library of Congress, n.d. Previously published in *Political Science Quarterly* 20, no. 1 (March 1905): 1-15. <https://www.loc.gov/resource/lcrbmrp.t1917/?sp=1>.

The Political Science Quarterly reprinted this report about the results of the work of the Union League Club of New York City's investigation on voting restrictions in the South. The report comes to the conclusion that there are suffrage limitations in southern states that aim to reduce African American voting, as well as that similar restrictions exist in New England states. I used this source in my context section as evidence that African Americans were restricted in trying to vote across the country.

Du Bois, William Edward Burghardt. "Arkansas." Opinion of W.E.B. Du Bois. *The Crisis*, February 1920, 169-70. <https://modjourn.org/issue/bdr512911/#>.

This source is an article in which Du Bois writes that Arkansas claims that there was no "lawlessness" in dealing with the riot in the town of Elaine, but provides an anecdote about how African Americans were denied life insurance because of their race. While this source did not provide any updates on the developing legal cases that resulted from the riot, it did help me learn about the racial discrimination present in the town in which the riot occurred.

———. *The Autobiography of W.E.B. Du Bois : A Soliloquy on Viewing My Life from the Last Decade of Its First Century*. Edited by Herbert Aptheker. International Publishers, 2003. <https://archive.org/details/autobiographyofw0000dubo/mode/2up>.

This is W.E.B. Du Bois' last of three autobiographies, which he wrote when he was in his nineties. I read this book in order to get his own perspective on his life, including when he was the editor for the *Crisis*. Du Bois does show a strong bias in his writing by defending some of his actions, which was helpful to me because it added a new viewpoint to the events that I had read about in David Levering Lewis' biography. I mentioned the

sentiment of Du Bois' writing in this source in my essay to show that he had strong feelings about expressing his personal opinions in the *Crisis*.

———. Editorial. *The Crisis*, November 1910, 10-11. <https://modjourn.org/issue/bdr507789/#>.

This is Du Bois' editorial in the first issue of the *Crisis*, where he establishes that the magazine will focus on issues facing African Americans. I used this source in my essay in order to show that the *Crisis* was founded to spread information about race-related issues in America, and it helped me learn about Du Bois' aim for the magazine.

———. "The Elaine Peons." Opinion of W.E.B. Du Bois. *The Crisis*, November 1922, 10-11. <https://modjourn.org/issue/bdr521751/#>.

Similar to other brief articles on the Arkansas trials, this piece of writing covers the appeals that the twelve men sentenced to death were forced to go through. The article includes that the NAACP had spent almost thirteen thousand dollars on legal expenses to defend the men up to that point, and ends by asking the reader to contribute to the funds raised. This source was useful in learning how the *Crisis* publicly asked for donations from its readers, which connects to my argument about how the magazine successfully communicated about the NAACP's work to raise funds for the cases.

———. "N.A.A.C.P. and Xmas." Opinion of W.E.B. Du Bois. *The Crisis*, January 1922, 104-05. <https://modjourn.org/issue/bdr514056/#>.

This is a brief article about the important work the NAACP did in 1921 which urges readers to become active in the organization and to donate. The piece of writing was helpful to me because it quantifies that the NAACP had raised \$11,300 for the Arkansas cases, which I used as evidence that the dissemination of information about the organization's legal battle had concrete results.

———. *Report of the Director of Publications of the Department of Publications and Research*. New York City, NY, 1918.

<https://credo.library.umass.edu/view/pageturn/mums312-b164-i148/#page/1/mode/1up>.

W.E.B. Du Bois wrote this brief report at the end of 1918 detailing the rapid growth of the *Crisis* for that year. When I was researching the growth of the magazine in the late 1910s, this source helped me understand how quickly the influence of the *Crisis* expanded.

———. "W.E.B. Du Bois: A Recorded Autobiography, Interview with Moses Asch." By Moses Asch. FLAC audio, 2:57. Smithsonian Folkways Recordings. 1961.

<https://folkways.si.edu/web-dubois/a-recorded-autobiography-interview-with-moses-asch/african-american-spoken-american-history-oral-history-biography/album/smithsonian>.

Du Bois speaks about his time as editor of the *Crisis* in this audio clip, including how he founded the magazine and how he had control over the content it published. I included a quote from this interview in my essay because Du Bois gives an effective overview of his goals for the *Crisis*.

