

**THE FEDERAL ANTI-LYNCHING DEBATE:
WALTER WHITE AND MARY MCLEOD BETHUNE'S STRUGGLE FOR JUSTICE**

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Introduction

When I say to you that now is the time to act, it is because you can readily see that mob violence has overridden statutes and constitutional law in our country. Rights and justice in the South and far West have been obliterated by mob law and condoned by governors and other state and county officials. I think the time has now arrived, Mr. President, that you should invoke the power invested in you as the chief magistrate of this great nation of ours and stamp out lynching and mob law forever.¹

During the 1930s, President Roosevelt received many letters resembling the one above. He was asked to condemn lynchings and support federal anti-lynching legislation. The debate about such legislation was not a new phenomenon, however, never before was it as intense or emotionally charged as during the New Deal era.

Most of the lynching victims were from African American decent. Therefore, the debate was inevitably fueled by racism and discrimination. In the decades before, the number of lynchings had steadily declined. However, when the Great Depression hit, they began to increase again. While many states did have their own anti-lynching laws, they were almost never enforced. Thus, the question of federal legislation came up again. In Congress there were two main camps, those who were in favor of such a law and those who were against it. Most of the opponents came from southern states. Uncoincidentally, most of the lynchings occurred in the South where racial tensions were without parallel.²

Many of its proponents in Congress came from the Northern States. However, outside of Congress, there were many people in both the North and the South who wanted to eradicate the evil. This thesis will focus on two of them: Walter White and Mary McLeod Bethune. They make for an interesting case-study, since they worked from quite different perspectives. White was the executive secretary of the National Association for the Advancement of Colored People (NAACP)³ and Bethune was the unofficial leader of Roosevelt's Black Cabinet and the director of the National Youth Administration (NYA).⁴

¹ S. F. Holman to President F. D. Roosevelt (4 December 1933) in: G. McJimsey, ed., *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11: FDR and Protection from Lynching, 1934-1945* (London 2003) 19.

² M. Park, 'Lynching and Antilynching: Art and Politic in the 1930s', *Prospects*, Volume 18 (October 1993) 312.

³ 'Walter White', *Encyclopedia Britannica* (online version 2018) <https://www.britannica.com/biography/Walter-White-American-civil-rights-activist> (13-03-2018).

⁴ G. Jaynes, 'Mary McLeod Bethune', in: G. Jaynes et al., *Encyclopedia of African-American Society* (Thousand Oaks 2005) 99.

While White was primarily an activist who devoted his career to the improvement of the lives of African Americans, Bethune was a government official whose main concern was the education of the black community. Despite their different strategies, however, both hoped to see federal anti-lynching legislation pass and worked towards the same goal.

When the anti-lynching bills were pending in Congress, they organized conferences, meetings and wrote letters to state-officials, congressmen and, most importantly, to the president of the United States. When the bills were threatened by filibusters organized by Southern senators, they believed that the only way to ensure their passage was to gain the support of Roosevelt. If the President would strongly speak out in favor of federal legislation, the filibusterers were most likely to give in.⁵ Therefore, this thesis will focus on the following research question: “How did Walter White and Mary McLeod Bethune differ in their attempts to convince Franklin D. Roosevelt to endorse anti-lynching legislation in the 1930s and to what extent were they successful?”

While much has been written about lynchings, many publications focus more on the horrors themselves than they do on anti-lynching legislation. Especially the role Roosevelt played in the debate is often ignored. R. L. Zangrando, however, devoted multiple chapters in his book *The NAACP Crusade Against Lynching, 1909-1950* to the reaction of the Roosevelt administration to federal legislation. As the title promises, the book provides a detailed history of the NAACP and its struggle to enact an anti-lynching law. He argued that ‘the Association played a singularly important role in redirecting public attitudes and policies toward Afro-Americans.’⁶ The book focuses primarily on Walter White, since he was the executive secretary of the Association and its principal spokesman against lynchings.

While Zangrando, and most other writers focus on lynchings as an American phenomenon, it is important to note that they have occurred throughout history. M. Berg and S. Wendt argued that lynchings did not originate in the United States, nor were they all racist acts of violence. In their book, *Globalizing Lynching History: Vigilantism and Extralegal Punishment from an International Perspective*, they argue that vigilantism was in fact not a new concept by the 19th century. They state that even though the term might have been coined and popularized by Americans, ‘they certainly had no monopoly on the practice.’⁷

⁵ R. L. Zangrando, *The NAACP Crusade Against Lynching, 1909-1950* (Philadelphia 1980) 131.

⁶ *Ibidem*, 213.

⁷ M. Berg and S. Wendt, *Globalizing Lynching History: Vigilantism and Extralegal Punishment from an International Perspective* (New York 2011) 2.

Before the Civil War lynchings were already occurring all over the world. Throughout the centuries, people would take law and order into their own hands, when they no longer trusted their governments' judgement. At first, both blacks and whites fell victim to vigilante justice. It was only after the reconstruction era had ended, that the lynchings began to focus on one specific minority.⁸

From that point onwards, lynchings became primarily known as American racist occurrences. It remains remarkable that they could occur in a nation known for its high standards of morality, freedom and democracy. D. Kato, author of *Liberalizing Lynching: Building a New Racialized State*, sought to explain this paradoxical relationship between the liberal regime and the illiberal act of lynching.⁹ His book does not focus on what the government did against lynchings; instead it highlights how the government publicly explained why it did not do anything in order to prevent the horrors.¹⁰ He stated that it was a matter of "Constitutional Anarchy", which refers to:

a relatively stable arrangement of control that was predicated on how the 3 federal branches of government handled issues that each dreaded publicly, but approved of privately, thereby allowing the federal government the means by which it could deflect accountability while retaining authority. It situates negligence in a manner that operates squarely within the very ways federal powers are separated.¹¹

Kato argued that the government had not stripped itself from the authority to intervene; instead, its officials chose not to act. The federal government actively decided 'to comply with Southern racism, thereby raising questions regarding complicity.'¹²

Thus, Kato believed that if they really wanted to stop the lynchings, all three branches of the federal government could have ended it all along. I. Katznelson also argued that the United States provided the world with an 'example of a liberal democracy successfully experimenting and resisting radical tyranny.'¹³ Still, it was unable 'to remain unaffected by its associations with totalitarian governments or domestic racism.'¹⁴ However,

⁸ Ibidem, 1-6.

⁹ D. Kato, *Liberalizing Lynching, Building a New Racialized State* (New York 2015) 8.

¹⁰ Ibidem, 14.

¹¹ Ibidem, 3.

¹² Ibidem, 6.

¹³ I. Katznelson, *Fear itself: The New Deal and the Origins of Our Time* (New York 2013) 9.

¹⁴ Ibidem.

his book *Fear Itself: The New Deal and the Origins of Our Time* does not share Kato's opinion about the government and overall Katznelson is rather positive about Roosevelt and his New Deal. Still, he did argue that Americans lived in fear of change, especially during the Great Depression.¹⁵ 'A climate of universal fear deeply affected political understandings and concerns. Nothing was sure.'¹⁶ According to the author, lynchings were one of the expressions of those fears, since the racial structure of the South was both a worry for its adversaries and its defenders.¹⁷ However, it was not just a Southern problem. Throughout the country, many citizens looked the other way when racist violence proceeded.¹⁸

Still, not all Americans remained silent. There were many who became actively involved with the issue and did everything they could to ensure the enactment of anti-lynching legislation. Among them, of course, were White and Bethune. There are some publications devoted to White's career in the NAACP and his efforts to eradicate the lynching evil, like the beforementioned book of Zangrando. However, White wrote an autobiography as well, *A Man Called White*. In the book, he describes his own efforts in favor of legislation and even mentions the conversations he had with both the President and the First Lady. However, much less has been written about Bethune's anti-lynching efforts. Most of the publications about her focus primarily on her role as a government official and the part she played in favor of the education of African Americans. The book *Mary McLeod Bethune in Washington, D.C.*, for instance, stated that:

Once in a century, a person comes along who will change the way everyone views the world while simultaneously fueling worldwide social movements. Passionately committed to all methods of social reform, Mary McLeod Bethune created institutions that improved the daily lives of people on the local, regional, national and international levels. This study seamlessly fuses together the life of Mary McLeod Bethune while creating a new base for appreciating the life of a remarkable activist and agent of change.¹⁹

¹⁵ Ibidem, 8.

¹⁶ Ibidem, 11.

¹⁷ Ibidem, 14.

¹⁸ Ibidem, 14.

¹⁹ E. Clark-Lewis, 'Foreword', in: I. E. Jones, *Mary McLeod Bethune in Washington D.C.* (Charleston 2013) 7.

However, there are some articles that include Bethune's work as an activist in favor of anti-lynching legislation. Among them is the work of J. Jack and L. Massagee: 'Ladies and Lynching: Southern Women, Civil Rights, and the Rhetoric of Interracial Cooperation.'²⁰ The publication focuses on multiple women, including Bethune, who acted against lynchings. It describes Bethune's efforts within the Women's Committee of the Commission on Interracial Cooperation (CIC) to unite both black and white women in the South against lynchings. They wanted 'to lift the veil of ignorance that has shrouded white Southerners in hatred and black Southerners in fear.'²¹ However, Bethune had to work with less than ideal situations. For instance, most Southern white women wanted to work from within a segregated organization which educated people about lynchings instead of becoming involved with federal legislation.²² While the article provides an interesting view of Bethune's activities as president of the Women's Committee, it only mentions one or two of her efforts in the anti-lynching debate and its main focus remains the overall work of Southern women against lynchings.

This thesis differs from the beforementioned publications because it compares both White and Bethune's efforts in the anti-lynching debate. While some of the authors do not focus on either of them, others merely focus on the government's failure to support and enact anti-lynching legislation. They only briefly mention the bills' supporters who worked on both regional and national levels in order to ensure the enactment of such legislation. The publications that do focus on either White or Bethune, barely mention the other. Even in his autobiography White mentions Bethune only once or twice. While he does recall his own anti-lynching efforts, he fails to mention Bethune's.²³ Zangrando's work provides another example. He elaborated extensively on White's struggle to ensure the enactment of a federal law against lynchings, but only briefly mentioned Bethune's work in the same field. He only wrote about the two of them working together during the 1940s and completely ignored Bethune's efforts to eradicate lynchings in the previous decades.²⁴

Another aspect that has often been overlooked is the influence anti-lynching activists

²⁰ J. Jack and L. Massagee, 'Ladies and Lynching: Southern Women, Civil Rights, and the Rhetoric of Interracial Cooperation', *Rhetoric and Public Affairs*, Volume 14, Number 3 (Fall 2011) 493-510.

²¹ *Ibidem*, 494.

²² *Ibidem*, 506.

²³ W. White, *A man called White, the Autobiography of Walter White* (Athens 1948) 174.

²⁴ Zangrando, *The NAACP Crusade*, 169-171.

and government officials had on the President. Kato, for instance, mentioned that all branches of the government were responsible for the failure to pass an anti-lynching law.²⁵ He stated that: 'Federal actions against lynching were a hot potato everybody was trying to pass.'²⁶ While, he criticized all three of the branches and focused on them individually, he did not elaborate on any specific administration's failure to support federal legislation nor did he focus on the people who tried to gain the President's support. This thesis, on the other hand, does focus on the Roosevelt administration's efforts in the anti-lynching debate and on the influence Walter White and Mary McLeod Bethune had on the President.

While the publications about both White and Bethune's work in favor of anti-lynching legislation are limited, there are many primary sources available. Both have written multiple letters to the President, his wife, congressmen, other politicians and to each other. Many of these sources are bundled in G. McJimsey's *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11: FDR and Protection from Lynching, 1934-1945* and in *The Eleanor Roosevelt Papers* and *The Mary McLeod Bethune Papers* at the Roosevelt Institute for American Studies in Middelburg. Moreover, there are many newspaper articles which describe in great detail the occurrences surrounding anti-lynching legislation throughout the 1930s.

The fact that these highly influential anti-lynching crusaders have never been compared to each other on this topic before makes for an interesting endeavor. Both of them were African American activists and both knew Roosevelt and his wife on a somewhat personal level. The main difference between them, however, was the position they held in the debate. While Bethune worked from within the federal government, White had to work around it. He remained a loyal lobbyist, who often sought the help of liberal politicians.²⁷ The comparison between the two of them is not just interesting, it is an important addition to the debate as well. While they were not alone in their crusade against lynchings, they could be considered as its front runners.

Therefore, this thesis is dedicated to their work in the debate about federal anti-lynching legislation. It is divided into four chapters. The first chapter entails a brief history of lynching and anti-lynching legislation. It focuses on the state laws against lynchings as well as

²⁵ Kato, *Liberalizing Lynching*, 23.

²⁶ *Ibidem*, 60.

²⁷ Zangrando, *The NAACP Crusade*, 101.

on the three federal bills which were able to reach the Senate floor. The following questions will be answered: Why did the anti-lynching debate first come up in 1918 and later in 1934? How did state and federal legislators attempt to stop the lynchings and to what extent were their efforts successful?

The second chapter primarily focuses on Roosevelt's role in the debate. During the progressive New Deal era, many African Americans hoped that their situation would be improved. Indeed, Roosevelt did create a Black Cabinet with multiple African American advisors and government officials.²⁸ Furthermore, the First Lady played an important role in the debate about equality and racism as well, and she became involved with many different organizations. Thus, this chapter will focus on the following questions: What was the First Lady's role in the debate? What were the President's views on lynchings and anti-lynching legislation? What did he do in order to end the lynchings and why did he do so?

The third chapter is dedicated to Walter White and the role he played within the NAACP. He became the executive secretary at the beginning of the decade. From that time onwards, his main concern was the enactment of federal anti-lynching legislation.²⁹ He knew that the only possibility to overcome the filibusters was to convince the President to take a stand in favor of the law.³⁰ Therefore, the following questions will be discussed in this chapter: To what extent was White able to convince the President to endorse anti-lynching legislation? What did he do to make the enactment of both the Costigan-Wagner and the Gavagan bills a possibility? What was his role in the debate and what did he eventually achieve?

Finally, the fourth chapter is devoted to Mary McLeod Bethune, the Black Cabinet and the National Youth Administration. As the first African American woman to head a federal agency, namely the NYA, Bethune was an inspiration to many others.³¹ She was part of countless activist groups and a true innovator. She organized many conferences to discuss problems confronting the black community and the topic of lynchings was one of the main

²⁸ C. W. Gower, 'Edgar G. Brown, a Civil Rights Advocate in Franklin D. Roosevelt's "Black Cabinet"', *The Western Journal of Black Studies*, Volume 8, Number 2 (Summer 1984) 114.

²⁹ 'Walter White', *Encyclopedia Britannica* (online version 2018) <https://www.britannica.com/biography/Walter-White-American-civil-rights-activist> (13-03-2018).

³⁰ J. A. Jenkins, J. Peck and V. M. Weaver, 'Between Reconstructions: Congressional Action on Civil Rights, 1891-1940', *Studies in American Political Development* (24 April 2010) 74.

