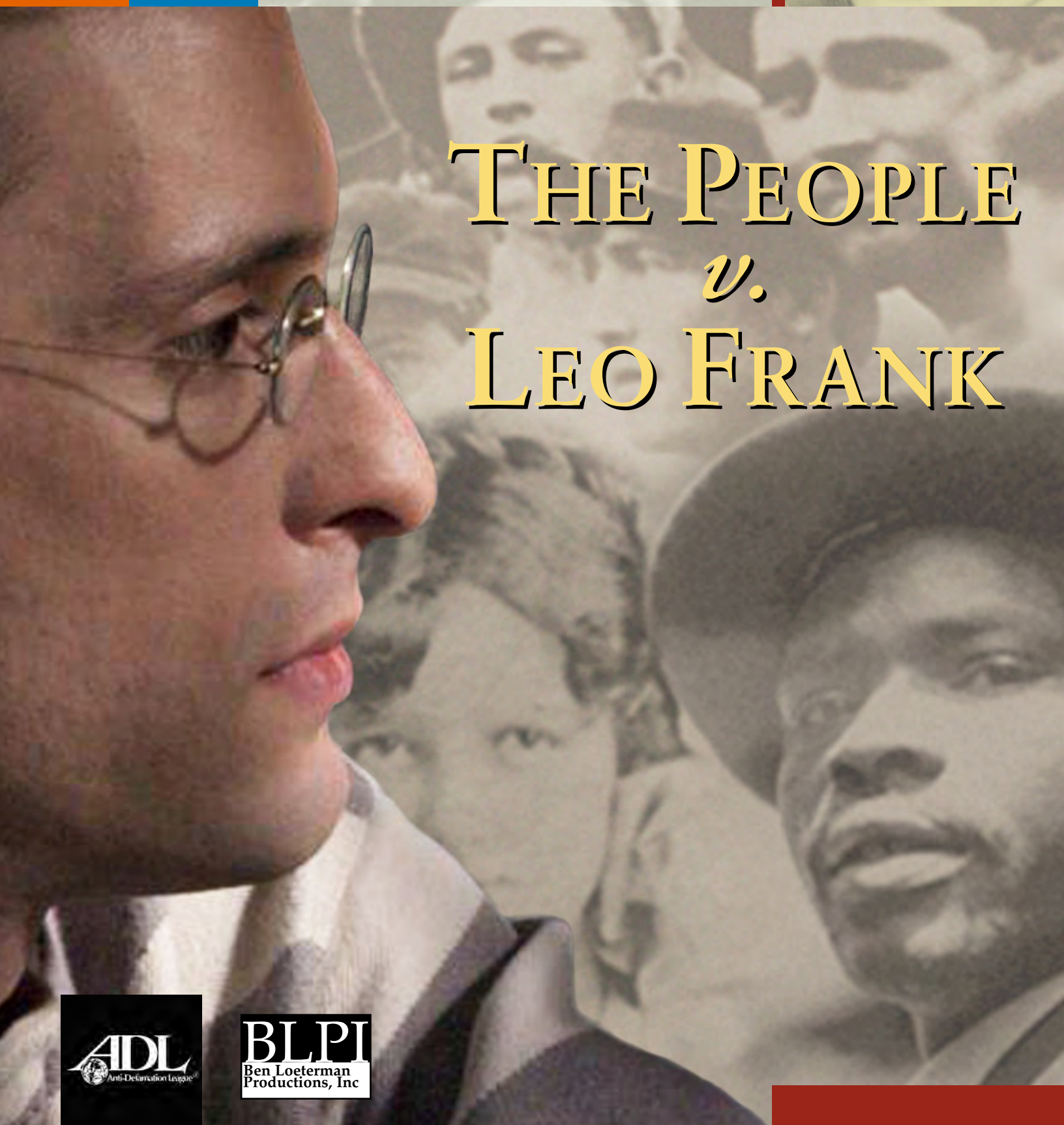
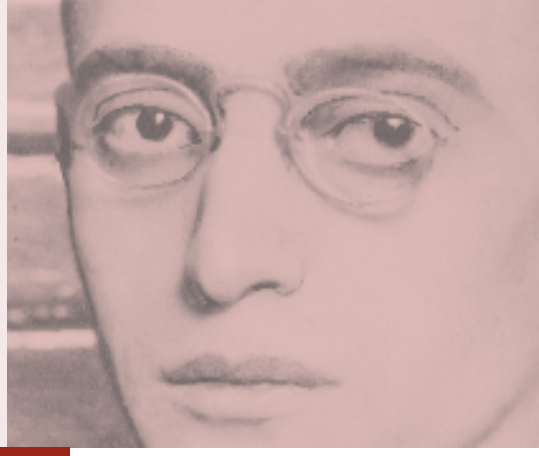
TEACHER'S GUIDE

THE PEOPLE *v.* LEO FRANK



ADL Anti-Defamation League

BLPI Ben Loeterman Productions, Inc



The People *v.* Leo Frank

TEACHER'S GUIDE

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This guide was created in collaboration with Ben Loeterman Productions, Inc.
For an electronic version of this guide, visit www.adl.org/leofrank.
For more information on *The People v. Leo Frank*, visit www.leofrankfilm.com.

Special thanks to Steve Oney, author of *And the Dead Shall Rise: The Murder of Mary Phagan and the Lynching of Leo Frank.*

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ABOUT THE ANTI-DEFAMATION LEAGUE

The Anti-Defamation League was founded in 1913 "to stop the defamation of the Jewish people and to secure justice and fair treatment to all citizens alike." Now one of the nation's premier civil rights/human relations agencies, ADL fights anti-Semitism and all forms of bigotry, defends democratic ideals and protects civil rights for all.

A leader in the development of materials, programs and services, ADL builds bridges of communication, understanding and respect among diverse groups, carrying out its mission through a network of regional and satellite offices in the United States and abroad. ADL's long-term commitment to fighting anti-Semitism and fighting for fair treatment for all people provides the context for all of its anti-bias initiatives.

Today, ADL's 30 professionally staffed offices in the United States, plus offices in Jerusalem, Vienna and Moscow, work to translate this country's democratic ideals into a way of life for all Americans. Legal Affairs files amicus briefs challenging discrimination and encourages model legislation — including hate crimes laws, which enhance penalties when crimes are committed because of a victim's race, religion, ethnicity, sexual orientation, or national origin. Its Research and Fact Finding monitors extremist groups, from neo-Nazi skinheads to international terrorist groups. The Civil Rights Information Center provides quick responses to the media and the public on breaking news and events relating to civil rights issues. Education seeks to break the cycle of hatred through curriculum and training.

ABOUT THE A WORLD OF DIFFERENCE® INSTITUTE

The Anti-Defamation League's A WORLD OF DIFFERENCE® Institute is a market leader in the development and delivery of anti-bias education and diversity training programs and resources. Comprised of four distinct departments — CLASSROOM, CAMPUS, COMMUNITY, and WORKPLACE — the Institute's customizable, interactive programs are used by schools, universities, corporations, law enforcement agencies and community organizations throughout the United States and abroad.

The Institute's training modules and curricula are designed by human relations and education professionals, incorporating the latest research from the education field. Ongoing evaluation efforts in collaboration with renowned universities, colleges and foundations ensure and enhance the efficacy of the Institute's offerings.

Through the development and delivery of its programs and resources, the Institute seeks to help participants: recognize bias and the harm it inflicts on individuals and society; explore the value of diversity; improve intergroup relations; and combat racism, anti-Semitism and all forms of prejudice and bigotry. Institute programs provide the necessary skills, knowledge and awareness to promote and sustain inclusive and respectful school, work and home environments.

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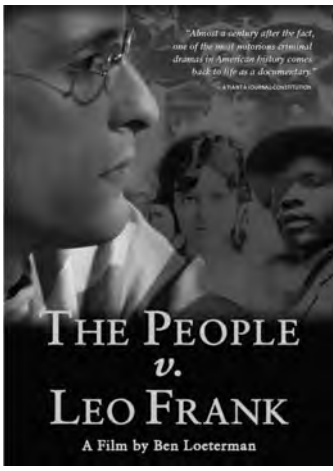
ABOUT THE PEOPLE V. LEO FRANK



The People v. Leo Frank, written and directed by Ben Loeterman, brings to life one of the most fascinating criminal cases in American history: the 1913 murder of 13-year-old Mary Phagan, a child laborer in an Atlanta pencil factory, and the trial and lynching of Leo Frank, the Jewish factory supervisor from "up North" accused of her murder. Set against the backdrop of an American South struggling to shed its legacy of bigotry and xenophobia, the story is both a first-rate murder mystery and a thought-provoking look at racial, religious, regional and class prejudices in the early years of the 20th century.

THE MURDER

Early in the morning on April 27, 1913, the night watchman at an Atlanta pencil factory discovered the murdered body of 13-year-old Mary Phagan, a white worker at the factory. She had apparently been robbed and possibly raped. The case made headlines and several arrests were made, including Jim Conley, a black janitor at the factory who was seen three days later washing red stains out of his work shirt. Also arrested was Leo Frank, the factory's superintendent and the last person to admit to seeing Mary alive.

Suspicion of Frank soon mounted, based largely on his nervous behavior. A Jew raised in Brooklyn, Frank quickly became prosecutor Hugh Dorsey's prime suspect. On the fourth try, Dorsey coaxed Jim Conley to confess that he had helped hide Mary's body, but the janitor insisted that Frank, his boss, was the killer. 'POLICE HAVE THE STRANGLER,' blared a local headline, effectively convicting him in the public mind before he ever faced the jury.

THE TRIAL

Frank's trial lasted a month. Each day spectators packed the sweltering courtroom, with hundreds more waiting outside to catch the latest news. The proceedings descended into a free-for-all of hearsay testimony, lurid details, shoddy police work and mind-boggling contradictions on the witness stand. Frank's nervous and rambling testimony did nothing to help his case. Despite Conley's conflicting statements and the lack of any physical evidence linking Frank to the murder, the all-white jurors accepted the word of the Southern black janitor over that of the Northern Jewish factory superintendent. Leo Frank was pronounced guilty and sentenced to death.

THE LYNCHING

Most Atlantans celebrated the verdict, but observers around the country grew enraged at what they considered to be a mockery of justice. Editorials from New York to San Francisco decried the verdict and called for a new trial. But the meddling of outsiders only further steeled Southern pride and Frank's detractors.

The most vocal of these was Tom Watson, a populist newspaper editor who inflamed public sentiment with vicious anti-Semitic articles. In issue after issue of his paper, *The Jeffersonian*, Watson painted Mary Phagan as a "pure little Gentile victim" defiled by a money-grubbing, sexually perverted New York Jew.

Frank's lawyers appealed the conviction, but were rebuffed at every step, all the way to the U.S. Supreme Court. Their last hope was to petition Georgia's outgoing governor, John Slaton. Slaton weighed the evidence and concluded that Frank had not in fact received a fair trial. In an astounding turn of events and after some personal agonizing, Slaton commuted Frank's sentence from death to life in prison. A mob, enraged by the governor's actions and whipped into frenzy by Watson's *Jeffersonian,* descended on the Governor's mansion, hanging him in effigy with signs labeling him "King of the Jews."

Meanwhile, out of the public eye, an elite group of influential Georgians—including a former governor and judge—made plans to quietly carry out their own sentence on Frank. On a hot August afternoon, 25 men walked into the prison where Frank was being held and—without breaking a lock or firing a shot—abducted the prisoner from his cell. They drove Frank to an oak grove near Mary Phagan's childhood home. A noose was placed around his neck. The judge read the charges and proclaimed the sentence. Then the small table on which Leo Frank stood was kicked out from under him.

THE LEGACY

The most famous lynching of a white man in the U.S. inspired two conflicting legacies. Some of Frank's lynchers joined members of the original Ku Klux Klan, which had all but faded out after Reconstruction. On Stone Mountain outside Atlanta, they formed the modern Ku Klux Klan, partly in Mary Phagan's honor. Its mission would expand from just intimidating Southern blacks to spreading hate against Jews, Catholics and others across the country.

Meanwhile, a fledgling organization found its mission in the Frank case. The Anti-Defamation League would become a powerful defender of civil rights and social justice for all in the United States, and continues to this day.

ABOUT BEN LOETERMAN PRODUCTIONS, INC.

Ben Loeterman is a writer/director/producer of historical and public affairs documentaries, mostly for public television. He worked for PBS's flagship current affairs series FRONTLINE for 20 years since its inception, with credits ranging from *What Jennifer Saw*, about the frailty of eyewitness testimony to *The Triumph of Evil*, about US culpability for the genocide in Rwanda.

BLPI
Ben Loeterman
Productions, Inc

Loeterman's production company, BLPI, has contributed three programs to the PBS series AMERICAN EXPERIENCE: *Golden Gate Bridge*, about one man's undying effort to see it built; *Public Enemy #1*, a biography of John Dillinger; and *Rescue at Sea*, about 1,500 lives saved by wireless three years before the Titanic. He has won national Emmy awards for directing and investigative journalism, and is the recipient of two duPont-Columbia journalism awards.

To learn more and purchase a copy of *The People v. Leo Frank* on DVD, visit www.leofrankfilm.com.

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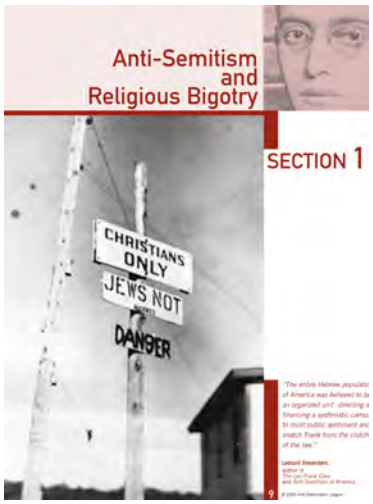
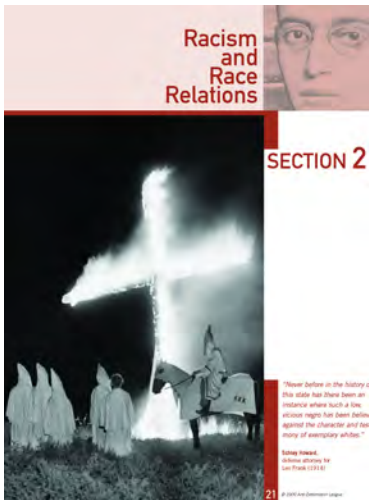




OBJECTIVES OF THE GUIDE

The People v. Leo Frank Teacher's Guide provides instructional materials that help secondary level students (grades 9 – 12) explore the intersection of various forms of oppression and the complexity of bias incidents at the center of the Leo Frank case. Students will emerge from their study of the case with an understanding of the ways in which anti-Semitism, racism and other social forces shaped life in the post-Reconstruction and Jim Crow South. As they deepen their knowledge about a particular time and place in U.S. history, students will also increase their awareness about the dangers of stereotyping and bigotry in today's world, and the importance of speaking out against bias and prejudice of all kinds.

