

Then, as now, political and social participation for blacks and women were not synchronized.⁴⁷ Nevertheless, women's political participation continued, especially in the 1920's.⁴⁸ Election to the judiciary was one of the last and the toughest barriers.⁴⁹ The participation of blacks in political life in Illinois and Chicago increased measurably after the Great Migration.⁵⁰ The election of African American judges to the Circuit Court, however, was not quickly accomplished.⁵¹

Immigration and Emigration

The level of immigration and its changing face, the rapidly in-

tions As an organization it is independent [of affiliation with a political party] in politics but its members are found in important positions in every one of the political factions. Of twenty-nine Negroes who were successful candidates for elective office, fourteen were lawyers by profession.

HAROLD F. GOSNELL, *NEGRO POLITICIANS* 108 (1968). Gosnell goes on to note: "According to the thirteenth and fifteenth censuses, the number of Negro lawyers in Chicago increased from 44 in 1910 to 170 in 1930." *Id.* at 109 n.48.

⁴⁷ In 1894 Ida Platt was the first Black woman lawyer admitted to the bar in Illinois, and she was the only black woman lawyer in Illinois until 1920. *WOMEN BUILDING CHICAGO: 1790-1990*, *supra* note 45, at xxviii.

⁴⁸ In 1923 Lottie O'Neill was the first woman elected to the Illinois State legislature. *Id.* At xlviii. Esther Saperstein became the first female alderman in Chicago in 1975, after serving for two decades in the Illinois state legislature and holding a number of other elective and appointed political positions. *Id.* at 780. Yet there were legal areas where women in Chicago were behind advances for women in other parts of the country. Women were not allowed on juries in Chicago until 1939, long after suffrage and long after they had been practicing law and even serving as judges. *Id.* at 163.

⁴⁹ Mary Bartelme was the first woman to be appointed Public Guardian in 1897. *Id.* at 66. Mary Bartelme was also the first woman appointed as an assistant judge in the Cook County Juvenile Court in 1913, and in 1923 she became the first woman elected as a judge in the Circuit Court of Cook County. *Id.* at 67-68.

⁵⁰ James Q. Wilson writes,

[T]here had been one Chicago Negro in the Illinois State legislature continuously since 1882, two since 1914, three since 1918, four since 1924, and five since 1928. The first Negro alderman was elected in 1915 and the second in 1918. The most dramatic event occurred in 1928, when the first Negro since Reconstruction entered the United States House of Representatives; six years later, the Negro Republican was replaced by a Negro Democrat.

Wilson, *supra* note 43, at vii.

⁵¹ Gosnell points out,

The first attempt to elect a colored judge was made in 1906, just after the creation of the new Municipal Court of Chicago. . . . [In 1924] the efforts of nearly two decades were rewarded by the election of Albert B. George to the Municipal Court Bench. . . . After graduating from the Northwestern University Law School in 1897, he engaged in general law practice and, according to the Chicago Bar Association, "In twenty-six years' practice, he built up a good reputation as a lawyer deserving the confidence of the Bar and of his clients."

GOSNELL, *supra* note 46, at 85-86.

creasing population of the city and its shifting demography, in terms of age, race and national origin,⁵² were dominating forces in this period of vast economic and political change. The big Chicago story over this sixty year period is the huge increase in sheer numbers of the city's population,⁵³ from less than one million to more than 3.4 million, the vast wealth creation, and the changing economic structure of the city⁵⁴ and the country. An important component is the change in the work force,⁵⁵ and in the racial and ethnic composition of the population.

The ethnic composition of foreign immigration changed after the turn of the century, and changed again during and after World War I, and then changed again after the imposition of a quota system on immigration from certain parts of the world in 1924.⁵⁶ The way in which the United States Census defined and tabulated national origin and racial categories changed during this period and is itself a history

⁵² Labor issues were mixed up with immigration issues, which in turn had an economic component and racial implications. At the turn of the century, of the 1.7 million in Chicago more than three quarters were of foreign birth or parentage. That was how the U.S. Census counted people, and that was how people classified themselves and others. "Chicago's manufacturing establishments tripled during . . . [1880–1890], its industrial capital more than quadrupled (from \$69 million to \$292 million), and its manufacturing workforce ballooned from 79,414 to 203,108 wage earners." WILLRICH, *supra* note 13, at 31.