³¹ Jaynes, 'Mary McLeod Bethune', 99.

issues that was brought forward.³² Thus, this chapter aims to provide answers to the following questions: what was Bethune's role in the anti-lynching debate? What did she achieve and to what extent was she able to convince Roosevelt to support a federal bill against lynching?

³² 'Mrs. Bethune: Spingarn Medalist', *The Crisis*, Volume 42, Number 7 (July 1935) 202.

Chapter 1: A History of Anti-Lynching Legislation

After 1865, when the Civil War had ended and reconstruction began, African Americans gained their freedom, as well as citizenship and the rights that came with it. White Southerners, however, refused to accept their former slaves as equals. Instead, they wanted to preserve white supremacy and suppress the black population.³³ Among other things, they did so by spreading fear and lynching African American men, women and even children to make their point. Still, the question remains how it was possible for so many people to be bluntly murdered without any form of a (fair) trial, in a nation praised for its high standards of democracy, freedom and morality.³⁴ Why did the debate about anti-lynching legislation come up from the 1920s onwards? How did state and federal legislators attempt to combat these atrocities and to what extent were their efforts successful? These are the questions this chapter seeks to answer.

To this day, the exact number of lynchings remains unclear and authors tend to disagree with each other about these matters. R. L. Zangrando, for instance, argued that there had been more than 4700 lynchings between 1882 and 1968.³⁵ Walter White supposedly had already uncovered 4951 lynchings between 1882 and 1927.³⁶ *The New York Times* claimed that there had been 5073 lynchings by the mid-thirties,³⁷ and yet another source stated that there were over 4700 African American victims alone.³⁸ Still, most sources do agree that the vast majority of lynchings occurred in the Southern States. They do not deny that the lynchings were a national phenomenon, but lynchings in the South were, as W. Fitzhugh Brundage put it: 'without parallel elsewhere.'³⁹

The highest number, 581, occurred in Mississippi; the second, 531, in Georgia; and the third, 493, in Texas. There were over a hundred lynchings in Louisiana and Alabama; over two hundred in Arkansas, Florida, Tennessee, and Kentucky; and one

³³ S. O. Pinder, 'Anti-Lynching Bill', in: K. Herr and G. L. Anderson, *Encyclopedia of Activism and Social Justice* (Thousand Oaks 2007) 161.

³⁴ Ibidem.

³⁵ Zangrando, *The NAACP Crusade*, 4.

³⁶ A. W. Pisciotta, 'Lynching', in: H. T. Greene and S. L. Gabbidon, *Encyclopedia of Race and Crime* (Thousand Oaks 2009) 466-467.

³⁷ 'Anti-Lynching Law Urged', *New York Times* (22 April 1935) 18 (online version 2017) <http://search.proquest.com.ezproxy.leidenuniv.nl:2048/docview/101515896/7B481630000F4349PQ/34?accountid=12045> (01-05-2017).

³⁸ Pisciotta, 'Lynching', 466-467.

³⁹ Kato, 5.

hundred or more in South Carolina, Missouri, Oklahoma, North Carolina, and Virginia.⁴⁰

Southerners defended themselves by stating that lynchings only occurred to protect white womanhood.⁴¹ This became known as “The Rape Myth”.⁴² It was argued that lynchings were not desirable, but necessary when African American men were assaulting white women. They justified going outside the law and taking justice into their own hands because such crimes were unforgivable and they could not risk the perpetrator to go free.⁴³ These “black brutes” had to be punished.⁴⁴ If the assaults on white women would stop, so would the lynchings.⁴⁵ This was argued so very often that newspapers began to refer to assault as “the usual crime” and the main cause of lynchings. *The Ocala Evening Star*, for instance, wrote about a lynching, stating that: ‘the usual crime met its almost inevitable punishment.’⁴⁶

Ultimately, even congressmen were using these sorts of arguments in order to defend lynchings. They claimed the occurrences were inevitable when the safety of white women was at stake. Senator Williams of Mississippi, for instance, was convinced that:

When it comes to violating innocent women, it’s no time to go to court, [...] but we have here men pleading for law and order while helpless women are being treated by beasts as they please, and yet these same men don’t want any international law.⁴⁷

⁴⁰ Park, ‘Lynching and Antilynching’, 312.

⁴¹ J. Harris, ‘Southern Women Oppose Lynch Bill’, *New York Times* (28 April 1935) E6 (online version 2017) <http://search.proquest.com.ezproxy.leidenuniv.nl:2048/docview/101516615/B02A5347A072479APQ/5?accountid=12045> (01-05-2017).

⁴² Park, 313.

⁴³ Harris, ‘Southern Women Oppose Lynch Bill’, E6.

⁴⁴ ‘Howard U. Students Hear Novelist Cite Cultural Progress’, *The Washington Post* (16 March 1924) ES17 (online version 2018) <https://search-proquest-com.ezproxy.leidenuniv.nl:2443/docview/149539877/21E36F7C19824544PQ/2?accountid=12045> (30-05-2018).

⁴⁵ *Ocala Evening Star* (26 September 1922) 2 (online version 2017) <http://chroniclingamerica.loc.gov/lccn/sn84027621/1922-09-26/ed-1/seq-2/#date1=1789&index=3&rows=20&words=lynching+rape&searchType=basic&sequence=0&state=Florida&date2=1924&proxtext=rape+lynching&y=0&x=0&dateFilterType=yearRange&page=1> (03-09-2017).

⁴⁶ ‘A Rape and a Lynching’, *The Ocala Evening Star* (10 May 1909) 2 (online version 2017) <http://chroniclingamerica.loc.gov/lccn/sn84027621/1909-05-10/ed-1/seq-2/#date1=1789&index=4&rows=20&words=LYNCHING+RAPE&searchType=basic&sequence=0&state=Florida&date2=1924&proxtext=rape+lynching&y=0&x=0&dateFilterType=yearRange&page=1> (03-09-2017).

⁴⁷ ‘Williams Hits Treaty Delay in Hot Speech’, *The Pensacola Journal* (30 September 1919) 1 (online version 2017) <http://chroniclingamerica.loc.gov/lccn/sn87062268/1919-09-30/ed-1/seq-1/#date1=1789&index=5&rows=20&words=Assault+Lynching&searchType=basic&sequence=0&state=Florida&date2=1924&proxtext=assault+lynching&y=0&x=0&dateFilterType=yearRange&page=1> (03-09-2017).

In reality, however, most of the lynching victims were not even accused of assault; let alone that they were guilty of the crime. African Americans risked being lynched for crimes such as: insulting women, being disreputable, or peeping through windows.⁴⁸ There are even cases where the victim was lynched for being “unpopular”.⁴⁹ Eventually, lynchings were, to a certain extent, normalized. Therefore, it was not uncommon for journalists, who tried to write articles about lynchings, to hear arguments like the following: ‘We’re just killing a few negroes that we’ve waited too damn long about leaving for the buzzards. That’s not news.’⁵⁰

Even though there were more than a few Americans who defended the act of lynching, the fact remained that people were being murdered without any form of a trial and this was difficult to justify from a legal or political point of view. For that reason, even those politicians who were (secretly) in favor of lynchings were unable to deny that they were undemocratic and knew something had to be done.⁵¹ After all, they were bad publicity for the United States. Therefore, some states decided to enact their own anti-lynching laws. In 1893, the state of Georgia was the first to do so. This law provided for prison terms up to twenty years for any lynching that resulted in death.⁵² Other states that enacted similar laws were: Ohio, Kentucky, Texas, Tennessee, Indiana, Michigan, Kansas, North- and South Carolina.⁵³

These measures were supposed to prove that Southerners were doing all they could to ‘assist the colored man in his upward march and protect him from wrong the same as others.’⁵⁴ The South Carolina legislation, for instance, provided that:

⁴⁸ Park, 311.

⁴⁹ ‘A Blow at Lynch’, *Rock Island Daily Argus* (14 March 1890) 2 (online version 2018) <https://chroniclingamerica.loc.gov/lccn/sn92053945/1890-03-14/ed-1/seq-2/#date1=1789&index=1&rows=20&words=lynching+unpopularity&searchType=basic&sequence=0&state=&date2=1963&proxtext=lynching+unpopularity&y=0&x=0&dateFilterType=yearRange&page=1> (30-05-2018).

⁵⁰ R. M. Perloff, ‘The Press and Lynchings of African Americans’, *Journal of Black Studies*, Volume 30, Number 3 (January 2000) 315.

⁵¹ Jenkins, Peck and Weaver, ‘Between Reconstructions’, 68-77.

⁵² H. L. Moon, ‘Law on Lynching is Pressed Again’, *New York Times* (18 April 1937) 71 (online version 2017) <http://search.proquest.com.ezproxy.leidenuniv.nl:2048/docview/102252853/3982D477BD74424APQ/10?accountid=12045> (01-05-2017).

⁵³ Ibidem.

⁵⁴ ‘Anti-Lynching Bill’, *The Broad Ax* (25 January 1896) 2 (online version 2017) <http://chroniclingamerica.loc.gov/lccn/sn84024055/1896-01-25/ed-1/seq-2/#date1=1865&sort=relevance&rows=20&words=ANTI+ANTI-LYNCHING+LYNCHING&searchType=basic&sequence=0&index=5&state=&date2=1917&proxtext=anti-lynching&y=0&x=0&dateFilterType=yearRange&page=2> (13-07-2017).

In all cases of lynching where death ensues, the county where the lynching takes place, shall be liable to exemplary damages in a sum not less than \$2,000, to be recovered in a competent court by the legal representative of the person lynched.⁵⁵

However, when push came to shove, the law would be interpreted in such a way that those who inflicted injustice would not be punished. Instead, it would simply ensure a sum of money to the relatives of the victims and even this was almost never enforced. Other state laws worked in similar ways. Therefore, they were only making empty promises.⁵⁶ Zangrando notes that despite the fact that many states enacted such laws, less than one percent of the lynchings, since 1899, actually led to some sort of punitive measure.⁵⁷

Lynchings appeared to prevail and it became clear to many Americans that federal anti-lynching legislation was necessary.⁵⁸ Anti-lynching sentiments were growing throughout the decades. At first, most of these people did not necessarily care for equal rights between blacks and whites. They were, however, afraid that law and order would disappear. Many of them feared that: 'If mobs of people can disregard with impunity one article of the Constitution, why not any one?'⁵⁹ Another reason politicians began to show interest in the anti-lynching debate was the growing importance of the African American electorate. Especially in the Northern States, where their numbers had grown since the Great Migration, they could no longer be ignored. Therefore, multiple congressmen tried to gain their votes and became involved with issues concerning the black community.⁶⁰ Thus, the debate about federal anti-lynching legislation began.

Between 1882 and 1951, 257 bills were introduced in Congress.⁶¹ However, it was not until 1918 that such legislation was seriously considered. That year, congressman Leonidas C. Dyer introduced the Dyer Anti-lynching Bill in the House of Representatives. Even though

⁵⁵ Ibidem.

⁵⁶ Ibidem.

⁵⁷ Zangrando, 'The NAACP and a Federal Antilynching Bill', *The Journal of Negro History*, Volume 50, Number 2 (April 1965) 108.

⁵⁸ G. B. Stone, 'Lynching Fallacy', *The Washington Post* (1 April 1935) 8 (online version 2017) <http://search.proquest.com.ezproxy.leidenuniv.nl:2048/docview/150837078/6AE68B09BB234457PQ/1?accountid=12045> (01-05-2017).

⁵⁹ 'The Lynching Business', *The Washington Post* (4 May 1935) 8 (online version 2017) <http://search.proquest.com.ezproxy.leidenuniv.nl:2048/docview/150673143/B04AA3DEF7484380PQ/5?accountid=12045> (01-05-2017).

⁶⁰ H. Walton, S. C. Puckett, D. R. Deskins, *The African American Electorate: A Statistical History* (Thousand Oaks 2012) 463-465.

⁶¹ Park, 316.

the first draft never made it out of the House Committee on the Judiciary, it was reintroduced in 1921 and became the first bill to make it to a vote in the House. On the 26th of January in 1922, it passed by a vote of 231 to 119.⁶² However, it was not until the bill was up for consideration in the Senate that the real struggle for its enforcement began.

The division between those who were in favor of the bill and those who were against it was almost entirely along party lines.⁶³ The Democrats (especially those from the South) were fiercely against federal legislation, while the Republicans were in favor of the bill.⁶⁴ At this point, the argument that lynchings were used to protect white womanhood was still used, but even the opposition knew it was not convincing enough to stop the bill. Therefore, they put more emphasis on the supposed unconstitutionality of the measure.⁶⁵ The Democrats argued that federal anti-lynching legislation could not be constitutional, since it was in violation of states' rights. They claimed that lynchings were nothing more than murders and murders had to be dealt with by the states. They went even further by stating that the Dyer bill was simply proposed to turn the states into "vassals" of an absolute national government.⁶⁶

The Republicans struggled to counter such arguments. Still, they did argue that states' rights were irrelevant and trivial when it came to justice and social welfare for the people.⁶⁷ They stated that the lynch mob 'institutes a reign of terror and lawlessness and sets an example of impunity for the brutal and degenerate.'⁶⁸ Therefore, the federal government had no choice but to intervene.⁶⁹ The proponents of the bill argued that 'If a governmental unit fails to protect a person from mob violence, or properly to prosecute his assailants, that person has clearly been denied the most fundamental of his constitutional rights.'⁷⁰

⁶² Jenkins, Peck and Weaver, 70.

⁶³ Park, 316.

⁶⁴ G. C. Rable, 'The South and the Politics of Antilynching Legislation, 1920-1940', *The Journal of Southern History*, Volume LI, Number 2 (May 1985) 204.

⁶⁵ Ibidem.

⁶⁶ Ibidem.

⁶⁷ J. Harrison, 'Letters to the Editor', *The Washington Post* (24 April 1935) 8 (online version 2017) <http://search.proquest.com.ezproxy.leidenuniv.nl:2048/docview/150697207/B15A5725487D462EPQ/1?accountid=12045> (01-05-2017).

⁶⁸ Stone, 'Lynching Fallacy', 8.

⁶⁹ Ibidem.

⁷⁰ 'Anti-Lynching Legislation', *The Washington Post* (4 April 1937) 32 (online version 2017) <http://search.proquest.com.ezproxy.leidenuniv.nl:2048/docview/150971571/D785E76551674E1APQ/22?accountid=12045> (01-05-2017).

However, these arguments were countered by the opposition. They stated that most States had enforced their own anti-lynching legislation, and if these laws did not work, why would a federal law be any different?⁷¹ ‘Lynching already goes unpunished in spite of State laws and [...] if jurors in a State court will not agree to convict, it is unlikely that jurors in a Federal court in the same locality would vote otherwise.’⁷² Still, the Republicans held a (small) majority in the Senate. Therefore, the Democrats started a filibuster, led by Senators Underwood, Harrison and Caraway.