The specific objectives of the guide are as follows:

- Students will learn about a significant court case in U.S. history (*The People v. Leo Frank*).
- Students will increase their knowledge about the social, political and economic dynamics that existed in the South during the periods of Reconstruction, industrialization and segregation.
- Students will gain an understanding of the history and legacy of prejudice and discrimination in the U.S. during the late 1800s and early 1900s, including anti-Semitism, racism, classism and regional bias.
- Students will explore the impact of media sensationalism and the power of the press to shape public opinion.
- Students will use primary resources to deepen their understanding of specific topics in U.S. history, including anti-Semitism, lynchings, and labor and class struggles.
- Students will increase their awareness of the dangers of stereotyping and bigotry in today's world.

See pages 58 and 59 to learn how the content and activities in this guide correlate to national education standards.

COMPONENTS OF GUIDE

The guide is divided into four main sections: (1) Anti-Semitism and Religious Bigotry; (2) Racism and Race Relations; (3) Regional and Class Tensions; and (4) The Power of the Press. Each section includes the following components:

TAKE ANOTHER LOOK	*Guided review of film clips with discussion questions*
READ ABOUT IT	*A reproducible reading for students that deepens understanding of the topic*
DEFINE IT	*Topic-specific vocabulary from the film and student reading*
DIG DEEPER	*Extension activities and research ideas that promote further exploration*
CONSIDER THE SOURCE	*Investigation of primary source material with document-based questions*

The guide also includes a chronology of and a "who's who" in the case, student glossary and correlation to national educational standards.

USING THE GUIDE

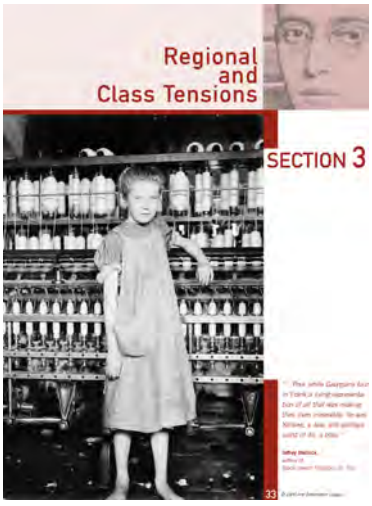
It is recommended that students view the entire film prior to engaging in the activities in this guide. Depending upon the time available and the interest and ability level of your students, choose one of the following methods for using this guide after showing the film:

OPTION 1 (More Time Available): Introduce instructional activities from each of the four main sections in this guide on successive days or weeks. After reviewing and discussing selected clips from the film for each section (TAKE ANOTHER LOOK), assign the student reading (READ ABOUT IT) for homework. As a follow-up, investigate the primary source materials (CONSIDER THE SOURCE) in class and assign one or more of the extension activities or research projects (DIG DEEPER).

OPTION 2 (Some Time Available): Divide the class into four groups and assign each group one of the four main sections to investigate. Instruct each group to complete the relevant reading (READ ABOUT IT) and discuss the primary source materials (CONSIDER THE SOURCE) using the questions provided. If time allows, reconfigure the class into new small groups so that students who have studied all four sections are represented in each group. Direct the students who have studied anti-Semitism to present a summary of what they have learned to the rest of the group, and repeat this process for the other three sections. Assign an extension activity or research project (DIG DEEPER) to be completed for homework.

OPTION 3 (Less Time Available): For homework, assign one reading (READ ABOUT IT) that most closely aligns with your standard curriculum. In class, discuss the reading and the corresponding primary source materials (CONSIDER THE SOURCE). Assign an extension activity or research project (DIG DEEPER) to be completed outside of class.

NOTE: Some of the film clips, activities and reading material in this guide include racially sensitive language and images that are considered offensive today, but were common at the time of the Leo Frank case. Consider whether your students are developmentally and emotionally prepared to hear and view such language and images before bringing them into the classroom. If you choose to introduce these materials, make sure students understand that these words and images are being used in a specific historical context and are not appropriate outside of this particular educational discussion.



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TIMELINE OF THE LEO FRANK CASE

APRIL 26, 1913:
Mary Phagan is murdered; her body is found in the National Pencil Company basement.

APRIL 27, 1913:
Newt Lee, the factory night watchman who discovered the body, is arrested on suspicion of murder.

MAY 1, 1913:
Jim Conley, an African-American sweeper at the factory, is arrested after being found in the basement rinsing out a blood-stained shirt.

MAY 23, 1913: :
Leo Frank is indicted for the murder of Mary Phagan.

JULY 28, 1913:
The trial of Leo Frank begins. Mary Phagan's mother and Newt Lee testify.

AUGUST 4-5, 1913:
Jim Conley testifies as the chief prosecution witness against Leo Frank.

THE ATLANTA CONSTITUTION
FRANK CONVICTED, ASSERTS INNOCENCE

AUGUST 18, 1913:
Leo Frank takes the stand in his own defense.

AUGUST 25, 1913:
The trial concludes and it takes less than two hours for the jury to find Frank guilty. The next day the judge sentences Frank to hang, and an execution date is set for October 10, 1913.

AUGUST 1913 – APRIL 1915:
More than a dozen appeals are filed by Frank's defense team; all are denied. After the U.S. Supreme Court rejects the final appeal on April 9, 1915, Frank's execution is set for June 22, 1915.

FEBRUARY 24, 1914:
Jim Conley is sentenced to a year on a chain gang for his part in the murder. He would serve 10 months and get out early for good behavior.

JUNE 20, 1915:
Governor John Slaton commutes Frank's sentence from death to life in prison.

JULY 18, 1915:
Leo Frank's throat is slashed by fellow prisoner, William Creen. He survives the attack.

AUGUST 16-17, 1915:
Leo Frank is kidnapped from prison by 25 armed men and driven over a hundred miles to Marietta (Mary's hometown), where he is lynched.

MARCH 4, 1982:
Alonzo Mann, a former office boy at the National Pencil Company, signs an affidavit claiming that he saw Jim Conley carrying Mary Phagan's body the day of the murder.

MARCH 11, 1986:
The Georgia Board of Pardons and Paroles grants Leo Frank a posthumous pardon based on the State's failure to ensure his safety, but the pardon does not officially clear Frank of the murder.

WHO'S WHO IN THE LEO FRANK CASE

PRESIDING

Leonard S. Roan (1849–1915)
Trial judge

AT THE PROSECUTION TABLE

Hugh M. Dorsey (1871 –1948)
Solicitor General (Prosecutor)

William M. Smith (1880-1949)
Defense attorney for Jim Conley

THE VICTIM

Mary Phagan (1899–1913)
Thirteen-year-old factory worker

AT THE DEFENSE TABLE

Leo Frank (1884–1915)
Superintendent of the National Pencil Company and defendant in the murder trial of Mary Phagan

Luther Z. Rosser (1859–1923)
Lead defense attorney

Reuben R. Arnold (1868–1960)
Co-defense attorney

ON THE WITNESS STAND

Jim Conley (c.1884–?)
Janitor at the factory and a key witness for the prosecution

Newt Lee (dates unknown)
Night watchman at the factory who discovered the body of Mary Phagan

George Epps (dates unknown)
15-year-old newsboy and witness for the prosecution

Fanny Coleman (dates unknown)
Mary Phagan's mother

Rae Frank (?–1925)
Leo Frank's mother

IN THE GALLERY

Lucille Selig Frank (1888–1957)
Leo Frank's wife

John W. Coleman (dates unknown)
Mary Phagan's stepfather

IN THE BACKGROUND

Thomas E. Watson (1856–1922)
Politician and publisher of *TheJeffersonian* who vilified Frank

Moses Frank (dates unknown)
Part owner of the National Pencil Company and Leo Frank's uncle

John Carson (c.1868–1949)
Appalachian fiddler who composed the ballad, "Little Mary Phagan"

John Slaton (1866-1955)
Governor of Georgia from 1913-1915; commuted Frank's sentence from death to life in prison

Louis Marshall (1856–1929)
Attorney and president of the American Jewish Committee; argued Frank's case before of the U.S. Supreme Court.

Alonzo Mann (1899–1985)
Office boy at the National Pencil Factory who pointed to Jim Conley as the murderer 69 years after the trial

Albert D. Lasker (1880–1952)
Lord & Thomas Advertising Agency president and advocate for Frank

Adolph Ochs (1858–1935)
Publisher of The New York Times and advocate for Frank

Nathan Straus (1848–1931)
Chairman of R.H. Macy and Company and advocate for Frank

William Burns (1861-1932)
Head of the Burns Detective Agency, hired by Lasker to re-investigate the case

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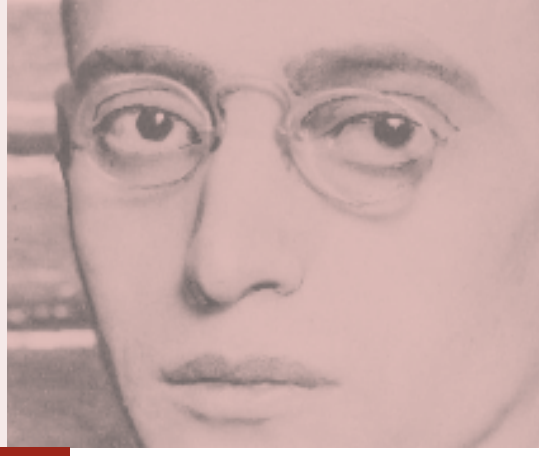
Anti-Semitism and Religious Bigotry



SECTION 1

"The entire Hebrew population of America was believed to be an organized unit directing and financing a systematic campaign to mold public sentiment and to snatch Frank from the clutches of the law."

Leonard Dinnerstein,
author of
The Leo Frank Case
and *Anti-Semitism in America*

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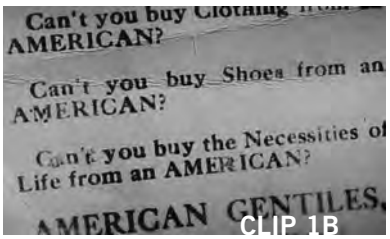
Anti-Semitism and Religious Bigotry

SECTION 1
EDUCATOR STRATEGIES

CLIP 1A



CLIP 1B

CLIP 1C

CLIP 1D

TAKE ANOTHER LOOK

After screening the entire film, review the following clips, which focus on Jewish life and anti-Semitism during the late nineteenth and early twentieth centuries. Discuss the questions below with students.

Clip 1A: **Early Jewish Life in Atlanta** *(10:01–12:25)*

- What is assimilation? Do you think the German Jews of Atlanta sacrificed anything by assimilating so fully into Southern life?
- How did the Jews of Atlanta reconcile (or bring together) their religious and national identities?
- Do you think the German Jews had more in common with their Christian neighbors or the new Jewish immigrants from Russia?
- What thoughts or emotions do you think were beneath the German Jews' rejection of their fellow Jews from Russia and Eastern Europe?

Clip 1B: **Anti-Semitism in the Trial's Aftermath** *(52:06–53:54)*

- Why do you think the Jewish community remained largely silent throughout Frank's trial?
- Do you think Frank's attorneys argued that anti-Semitism was a factor in the jury's decision simply as a defense tactic or because it was true. Explain your opinion.
- How did the trial and its aftermath affect Jews' sense of identity as Americans and their sense of security as Southerners?

Clip 1C: **Tom Watson Fans the Flames of Hatred** *(57:03–58:09)*

- What do you think motivated Tom Watson to launch anti-Jewish attacks in his coverage of the Leo Frank affair?
- Do you think he was reflecting or shaping public opinion? Explain.

Clip 1D: **Jewish Community after Leo Frank** *(1:18:34–1:19:09)*

- Do you think the Leo Frank affair did more to galvanize or stifle the Jewish community? Explain.
- How did Leo Frank's legacy affect the next generations of Jews in the South?

DEFINE IT

Make sure students understand the following terms.

anti-Semitism
bias
bigotry
blood libel
B'nai Brith
boycott
capitalist
commute/ commutation
Confederacy
defamation
Gentile
ghetto
immigrant
indict
industrialization
lynch/lynch law
pardon
perjury
persecute
prejudice
slur
solidarity
stereotype
white supremacy
Yankee

READ ABOUT IT

Have students read the article, "The Oldest Hatred: Anti-Semitism and the Leo Frank Case" (see page 14). Make sure students understand the terms in the DEFINE IT section above prior to reading (a Student Glossary is included on pages 56 and 57). After reading, have students discuss their reactions in pairs, small groups or as a whole class.

© Bettmann/Corbis

DIG DEEPER

Assign one or more of the following activities to deepen the discussion about anti-Semitism and Jewish life, and to promote further investigation of the topic.

1) Research and report back on one of the following historical events from the timeline in the student reading: pogroms in Russia (1881-84); emergence of the *Protocols of the Elders of Zion* (1905); founding of the Anti-Defamation League (1913); appearance of anti-Semitic articles by Henry Ford in the *Dearborn Independent* (1920); or publication of Adolf Hitler's *Mein Kampf* (1925-27).

2) Define *scapegoat* and research the origin of the term. Describe how Leo Frank was a scapegoat. Create a chart that illustrates at least three other individuals or groups who have been scapegoats in history or contemporary times.

3) Find out more about the Mendel Beilis and Alfred Dreyfus affairs. Assume the voice of one of these men and write a letter to Leo Frank in prison that conveys your subject's experiences and offers advice to Frank.

4) As president of Atlanta's B'nai B'rith, Leo Frank appointed a committee "to investigate the complaints against Jewish caricatures" that were frequent in his time. Identify an anti-Semitic caricature or cartoon from the early 1900s (see, for example, www.authentichistory.com/diversity) and describe the stereotypes or prejudices that it conveys. How may these stereotypes have influenced the jury and the general public in the Leo Frank case?

5) Research the role that prominent Jews played in defending Leo Frank, such as *NY Times* publisher Adolph Ochs, R.H. Macy and Company chairman Nathan Straus and Lord & Thomas Advertising Agency president Albert D. Lasker. Did these advocates help Leo Frank by raising awareness or hurt him by increasing resentment? Stage a debate in which students argue both sides of the issue.

6) Write an imagined dialogue between Governor John Slaton and his wife as they discussed whether or not to commute Leo Frank's sentence. Discuss what it took for Slaton to be an ally in such a difficult situation. Describe a time when you had the opportunity to be an ally. What did you do? Why?

7) Review ADL's "Audit of Anti-Semitic Incidents"(www.adl.org/main_Anti_Semitism_Domestic). What does anti-Semitism look like in the U.S. today? How does this compare to anti-Semitism in Leo Frank's day? Invite a speaker from the ADL or another Jewish or civil rights organization to discuss present-day anti-Semitism with your class.