⁵³Richard Jensen writes,

Chicago's mighty boom—continuous since the 1840s, with but a pause during the depressed 1890s—spiralled upward until 1929. To the million inhabitants in 1890 another 600,000 were added by 1900, another 500,000 by 1910, and yet another 1,200,000 by 1920, when the total finally leveled off at 3,400,000. Just behind Berlin and ahead of Paris, Chicago was the fourth city in size in the world, and second in wealth only to New York.

RICHARD J. JENSEN, *ILLINOIS: A HISTORY* 89–90 (Univ. of Ill. Press, 2001) (1978).

⁵⁴ The boundaries of the city changed dramatically in 1889, when the city annexed surrounding townships. The acreage of the city more than quadrupled in 1889.

⁵⁵Jensen notes,

The manufacturing and transportation base of the city's economy continued to flourish, Chicago's banking, commerce, and services (like law, medicine, education, entertainment) dominated the entire Midwest, leaving Saint Louis and Detroit far behind Despite the heavy influx of unskilled immigrants, the city's occupational force was steadily upgraded. White collar jobs grew much faster than blue-collar ones; after 1920 the numbers of unskilled laborers and servants shrank drastically.

JENSEN, *supra* note 53, at 90.

⁵⁶Robert Grant and Joseph Katz explain,

The answer, for those who feared foreign influences, was immigration restriction. The National Origins Act of 1924 imposed a quota system, brought to a virtual halt immigration from the least-favored areas, and choked off the least-favored peoples: Catholics from Italy and Poland, Jews from Poland and Russia, Slavs from Russia and the Balkan States.

GRANT & KATZ, *supra* note 18, at 12.

of the changes in how Americans defined themselves.⁵⁷

As farm income declined, more rural people migrated to Chicago, the magnet city for the farming heartland of the country and for immigration from abroad.⁵⁸ This huge influx of people had vast ramifications for the economics and politics of the region and the country, and for patterns in crime and the job of law enforcement.⁵⁹

The racial and ethnic composition of American migration also changed. The large emigration of black Americans from the South intensified prior to and during World War I, doubling the black population in Chicago in four years.⁶⁰ Although the percentage of American

⁵⁷ For a detailed description of the racial categories in the U.S. Census, see MELISSA NOBLES, *"The Tables Present Plain Matters of Fact": Race Categories in the U.S. Census*, in *SHADES OF CITIZENSHIP: RACE AND THE CENSUS IN MODERN POLITICS* 25–69 (2000).

⁵⁸ Grant and Katz write,

It was in the cities that newcomers—the Poles, the Italians, the eastern European Jews—met the new arrivals from the small towns and rural villages, Americans who were a part of an internal migration from the countryside to urban centers. By the second decade of the twentieth century, only in some cities did the American-born outnumber the immigrants; in Boston, Chicago, New York, Philadelphia, and many others, the immigrants actually outnumbered the natives. From the point of view of rural America, urban life—with its crowding, poverty, crime, corruption, impersonality, and ethnic chaos—presented not merely a new way of life, but a dangerously subversive countercurrent, even a threat to civilization itself.

GRANT & KATZ, *supra* note 18, at 11.

⁵⁹ Monkennon posits,

Throughout the nineteenth century, U.S. cities increasingly became cities of strangers—that is, they could be perceived by their inhabitants as such because of the great amount of population mobility, high number of foreign born immigrants, and increasing numerical and physical size And when cities became large, one's daily chances of interactions with strangers became certain. Urban dwellers shared the same spaces and many customs, yet they often did not know one another. Intimacy of place, experience, and attitude became radically severed from mutual trust in the second half of the nineteenth century. Onto the streets of these complex and unnerving cities walked the newly uniformed police, semiliterate members of the working class wearing outfits that they thought looked like servants' livery, charged with duties which no one clearly understood.

MONKENNON, *supra* note 1, at 2. Monkennon argues that the adoption of the police uniform, which was resisted strongly, changed the relationship between the police and the community. The Chicago police adopted uniforms in 1858. *Id.* at 150.