These men threatened to halt any Senate business until the Dyer Bill was put to rest.⁷³ Eventually, the Republicans gave in to their demands, since they had other important matters to discuss as well. Thus, the bill failed to pass. According to D. Kato and R. L. Zangrando, this meant that the Dyer Anti-lynching Bill was not just displaced by the strategy of its enemies but also by the indifference of its friends.⁷⁴ Its proponents decided that ending the blockade of the Democrats and being able to discuss other matters was more important than establishing a bill to save the lives of African Americans. However, this does not mean that the debate about the Dyer Bill was irrelevant. Not only did the proposal of the bill show that satisfying black voters became increasingly more important, its failure showed the growing dissatisfaction among these voters with the Republican party and civil rights issues.⁷⁵

To ensure that federal anti-lynching legislation would not be enforced, Southern politicians tried to end the lynchings themselves. Therefore, the numbers declined dramatically between 1922 and 1930.⁷⁶ Unfortunately, racial violence became a larger and more intensified issue during the years of the Great Depression and the struggle for federal anti-lynching legislation was yet again revived.⁷⁷ Senators E. P. Costigan and R. F. Wagner introduced one of the more prominent bills of this era on the 4th of January in 1934.⁷⁸ The Costigan-Wagner bill was in many aspects like the Dyer Anti-lynching Bill. The most prominent difference between the two, was that the senators who introduced it were both

⁷¹ Ibidem.

⁷² Ibidem.

⁷³ Jenkins, Peck and Weaver, 74.

⁷⁴ Kato, 49.

⁷⁵ Jenkins, Peck and Weaver, 77.

⁷⁶ Rable, ‘The South and the Politics of Antilynching Legislation’, 80.

⁷⁷ Jenkins, Peck and Weaver, 78.

⁷⁸ Ibidem, 79.

(Northern) Democrats.⁷⁹ The bill sought to empower the federal government to ‘invade state jurisdictions when state or local officials “fail or refuse” to prevent a lynching.’⁸⁰ It did so by creating a penalty of imprisonment or \$5000 fines for the officers who failed to prevent or punish mob violence and it demanded that the county in which the lynching had occurred would pay a \$10.000 fine to the family of the victim.⁸¹

In February, the bill was up for consideration in the Senate, and on the 12th of April it was favorably reported by the Committee on the Judiciary. However, the bill met the same sort of resistance from Southern congressmen as the Dyer bill had endured before it. Although most of the opponents no longer believed they could simply defend lynchings, they did try to rationalize them. They claimed that lynchings were occurring in order to protect their wives and daughters in the South, the sanctity of their homes and the integrity of the white race.⁸² They argued again that federal legislation undermined states’ rights and would expand the powers of the federal government.⁸³ In their turn, the proponents of the bill argued that such rights were not important compared to the rights of citizens who were being brutally murdered without any form of a trial. Senator Costigan stated that: ‘We meet in the eighth century following Magna Charta, [...] to discuss whether Congress should hesitate to extend the principle that no freeman shall be seized or imprisoned except by the law of the land.’⁸⁴

Still, because of the threat to filibuster again, the Democratic leadership refused to take up the measure for full debate.⁸⁵ Therefore, the Senate adjourned in June without considering the bill. Yet, Costigan and Wagner were determined to continue their quest for its enactment and reintroduced their bill with the opening of the 74th Congress, on the 4th of January 1935.⁸⁶ Soon after, the Committee on the Judiciary reported that the bill would be up for consideration on the floor of the Senate in April. This was good news for the bills’

⁷⁹ Rable, 210.

⁸⁰ Jenkins, Peck and Weaver, 79-80.

⁸¹ Ibidem, 80.

⁸² Stone, 8.

⁸³ ‘Southerners Hit Anti-lynching Bill’, *New York Times* (17 April 1935) 5 (online version 2017)

<http://search.proquest.com.ezproxy.leidenuniv.nl:2048/docview/101513337/70845F8BD5024C90PQ/69?accountid=12045> (01-05-2017).

⁸⁴ ‘Costigan Demands Anti-Lynching Law’, *New York Times* (7 January 1935) 36 (online version 2017)

<http://search.proquest.com.ezproxy.leidenuniv.nl:2048/docview/101625613/CCCB9970F0AA4C40PQ/3?accountid=12045> (01-05-2017).

⁸⁵ Jenkins, Peck and Weaver, 80.

⁸⁶ Ibidem.

supporters, since, according to T. Catledge's article in the *New York Times*, 'the Senate ha[d] already shown in two previous tests that it would adopt the motion if given a chance to vote upon it.'⁸⁷ Thus, the Southern opposition was willing to do everything in their power to prevent the voting.

They started a weeklong filibuster and promised to continue to stop the consideration of the bill, even if it took all summer.⁸⁸ According to another *New York Times* article, the Southern senators were all planning to take the floor and hold it for as long as they could. Most of them had entered the Senate with bundles of documents under their arms to make sure they had enough fuel to keep the filibuster going.⁸⁹ Eventually, their threats to continue all summer were enough to end the consideration of the Costigan-Wagner bill, and on the 1st of May the second effort to adjourn passed by a vote of 48 to 32.⁹⁰ In the end, the bill was shoved aside after only 6 days of filibustering, in order to discuss the more pressing veterans' bonus.⁹¹

Yet, not all hope was lost. From 1935 onwards, another Democratic congressman had pursued the enactment of federal anti-lynching legislation, Representative J. Gavagan from New York. In 1936, he introduced his bill in the House of Representatives.⁹² However, he was not the only one to do so. Several bills were up for consideration by the House Committee on the Judiciary and the chairman of this committee, Hatton Sumners of Texas, was opposed to federal legislation. He tried to undermine the consideration of Gavagan's bill. Instead, he decided to support the much weaker bill of Representative A. Mitchell, the only African American member in the House.⁹³ Hatton later admitted that he 'quite frankly [...] had not believed that [...] [supporters of anti-lynching legislation] would have the nerve to oppose passage of a bill introduced by the one Negro member of Congress.'⁹⁴

Still, Gavagan issued a discharge petition to force House consideration of his bill and

⁸⁷ T. Catledge, 'Leaders Will Poll Senate in Battle to Stop Filibuster', *New York Times* (29 April 1935) 1 (online version 2017) <http://search.proquest.com.ezproxy.leidenuniv.nl:2048/docview/101458206/7D8098E3527A476FPQ/17?accountid=12045> (02-05-2017).

⁸⁸ Jenkins, Peck and Weaver, 80.

⁸⁹ 'Filibuster Balks Effort to Speed Roosevelt Bills', *New York Times* (30 April 1935) 1 (online version 2017) <http://search.proquest.com.ezproxy.leidenuniv.nl:2048/docview/101565391/CFC266843A904D99PQ/18?accountid=12045> (01-05-2017).

⁹⁰ Jenkins, Peck and Weaver, 80.

⁹¹ 'Six-day Filibuster Ends', *New York Times* (2 May 1935) 1 (online version 2017) <http://search.proquest.com.ezproxy.leidenuniv.nl:2048/docview/101521847/636914AD03A7457CPQ/19?accountid=12045> (01-05-2017).

⁹² Zangrando, *The NAACP Crusade*, 141.

⁹³ Jenkins, Peck and Weaver, 81.

⁹⁴ Zangrando, *The NAACP Crusade*, 141.

was able to get the 218 signatures that were required.⁹⁵ In the meantime, the Mitchell bill was refused by a vote of 257 to 123. Therefore, the Gavagan bill was able to move to the floor of the House. On the 15th of April 1937, it passed by a vote of 277 to 120.⁹⁶ He called it a 'great victory for law and order [...] and a great triumph for a Democratic House.'⁹⁷ However, the bill had yet to move to the floor of the Senate.

In June 1937, the Senate Committee on the Judiciary approved the Gavagan bill by a vote of 12 to 3. Unfortunately, the debate was scheduled for August. Therefore, its supporters had to fight to ensure the consideration of the bill before adjournment of the Senate.⁹⁸ Its opponents, however, called for early adjournment. In the end, they had to compromise. Thus, the Senate was set to start the consideration of the bill during a special session in late November.⁹⁹ Even though there were multiple signs of progress, the issues were piling up and in January 1938, Southern congressmen, yet again, started a filibuster.¹⁰⁰

According to Zangrando, this time the filibuster consisted not only of constitutional traditionalism, but also of 'political expediency and outright racist slurs.'¹⁰¹ It lasted for six weeks and even though the bills' proponents had tried to push for a vote on the bill, their efforts fell incredibly short of the necessary two-thirds approval, with an outcome of 37 to 51. It was clear that the position of the Gavagan Anti-lynching Bill was a hopeless one. Eventually even its most prominent supporters, Senator Wagner and Van Nuys, admitted that it was necessary to attend to other matters. Therefore, 'the filibuster ended; the bill was dead and unlamentedly buried.'¹⁰²

At first sight, the history of federal anti-lynching legislation is not a very successful story. Lynchings had been occurring frequently from 1882 onwards and it was not until 1918 that federal interference with the issue was seriously considered. In the 36 years before the Dyer bill was up for consideration, almost nothing was done to end these atrocities. But even more importantly, when federal legislation was finally put up for consideration, it was

⁹⁵ 'Anti-Lynching Bill is Sped in House', *The Washington Post* (16 June 1936) 11 (online version 2017) <http://search.proquest.com.ezproxy.leidenuniv.nl:2048/docview/150800682/20020A9288024F11PQ/2?accountid=12045> (01-05-2017).

⁹⁶ Zangrando, *The NAACP Crusade*, 143.

⁹⁷ 'Anti-Lynching Bill is Sped in House', 11.

⁹⁸ Jenkins, Peck and Weaver, 83-84.

⁹⁹ *Ibidem*.

¹⁰⁰ Zangrando, *The NAACP Crusade*, 149.

¹⁰¹ *Ibidem*.

¹⁰² Zangrando, 'The NAACP and a Federal Antilynching Bill', 113.

unable to pass because a minority in the Senate refused to let such bills come to a vote. Whether that says more about the determination of its opponents or that of its proponents, remains unclear. At least, G. C. Rable argued that:

Strangely enough, defeat came at the hands of both the bill's enemies and its friends. The adamant Southern opposition had given lukewarm Republican supporters an excuse to abandon the bill after they had already reaped the political rewards from their earlier endorsement.¹⁰³

However, the mere fact that these matters were up for consideration, not just once but three times, ensured the spread of national awareness, sentiment and the realization that African Americans were becoming increasingly more important voters. The number of lynchings seemed to decline, simply because these matters were being discussed on a national level; and even though the bills were never enforced, they contributed to and encouraged the Civil Rights movement in the years to come. Therefore, its history may have been terrible, but the struggle for the Dyer-, Costigan-Wagner- and Gavagan bills was not in vain.

¹⁰³ Rable, 206.

Chapter 2: Roosevelt's Support

The 1930s in the United States are inextricably linked to the Great Depression. This era is known for one of the most severe economic crises America has ever seen. Over 25 percent of the workforce became unemployed, commerce had stagnated, factories were forced to close their doors and farmers and homeowners were facing foreclosures.¹⁰⁴ It was during this time that Franklin D. Roosevelt assumed the presidency on the fourth of March 1933.¹⁰⁵ He faced the difficult task to reduce the unemployment rate and to create an overall better economic environment. Therefore, he introduced: The New Deal. This program aimed to restore the balance to the economy. It called, among other things, for the increase of workers' wages and farm income, it provided immediate relief for the destitute and it tried to control the financial manipulation of investment houses, banks and exchanges.¹⁰⁶

However, even though Roosevelt had become 'the most popular president among blacks since Lincoln'¹⁰⁷, and the New Deal programs provided some aid for African Americans, racism and discrimination still seemed to plague the distribution of its resources.¹⁰⁸ During the depression years, lynchings had once again increased. According to I. Katznelson, 'lynching dominated the headlines as at no other time in American history, its prevalence a reflection of how dark economic fears can be expressed through racial malignancy.'¹⁰⁹ Therefore, this chapter focuses on the role President Franklin D. Roosevelt played in the debate about lynching. What were his views? What did he do in order to end the lynchings and why did he act the way he did?

As discussed in the previous chapter, the number of lynchings decreased quite rapidly after the first anti-lynching bill failed to pass in the Senate. Its opponents were not necessarily against the horrors, but they did try to stop them. They realized that if the lynchings were to continue, the federal government would eventually step in. Thus, to avoid federal interference, they had no choice but to act against it themselves. These efforts paid

¹⁰⁴ G. McJimsey, ed., *Documentary History of Franklin D. Roosevelt Presidency, Volume 11: FDR and Protection from Lynching, 1934-1945* (London 2003) xlix.

¹⁰⁵ Ibidem.

¹⁰⁶ Ibidem.

¹⁰⁷ M. J. Klarman, *From Jim Crow to Civil Rights: The Supreme Court and the Struggle for Racial Equality* (New York 2004) 111.

¹⁰⁸ L. Woodard, 'The Great Depression', in: G. D. Jaynes, *Encyclopedia of African-American Society* (Thousand Oaks 2005) 380.

¹⁰⁹ Katznelson, *Fear itself*, 166.

off, since the lynchings indeed steadily declined between 1920 and 1929. However, with the stock market crash of 1929 and the economic hardships that followed, racist acts of violence began to increase again. It reached its peak in the year 1933 with a total of 26 lynchings in the South.¹¹⁰ This was the same year Franklin D. Roosevelt assumed the presidency and introduced his New Deal.

During that time, the President's main concern was 'reversing the depression and reestablishing some semblance of economic stability.'¹¹¹ His administration had little understanding of the black community. So, instead they focused primarily on the general humanitarian sentiments.¹¹² However, the increase in racist sentiments and the violence that came with it, had not gone unnoticed by all. The newly appointed President received hundreds of appeals from and on behalf of the African American population and during both his first and second term Roosevelt was continuously asked to take the lead in the campaign against lynching.¹¹³

At first, many of these anti-lynching advocates were turned away without having the chance to speak with anyone from the Roosevelt administration, let alone have an audience with the President himself. In August 1933, for instance, Charles H. Houston, a prominent lawyer, wrote a letter to Stephen T. Early, the White House Press Secretary. In this letter Houston expresses his disappointment with the treatment he had received when arriving at the White House. He had hoped to meet with the President, or at least with one of his representatives. Instead, he was told, after waiting for hours, to return home.¹¹⁴ He stated the following:

It appears to us that that official [who turned us away] was sensitive as to the effect which the President's receiving such a delegation on such a mission would have on certain sections of the country, with resultant repercussions on the N R A program. We protest that the lives and physical protection of American citizens are just as important as any N R A program can ever be; and that the traditional policy of temporizing with injustice and disrespect of law is to a great extent responsible for

¹¹⁰ Ibidem.

¹¹¹ Zangrando, *The NAACP Crusade*, 101-102.

¹¹² Ibidem.

¹¹³ Gower, 'Edgar G. Brown', 114.