CONSIDER THE SOURCE

Have students investigate the following primary sources, which both depict anti-Semitism in the U.S. during the first part of the 20th century: "Christians Only" photograph and "Barretts Bald Mountain" brochure (see next 2 pages). Discuss the following document-based questions (DBQs):

- What do you notice about these 1930s advertisements? What is your immediate reaction to them?
- What other "undesirables" accompany "Hebrews" in the print ad? What does this say about the attitude toward Jews during this era?
- What does it say about the mind-set of the times that messages like "Hebrews not desired" and "Christians Only" are stated so openly and matter-of-factly?
- Where were these hotels located? Does it surprise you that such anti-Jewish prejudice existed in the North? Why or why not?
- What other restrictions do you think were placed on Jewish people during this era?
- What was going on in the U.S. at this time that might have contributed to prejudice and discrimination against Jews?

PAGE 12

Hotel Open from May 15 to October 5

RATES

Per day, $2.50 to $4. By the week, $16 to $25, one in a room, two persons in one room, $27 to $35 per week for the two.
Special rates from May 15 to July 1, and from September 15 to end season.
Electric bells connect all rooms with the main office.
Address all communications and inquiries to

C. M. BARRETT,
Old Forge P. O., Herkimer Co., N. Y.

Applications from Hebrews not desired.
Consumption being classed as a contagious disease, we are compelled to reject persons afflicted with it to sanitary institutions.
No dogs allowed.

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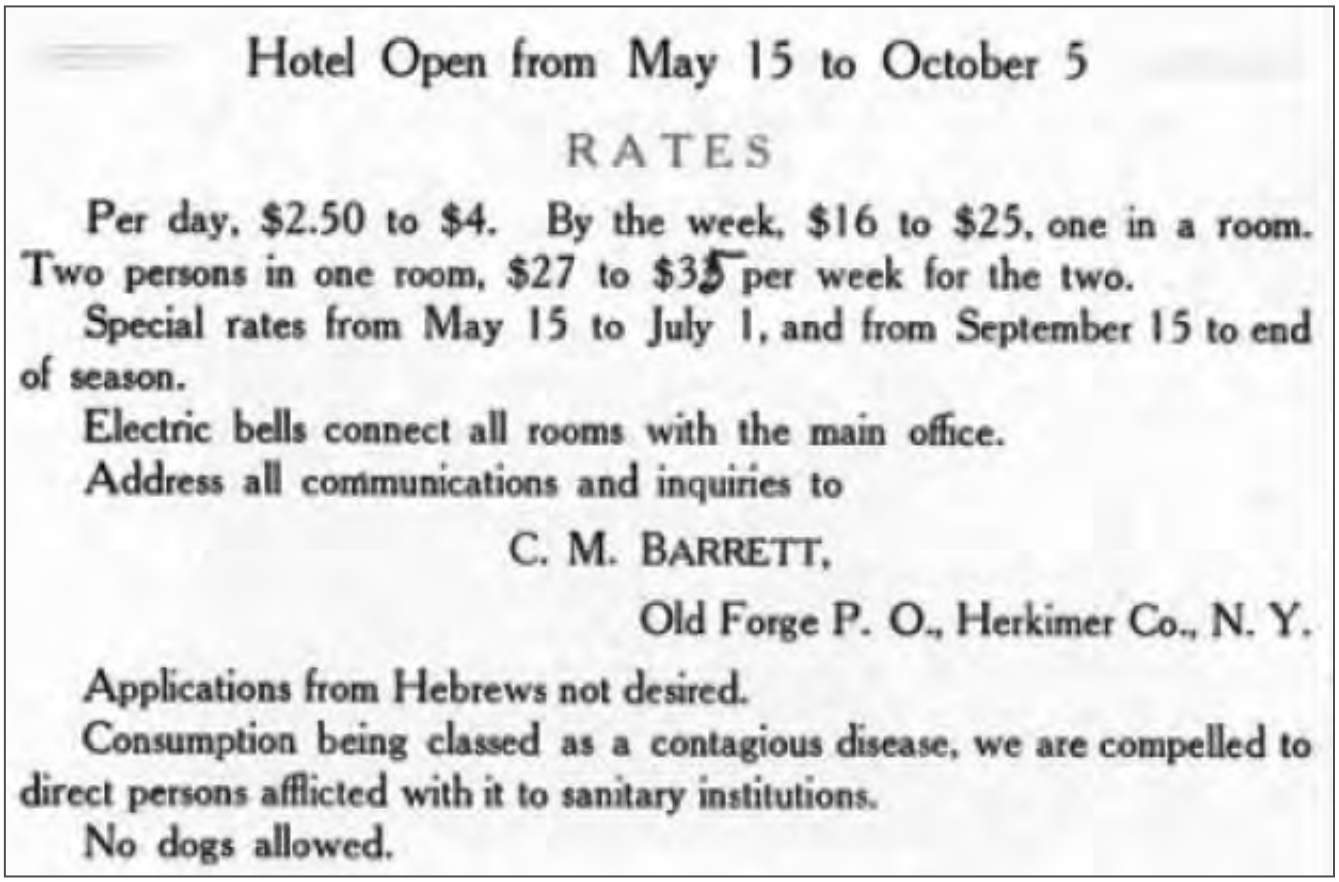
Historic Photograph
Canada, ca. 1930s



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Consumption being classed as a contagious disease, we are compelled to direct persons afflicted with it to sanitary institutions.

No dogs allowed.

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The Oldest Hatred: Anti Semitism and the Leo Frank Case

SECTION 1
READ ABOUT IT

INTRODUCTION

An old Jewish expression states that when the beard of a Jew in Moscow is pulled, a Jew in New York feels the pain. This was literally the case for Leo Frank, a Jew from New York who was charged with the murder of 13-year-old Mary Phagan on May 24, 1913.

Arrest of Mendel Beilis, 1911

At that same moment in time, Mendel Beilis, a 39-year-old Jew in Russia, sat in a prison cell awaiting trial after being wrongly accused of murdering a 13-year-old Ukrainian boy. When the boy's mutilated body was found in a cave near the brick factory where Beilis worked, a lamplighter testified that the boy had been kidnapped by a Jew. Following a vicious, anti-Semitic campaign in which the Jewish community was accused of sacrificing Christians for their blood, the jury split six to six and Beilis was set free.

Leo Frank would not be as fortunate, which was an ironic twist of fate. The harsh anti-Semitic prejudice and violence sweeping across Europe at this time was unknown in the United States, and American Jews never imagined that one of their own could become the target of a campaign of intense hatred.

Courtesy of the Kenan Research Center at the Atlanta History Center

Courtesy of the Cuba Archives of The Breman Museum

JEWISH LIFE IN EARLY ATLANTA

Jews were a part of Atlanta from its establishment as a railroad depot in 1837, moving there for business opportunities and to set up Jewish institutions. In 1880, the city was home to 600 Jews, mostly of German origin.

The Jews of early Atlanta blended easily into Southern society and experienced little prejudice. Many fought for the South during the Civil War and some owned or employed slaves. David Mayer, a prominent member of the Jewish community and supporter of the Confederacy, was on the governor's staff and was a founding member of the Atlanta school board. Though Jews were excluded from some of the elite social clubs, they held seats on the city council and in the state legislature.

Beginning in the 1880s, large numbers of Jewish immigrants from Russia and Eastern Europe were drawn to

A Brief Timeline of Anti-Semitism in Leo Frank's Time

1871
Pope Pius IX says of the Jews, "…of these dogs, there are too many of them at present in Rome."

1879
First use of the term anti-Semitism by German politician, Wilhelm Marr

Jewish immigrant Feter Mayer and his wife
ca. 1890

Atlanta. The city's German Jews—many whose families had lived comfortably in Georgia for generations—were troubled by these "Old World" Jews, who were poor and reminded them of the ghettos of Europe. They feared that the newcomers might arouse anti-Semitic feelings and threaten their place in society.

These concerns may have been unfair, but they were not unfounded. As Atlanta's Jewish population swelled from 600 in 1880 to 4,000 in 1910, Jews increasingly encountered anti-immigrant and anti-foreign attitudes that were beginning to take hold across the nation. Jews, who owned some of Atlanta's largest stores and factories, and ran a number of pawn shops and saloons in town, became associated with the evils of industrialization and were blamed by some for the economic problems of the city's poor.

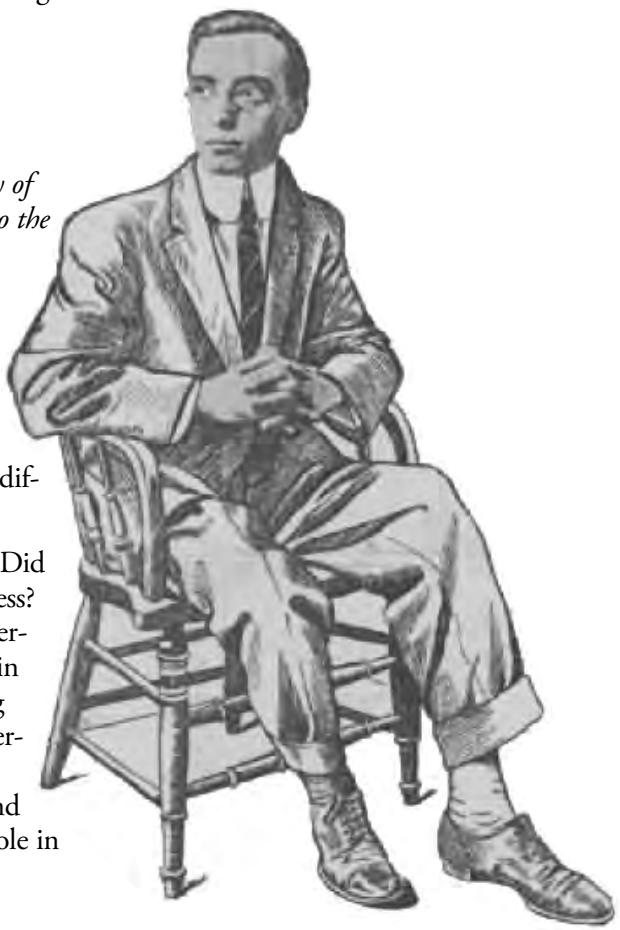
By early 1913, anti-Semitic stereotypes had become enough of a concern that Leo Frank, as local president of the Jewish organization, B'nai B'rith, appointed a committee "to investigate the complaints against Jewish caricatures that are becoming so frequent on the local stage." It was against this backdrop that Frank—only weeks later—was accused of murdering a Christian girl who worked at the pencil factory he managed.

Postcard,
1912

© The Authentic History Center

LEO FRANK: THE "OTHER"

"You could tell that Frank is a lascivious pervert, guilty of the crime… by a study of [his] picture: look at those bulging, satyr eyes, the protruding sensual lips; and also the animal jaw." –Tom Watson, Publisher of *The Jeffersonian*



At five feet six inches and 120 pounds, Leo Frank was not a model of Southern manhood. From the moment he was named as a suspect in the Mary Phagan case, people saw something suspicious in his angular jaw, full lips and bulging eyes. His personality was off-putting as well. A business associate said of Frank that he had a "nervous…temperament which at first repels rather than attracts." Formal, high-strung and intellectual, Frank was different from the "typical" Atlantan of 1913.

Did the detectives who arrested Frank see in his manner a "scheming Jew"? Did the members of the jury see in his "Jewish features" dishonesty and wickedness? The answers to these questions are uncertain, but it is clear that Frank's "otherness" caused him to be widely disliked and mistrusted. Frank was a Yankee in the South, a rich man in a city of rising poverty and a factory boss managing low-paid laborers, many of them children. Frank's ethnic and religious "otherness" was compounded by all these factors, making it difficult to single out anti-Semitism as a driving force behind his conviction. A look at the trial and its aftermath, however, reveals that age-old Jewish stereotypes would play a role in Leo Frank's fate.

1881-84
Pogroms sweep southern Russia; two million Jews emigrate by 1924

1882
The first International Anti-Jewish Congress meets in Dresden, Germany

1894
Jewish Army captain, Alfred Dreyfus, is wrongly accused of spying and court martialed in France

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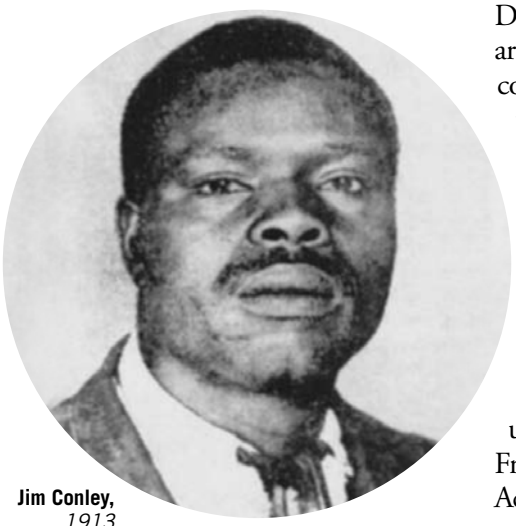

Jim Conley, *1913*

ARREST AND PROSECUTION

During the initial stages of the investigation, Frank's religious background did not arise as an issue. Five Jews sat on the grand jury that indicted Frank, and the Jewish community—while uneasy—maintained faith in the law, which they expected would set the record straight. As the trial progressed, however, Frank's character would be challenged in ways that may have played upon anti-Jewish stereotypes.

The prosecution charged that Leo Frank murdered Mary Phagan after she rejected his sexual advances. Jim Conley, a sweeper at the factory and the prosecution's star witness, backed up this accusation. He claimed that Frank admitted he wasn't "built like other men" and suggested that Frank therefore engaged with girls in ways considered immoral at the time.

"I believe," suggested defense attorney William Schley Howard, "that someone undertook to graft [onto] Conley's story the very commonplace idea that as a Jew Frank has been circumcised and he was in that respect 'unlike other men.'" According to Howard, this twisting of the Jewish ritual of circumcision cast Frank as a deviant in the eyes of the public.

To support Conley's damning testimony, the prosecution paraded numerous witnesses into court—many of them young factory girls—who claimed to observe or to be the victims of Frank's sexual come-ons, who swore that Frank frequented houses of prostitution, and charged that he molested young boys as well as girls. Many of these statements were later taken back, but the damage had been done.

The notion of a perverted Jewish man lusting after innocent Christian children was planted in the minds of jurors, and carried to the public through sensational newspaper editorials. The most extreme of these included this attack by Tom Watson in *The Jeffersonian:* "Mary Phagan, pursued and tempted, and entrapped, and then killed when she would not do what so many other girls had done for this Jewish hunter of Gentile girls."

The pointed questioning of Leo Frank's sexual morality so upset Frank's mother, Rae, that at one point in the trial she leapt from her seat and lashed out at Hugh Dorsey, the lead prosecutor. The uproar caused so much confusion that her exact words are uncertain, but it was widely reported that she called Dorsey a "Gentile dog" or a "Christian dog." For those who may have already considered Leo Frank an "outsider," this supposed attack on the attorney's faith may have deepened the divide.