Ellis, Catherine, and Drury Smith, eds. *Say It Plain; A Century of Great African American Speeches*. New York City, NY: New Press, 2005.

[https://www.google.com/books/edition/Say\\_It\\_Plain/H1ERBgAAQBAJ?hl=en&gbpv=0](https://www.google.com/books/edition/Say_It_Plain/H1ERBgAAQBAJ?hl=en&gbpv=0).

This is a book containing important speeches given by prominent African Americans throughout the twentieth century along with short introductions to provide context. I used this book to read Marcus Garvey's speech about the aims of the Universal Negro Improvement Association (UNIA) in order to use it in my section focusing on worsening conditions in the early 1900s and resulting change. This speech is biased because it is one

describing the ambitions of the UNIA by Garvey himself, who is likely to praise his own organization. However, it was useful to me because I wanted to find a source explaining the goals of Garvey's work in his own words.

"Funds Needed to Fight Arkansas Cases." National Association for the Advancement of Colored People. *The Crisis*, December 1920, 65-66. <https://modjournal.org/issue/bdr513367/#>.

This article focuses on the need for funds to continue the legal fight for the twelve men sentenced to death after the riots in Elaine, Arkansas. This source helped me solidify the role of the NAACP in the trials and gives a good example of how the *Crisis* appealed to readers for donations.

Jones, Scipio A. "Arkansas Peons." *The Crisis*, December 1921, 72-76.

<https://modjournal.org/issue/bdr514003/#>.

NAACP-hired lawyer Scipio A. Jones prepared this brief on the Arkansas riot and trials that followed it, detailing the economic exploitation of the twelve defendants prior to the trials, the violence that occurred in fall of 1919, the unfair trials that created the original convictions, and the ongoing battle for the men's innocence to be proven. This is the first of two consecutive longer articles that appeared in the *Crisis* in December 1921 and January 1922, and I used it to understand how the *Crisis* publicized the ongoing Arkansas legal battle.

"National Association for the Advancement of Colored People." NAACP. *The Crisis*, February 1920, 194-99. <https://modjournal.org/issue/bdr512911/#>.

There was a regular section of the *Crisis* for the progress and initiatives of the NAACP, and this is a report in the magazine from February of 1919. What is important in this

issue is the tally of magazine copies sold, which jumped dramatically from 1910 to 1919, showing the influence the *Crisis* had during that time.

“National Association for the Advancement of Colored People”. *The Crisis*, April 1925, 272-73.

<https://babel.hathitrust.org/cgi/pt?id=inu.30000054421528&view=2up&seq=276>.

In this article it is explained that the Arkansas cases that started in 1919 with the riot in Elaine have officially ended and that all 79 men originally convicted are now free. It also details how the cases were argued by Moorfield Storey in the Supreme Court despite many obstacles, and that the NAACP contributed fifteen thousand dollars to the legal defense overall. This article is biased because it is praising the NAACP's efforts, but it was still helpful to me because it shows how the *Crisis* covered the conclusion of the Arkansas trials. This article also quantifies the amount of money raised by the NAACP as fifteen thousand dollars, which is a greater amount of money than what is reported in budgets from previous years.

*Platform Adopted by the National Negro Committee, 1909*. New York City, NY, 1909.

<https://www.loc.gov/exhibits/naacp/founding-and-early-years.html>.

The National Negro Committee, which would later become the National Association for the Advancement of Colored People, wrote this platform outlining their goals as a group. These goals included fair enforcement of the constitution and equal educational opportunities for Black and white children. I used this source to understand the original goals of the NAACP, which shaped their work during the time that W.E.B. Du Bois was *Crisis* editor.

*The Sun* (New York City, NY). "Ida Wells Heard Here." July 30, 1894, 2.

<https://chroniclingamerica.loc.gov/lccn/sn83030272/1894-07-30/ed-1/seq-2/#words=B+b+Ida+IDA+Lynch+lynch+lynched+lynching+Lynching+Wells+wells+WELLS>.

Ida B Wells' 1894 speech at Bethel A.M.E. Church in New York City is the focus of this newspaper article. In the speech, Wells reportedly urged African Americans to organize in order to fight against racist violence like lynching. This article quotes Ida B. Wells saying that there are severe voting restrictions in the South, and I used that quote in the part of my worsening conditions section that focuses on disenfranchisement.

Randolph, A. Philip. Interview. *A. Philip Randolph on Marcus Garvey*. NBC, 1963.