¹¹⁴ C. H. Houston to S. T. Early (16 August 1933) in: G. McJimsey, ed., *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11*, 5.

the moral collapse and selfishness exhibited in so many quarters to-day. The law and constituted authority are supreme only as they cover the humblest and forgotten citizen.¹¹⁵

Mr. Early reacted by stating that Houston had simply arrived during the busiest part of the day. To which Houston replied:

We did not expect you to see us out of turn, but we did want our turn. [...] We had no objection to waiting until you were free. What we did object to was the summary manner in which our request going to the fundamental protection of citizens' rights was disposed of.¹¹⁶

Mr. Houston was not the only one who was denied an audience with the President to talk about these matters. In the first two years of his presidency, Roosevelt had already received many letters about the urgency to act against lynchings. There were those anti-lynching advocates who stated that the President's silence in this matter would be interpreted as indifference.¹¹⁷ Others argued that the lynchings were bad publicity for the country, which were making other countries believe that lawlessness reigned in the United States.¹¹⁸ Some tried to convince the President by stating that the lynchings were unchristian and true Christians should speak out against such horrors,¹¹⁹ and yet other writers called upon Roosevelt as the leader of American public opinion and saw it as his duty to make a statement against lynching.¹²⁰ The one thing all of these anti-lynching advocates had in common was the hope that the President would speak out against these 'national crimes.'¹²¹ Most of them, however, were never granted an audience with anyone of the Roosevelt administration and those who did, did not get much out of it.

However, with the introduction of the Costigan-Wagner Anti-Lynching Bill and

¹¹⁵ Ibidem.

¹¹⁶ Ibidem, 7.

¹¹⁷ J. Finley Wilson to President F. D. Roosevelt (21 October 1933) in: G. McJimsey, ed., *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11*, 8.

¹¹⁸ H. E. Woolever to President F. D. Roosevelt (30 November 1933) in: G. McJimsey, ed., *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11*, 17.

¹¹⁹ S. F. Holman to President F. D. Roosevelt (4 December 1933) in: G. McJimsey, ed., *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11*, 19.

¹²⁰ S. Lafollette to President F. D. Roosevelt (4 December 1933) in: G. McJimsey, ed., *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11*, 20.

¹²¹ H. E. Woolever to President F. D. Roosevelt (30 November 1933) in: G. McJimsey, ed., *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11*, 17.

especially after its success in the House of Representatives, the President was no longer able to ignore the issues in front of him. Not only because the matters were extensively discussed in the newspapers, but also because his own wife had become actively involved with anti-lynching advocates. Between 1933 and 1935, Eleanor Roosevelt had already emerged as a spokesperson for the New Deal and publicly investigated the conditions in migrant camps, coal mines and in city slums.¹²²

During this same period, she had advocated the controversial cause of racial tolerance as well. Her outspoken support for racial equity, her promotion of education for African Americans and her support of federal anti-lynching legislation made her a popular figure among the black population.¹²³ It was primarily because of Eleanor Roosevelt that the White House started to open its doors for anti-lynching advocates. These doors had remained closed mainly because Mr. Early and his appointments secretary, Marvin McIntyre, were a restraining influence on the President.¹²⁴ Therefore, Mrs. Roosevelt's support of the federal bill made for a 'constant irritation to certain of FDR's advisers who believed her activities with and for Negroes damaged the President's relations with the white South.'¹²⁵

This conservative South was the main reason Roosevelt had remained hesitant towards supporting anti-lynching legislation, or any federal legislation that would benefit African Americans for that matter. The states of the former Confederacy denied or at least restricted voting rights to black citizens and 'used their political power further to diminish their status and to deny them the benefits of opportunities of society.'¹²⁶ They would not stand for a president who endorsed anti-lynching legislation. Of course, most of them did not say this out loud. They still argued that federal interference was a violation of states' rights and lynching was something the states had to deal with themselves. Therefore, the Roosevelt administration pursued a strategy of pragmatic forgetfulness towards racial matters for as long as it could.¹²⁷ They needed the Conservative Southern wing on their side to ensure their New Deal bills would pass.

As D. M. Kennedy wrote in his article, 'How FDR Lost the Struggle to Enact an

¹²² G. McJimsey, ed., *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11*, I.

¹²³ Katznelson, 176.

¹²⁴ G. McJimsey, ed., liii-liv.

¹²⁵ Gower, 111.

¹²⁶ G. McJimsey, ed., liii.

¹²⁷ Katznelson, 168.

Antilynching Bill': 'A frontal assault on the South's racial system [...] would irretrievably alienate the white Southern political establishment, fracture his party beyond repair, and indefinitely deadlock the Congress.'¹²⁸ The President feared that action on his part in favor of anti-lynching legislation would drive the powerful Southern wing of his party into the arms of the Republicans.¹²⁹ In 1935, when the Costigan-Wagner bill was up for consideration in the Senate and the filibuster against it had started, Roosevelt even expressed his irritation not only with the southern filibusterers but also with 'the Northern Democrats who had insisted on bringing up the antilynching bill.'¹³⁰ The President's legislative program temporarily hit a wall because of sectional bitterness about anti-lynching legislation.¹³¹

In the end, the Costigan-Wagner bill failed to pass because the majority in Congress was unwilling to support the measure if it meant stalling other important Senate business. The White House was annoyed with the fact that the Senate became tied up at all, since their main focus was the passing of the Social Security Act, the National Labor Relations Act, the New Banking Act and the Public Utilities Holding Company Act.¹³² As Zangrando put it: 'No less than in the days of the Dyer bill, the Costigan-Wagner measure [...] suffered from southern intransigence and from the higher priorities that national leaders accorded to other aspects of America's domestic and foreign policies.'¹³³

Even though this attitude from the President towards anti-lynching issues was politically expedient and ensured the Southern support of his New Deal, Roosevelt received a lot of criticism from supporters of the bill as well. For example, Eustace Gay, editor of the Philadelphia Tribune, send a copy of a newspaper article to Mr. Early, in February 1936, to bring to his attention that Northern newspapers were not pleased with the President's silence in the anti-lynching debate.¹³⁴ The article was called 'Roosevelt Approves Lynching' and it stated the following:

¹²⁸ D. M. Kennedy, 'How FDR Lost the Struggle to Enact an Antilynching Bill', *The Journal of Blacks in Higher Education*, Number 25 (Autumn 1999) 121.

¹²⁹ Rable, 209.

¹³⁰ *Ibidem*, 211.

¹³¹ Catledge, 'Filibuster Threat on Lynching Bill Hangs over Senate', *New York Times* (22 April 1935) 1 (online version 2017) <http://search.proquest.com.ezproxy.leidenuniv.nl:2048/docview/101521459/70845F8BD5024C90PQ/52?accountid=12045> (01-05-2017).

¹³² Zangrando, *The NAACP Crusade*, 129.

¹³³ *Ibidem*.

¹³⁴ E. Gray to S. T. Early (27 January 1936) in: G. McJimsey, ed., *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11*, 321-322.

President Roosevelt evidently agrees with County Attorney O. P. More, in Texas who stated, after two colored boys had been lynched, that he did not intend to take any action because the lynching was “an expression of the will of the people”. This conclusion is reached because the President has joined hands with the Southern bloc of Democrats. [...] The President was urged, begged and supplicated to move his little finger to indicate his attitude. [...] It will arise to damn him not only at the next election but will affect his sleep every time a human being is lynched. Because he must realize that he, by his silence, gave his approval to the institution of lynching. The greatest “liberal” has chosen to join the mob-o-crats of Georgia, Texas and Mississippi.¹³⁵

However, criticism did not just come from disappointed Northerners. Southerners like Mississippi’s Pat Harrison or South Carolina’s James Byrnes, some of Roosevelt’s most reliable New Deal supporters, stated that the President and the Democrats of the North had deserted the South.¹³⁶ Still, despite the harsh words of some Americans, Roosevelt did ensure his overall popularity throughout the country and he was reelected in 1936.¹³⁷

However, the triumphs of the New Deal cannot be severed from the sorrows. As Katznelson stated in his book, *Fear Itself: The New Deal and the Origins of Our Time*, ‘No noteworthy lawmaking the New Deal accomplished could have passed without [Southern] consent.’¹³⁸ Therefore, Southern representatives were able to influence the political landscape and the White House let them do so in order to hold on to their support for the New Deal programs.¹³⁹ They turned a blind eye towards the organized system of racial cruelty in the South.¹⁴⁰ This lack of governmental action ensured a more resentful and extremist Southern camp, which made it all the more difficult for that same government to enact reforms.¹⁴¹

So far, this chapter has focused on what the President did not do and the reasons why he did not do it. However, it should be noted that he was not completely indifferent towards the fight against lynchings. After the Southern filibuster in 1936, a spokesman for

¹³⁵ Ibidem, 322.

¹³⁶ Kennedy, ‘How FDR Lost the Struggle to Enact an Antilynching Bill’, 121.

¹³⁷ Zangrando, *The NAACP Crusade*, 144.

¹³⁸ Katznelson, 16.

¹³⁹ ‘Filibuster Balks Effort to Speed Roosevelt Bills’, 1.

¹⁴⁰ Ibidem, 17.

¹⁴¹ Kato, 37.

the Postmaster General, James Farley, assured the black press that Roosevelt was personally not against the Costigan-Wagner bill.¹⁴² The President even publicly proposed an alternative, when the pending bill was defeated, whereby the federal government would investigate all lynchings and report back to the administration, Congress and to the nation at large.¹⁴³ Unfortunately, nothing came of the idea.¹⁴⁴

Even though he never really endorsed it publicly, the President privately supported anti-lynching legislation. He did peek the suspicion of some Southern senators, among which was Josiah Bailey, who believed that the President was secretly supporting Senator Wagner.¹⁴⁵ Indeed, he did help the authors of the anti-lynching legislation. At the time the Costigan-Wagner bill was up for consideration in congress, he had had multiple meetings with both senators and provided them with records on the subject. In 1937, for instance, Roosevelt wrote Wagner the following:

Dear Bob, I am sending you this “off the record” in order that you may read Homer Cummings’ letter and his memorandum. In view of his doubt of the wisdom of preparing any formal opinion or of my transmitting it, I think that you [...] should only read this memorandum and return it to me without using it publicly.¹⁴⁶

He was willing to support them, but only “off the record”.

Even though he did not publicly support the anti-lynching bill, Roosevelt did condemn the practice of lynching as ‘a vile form of collective murder’.¹⁴⁷ On 6 December 1933, he addressed the Federal Council of Churches of Christ of America¹⁴⁸ to make the following statement:

We know that it is murder and a deliberate and definite disobedience of the commandment, “Thou shalt not kill.” We do not excuse those in high places or the

¹⁴² Zangrando, *The NAACP Crusade*, 154.

¹⁴³ *Ibidem*.

¹⁴⁴ Rable, 219.

¹⁴⁵ *Ibidem*, 214.

¹⁴⁶ President F. D. Roosevelt to R. Wagner (10 June 1937) in: G. McJimsey, ed., *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11*, 444.

¹⁴⁷ ‘Churches Praise Roosevelt Speech’, *The New York Times* (8 December 1933) 27 (online version 2017) <https://search-proquest-com.ezproxy.leidenuniv.nl:2443/docview/100808419/1BE53044ED5B4608PQ/8?accountid=12045> (12-05-2017).

¹⁴⁸ ‘Roosevelt Address to Church Group’, *The New York Times* (7 December 1933) 2 (online version 2017) <https://search-proquest-com.ezproxy.leidenuniv.nl:2443/docview/100826402/3AC0CDB114344779PQ/2?accountid=12045> (13-05-2017).

low who condone lynch law. But a thinking America goes further. It seeks a government of its own that will be sufficiently strong to protect the prisoner and at the same time to crystalize a public opinion so clear that government of all kinds will be compelled to practice a more certain justice. The judicial function of government is the protection of the individual and of the community through quick and certain justice.¹⁴⁹

The appeals the President had received to speak out against the practice, ensured his reaction not only towards the Church Council, but he also condemned lynching in his annual message to Congress on January 3rd, 1934. He even asked for governmental action to put an end to the lynchings.¹⁵⁰ Immediately after, Roosevelt received a lot of praise for his public assertion that 'this form of crime along with others calls on the strong arm of government for immediate suppression.'¹⁵¹ Still, even though the President had asked for federal legislation, he refused to support any specific bills.¹⁵²

When the Wagner-Van Nuys bill was up for consideration in Congress in 1938, the President was asked to comment on the premise that lynching would become a federal offense and would hold county governments financially responsible for loss of life. He stated that he personally believed that if the bill failed to pass the Senate, the discussion about the subject should not end there.¹⁵³ Thus, even though he was yet again unwilling to insist on the bills' passage, he did propose that 'either the legislative or executive branch of the Federal Government [should] provide some permanent machinery to investigate lynchings and incidents of mob violence.'¹⁵⁴

Overall, during his second term, the President became less willing to publicly support anti-lynching legislation. Even though he was reelected in 1936 and was overwhelmingly popular, the beginning of his second term was quite disappointing since the Supreme Court had struck down a lot of his New Deal proposals.¹⁵⁵ Roosevelt, therefore, was more focused

¹⁴⁹ Ibidem.

¹⁵⁰ G. McJimsey, liii.

¹⁵¹ A. E. Barnett to President F. D. Roosevelt (4 January 1934) in: G. McJimsey, ed., *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11*, 96.

¹⁵² Ibidem.

¹⁵³ 'President Wants Lynching Inquiries', *The New York Times* (23 March 1938) 4 (online version 2017) <https://search-proquest-com.ezproxy.leidenuniv.nl:2443/docview/102682546/C835F001002542F4PQ/4?accountid=12045> (12-05-2017).

¹⁵⁴ Ibidem.

¹⁵⁵ G. McJimsey, ed., I.

on his legislative program than ever before. He even tried to change the Supreme Court by enlarging its number, in order for his new proposals to become enacted.¹⁵⁶ Therefore, it came as no surprise when he refused to be 'drawn into the antilynching controversy, insisting that Congress alone must decide it.'¹⁵⁷

It was in 1942 that Roosevelt publicly spoke in favor of federal anti-lynching legislation. After the lynching of Cleo Wright in that same year, the United States Department of Justice became, for the first time, actually involved with a specific lynching.¹⁵⁸ Afterwards, the President even ordered federal investigation of all lynchings.¹⁵⁹ Even though this was a great step forwards, and a push towards civil rights, it came a little too late for the anti-lynching debate. Fortunately, the number of lynchings had declined again during the 1940s. Therefore, the need for anti-lynching legislation became less pressing and no major proposal was introduced after the Gavagan bill had failed to pass. Antilynching legislation became lost in the broader debate about civil rights in the decades to come.¹⁶⁰ Therefore, even though Roosevelt publicly denounced the practice of lynching and eventually even supported federal action against it, he never became the public spokesperson in favor of anti-lynching legislation the supporters of the pending bills had hoped he would be.

In the end, anti-lynching legislation simply was not a priority for this president. Many anti-lynching crusaders believed that Roosevelt could have ensured the passing of either the Costigan-Wagner or the Gavagan bill.¹⁶¹ If he had decided to publicly speak out in favor of such legislation, the filibusters might not have been as successful as they were.¹⁶² It was the pressing need for recovery programs and the strong Southern bloc in Congress that kept him silent on these matters. The President and his informers were actively 'looking for excuses not to investigate even those lynchings that did seem to fall within the federal government's purview.'¹⁶³

¹⁵⁶ Ibidem.

¹⁵⁷ 'President Wants Lynching Inquiries', 4.

¹⁵⁸ D. J. Capeci, 'The Lynching of Cleo Wright: Federal Protection of Constitutional Rights During World War II', *The Journal of American History*, Volume 72, Number 4 (March 1986) 859.