⁶⁰ The founding of the black American newspaper the *Chicago Defender* by Robert Abbott in 1905, and its repeated call for American blacks to come to Chicago from the South is attributed with encouraging such emigration. For many years the *Chicago Defender* was the most widely read and influential newspaper, the newspaper of record for black Americans, with a circulation reaching one million at its height. It gained its reputation partly because of its bold publication of pictures of lynching victims, and its call for black people to defend themselves against lynch mobs. John Cook, *The Defender Staggers*, CHI. TRIB., Feb. 5, 2002, §5, at 1. The early issues of this Journal also published reports of lynchings. See W. E. Wimpy, *Lynching, An Evil of County Government*, 11 J. AM. INST. CRIM. L. & CRIMINOLOGY 127 (1920); Robert R. Morton, *The Lynchings Record for 1920*, 11 J. AM. INST.

blacks was never a large proportion of the Chicago population in this period, the absolute numbers of American blacks in the city increased ten fold from 1870 to 1900, and went from over 30,000 to almost 234,000 between 1900 and 1930.⁶¹ A major race riot occurred in 1919.⁶²

Newspapers and the Political and Intellectual Climate of the Times

After the turn of the century, newspapers flourished, announcing the “news,” creating the tone for public discourse, and often setting the agenda for reform.⁶³ Partly because of their financial independence from both business and government, the newspapers were the institutions most likely to expose corruption and graft among public officials. This role continues today.⁶⁴

In Chicago during this period newspapers in literally dozens of languages had wide circulations; they appeared, were bought and sold, and then disappeared or merged.⁶⁵ *The Chicago Defender*, the national black American newspaper, was founded in 1905. The Daily

INST. CRIM. L. & CRIMINOLOGY 622–23 (1920).

⁶¹ ALLAN H. SPEAR, *BLACK CHICAGO: THE MAKING OF A NEGRO GHETTO, 1890–1920*, at 12 tbl.1 (1967).

⁶² See WILLIAM M. TUTTLE, JR., *RACE RIOT—CHICAGO IN THE RED SUMMER OF 1919* (Univ. of Ill. Press 1996) (1970).

⁶³ The relationship between the media, in this period newspapers and later radio, the courts and crime was even more tangled than at the turn of this century. These overlapping relationships and the role of individual publishers and reporters in celebrated court cases in the early twentieth century is brilliantly portrayed in J. Anthony Lukas’ comprehensive narrative of the legal events, journalistic reporting, and political and social circumstances surrounding a 1904 trial in Boise, Idaho, concerning the murder of a former Idaho governor by mineworkers. The trial was the political sensation of the day. Clarence Darrow represented one of the principal defendants, the mineworker’s flamboyant leader “Big Bill” Haywood. Much of the labor history recounted took place in Chicago. Although the trial was set in Boise, Idaho, six New York newspapers had reporters covering the trial, dispatching front page stories for months. See LUKAS, *supra* note 14, at 155–200, 632–749. This book is particularly valuable on the history of the union movement, labor politics, and socialism, in addition to providing a detailed, powerful narrative of a sensational trial of the period and the role played by the press, the lawyers and the principals in the law and politics of the day.

⁶⁴ See, e.g., Ken Armstrong *et.al.*, *Cops and Confessions—Coercive and Illegal Tactics Torpedo Scores of Cook County Murder Cases*, CHI. TRIB., Dec. 16, 2001 at 1; Ken Armstrong & Maurice Possley, *The Verdict: Dishonor*, CHI. TRIB., Jan. 10, 1999 at 1.

⁶⁵ Chicago newspapers changed hands, changed names, made money, lost money, and kept publishing. “*Chicago Herald* [daily] (established 1881; followed *Chicago Daily Telegraph* 1878–1881; published as *Chicago Herald*, 1881–1895; as *Chicago Times-Herald* 1895–1901; as *Chicago Record-Herald* 1901–1914; as *Chicago Record-Herald & Inter Ocean* 1914; as *Chicago Record-Herald* 1914–1918. In 1918 combined with *Chicago Examiner* to form *Chicago Herald and Examiner*.)” BONNER, *supra* note 28, at 303.