<https://www.loc.gov/exhibits/civil-rights-act/multimedia/a-philip-randolph.html>.

In this interview A. Philip Randolph spoke about how Marcus Garvey's movement grew in the early 1900s because of the discrimination in that time period and Garvey's promise of the potential for economic success in Africa and the US. I used this source to get a better understanding of Marcus Garvey's appeal to a wide audience of African Americans. After viewing this source, I decided to include Garvey's own words describing the goals of the Universal Negro Improvement Association.

"The Real Causes of Two Race Riots." *The Crisis*, December 1919, 56-62.

<https://modjourn.org/issue/bdr512635/#>.

In response to the race riots in Arkansas and Omaha, Nebraska in the fall of 1919, the *Crisis* sent staff to investigate the truth about each conflict. The result is this article, which details the economic exploitation of the sharecroppers in Elaine, their attempt to hire a lawyer to represent them in fighting for itemized receipts of their purchases from landowners, the beginning of the violence on September 30th, 1919, and the many deaths

that resulted. After that, the article describes how many Black suspects were taken into police custody and treated inhumanely, ultimately resulting in the quick trials of over sixty men. It also covers smaller stories that took place throughout the riot, like the killing of four brothers and the arrest of a man named O.G. Bratton. I used this source in my essay in order to explain how and why the riot happened, as well as to show how it was reported in the *Crisis*.

White, Walter F. "The Defeat of Arkansas Mob Law." *The Crisis*, April 1923, 259-61.

<https://archive.org/details/crisis2526dubo/page/n263/mode/2up>.

Written nearly three and a half years after the original riot, in this article Walter White explains that the Supreme Court has decided to reverse the convictions of the six Moore defendants. White also describes the original cause of the cases, the many appeals involved, and how the decision is a great victory for the NAACP.

———. *A Man Called White*. New York City, NY: Viking Press, 1948.

<https://archive.org/details/in.ernet.dli.2015.5697/page/n3/mode/2up?q=gratifying>.

Walter White details his life in this autobiography, a substantial part of which was spent working for the NAACP. I used a passage from this source about how the publishing of White's reporting on the massacre in Elaine, Arkansas led to donations to the legal defense fund for the men convicted of murder.

Wormble, Hattie. Letter to William Edward Burghardt Du Bois, November 1917.

<https://credo.library.umass.edu/view/full/mums312-b163-i242>.

In this letter a woman named Hattie Wormble writes Du Bois to thank him for his work as the editor of the *Crisis*, particularly for publicizing the recent Silent Protest Parade that went on in New York in that year. She says that she has been inspired to join the NAACP



and that her son values hearing about current events and race relations, so I included a quote from this source to show the positive reaction people had to Du Bois' work fostering communication as editor.

### **Secondary Sources:**

Anthony, Steven. "The Elaine Riot of 1919: Race, Class, and Labor in the Arkansas Delta." PhD diss., University of Wisconsin-Milwaukee.

<https://dc.uwm.edu/cgi/viewcontent.cgi?article=3045&context=etd>.

This doctoral dissertation is about the riot in Elaine, Arkansas that led to the court cases for which the *Crisis* helped raise litigation funds. It goes into detail about the causes of the riot, the violence that took place throughout it, and the trials that resulted from it.

Also described are the effects of World War I and the rise of the labor movement on race and labor relations in the US. I used this source to get a better understanding of the time during which the riot and trials occurred, as well as the impact of what became the Supreme Court case *Moore v. Dempsey*.

"Booker T. Washington." In *Contemporary Heroes and Heroines*. Vol. 2. Detroit, MI: Gale, 1992.

[https://link.gale.com/apps/doc/K1607000273/BIC?u=philly\\_free&sid=BIC&xid=3662b84a](https://link.gale.com/apps/doc/K1607000273/BIC?u=philly_free&sid=BIC&xid=3662b84a).

This section of the book *Contemporary Heroes and Heroines* describes the life of Booker T. Washington, highlighting his success as the principal of the Tuskegee Institute and as an influential speaker. The description of Washington in this source is different from what is written about him by W.E.B. Du Bois, who is more critical of his lack of enthusiasm for higher education. This book chapter allowed me to learn more about

Booker T. Washington's life, and I used it for my worsening conditions section to highlight his achievements.

Cortner, Robert C. *A Mob Intent on Death; The NAACP and the Arkansas Riots*. Middletown, CT: Wesleyan University Press, 1988.