¹⁵⁹ Klarman, *From Jim Crow to Civil Rights*, 177.

¹⁶⁰ Rable, 219.

¹⁶¹ Rable, 218.

¹⁶² Ibidem.

¹⁶³ Klarman, 177.

Chapter 3: Walter White, the NAACP and the Anti-lynching Debate

Whereas the previous chapter focused on what President Roosevelt did in favor of anti-lynching legislation, as well as what he neglected to do, this chapter focuses on Walter Francis White. Nowadays, White is well-remembered for the part he played within the National Association for the Advancement of Colored People and especially for the efforts he made in favor of anti-lynching legislation. He was one of the most prominent figures in the debate. Therefore, this chapter will focus on the following question: To what extent was Walter White able to convince President Roosevelt to endorse anti-lynching legislation during the 1930s? What did he do to make the enactment of both the Gavagan and Costigan-Wagner bills a possibility? What was his role in the debate and, finally, what did he eventually achieve?

Born in Atlanta, Georgia, in 1893, with blond hair and blue eyes, White could have easily passed for a white man. However, he was from African American decent:

I am a Negro. There can be no doubt. I know the night when, in terror and bitterness of soul, I discovered that I was set apart by the pigmentation of my skin (invisible though it was in my case) and the moment of which I decided that I would infinitely rather be what I was than, through taking advantage of the way of escape that was open to me, be one of the race which had forced the decision upon me.¹⁶⁴

White had devoted his life to the improvement of the living conditions of blacks in the United States.¹⁶⁵ At times, his appearance worked in favor of this cause, especially when he was investigating lynchings and race riots in the Deep South.¹⁶⁶ His devotion to the anti-lynching crusade came forth from his personal experiences with racial violence. For instance, at the age of thirteen, during the Atlanta riot of 1906, he and his family had had to protect their own home against the rage of a mob.¹⁶⁷ It was because of experiences like this that White decided to join the National Association for the Advancement of Colored People a few years later.¹⁶⁸

¹⁶⁴ White, *A Man Called White*, 3-5.

¹⁶⁵ 'Walter White', *Encyclopedia Britannica* (online version 2018) <https://www.britannica.com/biography/Walter-White-American-civil-rights-activist> (13-03-2018).

¹⁶⁶ Ibidem

¹⁶⁷ Zangrando, *The NAACP Crusade*, 33.

¹⁶⁸ Ibidem, 33-34.

The NAACP itself was created out of necessity after a similar race riot in Springfield, Illinois in 1908 had gotten out of hand.¹⁶⁹ Its formation was prompted in order to ‘protect [...] the interests of the colored race.’¹⁷⁰ It was in 1918, at the age of 25, that White joined the Association as executive secretary. At that time, the Dyer Anti-lynching Bill was pending in the House of Representatives and the NAACP was involved in its struggle for enactment. This was also the time of the so-called “Red Summer”, a period of many race riots and lynchings. These riots aggravated race relations even further. Therefore, from this period onwards, the NAACP decided to focus most of its energy on the fight against mob violence.¹⁷¹ However, as discussed in the previous chapters, the Dyer Bill ultimately failed to pass, and it was not until the 1930s that the organization became successfully involved with another federal anti-lynching bill.

In 1931, White became the executive secretary of the Association and their foremost spokesperson in the debate about lynchings.¹⁷² Throughout the next decade, he devoted most of his time to the anti-lynching debate. He tried to convince the general public of the necessity of the proposed bills. His anti-lynching campaign included participation in rallies, marches, conferences, lawsuits, press releases, the publication of articles condemning the horrors, and, of course, meetings with political leaders.¹⁷³ More than once, White even put his own life in danger to investigate the lynchings in the Deep South.¹⁷⁴

In order to spread awareness about the phenomena, he wrote various books as well. One of them was called: *Rope and Faggot: A Biography of Judge Lynch*. It served its purpose. As Florence Finch Kelly argued immediately after its publication:

It is with a distinct jolt to one’s Americanism that one reads at the very beginning of Walter White’s book and again and again through its pages that lynching has become “an almost integral part of our national folkways.” The statement carries a challenge to national self-complacency that urges on to the reading of the book to see what the

¹⁶⁹ ‘Society that Aids the Negro has its Twenty-Fifth Birthday’, *The New York Times* (11 February 1934) XX13 (online version 2018) <https://search-proquest-com.ezproxy.leidenuniv.nl:2443/docview/101080643/759E3D2B5C20405BPQ/6?accountid=12045> (17-01-2018).

¹⁷⁰ Ibidem.

¹⁷¹ Park, 316.

¹⁷² ‘Walter White’, *Encyclopedia Britannica* (online version 2018) <https://www.britannica.com/biography/Walter-White-American-civil-rights-activist> (13-03-2018).

¹⁷³ Ibidem, 314.

¹⁷⁴ Klarman, 157.

author can say in proof of so appalling a charge. [...] He makes it evident that it is the situation itself, and all that has led to it and is responsible for its continuing and malign power, that offers the challenge to national self-esteem and cries aloud for extirpation.¹⁷⁵

White wrote various articles and other publications as well. By doing so, he hoped to persuade the general public of the importance of federal anti-lynching legislation.¹⁷⁶ In 1934, he stated that: 'An aroused public opinion and it alone can insure enactment of this very needed legislation.'¹⁷⁷ To the same effect, he made several public appearances at trials and conventions. In 1933, for instance, he addressed the crowd at the Crawford trial at Leesburg, Virginia, with the following statement:

Since 1882, 5.050 persons have been lynched by American mobs, this number including 3.599 Negroes and 1.451 whites. [...] The N.A.A.C.P. has asked Senator Edward P. Costigan of Colorado to introduce in the coming session a bill to give the Federal Government authority to act when and if State authorities fail to act against lynchers. Every American [...] who is wise enough to see the horrible future toward which we are headed unless lynch law is eradicated should let each of the United States senators from his State and his Congressmen know in no unmistakable terms his desire that members of Congress support Federal legislation against the mob.¹⁷⁸

White believed that if Americans (especially those in the South) supported the efforts in favor of a federal law, Southern politicians in Congress could not justify acting against it.¹⁷⁹ He feared that if the public would remain silent, anti-lynching legislation would not stand a chance. Throughout his career he encouraged the American people to speak out against the

¹⁷⁵ F. Finch Kelly, 'The Reign of Lynch Law in the United States: In 'Rope and Faggot', *The New York Times* (12 May 1929) BR3 (online version 2018) <https://search-proquest-com.ezproxy.leidenuniv.nl:2443/docview/104737338/E2AAE41FAEBB40BEPQ/2?accountid=12045> (28-02-2018).

¹⁷⁶ W. White, 'The Costigan-Wagner Bill', *The New York Times* (4 June 1934) 16 (online version 2018) <https://search-proquest-com.ezproxy.leidenuniv.nl:2443/docview/101008680/9DFF1E70A5294FCAPQ/2?accountid=12045> (17-01-2018).

¹⁷⁷ Ibidem.

¹⁷⁸ 'Roosevelt Asked for Lynching Curb', *The New York Times* (17 December 1933) N1 (online version 2018) <https://search-proquest-com.ezproxy.leidenuniv.nl:2443/docview/100825962/C0A1906095684648PQ/2?accountid=12045> (28-02-2018).

¹⁷⁹ W. White, 'Anti-Lynching Action Urged', *The New York Times* (17 March 1936) 20 (online version 2018) <https://search-proquest-com.ezproxy.leidenuniv.nl:2443/docview/101945390/99525F1E020C4295PQ/9?accountid=12045> (17-01-2018).

horrors. In 1936, for instance, he stated that: ‘Unless public opinion lets [the Judiciary] committee, the White House and individual senators know it wants this resolution reported favorably, it is going to be smothered [...] by the forces which oppose corrective action against lynching.’¹⁸⁰

White went to Congress many times in person as well. In February 1934, he appeared before the Senate Judiciary Committee and testified against the notion that the black man’s sexual perversion was the inevitable cause for lynchings.¹⁸¹ Even though, the NAACP’s testimony seemed to prove decisive and the Costigan-Wagner bill was passed by the committee, in the end, White was unable to convince the Southern opposition of the necessity of anti-lynching legislation.¹⁸²

Even some Republicans seemed indifferent to his appeals. Senator W. E. Borah, of Idaho, is perhaps the most significant example of a Northerner who refused to support federal anti-lynching legislation. As chairman of the Senate Judiciary Committee he had sealed the fate of the Dyer Bill when he declared it to be unconstitutional in 1922.¹⁸³ Even though he was no longer chairman in the 1930s, he was still an important and outspoken senator. Therefore, when, in 1935, Borah declared to be against the Costigan-Wagner bill once again, White responded quite vigorously:

[You hold] the somewhat dubious honor of having been the executioner of two distinctly hopeful opportunities for stamping out lynching. [...] Do you feel proud of your handiwork Senator Borah? [...] There are many Americans, Senator Borah, who no longer believe in the sincerity of members of the Senate who forget states’ rights when such issues as prohibition are being discussed, but who wrap about themselves the mantle of constitutionality when the lives of human beings are taken by lawless mobs.¹⁸⁴

¹⁸⁰ Ibidem.

¹⁸¹ Zangrando, ‘The NAACP and a Federal Antilynching Bill’, 107-109.

¹⁸² Ibidem.

¹⁸³ ‘Borah for State Rights, Opposes Anti-Lynching Bill as Unconstitutional’, *The New York Times* (12 June 1922) 4 (online version 2018) <https://www.nytimes.com/1922/06/12/archives/borah-for-state-rights-opposes-antilynching-bill-as.html> (04-04-2018).

¹⁸⁴ ‘Would “Veto” Anti-Lynching Bill: Borah will start Campaign on Radio’, *The New York Times* (24 November 1935) 1 (online version 2018) <https://search-proquest-com.ezproxy.leidenuniv.nl:2443/docview/101300742/D2E1DADCC76749ADPQ/2?accountid=12045> (17-01-2018).

Through publications, letters and articles like this, White did succeed in spreading awareness throughout the country. However, it was never enough to prevent the filibusters in the Senate. Therefore, White had to look for support in higher places.

He contacted various organizations, newspapers and other businesses to ensure the passage of an anti-lynching bill.¹⁸⁵ He became active on local, as well as on national forums and became quite successful in the art of persuasion.¹⁸⁶ However, there was one man White tried to convince of this cause above all: Franklin D. Roosevelt. He hoped that with the support of the president of the United States, the cry for anti-lynching legislation could no longer be ignored. This task, however, turned out to be more complicated than White or the NAACP had anticipated.

When the President was elected, hope was restored for a lot of Americans, including many African Americans. They trusted that the progressive leader would improve their living conditions. This environment of newly found hope and the increase in lynchings in previous years, made the serious consideration of another anti-lynching bill possible.¹⁸⁷ From the beginning, White was inextricably connected to this struggle and would remain so until 1949. At first, he believed that it was just a matter of time before such a law would be enacted and he had good hope that the President would support this cause.¹⁸⁸

Unfortunately, as discussed in the previous chapter, the President was not quite that eager to become involved in the matter. It was only after months of persuasion, especially from the NAACP, that Roosevelt decided to speak out against the lynchings themselves during the commemoration of the twenty-fifth anniversary of the Federal Council of Churches of Christ in America.¹⁸⁹ During this speech, however, he was careful to condemn the practice of lynching, but he never expressed his support for federal legislation. Therefore, White continued to contact the White House. He tried to reach out to the President himself, the First Lady, the presidential secretary Marvin McIntyre, Stephen Early and other White House administrators.

In April 1934, the Costigan-Wagner Bill was introduced in the Senate. White knew

¹⁸⁵ Walter White to Eleanor Roosevelt (20 April 1934) in: G. McJimsey, ed., *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11*, 126.

¹⁸⁶ W. White, 'U.S. Department of (White) Justice', *The Crisis*, Volume 42, Number 10 (October 1935) 310.

¹⁸⁷ Park, 325.

¹⁸⁸ 'Roosevelt Asked for Lynching Curb', N1.

¹⁸⁹ Zangrando, *The NAACP Crusade*, 104.

that he had rallied enough senators to vote in favor of the bill. He also knew that many senators were up for election in November. Most of them would not dare to oppose the anti-lynching bill if that meant that they would lose black votes.¹⁹⁰ He did everything he could to ensure a vote as soon as possible. Thus, he turned to the administration. Unfortunately, most of his attempts to contact the President were turned down by the presidential secretary, Marvin McIntyre. It was rumored that McIntyre favored the Southerners position in the debate and was not a fan of federal anti-lynching legislation.¹⁹¹ Subsequently, most of White's letters received a response like the following: 'Cannot arrange appointment requested at this time [...] President extremely busy on matters requiring immediate attention.'¹⁹² While White remained unable to arrange a meeting with the President through the White House officials, he did not give up.

Through his correspondence with the First Lady he tried to gain both her support and that of her husband. Throughout the years they wrote multiple letters to each other and met frequently to talk about matters like the anti-lynching debate. Eleanor Roosevelt even wrote to the White House Press Secretary, Stephen T. Early that:

If I were colored, I think I should have about the same obsession that he had. [...] The type of thing which would make him get himself arrested in the Senate restaurant is probably an inferiority complex which he tries to combat and which makes him far more aggressive than if he felt equality. [...] If you ever talked to him and knew him, I think you would feel as I do. He really is a very fine person with the sorrows of his people close to his heart.¹⁹³

She identified with White and tried to help him. So, when he wrote her in April 1934 and explained the situation to her, she was willing to listen. He emphasized the fact that even though there were enough votes in favor of the bill, it would not be brought up before the adjournment of the Senate unless the White House insisted upon it.¹⁹⁴ White also expressed his fear of an increase in the number of lynchings if the bill would not come to pass.¹⁹⁵ He

¹⁹⁰ Walter White to Eleanor Roosevelt (20 April 1934) in: G. McJimsey, ed., 125.

¹⁹¹ Zangrando, *The NAACP Crusade*, 119.

¹⁹² Marvin McIntyre to Walter White (1 May 1934) in: G. McJimsey, ed., *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11*, 127.

¹⁹³ T. Morgan, *FDR, A Biography* (New York 1985) 449.

¹⁹⁴ Walter White to Eleanor Roosevelt (20 April 1934) in: G. McJimsey, ed., 124.

¹⁹⁵ *Ibidem*, 125.

ended this letter by asking the First Lady to discuss these facts with the President.¹⁹⁶

In early May, Eleanor Roosevelt responded with the following:

The President talked to me rather at length today about the lynching bill. As I do not think you will either like or agree with everything that he thinks, I would like an opportunity of telling you about it, and would also like you to talk to the President if you feel you want to. Therefore, will you let me know if you are going to be in Washington before long?¹⁹⁷

Thus, White was finally able to meet with Roosevelt to discuss the Costigan-Wagner bill in person on May 6th, 1934.