Factory girls

THE ATLANTA CONSTITUTION

MRS. RAE FRANK GOES ON STAND IN DEFENSE OF HER SON

1903
During the Kishinev Pogrom in Russia, 49 Jews are killed and over 500 are injured

1905
First Russian public edition of the *Protocols of the Elders of Zion* appears

1909-10
Polish boycott against Jews

Hugh Dorsey,
prosecutor

When it was Rae Frank's turn to appear on the witness stand, Hugh Dorsey was forceful in his questioning: "Do you have any rich relatives in Brooklyn?" "What is the value of your estate?" "In what business is your husband?" Though the Franks weren't especially wealthy, Dorsey cast them as "rich capitalists" and set them apart from the mostly middle and working class jurors. Earlier in the trial, Jim Conley had testified that, after the murder, Leo Frank had said, "Why should I hang, I have wealthy people in Brooklyn?" Taken together, the statements about the Franks' financial status injected suspicion in the minds of jurors and may have called up old myths of "rich, greedy Jews."

THE DEFENSE

While the prosecution's strategy may have indirectly stirred some anti-Jewish feelings, it was the defense that openly made an issue of Frank's religious background, declaring that the "twin P's—prejudice and perjury" had been used to frame Frank. "Away with your miserable lies about perversion," one of Frank's attorneys roared at the prosecutors. "…Away with your Jew-lynching witnesses…Let us follow the law and not follow prejudice."

Later, the defense would claim that a key witness had been overheard making comments, such as "The damn Jew, they ought to hang him." Accusations were also made against a juror, who had allegedly exclaimed before the trial began, "I am glad they indicted the God damn Jew. They ought to take him out and lynch him, and if I get on that jury I'll hang that Jew, sure."

Frank's attorneys later charged that an unruly mob chanting anti-Semitic threats outside the courthouse had created a climate of prejudice that influenced the jury. *The New York Times*—which undertook a campaign of support for Frank after his conviction—published an article in February 1915 subtitled, "Jurors Menaced by Mob," suggesting that "The crowd… jeered and laughed throughout the trial…Officials were the recipients of threatening letters and messages: 'Hang the Jew or we'll hang you.' On the last day of the trial, the voices of the mob outside could be clearly heard in the courtroom."

Despite the shocking nature of these claims, the defense's forceful charges of anti-Semitism may have backfired by opening a door for the prosecution to respond:

"Gentlemen, do you think that I, or that these detectives, are actuated by prejudice? Would we as sworn officers of the law have sought to hang Leo Frank on account of his race and religion and passed up Jim Conley, a negro? Prejudice?"

The prosecution suggested that it was Frank's lawyers who inserted religion into the trial in order to rescue a failed defense. "Not a word emanated from this side," Dorsey asserted. "We didn't feel it. We would despise ourselves if we had."

CONLEY, NOT FRANK, GUILTY, TRAIN HOLDS

Assistant District Attorney Believes Evidence Points Indubitably to Negro as Slayer.

JURORS MENACED BY MOB

Lawyer Shows Newspaper Rivalry Caused the Publication of Stories That Created Prejudice.

The New York Times
Published: February 23, 1915
Copyright © The New York Times

1911-13
"Blood libel" trial of Mendel Beilis in Kiev after false accusations of murder

1913
The Anti-Defamation League is founded by B'nai B'rith to fight anti-Semitism in the U.S.

1913
Leo Frank is convicted of the murder of Mary Phagan

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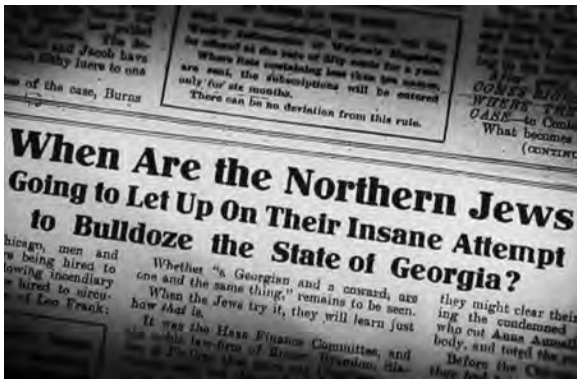
THE AFTERMATH


When Are the Northern Jews Going to Let Up On Their Insane Attempt to Bulldoze the State of Georgia?

A month after Leo Frank was found guilty, the Macon Telegraph reported:

"The long case and its bitterness…has opened a seemingly impassable chasm between the people of the Jewish race and the Gentiles…The friends who rallied to the defense of Leo Frank feel that racial prejudice has much to do with the verdict. They are convinced that Frank was not prosecuted but persecuted."

Adolph Ochs

© Bettmann/Corbis

Albert Lasker

Leo Frank's supporters, who for the most part kept a low profile throughout the court proceedings, began to speak out more forcefully in his defense and to campaign for a new trial. Frank's allies included both Jews and Gentiles. The majority of Christian ministers in Atlanta, for example, signed a petition in favor of a new trial.

Frank's opponents, however, took greatest notice of the prominent Jews who had begun to organize on his behalf, such as Albert Lasker, a Chicago-based advertising tycoon; Adolph Ochs, publisher of *The New York Times;* and Nathan Straus, chairman of R.H. Macy and Company. Other members of the Jewish community, such as Louis Marshall of the American Jewish Committee, cautioned against "Jewish involvement" out of concern that it would "arouse the very forces which we are seeking to destroy." Marshall's worst fears would unfortunately come to pass.

Among those who believed in Frank's guilt, anger built over what was perceived to be a massive show of Jewish money and power to sway public opinion and save one of their own. Fred Morris, a respected lawyer from Cobb County, summed up the feelings of the majority of locals: "Mary Phagan was a poor factory girl. What show would she have against Jew money? When they found they couldn't fool the people of Georgia, they got people from Massachusetts, New York and California to try and raise trouble…"

EVIDENCE FOR FRANK IGNORED, SHE SAYS

Aged Woman Who Heard Mary Phagan's Death Cries Assails Prosecutor in an Affidavit.

WOULDN'T ALTER HERSTORY

Mrs. J. B. Simmons Says Dorsey Dropped Her as a Witness When He Found Her Story Didn't Fit.

The New York Times
Published: March 14, 1914
Copyright © The New York Times

A *New York Sun* article, entitled "Jews Fight to Save Leo Frank," argued that "prejudice did finally develop against Frank and…the Jews," but that "Frank's friends" were responsible: "The anti-Semitic feeling was the natural result of the belief that the Jews had banded to free Frank, innocent or guilty. The supposed solidarity of the Jews for Frank…caused a Gentile solidarity against him."

Resentment over "Jewish interference" became so strong that a reporter from the *Kansas City Star* described the following: "The managing editor, associate editor, city editor, assistant city editor and court reporter of an Atlanta newspaper said to me they know Frank was entitled to a new trial; his trial was not fair. 'Then why don't you say so?,' I asked. 'We dare not; we would be accused of being bought by Jew money,' they answered."

1915
World War I prompts expulsion of 250,000 Jews from Western Russia

1915
Leo Frank is kidnapped and lynched outside Mary Phagan's home town

1915
A new Ku Klux Klan is formed in Georgia, and targets blacks, Jews, and Catholics

Tom Watson

Governor John Slaton

TOM WATSON

Perhaps no one did more to fan the flames of anti-Semitic hatred than writer and politician, Tom Watson, whose venomous attacks against Leo Frank in his publication, *The Jeffersonian,* inflamed the masses and encouraged lynch law.

Though known as a liberal early in his career, Watson—a legendary politician and highly popular public figure—had emerged as a force for white supremacy by the time of Mary Phagan's murder. He was drawn to the Frank case less by anti-Semitism than by his firm belief that the rich were using their influence to literally get away with murder. Watson kept quiet during the trial, but after the verdict he made use of vicious anti-Jewish slurs that played upon the fears of common people, such as the following:

"Jew money has debased us, bought us, and sold us—and laughs at us. Bought and sold! Cried off at the auction block, and knocked down to Big Money! ONE LAW FOR THE RICH, AND ANOTHER FOR THE POOR!...with their Unlimited Money and Invisible Power, they have established the precedent in Georgia that no Jew shall suffer capital punishment for a crime committed on a Gentile.

"Let the rich Jews beware! THE NEXT JEW WHO DOES WHAT FRANK DID IS GOING TO GET EXACTLY THE SAME THING THAT WE GIVE TO NEGRO RAPISTS!"

EPILOGUE

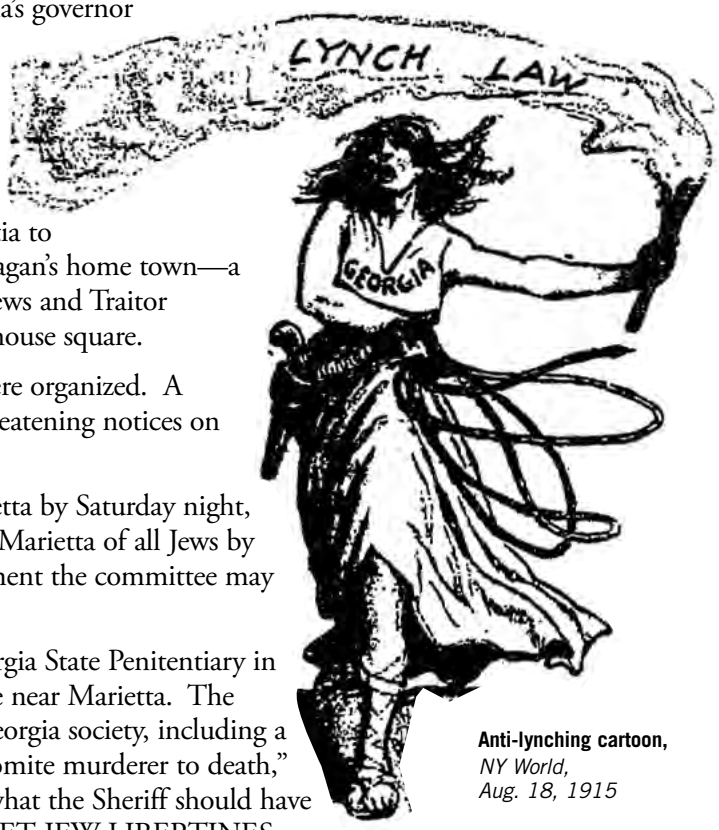
If Tom Watson is the scoundrel in the story of Leo Frank, John Slaton is the hero. Against intense public pressure, intimidation and threats, Georgia's governor made the extraordinarily courageous decision to commute Leo Frank's sentence from death to life in prison. "Feeling as I do about this case," declared Slaton, "I would be a murderer if I allowed that man to hang."

Thousands of enraged people stormed the governor's mansion, causing Slaton to declare martial law and mobilize the state militia to control the riots (and save his own life). In Marietta—Mary Phagan's home town—a dummy of the governor labeled, "John M. Slaton, King of the Jews and Traitor Governor of Georgia," was hung and then torched on the courthouse square.

In Marietta and Atlanta, boycotts of Jewish owned businesses were organized. A group calling itself the Marietta Vigilance Committee posted threatening notices on the doors of Jewish merchants, such as this one:

"You are hereby notified to close up this business and quit Marietta by Saturday night, June 26, 1915, or else stand the consequences. We mean to rid Marietta of all Jews by the above date. You can heed this warning or stand the punishment the committee may see fit to deal out to you."

Less than two months later, Frank was kidnapped from the Georgia State Penitentiary in the dead of night by 25 armed men and lynched in an oak grove near Marietta. The attack was well-planned and involved prominent members of Georgia society, including a state legislator, judge and former governor. "In putting the Sodomite murderer to death," commented Tom Watson, "the Vigilance Committee has done what the Sheriff should have done, if Slaton had not been in the mold of Benedict Arnold. LET JEW LIBERTINES TAKE NOTICE! Georgia is not for sale to rich criminals."



Anti-lynching cartoon, *NY World, Aug. 18, 1915*

1920
Henry Ford begins a series of anti-Semitic articles in his *Dearbon Independent*

1925-27
Adolf Hitler's *Mein Kampf* is published

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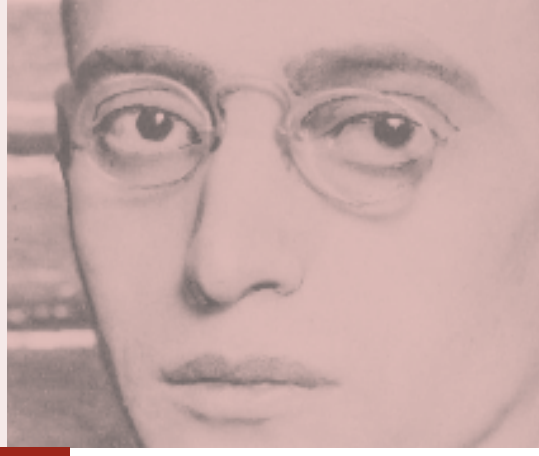
Racism and Race Relations



SECTION 2

"Never before in the history of this state has there been an instance where such a low, vicious negro has been believed against the character and testimony of exemplary whites."

Schley Howard,
defense attorney for
Leo Frank (1914)

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Racism and Race Relations

SECTION 2
EDUCATOR STRATEGIES

TAKE ANOTHER LOOK

After screening the entire film, review the following clips, which focus on racism and race relations in the Leo Frank trial and post-Reconstruction South. Discuss the questions below with students.

Clip 2A: **Stereotypes of African Americans** *(21:28–23:24, 26:47–27:42)*

- Do you think Jim Conley was judged more on his own character or according to black stereotypes of the day? Explain.
- How did Conley use racist prejudices to his advantage? How do you think this affected the outcome of the trial?
- What role did African-American literacy (and stereotypes about it) play in the Leo Frank case?

Clip 2B: **History of Lynching** *(24:30–25:32)*

- How did the culture of lynching serve as a backdrop to the Frank case? How might it have influenced Conley's behavior?
- What is meant by the term "lynch law" ? How was this extralegal tool used to enforce Jim Crow and support white supremacy?
- Does it surprise you that Frank, a white man, was lynched? Why or why not? What message do you think this act communicated to Jews?

Clip 2C: **The Specter of Prejudice at the Trial** *(34:48–35:12, 37:30–38:42, 44:14–47:33)*

- Do you agree with Reuben Arnold's claim that "if Frank hadn't t been a Jew, he never would have been prosecuted" ? Why or why not?
- The prosecution argued they would never have "passed up a Negro" if he was guilty. Does this prove lack of prejudice against Frank?
- How did it feel to hear Conley described with such blatantly racist language? How do you think the common use of such language affected both black and white people at that time?
- Why do you think a white "Yankee Jew" was ultimately more threatening than a black Southerner to the public?

Clip 2D: **The Revival of the Ku Klux Klan** *(1:17:31–1:18:32)*

- Why did the mob who lynched Frank call itself the "Knights of Mary Phagan"? What significance did this name have?
- What role did the Frank case play in the revival of the Ku Klux Klan?
- What else was taking place at the time that might have inspired this revival and caused hostility toward not just blacks, but also "Catholics, Jews, [and] outsiders of any kind"?