The cases that happened as a result of the 1919 riot in Elaine, Arkansas each had many details and several appeals, so I read this book in order to better understand the legal process that the twelve accused of murder were forced to go through. This source also helped me understand the conflicting narratives of Black and white newspapers surrounding the riot and impact of the cases. I used passages from this book explaining the original charges of the twelve men, and found quotes from defendant Alf Bank and Elaine citizen E.M. Allen.

Detweiler, Frederick G. *The Negro Press in the United States*. Chicago, IL: University of Chicago Press, 1922.

<https://babel.hathitrust.org/cgi/pt?id=nyp.33433082403449&view=2up&seq=1>.

In order to get a thorough history of Black newspapers in the US I used this book, which was published in 1922. It details the influence of the Black press at the beginning of the 1920s, the history of African American newspapers before the end of enslavement, prominent newspapers including the *Crisis*, and the components of and issues addressed by many Black newspapers. I found this source helpful in learning about the influence of the *Crisis* and how it compared to other magazines and newspapers, and I used it to quantify that the *Crisis* was the second most popular source of Black journalism.

Flint Kellogg, Charles. *1909-1920*. Vol. I of *NAACP : a History of the National Association for the Advancement of Colored People*. Baltimore, MD: Johns Hopkins University Press, 1967. <https://archive.org/details/naacphistoryofna0000kell/mode/2up>.

This is a book about the history of the NAACP during its first decade, which includes the contribution of the *Crisis* to the organization. I used the book for evidence that the *Crisis* was the main means of communication for the NAACP during its early years.

Freedman, Eric M. "Leo Frank Lives: Untangling the Historical Roots of Meaningful Federal Habeas Corpus Review of State Convictions." *Alabama Law Review* 51, no. 4 (2000): 31-64.

<https://www.law.ua.edu/pubs/lrarticles/Volume%2051/Issue%204/Freedman%20-%20Leo%20Frank.pdf>.

Eric Freedman details the legal process of *Moore v. Dempsey* in this long article, which I used to further understand how the Supreme Court's ruling in the case expanded the ability of writs of habeas corpus to overturn previous convictions from state courts.

Freedman explains how *Moore* relates to the Supreme Court appeal made years earlier by Leo Frank, outlining the appeals involved in both cases.

Hunter, Rosemary C., and Elaine W. Shoben. "Disparate Impact Discrimination: American Oddity or Internationally Accepted Concept?" *Berkeley Journal of Employment and Labor Law* 19, no. 1 (1998): 113.

[https://www.jstor.org/stable/24050853?read-now=1&refreqid=excelsior%3Af26e167db6248b7737188b356bfb4718&seq=6#page\\_scan\\_tab\\_contents](https://www.jstor.org/stable/24050853?read-now=1&refreqid=excelsior%3Af26e167db6248b7737188b356bfb4718&seq=6#page_scan_tab_contents).

This journal article focuses on disparate impact discrimination, or discrimination that results from the same standard indirectly favoring a certain group of people. This type of

discrimination was present at the Duke Power Company in 1971, which resulted in the lawsuit *Griggs v. Duke Power Co.*, a Supreme Court victory for the Legal Defense Fund. I used this source to inform the sentence in which I mention the *Griggs* case within my impact section.

Leigh Alexander, Shawn. Introduction to *Protest and Propaganda: W.E.B. Du Bois, the Crisis, and American History*, by Shawn Leigh Alexander, Robert W. Williams, Amy Helene Kirshcke, Barbara McCaskill, Garth E. Pauley, Katharine Capshaw Smith, Edward J. Blum, Phillip Luke Sinitiere, Megan E. Williams, Charles H. Ford, and Jeffery L. Littlejohn, edited by Amy Helene Kirshcke and Phillip Luke Sinitiere, 1-13. Columbia, MO: University of Missouri Press, 2014.

<https://archive.org/details/protestpropagand00unse/mode/2up>.

While I was researching the *Crisis* itself I discovered this book, which chronicles the role of the magazine in the media and in relation to the NAACP. I used this source to get evidence about how the *Crisis* was primarily controlled by W.E.B. Du Bois during his time as editor, as well as how the magazine spread positive information about the NAACP and helped raise funds for its litigation initiatives.

Levering Lewis, David. *W.E.B. Du Bois; A Biography*. Henry Holt and Company, 2009.

<https://play.google.com/books/reader?id=-eQz4XTToLnIC&hl=en&pg=GBS.PP1>.