In his autobiography, *A Man Called White*, he wrote about this encounter with the President: 'Since he had entered the White House my contacts with him had been few, but at the conference arranged by his wife [...] there developed between us a closer relationship which was destined to last to the day of his death.'¹⁹⁸ It was a rare occasion, since their meeting was not inside the White House but on the porch, and they were accompanied by both Roosevelt's wife Eleanor and his mother, Sara Delano Roosevelt.¹⁹⁹ According to White, Roosevelt tried to avoid the subject of anti-lynching legislation by telling as many amusing stories and anecdotes as he could.²⁰⁰ The First Lady had already warned White that the President was not yet convinced of the arguments made in White's letters.

Still, he was able to speak with Roosevelt about the issues at hand for more than an hour.²⁰¹ White recalled the following:

The President then told me of another argument which one of the filibusterers had made and I was able to present facts in refutation. When this had happened three or four times, the President turned sharply and declared, "Somebody's been priming you. Was it my wife?" I smiled and suggested that we stick to our discussion of the bill. The President then asked Mrs. Roosevelt if she had coached me, and she too

¹⁹⁶ Ibidem, 126.

¹⁹⁷ Eleanor Roosevelt to Walter White (2 May 1934) in: The Papers of Eleanor Roosevelt, 1933-1945 (microfilm) Reel 18, frame 00931 (Roosevelt Institute for American Studies, Middelburg [hereafter RIAS]).

¹⁹⁸ White, *A Man called White*, 168.

¹⁹⁹ Ibidem.

²⁰⁰ Ibidem, 169.

²⁰¹ Memorandum to Stephen T. Early (10 May 1934) in: G. McJimsey, ed., *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11*, 138.

smiled and suggested that the President stick to the subject. Laughing, the President turned to his mother to say, "Well at least I know you'll be on my side." The President's mother shook her head and expressed the opinion that she agreed with Mr. White. Being a good loser, the President roared with laughter and confessed defeat. But I gained from my visit only a moral victory.²⁰²

White believed he had at least convinced Roosevelt about the constitutionality of the Costigan-Wagner bill. However, he failed to make the President see that the bill was absolutely necessary and that his support could guarantee its passage. According to the White House Press Secretary, S. T. Early, White's meeting with Roosevelt was quite productive. He stated that 'at the close of the interview, certain doubts which the President had had regarding the enforceability of some parts of the measure appeared to have vanished.'²⁰³ The President even promised White that he would personally meet with both Senators Wagner and Costigan.²⁰⁴

Thus, a few weeks later White had arranged such a meeting. At the senators' request, White remained absent.²⁰⁵ They believed that at the current time, his presence would be a distraction from the issue at hand. This was argued, because the presidential secretary Marvin McIntyre was a supporter of the Southern position on the bill.²⁰⁶ The meeting confirmed Roosevelt's personal approval of the anti-lynching bill, however, they too failed to gain the President's public support. Therefore, White tried to reach FDR through journalists like Max Stern, who asked the President questions at a press conference in late May. Roosevelt responded again with mere hopes for a vote on the anti-lynching bill, for he indeed believed that the bill would come to pass if it was voted upon.²⁰⁷

In June, however, White knew the Senate was close to adjourning. Therefore, on June 14th, he attempted one more time to convince Roosevelt by writing him another letter:

Today's newspapers report that a desperate effort is being made by Congress to adjourn on Saturday, June 16, or June 23. Adjournment of Congress without action on S.1978, The Costigan-Wagner Anti-Lynching Bill, which was introduced in the

²⁰² White, *A Man called White*, 169.

²⁰³ Memorandum to Stephen T. Early (10 May 1934) in: G. McJimsey, ed., 138.

²⁰⁴ *Ibidem*.

²⁰⁵ Zangrando, *The NAACP Crusade*, 119.

²⁰⁶ *Ibidem*.

²⁰⁷ *Ibidem*.

House of representatives by Congressman Thomas F. Ford of California, will unquestionably, according to all present indications, result in recrudescence of mob violence. Such violence has been held in check by fear of federal legislation. The impending adjournment of Congress is obviously encouraging lynchers to begin their deadly work again.²⁰⁸

He ended his letter by asking the President again to insist upon a vote of the bill before the adjournment of Congress. He warned him that:

We cannot permit two certain senators who come from states with lynching records worse than those of almost any other state, who are blocking a vote on the bill, to succeed in their sinister efforts. Should they succeed every person in official positions who has not done his utmost at least to secure a vote on the bill will, in a measure, be responsible for each lynching which occurs between adjournment of Congress and its reconvening. We urge again upon you as President that you exercise the utmost efforts to secure a vote on and passage of the anti-lynching bill.²⁰⁹

In other words, Walter White would not just blame the Southern senators who blocked the bill, if it failed to pass, he would accuse the White House and the President himself as well.

Still, the President remained silent, and a few days later it was announced that the bill would not come to a vote before the adjournment of the Senate. This was a major setback for its supporters, but White was not going to throw in the towel just yet. During the summer he prepared the reintroduction of the anti-lynching bill.²¹⁰ For this purpose, he met frequently with both Costigan and Wagner to discuss different strategies. He also seized every opportunity he got, to spread the word and gain support for his campaign against violence. Among other things, the NAACP organized plenty of benefits, picnics, and other sort of entertainments in order to achieve this.²¹¹

Throughout the summer, the number of lynchings had increased, just like White had predicted. However, it was not until the lynching of Claude Neal in October 1934, that the debate about federal legislation came up again. Thus, when the attorney general announced

²⁰⁸ Walter White to President F. D. Roosevelt (14 June 1934) in: *The Papers of Eleanor Roosevelt, 1933-1945* (microfilm) Reel 18, frame 00972 (RIAS).

²⁰⁹ *Ibidem*, frame 00974.

²¹⁰ Zangrando, *The NAACP Crusade*, 122.

²¹¹ *Ibidem*.

that there would be a national crime conference in December, the question arose why lynchings were not placed on the agenda of the event. White and the NAACP were not pleased at all. Even though the President had made a key-note speech in which he denounced lynchings as ‘one of the major crimes confronting this country,’²¹² the attorney general ignored the requests from the association to include lynchings on the agenda. Therefore, the District of Columbia branch of the NAACP started to picket.²¹³ They were almost immediately arrested and charged with violating the District of Columbia sign law and parading without a permit. However, that would not stop them. As White recalled in an article in *The Crisis*, the official publication of the association:

The District of Columbia branch of the N.A.A.C.P. decided to resume the picketing. On the last day of the conference, December 13, just before the morning session adjourned, about sixty pickets suddenly appeared on the sidewalk in front of the convention hall, and silently took up pre-arranged station about ten feet apart, stretching all the way from the entrance of the hall about three squares along the street the delegates had to use in leaving the conference. To avoid the sign law which prohibited signs twelve inches or over, the pickets carried signs across their breasts eleven inches wide. Ropes were looped around their necks to symbolize lynching. To avoid the charge of parading, each picket remained silent and stationary. The police were taken completely by surprise.²¹⁴

This is just one example of the lengths White and the NAACP were willing to go to in order to enable the enactment of federal anti-lynching legislation.

A few months later, the Costigan-Wagner bill was up for consideration in the Senate again and another filibuster had started. The support of the White House was necessary now more than ever. Thus, White continued to write letters to Roosevelt. He emphasized that the great majority of the senators had indicated their intention to vote in favor of the bill and only twenty of them were “irreconcilably opposed”.²¹⁵ He was convinced that ‘only word from [the President] to the Senate or the country at large will break the filibuster and insure

²¹² W. White, ‘U.S. Department of (White) Justice’, 310.

²¹³ Ibidem.

²¹⁴ Ibidem.

²¹⁵ Walter White to President F. D. Roosevelt (26 April 1935) in: G. McJimsey, ed., *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11*, 240.

a vote on [the] bill.²¹⁶ When Roosevelt still refused to speak out in favor of the bill, White sought for more support to persuade the President. He drew up a petition, which circulated throughout the country. It read: 'Please Sign and Circulate this Anti-Lynching Petition to President Roosevelt [...] The States will not stop lynching. A Federal law is necessary. Return to Walter White.'²¹⁷ Still, his efforts were in vain. White remained unable to obtain an appointment with Roosevelt to discuss the seriousness of the situation and eventually the filibusterers won the battle again.

During the summer of 1935, the number of lynchings increased once more and even though the Costigan-Wagner bill was officially dead, White continued to write to the President about his disappointment and the need for federal legislation. In July he stated:

A man alleged to be insane was put to death in the state of Senator Josiah W. Bailey, one of the most vociferous leaders of the filibuster against the Costigan-Wagner anti-lynching bill. This is the fifth lynching since the filibusters succeeded in sidetracking [the] anti-lynching bill. Should Congress adjourn without acting against lynching it is probable and almost certain that human beings now alive will fall victims to mobs. The situation necessitates your urging upon Congress that it act without delay to pass Costigan-Wagner bill. Our country cannot with good grace denounce barbarism in Nazi Germany as long as these mob outrages disgrace America.²¹⁸

A month later, a few days before the planned adjournment of the Senate, White wrote another letter imploring Roosevelt to speak out. He wrote the message after the sixth lynching (in just a few months' time) had taken place.²¹⁹

However, the President's reply remained unchanged and he did not step in. It was not until January 1936 until the issue came up again. White knew his chances of receiving strong support of the White House had increased, since Roosevelt would be up for re-election and undoubtedly needed to attract the support of black voters.²²⁰ Therefore, White tried again to gain his support. This time, Roosevelt met him halfway by proposing a Senate

²¹⁶ Ibidem.

²¹⁷ Walter White, Anti-lynching Petition, in: *The Papers of Eleanor Roosevelt, 1933-1945* (microfilm) Reel 19, frame 00039 (RIAS).

²¹⁸ Walter White to President F. D. Roosevelt (31 July 1935) in: G. McJimsey, ed., *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11*, 251.

²¹⁹ Walter White to President F. D. Roosevelt (3 August 1935) in: G. McJimsey, ed., *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11*, 252.

²²⁰ Zangrando, *The NAACP Crusade*, 131.

investigation of lawlessness which included lynchings. Moreover, he proposed a meeting between White and the attorney general to discuss new legislation to guard the courts against interference from angry mobs. Even though his efforts showed the willingness of the President to stand up against lynchings, his actions would not accomplish the punishment of lynchings themselves. Thus, the NAACP was not satisfied.²²¹

In the meantime, the Association tried to gain support for another anti-lynching bill. However, their efforts to introduce a new bill had not yet been fruitful. The Van Nuys resolution was not as well received as its predecessor. Therefore, White continued to get in contact with FDR. However, he was already struggling to get in contact with a White House official, let alone with the President. Neither could he reach Senator Byrnes, who was believed to be Roosevelt's personal spokesman on the floor of the Senate.²²² Therefore, White told the President that: 'there is widespread speculation as to whether or not his [Byrnes] hostility to the Van Nuys resolution is due to personal reasons or because he is acting under instructions. May I add personal that I am loathe to believe the latter?'²²³

During the months of March and April, the Van Nuys resolution was still not up for a vote. The senators from the Deep South were utterly against the measure and were blocking it at all costs.²²⁴ When the Senate was yet again close to adjourning without discussing the pending bill, White urged the President to at least tell senator Byrnes to support the measure.

Several prominent democratic senators who state unequivocally that there is no hope for action on Senate Resolution two eleven introduced by Senator Van Nuys to investigate lynchings, unless you personally request Senator Byrnes to call immediately a meeting of [the] audit and control committee to report out [the] resolution so that the Senate may vote on it before adjourning. Every senator with whom I have talked state that since Senator Byrnes is [the] senator closest to you and is one who will unhesitatingly do what you wish, they are assuming that his inaction is due to Senator Byrnes believing you do not particularly wish the resolution to pass.

²²¹ Ibidem.

²²² Walter White to President F. D. Roosevelt (14 March 1936) in: G. McJimsey, ed., *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11*, 323.

²²³ Ibidem.

²²⁴ Walter White to President F. D. Roosevelt (24 April 1936) in: G. McJimsey, ed., *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11*, 328-329.

My statement, that you assured me last January second you favored the passage of at least a resolution to investigate facts, has been of no avail. In view of the recently revealed facts that Black legion has used lynchings to recruit members in Michigan and other states and further fact that lynchings are growing in number and ferocity, may I most urgently appeal to you to use your utmost influence with Senator Byrnes and other senators to pass before the adjournment the Van Nuys resolution.²²⁵

Unfortunately, the Senate did adjourn before the consideration of the Van Nuys bill and it was not taken up again.

A year later, however, the NAACP was sponsoring another anti-lynching bill, this time named after the Democratic Senator Joseph A. Gavagan. When it became apparent that this bill would receive the same treatment by the Southern opposition as its predecessors, White wrote a petition to the majority of senators. He expressed his dismay with the rumors that Congress would only consider certain bills before its adjournment and ignore the anti-lynching bill.²²⁶ He simply did not understand why the Gavagan bill was not up for consideration, especially since another lynching had occurred in Florida a few days before. It would have been the perfect time for a vote, since many senators opposing the bill were up for reelections. Therefore, the possibility for a filibuster was slim.²²⁷

White made the following statement:

We fully appreciate and sympathize with the desire of many members of Congress to get away from the oppressive heat of Washington, but we are equally concerned with the fact that American citizens now alive may conceivably be burned alive at the stake or by blow torches or otherwise killed by lawless mobs before the next session of Congress convened.²²⁸

White wrote a similar message to Roosevelt, stating that all they needed was one strong word from him in order to assure the passage of the Gavagan bill. He asked him 'on behalf of all American citizens now alive who may be lynched before the next session of Congress

²²⁵ Walter White to President F. D. Roosevelt (2 June 1936) in: G. McJimsey, ed., *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11*, 341.

²²⁶ Walter White to President F. D. Roosevelt (27 July 1937) in: G. McJimsey, ed., *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11*, 476.

²²⁷ *Ibidem*.

²²⁸ *Ibidem*.

convenes'²²⁹ to utter such a word.

Still, Congress adjourned before the bill had a chance to reach the floor. In the next couple of months, White continued to try and gain support for federal anti-lynching legislation. The NAACP made reports and studied among other things the public opinion of the subject. They found that many people throughout the country (even in the Southern states) were open to the idea of federal legislation. Therefore, White did not hesitate to send the results of their studies to the President. He hoped that Roosevelt would no longer fear the reaction of Southern senators and feel free to support federal legislation against lynchings.²³⁰ FDR, however, refused to anger the Southern bloc in congress. He still needed their support for other pressing matters, like his New Deal proposals.

In January 1938, the Gavagan bill was up for a vote in the Senate again. Unfortunately, history repeated itself again and its opponents started to filibuster against it. White and Joel Spingarn, the president of the NAACP, were urging the President to speak out and pressure the Senate to break the filibuster. They argued that the Republicans were using this issue against his administration. On the one hand they favored the principle of unlimited senatorial debate, which enabled the filibuster, while on the other hand they were criticizing the President for not intervening in favor of the bill. While this bill failed to pass as well, White was able to arrange another meeting with Roosevelt. This time he brought together not only members of the NAACP, but also members of the National Negro Congress and other associations who kept pressuring Roosevelt for action against lynchings. This move resulted in a fruitful meeting. The President proposed federal investigations of lynchings. While this was mainly a vain promise, he did show his goodwill by appointing African Americans to all kind of leadership positions and by instituting a Fair Employment Practices policy for government hiring.²³¹

Thus, it is safe to conclude that even though White was unable to convince the President to speak out in favor of federal anti-lynching legislation, he did achieve other things, which may have been even more important and in part led to the consolidation of the civil right movements in the years to come. By the end of the decade, Walter White had

²²⁹ Walter White to President F. D. Roosevelt (3 August 1937) in: G. McJimsey, ed., *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11*, 477.