DEFINE IT

Make sure students understand the following terms.

atonement
bias
bigotry
colonialism
corrupt
degraded
diabolical
discrimination
hypocrisy
Jim Crow
Ku Klux Klan
literate/illiterate
lynch
NAACP
remorse
segregation
stereotype
submissive
white supremacy

READ ABOUT IT

Have students read the article, "'As Separate as the Fingers': Race, Racism and the Leo Frank case" (see page 26). Make sure students understand the terms in the DEFINE IT section above prior to reading (a Student Glossary is included on pages 56 and 57). After reading, have students discuss their reactions in pairs, small groups or as a whole class.

DIG DEEPER

Assign one or more of the following activities to deepen the discussion about racism and race relations, and to promote further investigation of the topic.

1) Research one of the topics from the timeline in the reading and prepare a brief report or piece of reflective writing that conveys important themes, your personal reaction and how the topic relates to the Leo Frank case.

2) "Jim Crow" is the name given to the state and local laws enacted and enforced in the U.S. between the 1870s and 1960s that mandated segregation in public facilities.

a) Look into the origin of "Jim Crow" as a minstrel character and how this name came to be used to describe segregation. Create a poster that exhibits Jim Crow and other minstrel characters, such as Uncle Remus and Sambo Johnson, and describes how these characters' appearances and behaviors reinforced stereotypes about African Americans.

b) The segregation of railroad cars in Tennessee (1881) and Georgia's Separate Park Law (1905) were among the earliest Jim Crow ordinances. Create a timeline summarizing other Jim Crow laws and some of the ways in which concerned citizens protested against them.

3) Read Booker T. Washington's "Atlanta Compromise Speech" (1895) and at least one essay from W.E.B. Du Bois' *The Souls of Black Folk* (1903). Prepare a brief reading to present to the class that includes elements of each and illustrates the opposing viewpoints of these two African-American leaders on race relations.

4) Race riots occurred frequently in the Jim Crow South and reflected the violence used to keep African Americans "in their place." Research some significant riots, such as Atlanta (1906), Springfield (1908) and the Red Summer (1919). Read W.E.B. Du Bois' poem, *A Litany of Atlanta*, which was a response to the Atlanta riot, and write your own poem expressing your reaction to what you have learned.

5) Around the time Jim Conley faked illiteracy to defend himself against murder charges, literacy tests were being used in the South to *disenfranchise* black people (deprive them of their right to vote). Research this practice and prepare a literacy test to administer to your classmates that includes typical questions and tasks from the disenfranchisement era. Follow up with a discussion about the ways in which illiteracy was used as a tool of oppression and how rising black literacy rates threatened the white power structure.

6) The pseudo-scientific ideas about race that flourished during the late 1800s and early 1900s may have served to "racialize" Leo Frank as a Jew and set him apart in the minds of the white majority. Research one of the racial movements of the day (e.g., Social Darwinism, Eugenics, Nazi "master race" theories) and write a report summarizing its impact on society.

CONSIDER THE SOURCE

Have students investigate the following primary sources (see next 2 pages), both published in the NAACP's magazine, *The Crisis:* "O Say Can You See...?" (February 1915) and "I Met a Little Blue-Eyed Girl" by Bertha Johnston (July 1912). Discuss the following document-based questions (DBQs):

- How do the poem and cartoon each use contrast*? What is each artist trying to say by putting such incongruent images/ideas side by side?
- In the poem, how does the little girl's casual attitude about lynching make you feel? What does it tell you about the way in which racist and white supremacist ideas were instilled in people at the time?
- In your experience, do young people today ever express a casual attitude about racism or prejudice? If so, how does it get communicated and why do you think such attitudes persist?
- In the cartoon, how does the imagery of the lynch mob make you feel? How do you think individual members of the mob reconciled their behavior with the national anthem's ideal of "the land of the free"?
- What practices or policies exist in the U.S. today that do not align with our nation s democratic ideals?

* *The poem sets a pretty locket in opposition to the gruesome souvenir inside and pairs an innocent child with the hateful act of lynching; the cartoon juxtaposes the patriotic national anthem with a brutal act of violence, particularly the notion of freedom represented by "dawn's early light" with a lynching at daybreak.*

PAGE 24

PAGE 25

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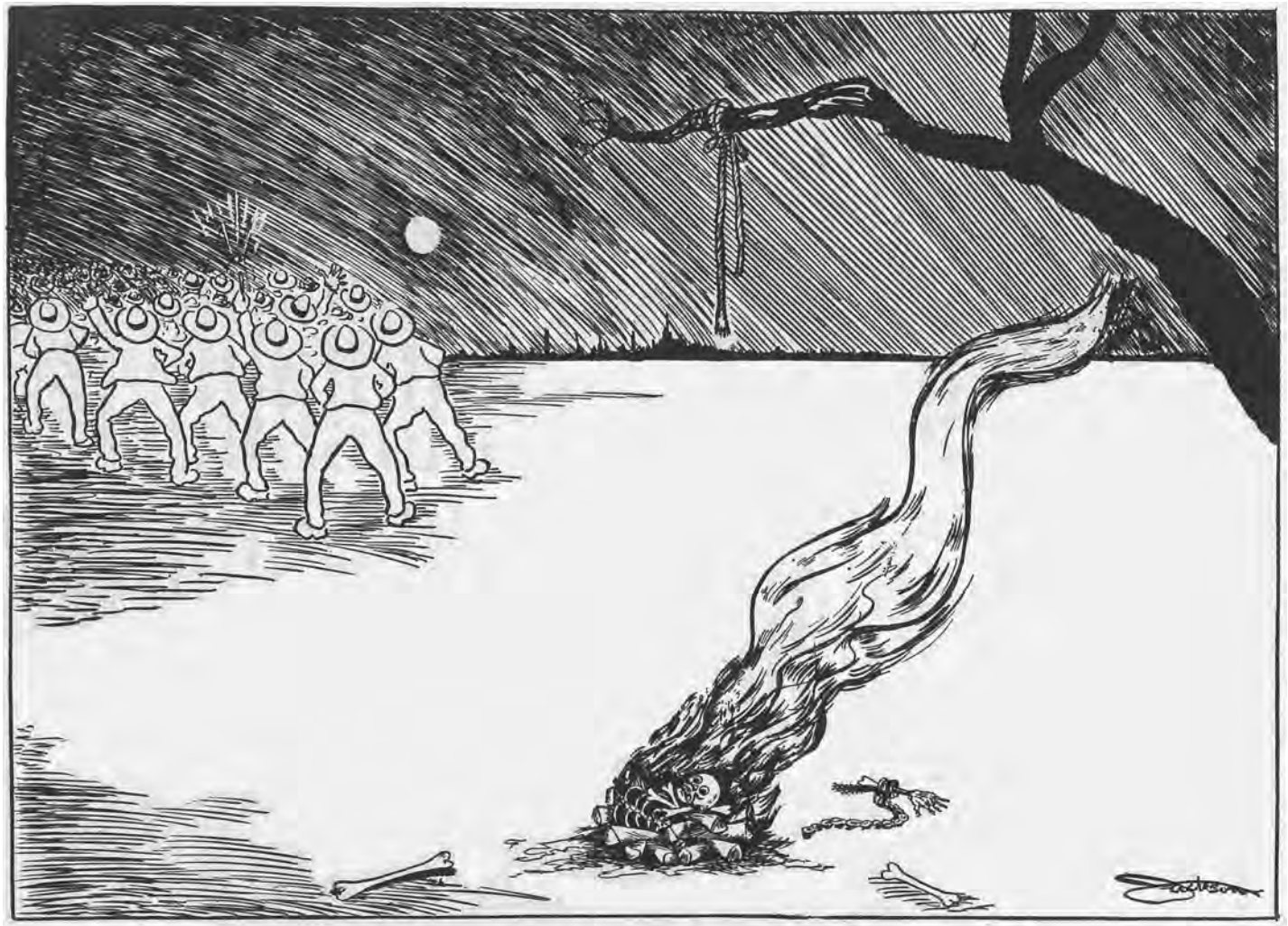
"O Say Can You See ?"
Reprinted from The Crisis,
February 1915



"O say, can you see by the Dawn's early light,
What so proudly we hailed at the Twilight's last gleaming!"

"I MET A LITTLE BLUE-EYED GIRL."

A certain element in the South takes pains to rear the children of the family faithfully in the doctrines of Blease and Vardaman. "A Negro had been lynched in the neighborhood," said a recently returned traveler, "and crowds went out to see what was left of his body. The people I was staying with went with the rest and took their children—all but one, who had been naughty and was kept home as a punishment."

I MET a little blue-eyed girl—
She said she was five years old;
"Your locket is very pretty, dear;
And pray what may it hold?"

And then—my heart grew chill and sick—
The gay child did not flinch—
"I found it—the tooth of a colored man—
My father helped to lynch."

"And what had he done, my fair-haired child?"
(Life and Death play a fearful game!)
"Oh, he did nothing—they made a mistake—
But they had their fun, just the same!"

BERTHA JOHNSTON.

Note: *James K. Vardaman, Governor of Mississippi and U.S. Senator, and Cole Blease, Governor of South Carolina and U.S. Senator, were advocates of white supremacy and lynching.*

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"As Separate as the Fingers": Race, Racism and the Leo Frank Case

SECTION 2
READ ABOUT IT

Depiction of Atlanta Race Riot in French newspaper, *October 1906*

NOTE:
This reading includes racially explicit language that is considered offensive today, but was widely used at the time of the Leo Frank case. These words are used here to educate you about the history of racism in the U.S. and are not appropriate outside of this particular educational discussion.

AFRICAN AMERICANS IN THE "NEW SOUTH"

"The wisest among my race understand that the agitation of questions of social equality is the extremist folly..."

In what would later be known as the "Atlanta Compromise" speech, famed black leader, Booker T. Washington, delivered these words in 1895 at an international fair designed to promote the South to the rest of the world. Washington believed that racial progress would come through industry, and appealed to African Americans to focus on hard work rather than the struggle for equal rights. "In all things purely social we can be as separate as the fingers," he asserted, "yet one as the hand in all things essential to mutual progress."

Booker T. Washington, *1903*

Washington's speech was music to the ears of the white organizers of the fair, but it masked the strict system of segregation and discrimination under which African Americans in the South were forced to live. The "separate fingers," in actual fact, were kept apart by a cruel and punishing fist of bigotry.

During the 1870s and 1880s the African-American population of Atlanta nearly tripled as former slaves arrived in search of jobs and educational opportunities. By 1910, a third of Atlanta's 150,000 residents were black and the city was home to many successful African-American business owners. Much of the white establishment felt threatened by the freedom, growth and prosperity of African Americans, and set about to keep black people in their place through a combination of lawful regulation and lawless violence.

Georgia was among the first states to enact "Jim Crow" laws, which required segregation in all areas of public life. The Separate Park Law of 1905 limited the use of public parks to one race only, and soon after everything from schools to hospitals to streetcars to rest rooms became segregated.

Despite efforts to isolate African Americans, racial tensions in Atlanta grew and in 1906—after a series of news stories blaming "black fiends" for increasing crime and attacks on white women—a violent race riot broke out. Over the course of two days, thousands of well-armed rioters destroyed African-American owned shops and terrorized Atlanta's black community, killing more than 20 people and wounding over 100. "Bewildered we are," wrote the civil rights activist W.E.B. Du Bois in his poem about the riot, *A Litany of Atlanta*, "and mad with the madness of a mobbed and mocked and murdered people."

A Brief Timeline of Racism and Race Relations in Leo Frank's Time

1857
In *Dred Scott* case, the Supreme Court rules that African-Americans are not U.S. citizens

1865
The Thirteenth Amendment is ratified, outlawing slavery

Reuben Arnold

THE "BLACK SPIDER"

The stereotype of the "black fiend" that fueled the 1906 race riots would factor into the investigation of Mary Phagan's death seven years later. It was widely believed at the time that the "lazy, drunken blacks" who hung around the city's saloons were to blame for rising crime in Atlanta. Jim Conley—a black janitor at the National Pencil Company—quickly emerged as a primary suspect in Mary's murder. The crime seemed "characteristic of a drunken ignorant negro," *The Washington Post* later reported. "...No intelligent white man would do such a thing."

In fact, Jim Conley had a history of drunkenness and disorderly conduct, and was arrested only after he was discovered rinsing red stains from a shirt in the basement of the pencil factory. Even so, the depictions of Conley as a "black monster" in *The New York Times* and elsewhere went far beyond his personal history and played into stereotypes of the "new Negro," who–unlike the "obedient Negro" of slave plantation days–was dangerous and degraded, just the type to attack an innocent white girl. One article in *The Times* described Conley as "heartless, brutal, greedy, literally a black monster, drunken, lowlived, utterly worthless."

Even Leo Frank and his defense team resorted to racial typecasting, suggesting that Mary Phagan's murderer was a primitive brute, typical of blacks but totally out of character for a Jew. "After Mary got her pay," Reuben Arnold told the jury, "there was a black spider waiting for her down there near the elevator shaft, a great, passionate, lustful animal..." The attorney continued:

"...Here was a drunken, crazed negro, hard up for money Why go further than this black wretch there by the elevator shaft, fired with liquor, fired with lust and crazy for money? Why, negroes rob and ravish every day in the most peculiar and shocking way... "

Leo Frank himself, in leaflets written from his prison cell, called Conley a "low type of negro," "Monster Liar" and "drunken, lustful negro." "Jim Conley," he avowed, "negro, perjurer, liar drunkard always hard up for money, and of lascivious habits, committed the crime charged to Frank."

BURNS SAYS CONLEY KILLED PHAGAN GIRL

Slayer of Homicidal Type, and Negro Is That, Detective Charges in Frank Report.

The New York Times, *April 23, 1914*

W.E.B. Du Bois, *1903*

THE TIDES TURN

Looking back, it seems incredible that in such an atmosphere of extreme anti-black bigotry, the tables would turn against Leo Frank and Jim Conley would become the star witness against him.

"Jim Conley has upset traditions of the South," read a commentary in *The Georgian*. "A white man is on trial. His life hangs on the words of a negro. And the South listens to the negro's words. But the South has not thus suddenly forgotten the fact that negro evidence is as slight as tissue paper. The South has not forgotten that when a white man's word is brought against a negro s word, there is no question as to the winner."

It seems that there *were* questions, however, both about Leo Frank's innocence and Jim Conley's ability to mastermind what was seen as the most vicious crime of the day. Across Atlanta and throughout the South, people compared the two suspects and drew conclusions clouded by assumptions about race and driven by the passions and prejudices of the times.