This is a biography by David Levering Lewis about W.E.B. Du Bois, which gives a very detailed story of his entire life. I read this book at the beginning of my research in order to learn about Du Bois' life and to decide how to focus my project. Lewis incorporates detailed research in his writing. After reading this book I was inspired to look into Du

Bois' time as editor of the *Crisis* from 1910 to 1934, since Lewis provides many details about that part of his life.

NAACP Legal Defense Fund. "History." Naacpldf.org.

<https://www.naacpldf.org/about-us/history/full>.

This article details the history of the Legal Defense Fund, highlighting major legal victories the organization has achieved. I used this source to learn more about the work of the LDF and decide what cases I wanted to focus on in my impact section. I ultimately used information from this article for summaries of *Brown v. Board* and other cases enforcing public school desegregation. I also included information about LDF's status as a prominent law firm today.

Norvell, Stanley B., and William M. Tuttle, Jr. "Views of a Negro During 'The Red Summer' of 1919." *The Journal of Negro History* 51, no. 3 (July 1966): 209-18.

<https://doi.org/10.2307/2716062>.

The increased racial violence present across America during the summer of 1919 is the topic of this journal article, which I used in my worsening conditions section to provide the number of riots that occurred during the "Red Summer" of 1919. The article also discusses the details of the riot in Chicago, as well as the reasons white people felt motivated to commit acts of violence and the effects of World War I.

Meier, August, and John H. Bracey. "The NAACP as a Reform Movement, 1909-1965: 'To Reach the Conscience of America.'" *The Journal of Southern History* 59, no. 1 (1993): 3-30. doi:10.2307/2210346.

This long article is about the history of progressive reforms made possible by the NAACP from its founding in 1909 until the end of the Civil Rights Movement. I

ultimately used information from this source about the growth of the NAACP's legal department between 1920 and 1940 and the LDF's victories in the 1940s-1960s.

Riva, Sarah. "Moore v. Dempsey." Encyclopedia of Arkansas.

<https://encyclopediaofarkansas.net/entries/moore-v-dempsey-5200/>.

The impact of the court case Moore v. Dempsey, in which six of the Arkansas men sentenced to death appealed to the Supreme Court on a writ of habeas corpus, is the focus of this article. I used this source to show the legal precedent set by the case, which is at the center of my essay.

Rudwick, Elliott M. "W. E. B. Du Bois in the Role of Crisis Editor." *The Journal of Negro History* 43, no. 3 (1958): 214-40. doi:10.2307/2715984.

Detailed in this long 1958 article is Du Bois' work as the editor of the *Crisis*, from his viewpoints on important issues to the function of the magazine and his disagreements with others within the NAACP. This source was helpful in learning about how Du Bois was viewed by the public towards the end of his life and it led me to find evidence that he believed his opinions should be heard in the *Crisis* and that he had control of the magazine. Also detailed in this source are the disagreements Du Bois had with other Black newspapers and NAACP leader Oswald Garrison Villard, so I used it when writing about the clashes between Du Bois and those parties.

Sundstrom, William A. *African Americans in the U.S. Economy Since Emancipation*. N.p.: Santa Clara University - Leavey School of Business - Economics Department, 2011.

<https://doi.org/10.2139/ssrn.1895596>.

Professor William Sundstrom details the many barriers African Americans faced in the U.S. economy in this article, including the southern sharecropping system and the

segregation of northern industry. I used this article for two quotes on the economic exploitation of Black people in the early 1900s.

Verney, Kevern, and Lee Sartain, eds. *Long Is the Way and Hard; One Hundred Years of the NAACP*. Fayetteville, AR: University of Arkansas Press, 2009.

[https://archive.org/details/longiswayhard00vern\\_0/page/146/mode/2up?q=AWP](https://archive.org/details/longiswayhard00vern_0/page/146/mode/2up?q=AWP).

Although this book covers the entire history of NAACP from 1909 until 2009, I used it to gain information about the progression of the legal department and founding of the Legal Defense Fund. This source was useful as I continued my general research about the NAACP's legal department, but did not mention the riots in Arkansas or the role of the *Crisis* in the organization.

Wilkerson, Isabel. *The Warmth of Other Suns*. New York: Random House, 2010.

This book alternates between the stories of three people who left the South in order to begin new lives in other areas, also including many historical details and facts about the Great Migration. From this source I got a quantification of the number of Black people who left the South during the Great Migration.