²³⁰ '7 out of 10 favor Anti-Lynching Bill', *NAACP Press Release* (13 November 1937) in: G. McJimsey, ed., *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11*, 486.

²³¹ G. McJimsey, ed., *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11*, liv.

unprecedented access to the White House through Eleanor Roosevelt and he had built up a close relation with the President that would last for the rest of their lives.²³² Furthermore, while Roosevelt never publicly supported any anti-lynching bill, he did speak out against the horror of lynching and he acknowledged the anti-lynching campaign's significance for the black community.²³³ In the end, the hard work of the NAACP's executive secretary had definitely not been in vain.

²³² Klarman, 167.

²³³ Zangrando, *The NAACP Crusade*, 155.

Chapter 4: Mary McLeod Bethune, The NYA and the Anti-lynching Crusade

While Walter White was a prominent figure in the anti-lynching debate and a vigorous activist who fought for the rights of African Americans, he was not alone in the fight for equality. As discussed in the previous chapters, there were many people who tried to persuade President Roosevelt to speak out in favor of anti-lynching legislation and to improve the lives of blacks in general. One particular person stands out: Dr. Mary McLeod Bethune. While they often worked together and towards similar goals, White and Bethune were quite different. Unlike White, Mrs. Bethune was not just perceived as an activist. Instead, she worked as a government official and was, therefore, able to come closer to the President than most people at that time with a similar racial background. These dissimilarities make for an interesting case study. Therefore, this chapter focuses on the following questions: What was Mary McLeod Bethune's role in the anti-lynching debate? What did she achieve and to what extent was she able to convince the President to support a federal bill against lynchings?

She was born in 1875 near Mayesville, South Carolina, as the fifteenth of seventeen children. She was the only daughter who was able to get an education through scholarships. She graduated from Scotia Seminary and was able to attend Moody Bible Institute in Chicago.²³⁴ Afterwards, she returned back south and became a teacher. She started teaching in Georgia, but soon moved to Florida to pursue her dream of educating young African American women.²³⁵ In 1904, she started off with near to nothing but managed to establish the Daytona Educational and Industrial Training school in a rented cabin to teach a handful of girls.²³⁶ However, soon she was able to expand and in 1924 the school merged with the Cookman Institute of Jacksonville.²³⁷

Nowadays, Bethune is well remembered as the co-founder of the Bethune-Cookman

²³⁴ 'Mrs. Bethune: Spingarn Medalist', 202.

²³⁵ Ibidem.

²³⁶ 'Spingarn Medal Won by Mrs. Mary Bethune', *The New York Times* (8 June 1935) 11 (online version 2018) <https://search-proquest-com.ezproxy.leidenuniv.nl:2443/docview/101462526/69B5466BEC9A4374PQ/33?accountid=12045> (15-05-2018).

²³⁷ Ibidem.

college. In 1926, *The New York Times* called her the 'Booker T. Washington of her sex.'²³⁸

They wrote an article about her stating the following:

A young negro woman who had saved \$1.50 parted from her sixteen brothers and sisters in South Carolina twenty-two years ago and founded a college in a rented shack at Daytona Beach, Fla. The campus and buildings are now worth nearly \$1.000.0000 and the founder Mrs. Mary McLeod Bethune [...] came to New York yesterday with the conviction, after a score of years of teaching experience among negroes and whites, that "Christian education will wipe out practically all race difficulties in the South." [...] "When ignorant negroes and ignorant whites live in the same district, the conditions are bad," said Mrs. Bethune. "The situation is always improved when both races are better educated; a more sympathetic strain never falls to be struck between progressive trained negroes and progressive trained white people."²³⁹

While this in itself is already quite impressive, these were not her only accomplishments. During her career as a teacher, she joined several political groups and movements. In 1912, for instance, she became part of the Equal Suffrage League, an organization which was dedicated to voting rights for everyone.²⁴⁰ In 1920, she was elected to the executive board of the National Urban League and a few years later, she became the president of the National Association of Colored Women. As a result, many politicians began to recognize Bethune's influence and tried to involve her in their civil rights and race relation efforts.²⁴¹ Through these movements she was able to form alliances with multiple influential people, among others was Eleanor Roosevelt. Just like White, Bethune developed a friendship with the future First Lady. The two women met early in the 1920s during a luncheon which was held by FDR's mother. Not only was Bethune the only African American there, she was also seated as the guest of honor.²⁴²

Bethune was no stranger to being the only black person in the room. She had

²³⁸ 'Finds South Aiding in Negro Education', *The New York Times* (2 November 1926) 25 (online version 2018) <https://search-proquest-com.ezproxy.leidenuniv.nl:2443/docview/103744077/C4AC5FF0CC94723PQ/4?accountid=12045> (16-05-2018).

²³⁹ Ibidem.

²⁴⁰ G. Jaynes, 'Mary McLeod Bethune', 99.

²⁴¹ Ibidem.

²⁴² Ibidem.

attended multiple meetings and conferences where most of the people attending were white. This did not go unnoticed. *The New York Times* featured an article which applauded her:

When a Negro daughter of slave parents can stand before an audience of persons born and reared in the South, talk frankly of such traditionally explosive topics as social equality and social justice, win frequent applause and afterward have her hands clasped by persons who have never before made that particular gesture of friendship toward one of her race, it is evidence not only that the speaker is persuasive, but more than that – that the South is assuming a new attitude toward the Negro. Mary McLeod Bethune [is] the mirror in which this new attitude was reflected.²⁴³

She was a respected woman, even in the white community.

Therefore, it came as no surprise that, in 1935, she was granted the Spingarn Medal, which is awarded annually by the NAACP 'for the highest or noblest achievement by an American Negro during the preceding year or years.'²⁴⁴ The committee behind the Medal explained why Bethune had won: 'In the face of the almost insuperable difficulties she has, almost singlehandedly, established and built up Bethune-Cookman College [...] Both the institution's and Mrs. Bethune's influence have been nation-wide.'²⁴⁵ *The Crisis* also acknowledged her and her work by putting her on the cover of the July issue. In their article they stated that:

Mrs. Bethune was a leading spirit in establishing a Home for Delinquent Girls at Ocala, Florida, while president of the State Association of Colored Women. She has also served with distinction as president of the Southeastern Federation of Women's Clubs, two terms as president of the National Association of Colored Women, president of the National Association of Teachers in Colored Schools, and president of the Florida State Teachers Association. She is also a member and director of the Commission on Interracial Cooperation, a member of the National Council of Women

²⁴³ H. G. Sims, 'Equality plea wins Southern Audience', *The New York Times* (15 February 1931) 56 (online version 2018) <https://search-proquest-com.ezproxy.leidenuniv.nl:2443/docview/99109808/69B5466BEC9A4374PQ/39?accountid=12045> (15-05-2018).

²⁴⁴ 'Spingarn Medal Won by Mrs. Mary Bethune', 11.

²⁴⁵ *Ibidem*.

of America, of the international Council of the Women of the World, of the international Council of the Women of the Darker Races, and of the National Education Association. Through her many activities in the fields of education, social service and interracial work, she has created a new appreciation of the finest Negro womanhood in America and made a tremendous contribution to the cause of the Negro advancement.²⁴⁶

Bethune was the second woman to win the medal and two years later, the award was won by no other than Walter White.²⁴⁷

During the 1930s, Bethune achieved even more. In 1930 she was appointed by President Herbert Hoover to the White House Conference on Child Health and in 1935 she founded the National Council of Negro Women (NCNW), an organization 'to advance opportunities and the quality of life for African American women, their families and communities.'²⁴⁸ However, most importantly, in that same year, she not only served as President Roosevelt's special advisor on minority affairs, but she became the director of the Division of Negro Affairs of the National Youth Administration (NYA) as well. The latter was especially meaningful since she became the first African American woman to head a federal agency.²⁴⁹

That is how Bethune became part of Roosevelt's so-called "Black Cabinet". While various presidents before him had already relied on informal black advisors, almost no African Americans had been visible in the White House until Roosevelt created this unofficial cabinet to advise him on issues concerning the black community.²⁵⁰

[They] were brought into the New Deal set-up by President Roosevelt so that he would always be in position to obtain first-hand information regarding the Negro

²⁴⁶ 'Mrs. Bethune: Spingarn Medalist', 202.

²⁴⁷ White, *A Man Called White*, 168-169.

²⁴⁸ 'National Council of Negro Women (NCNW)', *Encyclopedia Britannica* (24 November 2010) (online version 2018) academic.ub.com.ezproxy.leidenuniv.nl:2048/levels/collegiate/article/National-Council-of-Negro-Women/125024 (29-04-2018).

²⁴⁹ Jaynes, 'Mary McLeod Bethune', 99.

²⁵⁰ G. Jaynes, 'U.S. Presidential Cabinet', in: G. Jaynes et al., *Encyclopedia of African-American Society* (Thousand Oaks 2005) 159.

population, his needs and ambitions; and so that his best interests could be served in the same degree that the rest of the citizenry is served.²⁵¹

Therefore, it was a major step forward. The Cabinet consisted of multiple African American government officials who would advise the President on “Negro Affairs”.²⁵² Their appointment was prominently displayed in many newspapers and especially African Americans were made aware of their work: ‘Every colored person should know them and the respective departments with which they are identified because what they say and do vitally impact our interests.’²⁵³

One of these interests, of course, was the equal protection of the law. Therefore, the officials of the Black Cabinet were also involved with the anti-lynching debate. Bethune did not just work together with the NAACP, but with multiple other associations as well. Among these groups were the Association of Southern Women for the Prevention of Lynching (ASWPL) and the Commission on Interracial Cooperation (CIC). She, herself, was part of the Women’s Committee of the CIC.²⁵⁴ In 1935, Bethune joined a meeting and asked the women of both organizations to support the Costigan-Wagner bill. She stated the following:

We think one of the most significant and outstanding things that have been done toward our redemption, for the thing we have been moving toward, has been the work of this group of Southern women who have made this very fine bold and Christian declaration to the world as to their stand in regard to the situation. [...] If we are ever to be free [...] the step must be taken by Southern people. Southern women, you can do more with 24.000 signatures to bring about that freedom for the Negro race than a million from the North.²⁵⁵

While it was not enough to ensure the enactment of the bill, she did make a powerful statement.

Bethune believed that by educating the black as well as the white population racism

²⁵¹ ‘Roosevelt Uses Best Minds of Group’, in: Mary McLeod Bethune Papers (microfilm) Reel 8, frame 00238 (RIAS).

²⁵² B. J. Ross, ‘Mary McLeod Bethune and the National Youth Administration: A Case Study of Power Relationships in the Black Cabinet of Franklin D. Roosevelt’, *The Journal of Negro History*, Volume LX, Number 1 (January 1975) 2.

²⁵³ ‘Black Cabinet of New Deal’, in: Mary McLeod Bethune Papers (microfilm) Reel 8, frame 00222 (RIAS).

²⁵⁴ Jack and Massagee, ‘Ladies and Lynching’, 494.

²⁵⁵ *Ibidem*, 503.

as well as lynchings would decline. Therefore, she organized multiple meetings and conferences. In 1937, for instance, the National Youth Administration sponsored the National Conference on Problems of the Negro and Negro Youth and Bethune presided as its chairman.²⁵⁶ More than seventy African American leaders from the South, East and Mid-West of the United States came together to discuss reforms like ‘the destruction of racial barriers to employment, more adequate medical, educational, and recreational facilities; free and effective use of the ballot, and amelioration of the evils of the farm tenancy system; and a federal anti-lynching bill.’²⁵⁷

The NYA had invited multiple government officials to speak on the platform. Among others were Henry A. Wallace, Secretary of Agriculture, Daniel A. Roper, Secretary of Commerce, Walter White, who was appointed as the chairman of the committee on Security of Life and Equal Protection under the Law, and Eleanor Roosevelt.²⁵⁸ As mentioned before, Bethune and the First Lady were friends and worked together on multiple occasions. Mrs. Roosevelt was a firm supporter of the anti-lynching crusade as well. In 1939, she attended another NYA Conference on Negro Problems in Washington to speak out against lynchings.²⁵⁹ She was introduced by Bethune, who, at that point was known to some as ‘The First Lady of the Negro race’.²⁶⁰ Therefore, many newspapers stated that ‘A first Lady introduced the First Lady’.²⁶¹ *The Nashville Defender* described the situation as followed:

The First Lady of the land showed her sincere interest in the race, and its problems by her willingness to assist in suggestions and plans for its betterment. This was something practically unheard of in the “land of the free and home of the brave.” [...] Mrs. Roosevelt had stated that all should feel free to ask questions, and she would answer equally as frankly. She said that she favors not only enactment, but counsels

²⁵⁶ ‘Problems of Race Before President’, *The Crisis*, Volume 44, Number 2 (February 1937) 62.

²⁵⁷ *Ibidem*.

²⁵⁸ *Ibidem*.

²⁵⁹ ‘First Lady Tells Negroes She Supports Anti-Lynching Bill’, *Life Magazine* (23 January 1939) Mary McLeod Bethune Papers (microfilm) Reel 7, Frame 0220 (RIAS).

²⁶⁰ ‘A First Lady Introduces The First Lady’ (23 January 1939) Mary McLeod Bethune Papers (microfilm) Reel 8, Frame 0062 (RIAS).

²⁶¹ *Ibidem*.

swift enactment of the federal anti-lynching law, and proposed that its provisions be applied to all forms of mob violence.²⁶²

However, she also questioned whether such a bill could actually stop the lynchings. Still, she preferred to see the bill pass because 'it puts us, as a whole, against something which we should all be against. This law should be passed as soon as possible,'²⁶³ because 'it is harmful everywhere for minorities to remain silent when minorities do not enjoy all the rights of a democracy.'²⁶⁴ Overall, the two women created an atmosphere where the conversation was transformed into 'a round-table pow wow.'²⁶⁵

The First Lady made it abundantly clear that she spoke for herself and not for the Administration or the President.²⁶⁶ Therefore, Bethune gained the support of a well-known public figure, but not that of Roosevelt himself. She, however, did not just organize conferences, but wrote letters to multiple influential people about lynchings as well. For instance, in 1939, after the lynchings of Lee Snell in Florida Bethune wrote a strong letter to Governor Fred Cone after a Florida jury had set the brothers Blackwelder free despite the fact that they were positively identified as the murderers of Mr. Snell.²⁶⁷ She was asked by another Daytona Beach resident, T. E. Fitzgerald to become involved with the situation. He wrote her: 'I trust that you, because of your high position as a negro leader, will offset as best as you can the iniquitous report. My only interest is that of fair play and the protection of the city in which your wonderful school is located.'²⁶⁸ Thus, Bethune took up the case of Lee Snell and wrote the following to the governor:

On behalf of the Negroes of Daytona Beach, Volusia County, Florida, I am writing to inform you that the results of the trial [...] of the cold-blooded murder of Lee Snell, have almost paralyzed us. We appeal to you, as Governor of Florida, for some intervention, some investigation, some consideration, that justice may be done. With

²⁶² 'Mrs. Roosevelt For Anti-Lynching Bill', *The Nashville Defender* (20 January 1939) in: Mary McLeod Bethune Papers (microfilm) Reel 8, Frame 0184 (RIAS).

