

University of Nebraska - Lincoln

DigitalCommons@University of Nebraska - Lincoln

---

Faculty Publications, Department of History

History, Department of

---

2017

## Book Review: Megan Ming Francis, Civil Rights and the Making of the Modern American State.

Samantha Bryant

Follow this and additional works at: <https://digitalcommons.unl.edu/historyfacpub>



Part of the [History Commons](#)

---

This Article is brought to you for free and open access by the History, Department of at DigitalCommons@University of Nebraska - Lincoln. It has been accepted for inclusion in Faculty Publications, Department of History by an authorized administrator of DigitalCommons@University of Nebraska - Lincoln.

Megan Ming Francis, *Civil Rights and the Making of the Modern American State*. New York: Cambridge University Press, 2014. Pp. 197. Cloth \$89.99, Paper \$27.99.

Political scientist Megan Ming Francis's *Civil Rights and the Making of the Modern American State* fills a gap in historical literature on the campaigns for African American rights in the late-19th and early-20th centuries by examining the relationship between modern state building and the NAACP's political and legal battles against mob violence and lynching. Previous scholarship on lynching and Jim Crow legislation has concentrated on the social and economic implications of mob violence, particularly its impact on daily lives, grassroots mobilization, and southern black migration to cities in the North and West. Francis challenges the way scholars have discussed the political and constitutional processes of state-building in the early 20th century by placing the NAACP and ordinary citizens as critical actors in the creation of modern institutional definitions of citizenship. Using archival collections of the NAACP and the American Fund for Public Service, the papers of Woodrow Wilson and Warren G. Harding, and judicial records, Francis invites scholars of U.S. constitutional law and political history to re-conceptualize the role of black political organizations and grassroots activism in crafting the modern U.S. legal system and the definitions of citizenship.

Founded in 1909 as a response to racist mob violence in Springfield, Illinois, in 1908, the NAACP's anti-lynching campaign served as an opportunity to advocate for the U.S. Supreme Court's power to intervene in criminal cases. Through an empirical analysis of *The Crisis* magazine's circulation figures between 1911 and 1919 and references to the NAACP in *The New York Times* and *The Atlanta Constitution*, Francis argues that print media functioned as a catalyst for the organization's reception among predominantly white audiences in the North. The NAACP took up Ida B. Wells's anti-lynching campaign as the primary vehicle to demonstrate the prevalence of racial violence throughout the United States. Despite the organization's increased visibility on the national stage, the "Red Summer of 1919," a phrase coined by NAACP executive secretary James Weldon Johnson to describe the increasing violence, inspired the group's leaders to refashion their mobilization strategy from print to direct appeals to the U.S. President and Congress.

Francis traces presidents Woodrow Wilson and Warren G. Harding's responses to equal rights demands pressed by the NAACP. While not pro-black by any stretch of the imagination, Wilson and Harding faced unrelenting pressure from the NAACP to intervene in cases of mob violence and lynching. The NAACP used petitions, marches, and high profile advisory committees to bring national attention to the racial violence in East St. Louis, Illinois; Tulsa, Oklahoma; and other locations. Throughout the discussion of this activism, Francis emphasizes that the

NAACP underwent reorganization, expanding its networks for grassroots lobbying into the political arena, specifically focusing on the unsuccessful campaign for the Dyer anti-lynching bill in 1920–1921.

Francis's greatest strength is the explication of the ways black activists, ordinary citizens, and grassroots political organizations were shaped by, and helped to shape, governmental policies. In "Defending the Right to Live," Francis underlines the significance of the NAACP's mass media campaign, fundraising tactics, and legal defense strategies leading to the successful *Moore v. Dempsey* Supreme Court decision in 1923. The 1919 massacre of African Americans in Phillips County, Arkansas, by a white mob, due to white anxieties over black tenant farmers' participation in the Progressive Farmers and Household Union of America, left many black workers murdered and their property destroyed. The sentencing of twelve black men to death, along with a series of indictments against many black residents, fueled the NAACP's own efforts to investigate what happened. The investigators found that the police had mishandled evidence, the judges were extremely biased, and the negative local media campaign impacted the twelve black men placed on trial for organizing a farmers' cooperative. Francis identifies the NAACP and black activists as influential agents in the shaping of modern constitutional law, arguing that the attorneys' legal arguments, the media campaigns, and the changing political climate opposing lynching and mob violence spurred the Supreme Court to action.

The primary weakness of *Civil Rights and the Making of the Modern American State* is how it fails to delve into the intra-racial and cross-class conflict occurring with the rise of black radicalism in the United States after World War I. Conflict between the NAACP and the emerging Communist Party precipitated a conscious effort by the NAACP to distance itself from a group perceived as "bolshievisht" by the U.S. government. Francis's analysis raises questions as to how other organizations such as the Marcus Garvey's Universal Negro Improvement Association and the Communist Party perceived the NAACP's litigation strategy. As the NAACP gained increased public attention, it reoriented its agenda just as New Negro radicalism increased.

Megan Francis's *Civil Rights and the Making of the Modern American State* should be useful to researchers in the fields of African American and United States history considering the impact of black political activism and civil rights organizations in shaping the modern state and citizenship rights. By moving the NAACP's legal strategies and political influence from the periphery to the center of analysis, Francis's study should prove useful in re-conceptualizing how citizenship rights were expanded in the modern American state.

Samantha Bryant  
University of Nebraska-Lincoln