Jim Conley

1866
The Ku Klux Klan (KKK) is founded by Tennessee veterans of the Confederate Army

1867-77
Reconstruction laws provide citizenship, voting rights and other freedoms to former slaves

1883
The word "eugenics" is coined to promote the idea of perfecting the human race by getting rid of its "undesirables"

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AN "IGNORANT NEGRO"

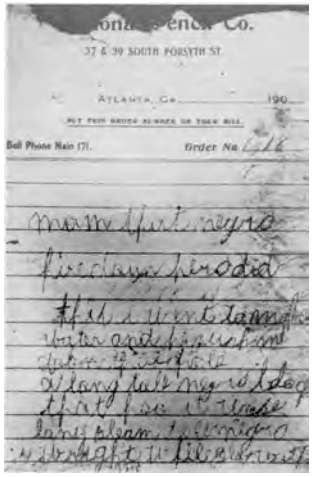
The notion of African Americans as "Monster Liars" worked hand in hand with the stereotype of blacks as simple-minded to cast doubt away from Jim Conley and onto Leo Frank. Conley provided three different statements to attorneys before he settled on the story that he would tell in court. While it was taken for granted that Conley would try to lie his way out of trouble, it was also assumed that he would not be able to keep up the deceit under cross-examination by Atlanta's most elite, white lawyers. "It was a constitutional habit of a negro to keep on lying until he finally lit on the truth," observed prosecutor Hugh Dorsey. "...The oftener the negro changed his story, the more reliable it was likely to be."

Jim Conley, in what may have been a convincing bit of play-acting, admitted on the witness stand that he often lied, but it was easy to tell because he would hold his head at a certain angle. When asked why he finally decided to tell the truth, Conley explained, "Finally, the thing got to workin' in my head so much that I just couldn't t hold it any longer. I couldn't sleep and it worried me mightily. I just decided it was time for me to come out with it and I did. I...told the truth, and I feel like a clean nigger."

This type of submissive talk was mistaken by many for stupidity. Conley's story—which held up under sixteen hours of intense questioning—was filled with intricate facts and graphic details. Most whites refused to believe that an "ignorant negro" could concoct and keep up such a complicated story, no matter how well he had been coached. Conley's story, they reasoned, must be true.

It was never considered that Jim Conley might have possessed natural instincts and intelligence as sharp as any white man. The prosecution's case relied on the notion that Conley was barely literate and too uneducated to have written the murder notes found at the scene of the crime by himself. As it turns out, Jim Conley was quite literate. He had attended Atlanta's best black public school in the late 1890s and, during the trial, would be seen reading countless newspaper articles with great interest.

Far from being dim-witted, it is likely that Jim Conley played the role of "ignorant negro" because that was what was expected of him and he reasoned he could use the public's belief in his inferiority to his advantage. At a time when black literacy was considered dangerous, Conley played the part of an illiterate to save himself. "We thought he was densely ignorant," Conley's lawyer would later write, "when in fact he is shrewdly cunning."



The Murder Notes

A VICTIM WORTHY TO PAY FOR THE CRIME

Some historians have suggested that the image of black men as a dim-witted and low-class did not measure up to the viciousness of the crime as perceived by members of the public. At a time when poor, white families felt tremendous conflict and guilt over sending their daughters off to work in urban factories, the brutal murder of an innocent girl demanded a more devious villain than Jim Conley (or Newt Lee, the black night watchman at the factory and first suspect in the investigation).

"My feelings, upon the arrest of the old negro watchman," remarked the pastor of Mary Phagan's church, "were to the effect that this one old negro would be poor atonement for the life of this innocent girl. But, when on the next day, the police arrested a Jew, and a Yankee Jew at that, all of the inborn prejudice against Jews rose up in a feeling of satisfaction, that here would be a victim worthy to pay for the crime."

1890
The Mississippi Plan uses literacy tests to deprive blacks of their voting rights

1895
Booker T. Washington gives his famous "Atlanta Compromise" speech

1896
In *Plessy v. Ferguson*, the Supreme Court rules that "separate but equal" is constitutional

Newt Lee testifies

Even Leo Frank, in an interview with *The Georgian*, allowed that "...there is not much glory in convicting a negro of a sensational crime."

Though it was "against the law of the land," in the words of a *Philadelphia Tribune* reporter, for a white man to be convicted of a crime on the testimony of a black man, it seems that at this moment in time Leo Frank represented the greater threat in the minds of Southerners. "Frank and Conley were weighed against each other, and weighed against the enormity of the horror visited upon Phagan," explains author Jeffrey Melnick. "Conley profited from the particular negative images that attached to him as an African American, while Frank suffered from those racial attributes assigned to him."

IS THE JEW A WHITE MAN?

The idea that negative "racial attributes" were assigned to Leo Frank because he was a Jew is significant. Historically, anti-Jewish prejudice was tied to the religious beliefs and practices of Jews, not to their supposed inborn qualities. During the mid to late 1800s, however, a new so-called "science" developed, based on false theories of racial superiority and inferiority. The idea of a superior white race, which was used to defend slavery and colonialism, was also used to set apart Jews as different and alien. The word "anti-Semitism" was first used in Germany during the 1870s to support the idea of a superior "Aryan race" and a lesser "Semitic" or "Jewish race." The replacing of traditional religious bigotry with a new anti-Jewish racism may have shaped public perception of Leo Frank.

Nazi propaganda displaying the "typical racial features" of Jews

Many people falsely believed, for example, that Jews were naturally sly and cunning. In the local newspapers, Leo Frank was branded as "shrewd," "egotistical" and a "fluent talker." Throughout the trial, Leo Frank's "superior mental powers" as a Jew were set against Jim Conley's "ignorance" as a black man. Frank's intellect came to be understood as a corrupting quality rather than a positive trait, and he was cast as a diabolical criminal by the media and in the minds of much of the public.

While Frank may have never questioned his own identity as a white man, others probably saw him differently. Jews in general were perceived as belonging to the white side of the black–white racial divide that defined the South. However, Christian whites saw Jewish people as a "different kind of white" in the same way that Italians, Irish and Slavs were made "racially other" at the time. The arrival of large numbers of immigrants, including many Eastern European Jews—who were so unlike the more "Americanized" German Jewish community of Leo Frank—served to racially mark the Jews of Atlanta in the early 1900s.

While on the surface Leo Frank was being judged on the facts of a murder case, it also seems that his whiteness was on trial. In an article in the black-owned *Chicago Defender*, editor Robert Abbott wondered, "Is the Jew a white man?... This case proves beyond the question of a doubt that an Afro-American's word is nearly as good as a Jew's when the third party is a white man..."

Leo frank, *1915*

1903
W. E. B. Du Bois' *The Souls of Black Folk* calls for agitation for black civil rights

1906
Over 20 blacks are killed in the Atlanta Race Riot

1909
The NAACP is formed partly in response to lynching and the 1908 race riot in Springfield

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GROWING AFRICAN-AMERICAN RESENTMENT

As the characters of both Jim Conley and Leo Frank were assailed in court and in the press, there was a feeling that blacks and Jews were competing for status within a hostile white society. While there was some history of black-Jewish cooperation to combat prejudice—for example, the NAACP was created in 1909 by blacks, Jews and white liberals—the Frank trial seemed to further divide rather than strengthen the bonds between these two groups.

Many African Americans resented the hypocrisy of those in the Jewish community who condemned anti-Jewish attacks with one breath and resorted to anti-black slurs with the next in order to shift guilt away from Frank. Though most African Americans did not view Conley as a model citizen, many thought that he was telling the truth, and grew frustrated by the wealth and power being mobilized to save Frank. "Jews Raise Millions to Free Frank and Put Blame on Innocent Man," read the headline of *The Chicago Defender* on December 12, 1914.

Soviet magazine critique of lynchings in U.S., *1930*

LYNCHING: A WEAPON OF WHITE SUPREMACY

The lynching of Leo Frank may have served to widen the divide between blacks and Jews. The massive attention paid to the murder of Leo Frank intensified anger among many African Americans, whose community members were routinely lynched with little public outcry. "Do you…reckon the life of one white man," asked an article in the black-owned *Chicago Defender*, "this single 'murdered' Hebrew, with the millions for defense behind him, of more importance…than those of the thousands of murdered black men?"

Between 1882 and 1930, over 2,800 lynchings were recorded in the South—nearly 500 in Georgia alone—and almost 90% of the victims were black. On average, an African American was lynched more than once each week during this period. Anti-lynching activist, Walter White, observed that lynchings and mob violence against blacks had become so commonplace that an "uncomfortably large percentage of Americans can read in their newspapers of the slow roasting alive of a human being in Mississippi and turn, promptly and with little thought, to the comic strip or sporting page."

While some lynchings were spontaneous acts of mob violence, many others–including the execution of Leo Frank–were the result of coordinated plans by prominent members of the community intent upon preserving white supremacy and social control. In choosing to murder Frank by lynching, white Southerners inflicted a distinctly racial punishment on him, and sent a message to Jews and other "outsiders" that they had better remember their place in society or suffer the fate of the Negro.

1913
President Wilson begins government-wide segregation of work places, rest rooms and lunch rooms

1915
The silent film, *Birth of a Nation*, provokes controversy for glorifying the Klan and promoting white supremacy

1915
A new Ku Klux Klan is formed in Georgia, and targets blacks, Jews, and Catholics

EPILOGUE

In the September 2, 1915 edition of *The Jeffersonian*, the writer and politician, Tom Watson, called for a revival of the Ku Klux Klan, which had disbanded in 1869. His call was answered two months later, when a group calling itself the "Knights of Mary Phagan" met atop Stone Mountain outside of Atlanta and set a giant wooden cross ablaze. Vowing to protect the "Southern way of life," the new Klan targeted not just blacks, but Jews, Catholics and immigrants as well.

PEOPLE THRONG TO SCENE WHERE BODY DANGLES FROM ROPE

Postcard depicting the new KKK, *1915*

Leo Frank's lynching and the rise of the new Klan inspired the growth of organizations dedicated to combating racism and hate. The Anti-Defamation League, formed in the wake of Leo Frank's conviction in 1913 to "stop the defamation of the Jewish people and to secure justice and fair treatment to all," promoted an anti-mask bill to prohibit Klan members from wearing hoods in public and a law forbidding intimidation by symbols and signs,such as cross burnings. And the NAACP, which grew to 90,000 members by 1920, worked to overturn Jim Crow laws and to pass federal anti-lynching legislation.

Though seven presidents have lobbied Congress for an anti-lynching law, the United States has never passed one. In 2005, the U.S. Senate approved Resolution 39, apologizing for its failure to enact federal anti-lynching legislation, marking the first time the U.S. government has officially apologized for the nation's treatment of African Americans. 90 years after the lynching of Leo Frank, Senator George Allen of Virginia said the vote finally put the Senate "on the record condemning the brutal atrocity that plagued our great nation."

1919
During the "Red Summer," 26 race riots occur between April and October

1925
Adolf Hitler's *Mein Kampf* declares a supreme "Aryan race," which he claims Jews are "tainting"

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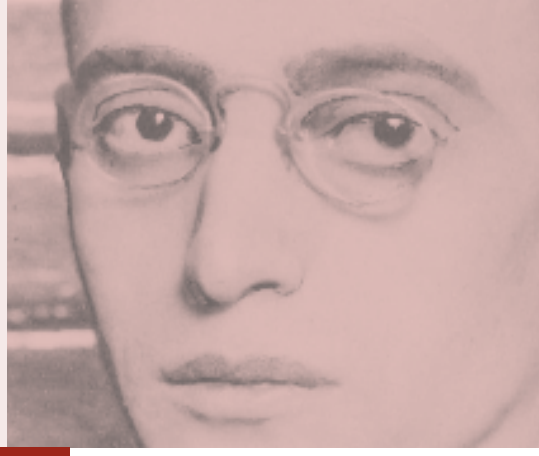

Regional and Class Tensions

SECTION 3

"...Poor white Georgians found in Frank a living representation of all that was making their lives miserable: he was a Yankee, a Jew, and perhaps worst of all, a boss."

Jeffrey Melnick,
author of
Black-Jewish Relations on Trial

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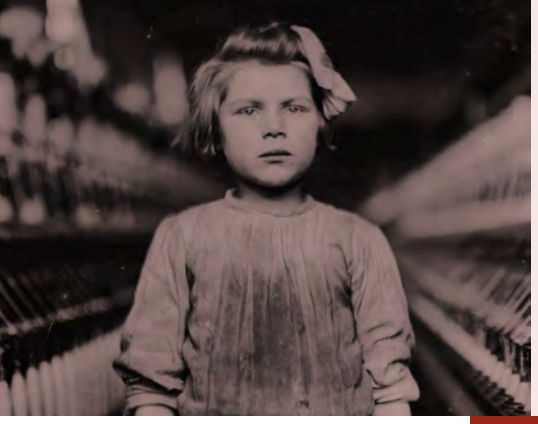
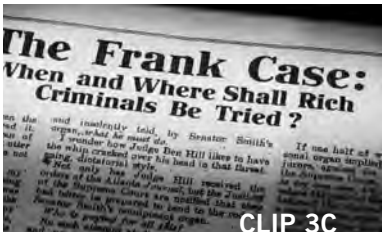


Regional and Class Tensions

SECTION 3
EDUCATOR STRATEGIES



TAKE ANOTHER LOOK

After screening the entire film, review the following clips, which focus on the regional and class tensions surrounding the Leo Frank case. Discuss the questions below with students.

Clip 3A: **Atlanta, Gateway to the New South** *(4:12–5:38)*

- What was the significance of the New York Metropolitan Opera appearance in Atlanta in April 1913?
- As Atlanta became the "industrial gateway to the New South," what benefits and problems do you think the residents of the city experienced?
- How did the Frank and Selig families benefit from Atlanta's growth? Why do you think they were able to prosper in a region in which hostility toward "outsiders" was common?

Clip 3B: **Young Women in the Workplace** *(42:34–44:14)*

- Many of the girls who testified that Leo Frank made sexual advances later took back their stories. What do you think motivated them to swear to Frank's "bad character"?
- How did stereotypes about both females (e.g., innocent, pure, vulnerable) and "capitalists" (e.g., exploitative, immoral, greedy) work together to incriminate Frank?
- How do you think men in this era felt about having to send their wives and children off to help earn money? How did these feelings factor into the Leo Frank trial?

Clip 3C: **The Populist Struggle against "Outsiders"** *(54:47–58:09)*

- Do you think Adolph Ochs was surprised to learn that many in the South considered him a "Yankee, Jew outsider"? Do you think his actions would have been different if he had understood this sooner? Why or why not?
- What is populism? Why do you think Tom Watson saw in the Frank case a populist struggle? Do you think he spoke for the majority of Southerners? Why or why not?

Clip 3D: **Lynch Law and the "Right to Carry Out a Verdict"** *(1:06:46–1:08:38)*

- What does it mean to be "hung in effigy"? What message was sent to Jews and Gentiles by hanging Governor Slaton in effigy as "The King of Jews"?
- How did Fiddlin' John Carson fit into Watson's populist campaign? Who was his audience? Why did his message strike a chord with them?
- Do you think there is any merit to Watson's argument that Leo Frank had a fair trial, and that attempts to clear his name were unjust? Explain

DEFINE IT

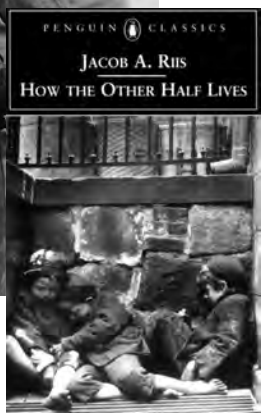
Make sure students understand the following terms.

anti-Semitic
aristocrat/ aristocracy
ballad
capitalist
carpetbagger
child labor
cracker
classism
Confederate/ Confederacy
emigration
Gentile
immigrant/migrant
industrialist/ industrialization
Ku Klux Klan
linthead
nuclear family
populist/populism
socioeconomic
strike
tribulations
white supremacist
Yankee

READ ABOUT IT

Have students read the article, "A 'Yankee Capitalist' in the South: Classism and Regional Bias in the Leo Frank Case" (see page 38). Make sure students understand the terms in the DEFINE IT sections above prior to reading (a Student Glossary is included on pages 56 and 57.) After reading, have students discuss their reactions in pairs, small groups or as a whole class.