²⁶³ *Ibidem*.

²⁶⁴ *Ibidem*.

²⁶⁵ 'A First Lady Introduces The First Lady', Reel 8, Frame 0062.

²⁶⁶ 'Mrs. Roosevelt For Anti-Lynching Bill', Reel 8, Frame 0184.

²⁶⁷ 'Dr. Mary M. Bethune Sends Strong Letter to Florida's Governor', in: Mary McLeod Bethune Papers (microfilm) Reel 8, Frame 0076 (RIAS).

²⁶⁸ T. E. Fitzgerald to Mary McLeod Bethune (1 May 1935) Mary McLeod Bethune Papers (microfilm) Reel 5, frame 0481 (RIAS).

such an unjust handling of a case of murder, there is no safety for any Negro citizen in this state. We feel that this is not in accord with your desire as Governor of the State. Our hearts are crushed and we earnestly solicit your consideration. Some word of assurance from you is greatly needed by any people in Daytona Beach. We are law-abiding citizens and have pleased up to Community requirements, to state and national laws. Governor Cone, what have you to say about this cold-blooded murder of Lee Snell?²⁶⁹

She did not stop there. She wrote letters to the editors of white newspapers proclaiming that Snell was a law-abiding citizen and a veteran who fought vigorously for his country. She also expressed her feelings about this lynching to the citizens of Volusia County: 'the eyes of America and the world are turned this way taking note of your standard of justice. In turn for our loyalty and unfailing patriotism, what are you willing to do for us?'²⁷⁰ Unfortunately, she did not achieve her goal of acquiring justice for Snell, however, Bethune did show her compassion for the people in Florida and her determination to end lynchings.²⁷¹

As a strong anti-lynching spokesperson and as the informal advisor of Roosevelt, Bethune, of course, brought up the issue of lynchings with the President as well. However, as the chairman of the NYA she was, as a government official, primarily focused on educational reforms for African Americans. Still, she did write letters to Roosevelt in order to convince him to speak out on the matter. In 1940, for instance, she wrote:

The National Council of Negro Women of the United States, Inc. representing five million women, would appreciate some public utterance from you on the Anti-Lynching Bill. We have watched with interest your great humanitarian program and we are sure that you are vitally interested in all minority groups. Despite this assurance, we feel that since there are interests which are opposed to the passing of this very necessary piece of legislation, that you, as president of the United States,

²⁶⁹ 'Dr. Mary M. Bethune Sends Strong Letter to Florida's Governor', Reel 8, Frame 0076.

²⁷⁰ M. J. Brown, *"Eradicating this Evil": Women in the American Anti-Lynching Movement, 1892-1940* (New York 2000) 357.

²⁷¹ 'Dr. Mary M. Bethune Sends Strong Letter to Florida's Governor', Reel 8, Frame 0076.

could do the Negro group a service that would never be forgotten, if some word could be said on this matter.²⁷²

This letter was less straight forward than the one she had send to governor Cone and it was not nearly as direct as the letters White had send to the President. Still, she did show her support for the anti-lynching crusade once again.

White and Bethune also worked together on multiple occasions in order to endorse a federal anti-lynching bill. They remained in touch throughout the 1930s and their friendship grew. At first, they were merely acquaintances who wrote to each other to gain support. However, throughout the years their letters became more friendly and personal. For instance, in 1936 their conversations started with “Dear Mr. White” or “My Dear Mrs. Bethune” and they ended with “Kind Regards”.²⁷³ However, five years later, they addressed each other as “Mary” and “Walter” and ended their letters with “lots of love”.²⁷⁴ This came as no surprise, because they started to work together quite frequently since Bethune had become a government official and, therefore, was a strong ally in the fight against lynchings.

Bethune organized multiple conferences where White would speak, and vice versa. In 1941, she even wrote him to ask for the inclusion of a speaker of the NYA at the Third Annual Student Conference which the NAACP was organizing:

I think, Walter, that there is no organization now that is making a more challenging contribution to the youth of America than the NYA. Negro youth are being benefitted by our program and I think it is important that your organization should think in terms of a national representative at such an important conference for youth. I just knew how freely I could write you on this. It is just like thinking aloud. I do want to see you as soon as possible. Our paths have not crossed enough this year. I am hoping that you are going to come here early enough during the conference of the National Council of Negro Women to take in some of our activities.²⁷⁵

²⁷² Mary McLeod Bethune to President F. D. Roosevelt (18 January 1940) in: G. McJimsey, ed., *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11*, 590.

²⁷³ Mary McLeod Bethune to Walter White (26 October 1936) in: Mary McLeod Bethune Papers (microfilm) Reel 12, frame 0795 (RIAS).

²⁷⁴ Mary McLeod Bethune to Walter White (8 October 1941) in: Mary McLeod Bethune Papers (microfilm) Reel 12, frame 00796 (RIAS).

²⁷⁵ *Ibidem*.

Thus, he would do something for her and she would return the favor. She concluded her letter with the following statement: 'I am speaking for the NAACP in Richmond next Sunday afternoon. There will be not much speaking, Walter but my presence will be a vote of confidence in the grand work that the NAACP is doing.'²⁷⁶ The NAACP knew that they could count on Bethune. So, when they needed money for their anti-lynching campaign, they knew who to turn to for help. The Association hoped to sell 200.000 buttons for ten cents each and wrote, among others, to the Bethune-Cookman college and to the NYA chairman herself.²⁷⁷ To show her support of the anti-lynching campaign once more, Bethune ordered 100 buttons and sold them at the college.²⁷⁸

In conclusion, it cannot be denied that Mary McLeod Bethune was an active anti-lynching advocate who did a lot for the fight against lynchings. However, even though she was a government official and an unofficial advisor to President Roosevelt, she did not pursue his support for the anti-lynching bills that were pending in congress, as much as White did. As a public governmental figure, she was, just like Roosevelt, forced to deal with a strong Southern political block. Another reason was the fact that the success of the NYA programs was largely depended of the financial sponsorship of community civic groups. Thus, the NYA had to remain focused on local community participation and control.²⁷⁹ Still, because of the forcefulness in her private relationships with both white and black administrators, activists and other politicians, she is remembered as a prominent figure in the anti-lynching debate.

²⁷⁶ Ibidem.

²⁷⁷ Daisy E. Lampkin to Mary McLeod Bethune (1 February 1937) Mary McLeod Bethune Papers (microfilm) Reel 2, frame 0398 (RIAS).

²⁷⁸ Daisy E. Lampkin to Bertha L. Mitchell (15 February 1937) Mary McLeod Bethune Papers (microfilm) Reel 7, frame 0257 (RIAS).

²⁷⁹ Ross, 'Mary McLeod Bethune and the National Youth Administration', 13.

Conclusion

While the 1930s in the United States have become inextricably linked to the Great Depression, the economic crisis was not the only issue that had to be dealt with. During these years, the debate about federal anti-lynching legislation came up again. In the decade before, the number of lynchings had drastically declined. However, as a result of the crisis they started to occur more frequently and could no longer be ignored.²⁸⁰ Racism and discrimination towards African Americans had persisted throughout the centuries and lynchings were one of their most ruthless manifestations.²⁸¹ Therefore, the debate was fueled with prejudices and ideas of white-supremacy.

While the discussion about anti-lynching legislation received national attention and many Americans were against the horrors, the federal government never enacted a law to end lynchings or punish mob violence. The majority of Southern senators were directly responsible for the failure of the bills, however, their persistence in filibustering is not the only reason federal anti-lynching legislation was not enacted.²⁸² The proponents of the bills failed in all three instances to stand their ground and it can be argued that they gave in too easily. Still, the fault does not just lie with the legislative branch of government.

This thesis primarily focused on the reaction of the executive branch to anti-lynching legislation. What was President Roosevelt's role in the debate and what did he do against lynchings? The main question this thesis sought to answer, however, involved the people who influenced his decisions: "How did Walter White and Mary McLeod Bethune differ in their attempts to convince Franklin D. Roosevelt to endorse anti-lynching legislation in the 1930s and to what extent were they successful?"

During his presidency, Franklin D. Roosevelt was frequently asked to step in and express his support for federal anti-lynching legislation. Despite these numerous attempts, he never publicly spoke out in favor of any specific bill. While Roosevelt had nothing against the bills personally, he did not want to harm his relationships with the Southerners in Congress.²⁸³ These congressmen had the power to block all NRA related bills if they wanted to. Therefore, the President chose to prioritize his New Deal agenda. This, however, did not

²⁸⁰ Katznelson, 166.

²⁸¹ Pinder, 'Anti-Lynching Bill', 161.

²⁸² Jenkins, Peak and Weaver, 74.

²⁸³ Gower, 117.

mean Roosevelt was not involved with the debate at all. Throughout the years he had had multiple meetings with proponents of the anti-lynching bills. He spoke with senators like E. P. Costigan and R. F. Wagner and he sent them papers (of the record) to support their cause.²⁸⁴

At the beginning of the decade, Roosevelt was not as involved with the anti-lynching debate. Over the years, one man in particular made him change his mind: Walter White. Through his frequent contact with Eleanor Roosevelt, White was able to gain access to the White House.²⁸⁵ The First Lady was known for her interest in 'progressive legislation for the welfare of women and children, the improvement of the condition of workers, for the promotion of education and peace and the assurance of civil rights to all citizens regardless of race.'²⁸⁶ Therefore, it came as no surprise that she was a supporter of anti-lynching legislation and because of her assistance White was able to set up multiple meetings with the President.²⁸⁷

During these meetings, they extensively discussed federal anti-lynching legislation and according to White's autobiography, he was indeed able to convince the President of its importance.²⁸⁸ This remained a moral victory, since Roosevelt was still unwilling to speak out in favor of an anti-lynching bill. Fortunately, White was not alone in his struggle to gain the President's support. Among the hundreds of other people who wrote to Roosevelt about these matters was Mary McLeod Bethune. She stood out, not only because she was an anti-lynching activist and the president of multiple organizations (like the National Association of Colored Women), but also because she became the unofficial leader of Roosevelt's Black Cabinet and the director of the Division of Negro Affairs of the NYA.²⁸⁹

While both White and Bethune fought to enable the enactment of federal anti-lynching legislation, they did not always follow the same path. As a NAACP activist, White was actively involved with the drafting of the bills and he remained a loyal lobbyist in Congress. Bethune, on the other hand, was a government official and worked from within the political and governmental system. While the federal anti-lynching debate received the

²⁸⁴ President F. D. Roosevelt to R. Wagner (10 June 1937) in: G. McJimsey, ed., *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11*, 444.

²⁸⁵ Zangrando, *The NAACP Crusade*, 120.

²⁸⁶ Stone, 8.

²⁸⁷ Klarman, 110.

²⁸⁸ White, *A Man called White*, 169.

²⁸⁹ Jaynes, 'Mary McLeod Bethune', 99.

undivided attention of White and the NAACP, Bethune also focused on other matters. As the head of the NYA and as an educator herself, she had to focus on the education of African Americans as well. She was a spokesperson for the general improvement of the lives of the black community.²⁹⁰

Still, both White and Bethune focused on the same goals and worked together on multiple occasions. They organized conferences and spoke at meetings to spread the word about the pending bills. However, their approach towards President Roosevelt was quite different. First of all, White had written far more letters to the President about this particular subject than Bethune. One of the reasons for White's continuous efforts to contact Roosevelt was the fact that the NAACP had sponsored the Costigan-Wagner and Gavagan bills. Therefore, White was inextricably linked to the development of the bills. He believed that only the support of the President could rescue them from the filibusters in the Senate.²⁹¹ Bethune did not have to write as much, since she was a government official and an advisor of the President.²⁹² Therefore, she was able to contact Roosevelt more easily. Still, as the director of the Division of Negro Affairs of the NYA she could not afford to write only about anti-lynching legislation.

Another difference between them was the manner in which they addressed the President. White was more direct in his letters and expressed his disappointment extensively when Roosevelt refused to speak out in favor of an anti-lynching bill. He would not mince his words. Bethune on the other hand was far more polite.²⁹³ As an African American government official she would not have wanted to harm her connection with the President. Especially, because Roosevelt had appointed her as director of the NYA himself. White, on the other hand, continuously stressed the dire necessity of Roosevelt's support, especially when he feared a bill would not pass because of a filibuster.²⁹⁴ As executive secretary of the NAACP, he had less to lose.

Still, in the end both of them were vigorous anti-lynching crusaders in their own way.

²⁹⁰ Ross, 13.

²⁹¹ Zangrando, *The NAACP Crusade*, 131.

²⁹² I. E. Jones, *Mary McLeod Bethune in Washington, D. C.: Activism and Education in Logan Circle* (Charleston 2013) 50-52.

²⁹³ Mary McLeod Bethune to President F. D. Roosevelt (18 January 1940) in: G. McJinsey, ed., *Documentary History of the Franklin D. Roosevelt Presidency, Volume 11*, 590.

²⁹⁴ Walter White to President F. D. Roosevelt (14 June 1934) in: *The Papers of Eleanor Roosevelt, 1933-1945* (microfilm) Reel 18, frame 00974.

In the 1930s, anti-lynching legislation was White's main concern. However, Bethune focused on various problems concerning the African American community. She might have been more restricted in some ways, but she still remained a loyal supporter of federal legislation and contributed greatly to the anti-lynching debate.

In the end, Roosevelt was deeply influenced by both White and Bethune. At the beginning of his presidency, he was not involved with the anti-lynching debate at all. It was not until his meetings with White that the President became convinced of the constitutionality and need of the proposed bills.²⁹⁵ By 1938, when the Wagner-Van Nuys bill was up for consideration in Congress, Roosevelt even stated that if the bill failed to pass, the discussion about federal legislation should not end there. He proposed that either the legislative or executive branch would have to come up with a permanent machinery to investigate lynchings.²⁹⁶ A few years later, in 1942, he finally spoke in favor of anti-lynching legislation and ordered federal investigation of all lynchings. While this was indeed a step in the right direction, it came a little too late for the anti-lynching debate since after 1940 no major bill was proposed and the number of lynchings had declined again.²⁹⁷

Still, it did show the willingness of the President and the White House to become involved with matters surrounding racism and discrimination. It can even be argued that this was a first step towards civil rights. While this President prioritized New Deal legislation in favor of anti-lynching legislation, he was not insensitive to the subject. In fact, because of people like White and Bethune, he became more involved with the matter and in the end even spoke out in favor of anti-lynching legislation. Therefore, both Walter White and Mary McLeod Bethune's struggle to gain Roosevelt's support was not in vain.

²⁹⁵ White, *A Man Called White*, 167-169.

²⁹⁶ 'President Wants Lynching Inquiries', 4.

²⁹⁷ Rable, 219.

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