J.P. Morgan, *1913*



child mine worker in WV, *1908*

DIG DEEPER

Assign one or more of the following activities to deepen the discussion about classism and regional bias, and to promote further investigation of the topic.

1) The exploitation of child labor was a prominent theme in the Leo Frank case and a society-wide problem during the era of industrialization.

a) Develop a timeline that summarizes the evolution of laws and practices regulating child labor in the U.S., including minimum age requirements and length of the work day/week.

b) Identify at least three news articles or read a contemporary novel (e.g., *Iqbal* by Francesco D'Adamo) about child labor in the world today and write a summary that includes a discussion of both the problem and solutions.

2) Observe the photographs of Jacob Riis (e.g., *How the Other Half Lives*) and/or Lewis Hine (e.g. *Kids at Work*), which exposed the living and working conditions of the poor during the late 1800s and early 1900s. Create your own photo journal that documents present-day poverty or another social issue about which you are concerned.

3) The displays of wealth and excess during the Gilded Age (1865-1901) formed a backdrop to the Leo Frank case. Research one of the super-rich industrialists or "robber barons" of that era (e.g., Rockefeller, Carnegie, etc.) and create a portrait of your subject (using collage or other media) that explores how the wealth gap led to growing resentment among the working class. As an additional exercise, create another portrait of a modern-day super-rich entrepreneur (e.g., Bill Gates, Sam Walton, etc.) and compare his/her role in society to the role of the robber barons a century ago.

4) The "What's in a Name?" sidebar (page 39) in the student reading exhibits how regional and class biases were encoded in the language of Leo Frank's time. Brainstorm ways in which such biases are reflected today (e.g., the use of the terms "trailer trash" or "left coast"). Describe or display at least three examples and discuss how they perpetuate stereotypes and prejudices of people from different places or socioeconomic levels.

5) Tom Watson ran as the Populist Party's candidate for Vice President in 1896 and was motivated by populist ideas in his campaign against Leo Frank. Research the Populist movement in the U.S. and write a brief report defining the main ideas of populism. Include a section that discusses how populist beliefs have influenced at least one modern political leader (e.g., Ralph Nader, Al Sharpton, John Edwards, Mike Huckabee).

6) The regional divide that caused Southern states to secede from the U.S. in 1861 was a factor in the mistrust that many Southerners felt toward Leo Frank and "Yankees" in general. Research how loyalty to the "Confederacy" continues today. Write a brief report describing how this regional bias is exhibited (e.g., flying Confederate flags, preserving Confederate monuments) and how it contributes to race, class, religious and other conflicts in contemporary society.

CONSIDER THE SOURCE

Have students investigate the following primary sources, which reflect the ways in which working class struggles and biases were reflected in music: "Cotton Mill Colic" and "The Ballad of Mary Phagan" (see next 2 pages, audio versions are available on iTunes and the Web). Discuss the following document-based questions (DBQs):

- What does "colic" mean (*severe abdominal pain*)? Why do you think McCarn chose this particular term to sum up working in a mill?
- McCarn sings, "The poor are getting' poorer, the rich are getting' rich." What labor and industry standards existed in the early 1900s that contributed to poverty and the wealth gap? How does this phrase apply to current events in the U.S.?
- How do you think Fiddlin' John Carson's experience working in the mills influenced the way he perceived Mary Phagan and Leo Frank?
- How did Carson reinforce existing stereotypes and prejudices of the time?
- What language and devices does Carson use to convince his audience of Mary's innocence and Frank's guilt? What feelings and reactions do you imagine they brought about?
- What current songs have been used to stir the masses or rouse support for a social cause or struggle?

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PAGE 37

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Cotton Mill Colic by Dave McCarn

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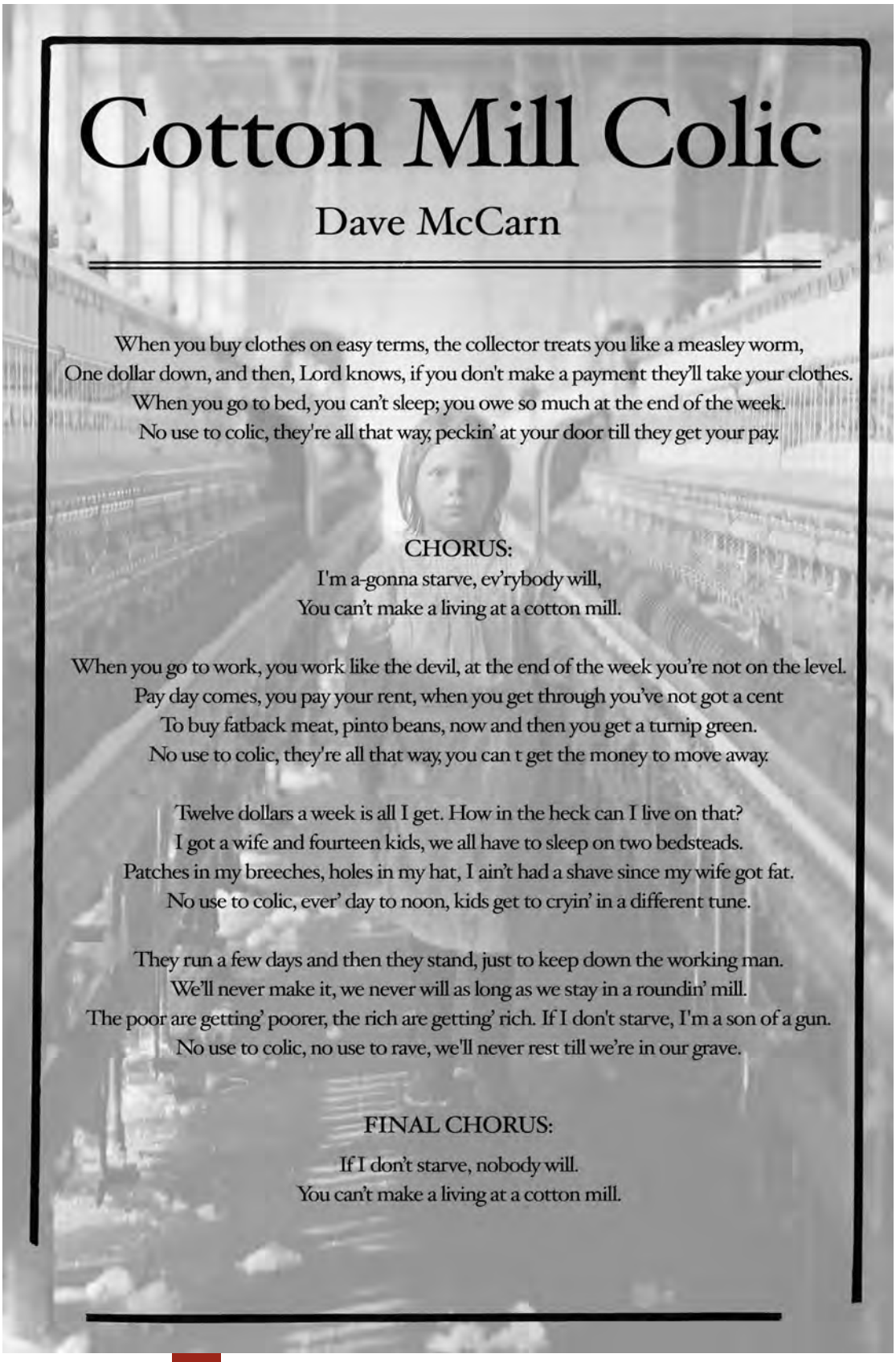


Cotton Mill Colic

Dave McCarn

When you buy clothes on easy terms, the collector treats you like a measley worm,
One dollar down, and then, Lord knows, if you don't make a payment they'll take your clothes.
When you go to bed, you can't sleep; you owe so much at the end of the week.
No use to colic, they're all that way, peckin' at your door till they get your pay.

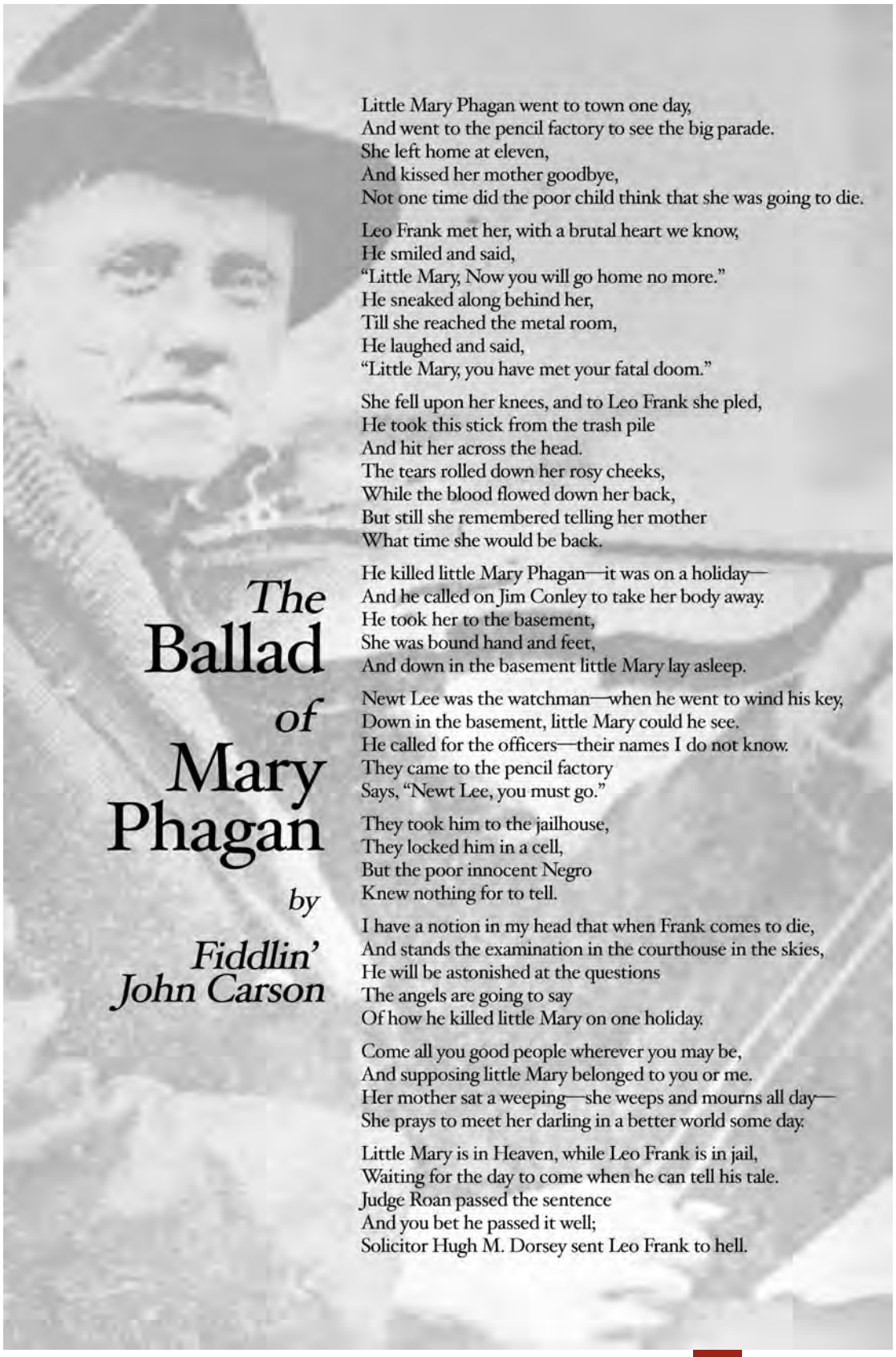
CHORUS:
I'm a-gonna starve, ev'rybody will,
You can't make a living at a cotton mill.

When you go to work, you work like the devil, at the end of the week you're not on the level.
Pay day comes, you pay your rent, when you get through you've not got a cent
To buy fatback meat, pinto beans, now and then you get a turnip green.
No use to colic, they're all that way, you can t get the money to move away.

Twelve dollars a week is all I get. How in the heck can I live on that?
I got a wife and fourteen kids, we all have to sleep on two bedsteads.
Patches in my breeches, holes in my hat, I ain't had a shave since my wife got fat.
No use to colic, ever' day to noon, kids get to cryin' in a different tune.

They run a few days and then they stand, just to keep down the working man.
We'll never make it, we never will as long as we stay in a roundin' mill.
The poor are getting' poorer, the rich are getting' rich. If I don't starve, I'm a son of a gun.
No use to colic, no use to rave, we'll never rest till we're in our grave.

FINAL CHORUS:
If I don't starve, nobody will.
You can't make a living at a cotton mill.



The Ballad of Mary Phagan

by Fiddlin' John Carson

Little Mary Phagan went to town one day,
And went to the pencil factory to see the big parade.
She left home at eleven,
And kissed her mother goodbye,
Not one time did the poor child think that she was going to die.

Leo Frank met her, with a brutal heart we know,
He smiled and said,
"Little Mary, Now you will go home no more."
He sneaked along behind her,
Till she reached the metal room,
He laughed and said,
"Little Mary, you have met your fatal doom."

She fell upon her knees, and to Leo Frank she pled,
He took this stick from the trash pile
And hit her across the head.
The tears rolled down her rosy cheeks,
While the blood flowed down her back,
But still she remembered telling her mother
What time she would be back.

He killed little Mary Phagan—it was on a holiday—
And he called on Jim Conley to take her body away.
He took her to the basement,
She was bound hand and feet,
And down in the basement little Mary lay asleep.

Newt Lee was the watchman—when he went to wind his key,
Down in the basement, little Mary could he see.
He called for the officers—their names I do not know.
They came to the pencil factory
Says, "Newt Lee, you must go."

They took him to the jailhouse,
They locked him in a cell,
But the poor innocent Negro
Knew nothing for to tell.

I have a notion in my head that when Frank comes to die,
And stands the examination in the courthouse in the skies,
He will be astonished at the questions
The angels are going to say
Of how he killed little Mary on one holiday.

Come all you good people wherever you may be,
And supposing little Mary belonged to you or me.
Her mother sat a weeping—she weeps and mourns all day—
She prays to meet her darling in a better world some day.

Little Mary is in Heaven, while Leo Frank is in jail,
Waiting for the day to come when he can tell his tale.
Judge Roan passed the sentence
And you bet he passed it well;
Solicitor Hugh M. Dorsey sent Leo Frank to hell.

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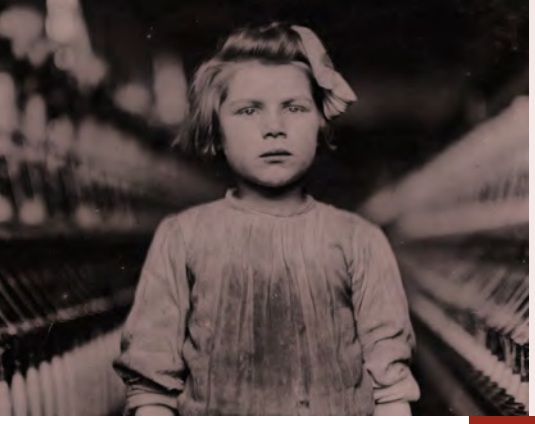


A "Yankee Capitalist" in the South: Classism and Regional Bias in the Leo Frank Case

SECTION 3
READ ABOUT IT

INTRODUCTION

Mary Phagan, *1913*

On the morning of Saturday, April 26, 1913, 13-year-old Mary Phagan put on a violet dress, fastened two bows to her auburn hair and decided on a blue straw hat to top off her outfit. She wanted to look pretty for the Confederate Memorial Day parade—in honor of fallen Civil War soldiers of the South—but Mary would never get to show off her store-bought dress at the festivities that day.

Mary was last seen alive shortly after noon at the National Pencil Company, where she stopped to pick up her earnings on her way to the parade. Mary usually worked 55 hours per week at the factory, operating a machine that inserted erasers into the metal tips of pencils, for which she was paid 10 cents an hour (or about $2.25 in today's dollars, which is less than a third of the federal minimum wage).

National Pencil Company

Like many young women her age, Mary had quit school to work and help out at home. Of the 170 workers at the pencil factory, most were teenage girls. Many other youth, including Mary's brothers and sisters, worked at the cotton and steel mills in town. These children labored from dawn until dusk in filthy and dangerous plants, in which harsh treatment and harassment were common.

An article in *The Georgian* on the day of Mary's death reported that "Georgia is the only state that allows children ten years old to labor eleven hours a day in the mills and factories." The article also revealed recent attempts by factory owners to kill a bill that would have raised the legal working age to fourteen.

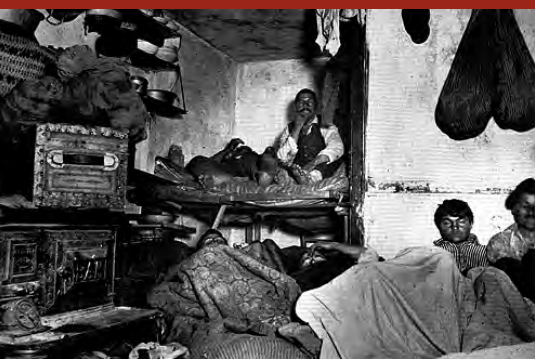
Mary's brutal murder—allegedly at the hands of a factory boss—released the pent up anger of Atlanta's poor, white working class. The loss of an innocent child laborer on her way to collect her measly pay signaled to them that something was deeply wrong with the system. Mary was seen as a victim of what Atlanta's *Journal of Labor* called "greed for gain," and she became a symbol of many of the values seemingly under attack by "Northern capitalists" like Leo Frank.

11-year-old hosiery mill worker in NC, *1914*

A Brief Timeline of Social and Class Issues in Leo Frank's Time

1881
In Atlanta 3,000 black female laundry workers stage one of the largest strikes in Southern history

1886
American Federation of Labor is founded



Slum living conditions in NY, *1898*

"CARPETBAGGERS" AND "CRACKERS" IN THE NEW SOUTH

Frank arrived in Atlanta in 1908 to run the National Pencil Company at the invitation of his Uncle Moses, a Confederate war veteran and wealthy industrialist who owned a large percentage of the company. In the decades following the Civil War, many Northern investors headed south to help rebuild the ruined Southern economy and to take advantage of new business opportunities in up-and-coming cities like Atlanta. Labeled "carpetbaggers," these Northern adventurers were seen by many locals as corrupt and greedy.

Frank's life in Atlanta was one of wealth and privilege. He lived on a tree-lined street in a neighborhood of elegant homes, and the people of his set frequented country clubs and fancy dinner parties. Frank was president of the local chapter of B'nai B'rith, a Jewish lodge that sponsored dances, lectures and music recitals.

Mary s life couldn't have been more different. Her neighborhood, known as the bloody fifth, was bordered on two sides by cotton and steel mills and on the third by a black community of rundown shacks. Many of Mary's neighbors lived in overcrowded and dirty slums without indoor plumbing, and where drunkards and prostitutes roamed the streets. Typhoid and other diseases were common, and contributed to a death rate in Atlanta that was 150% of the national average. In 1910 only half of Atlanta's white student-age population attended school and half of all school children suffered from malnutrition, heart disease and other health problems.

Mary's death called attention to the dreadful conditions in which Atlanta's poor lived and toiled, and to the injustice of a system in which factory bosses prospered while the masses of workers barely got by. The fact that Frank earned $180 per month plus his share of the profits while Mary's last wage was $1.20 seemed criminal to working class people.

At Frank's trial, the prosecution took advantage of the resentment of the upper classes and used Frank's wealth as a weapon against him. Solicitor Hugh Dorsey played up the claim of Jim Conley—a sweeper at the factory and Frank's alleged accomplice—that Frank had commented, "Why should I hang, I have wealthy people in Brooklyn?"

When Frank's mother, Rae, was called to testify, Dorsey's questions were pointed: "Do you have any rich relatives in Brooklyn?" "What is the value of your estate?" "What do you live on?" After establishing that the Franks had $20,000 in savings and a home worth $10,000 in New York, Dorsey asked Rae what business her husband was in. "He is not in business at present," replied Rae (Rudolph Frank was a retired salesman). "Ah," remarked Dorsey, "he's a capitalist, is he?"

By casting Frank as a "rich capitalist," the prosecution made him a representation of all the "Money Men" who had taken advantage of Southerners since the war. A detective who worked on the investigation of Mary's murder commented that Frank was recognizable as a "racial descendent of the carpetbaggers." Frank became a symbol of the evils of industrialization, such as unemployment, poverty, poor working conditions and mistreatment of women and children. Many grew determined to see him punished, not just for Mary's death, but also for the suffering of Atlanta's poor.

"WHAT'S IN A NAME?" REGIONAL AND CLASS BIAS IN DAILY LANGUAGE

carpetbagger: A label given to businessmen from the North—assumed to be corrupt—who moved to the South after the Civil War with their possessions in bags made of cheap carpets.

cracker: An insulting name for poor Southern whites; "Georgia crackers" were descendants of poor British people (they commonly ate biscuits) who were sent to the Georgia penal colony.

hillbilly: A term for people from rural mountain regions implying social backwardness; arrived with Scotch-Irish immigrants and combines the Scottish expressions "hill-folk" and "billie" ("fellow").

linthead: Refers to poor working-class whites from cotton-mill districts; airborne lint from textile plants often clung to mill workers' clothing and hair.

redneck: An insulting name for poor white Southerners; comes from individuals having a red neck from working outdoors in the sun.

scalawag: Originally used by farmers to describe a worthless animal, this term was applied to Southerners who sympathized with Northern intervention in the South after the Civil War.

Yankee: Coming from the Dutch name *Janke* ("little John"), this slang term was used to refer to residents of the states on the Union side of the Civil War, and later to Northerners in general.

1886
In *Santa Clara County v. Southern Pacific Railroad*, the Supreme Court rules that a corporation is a person under the law

1887
Asa Griggs Candler of Atlanta buys Coca-Cola formula for $2,300 and makes millions

1889
Jane Addams opens first "settlement house" in U.S. aimed at reducing poverty by having the rich live among the poor and serve them directly

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DAMSELS AND DADS IN DISTRESS

Stereotypical image of "damsel in distress"

"Frank Tried to Flirt with Murdered Girl Says her Boy Chum," read the headline of *The Atlanta Constitution* on May 1, 1913. The "boy chum" was George Epps, a 15-year-old newsboy, who testified that Mary had asked him to escort her home from the factory to shield her from Frank's indecent come-ons. Epp's claim reinforced suspicions that it was not just profits that bosses like Frank were after. "No girl ever…go[es] to work in a factory," commented one observer, "but that her parents feel an inward fear that one of her bosses will take advantage of his position to mistreat her, especially if she repels his advances."

Rumors that Frank was a sexual pervert aroused panic in the parents of child laborers, who already felt troubled about sending their children into the dangerous world of the urban factory. At the core of this fear was the Southern myth of the pure, innocent and defenseless female, always in need of male protection. The mounting belief that Frank was a "Northern capitalist" bent upon taking advantage of "Southern womanhood" stirred a fierce reaction in Southern men.

"The idea that white men were protecting white womanhood was actually a cover story," though, explains historian Clarissa Myrick-Harris. Despite difficult working conditions, many girls craved the feeling of independence and accomplishment that came with a job. Mary, in fact, chose to work—she did not have to help support her family like many other children her age.

Arrival of immigrants to Canada, *1910*

This expression of free will on the part of young women felt threatening to many Southern men, who reacted with hostility to the changing society around them. Their sense of pride and self-identity was closely tied to their position as head of the household, bread-winner and protector. The problems of unemployment, low wages and the high cost of city living that forced them to send their wives and daughters to work made many men feel as though they were losing control over their lives. The power that Frank and other bosses were perceived to exert over young women added to the sense that the "New South" was tearing apart the nuclear family and the traditional way of life.

Lucille Selig, *ca. 1909*

These feelings were aggravated by the growing numbers of immigrants and migrants arriving in Atlanta at the time. Between 1900 and 1910 more than 8 million immigrants arrived in the U.S., and Atlanta's population grew from 90,000 to over 150,000. Prejudices against foreigners and "outsiders" intensified in this climate. Frank was considered an outsider on several counts—not only was he a "Yankee" and a capitalist, but he was also a Jew. It didn't matter that Frank's Uncle Moses was a Confederate war veteran or that his wife, Lucille, was an Atlanta native; Frank would always be an outsider—"one of them." The image of a Jew from Brooklyn presiding over a factory in which white women, black men and "foreigners" mixed on a daily basis struck a nerve among many white Georgians. For them, Leo Frank would stand trial not just for the murder of Mary Phagan, but also—in the words of historian Leonard Dinnerstein—for the "tribulations of a changing society."

1890
Photojournalist Jacob Riis publishes *How the Other Half Lives*, documenting the dreadful living conditions of the poor

1892
Ellis Island opens and more than half a million immigrants arrive yearly

1893
A four-year depression—the "Panic of 1893" —causes violent strikes and unemployment rates exceeding 10%

THE COTTON MILL BLUES

Fulton Bag & Cotton Mill Strikers, *1914*

"I'm a-gonna starve, ev'rybody will/You can't make a living at a cotton mill," goes the chorus of a popular worker song of the times. Growing discontent among factory workers led to a work stoppage at Atlanta's Fulton Bag and Cotton Mills in October 1913, just two months after Frank's trial. When workers were fired the following year for joining a union, a strike was organized and demands were made for a 54-hour work-week (down from over 60) and a decrease in the use of child labor.

The walkout, which drew new public attention to the struggles of the working poor, had a damaging effect on Frank's appeals for a new trial. Jacob Elsas, the owner of the cotton mill and an immigrant from Germany, was seen as a "Jewish outsider" getting rich off the sweat of others —just like Frank. It didn't help matters that the detective recently hired by Frank's defense team was a widely hated member of Fulton Bag's union busting force.

At about the time of the strike, the restless workers of Atlanta's mills and factories found a new voice in Fiddlin' John Carson, an Appalachian violin player who sang ballads about Mary Phagan. Like the audiences he sang for, Carson was a "linthead" who worked 60-hour weeks at the cotton mills (where he labored alongside Mary's stepfather) and was evicted from his home as a result of the 1915 walkout. To add to his salary of $10 per week, Carson played on street corners and trolley cars for spare nickels and dimes.

Carson used Mary's death as an opportunity to condemn "New South" industrialism, and he used his fiddle as a weapon against Frank. Over several years, Carson wrote at least three ballads about the murder, which included lyrics like these that cast Frank as an evil villain and Mary as an innocent angel:

She left home at eleven,
And kissed her mother goodbye,
Not one time did the poor child think
that she was going to die.

Leo Frank met her,
with a brutal heart we know,
He smiled and said,
"Little Mary, now you will go home no more."

Carson sang for crowds outside the courthouse, whipping up their anger and confirming their worst fears that they were under attack by wealthy outsiders (one version of a Carson song rhymed "Leo Frank" with "New York bank"). The day after Frank's lynching, *The Atlanta Constitution* reported that Carson "swayed the crowds" who came to see Frank's corpse, singing his ballad "over and over again [as the] crowd…cheer[ed] and applaud[ed] him lustily…"

© Bettmann/Corbis

Crowd discussing lynching in Marietta, *1915*

1896
Tom Watson runs as the Populist Party's candidate for Vice President of the U.S.

1901
J. P. Morgan's U.S. Steel Company becomes the first billion dollar corporation in the U.S.

1903
Mary Harris "Mother" Jones leads a protest march of mill children from Philadelphia to NY, demanding a 55-hour work week

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"OUTSIDE INTERFERENCE" AND POPULIST PROTESTS

As Fiddlin' John stoked the anger of crowds on the streets, writer and politician Tom Watson used his position as publisher to stir hatred among the masses. Watson, who ran as the Populist Party's candidate for Vice President in 1896, used his increasingly popular newspaper, *The Jeffersonian*, to champion the rights of the common people in their struggle against the rich and powerful.

Though Watson's commentaries advanced anti-Semitic and white supremacist ideas, his growing attacks on Leo Frank following the trial were motivated mainly by his firm belief that the rich were using their influence to literally get away with murder. "Frank belonged to the Jewish aristocracy," Watson argued, "and it was determined by the rich Jews that no aristocrat of their race should die for the death of a working-class Gentile."

Tom Watson

The Frank Case:
When and Where Shall Rich Criminals Be Tried?

The Jeffersonian

Vol. 12, No. 34 Thomson, Ga., Thursday, August 26, 1915 Price, Five Cents

"The Wages of Sin is Death."

Like Fiddlin' John, Watson fashioned Mary Phagan into a working class hero: "Yes, she was only a factory girl: there was no glamour of wealth and fashion about her. She had no millionaire uncle…no mighty connections…[so] while the sodomite who took her sweet young life basks in the warmth of Today, the poor child's dainty flesh has fed the worms."

Watson unleashed a special fury on Frank's supporters from around the country, who had launched a campaign to save him from what they believed was an unfair trial and an unjust verdict. Editorials in *The Jeffersonian* accused celebrities, politicians and business leaders—including the heads of Sears Roebuck and R.H. Macy and Company—of "spending half-a-million dollars to save the rich Jews from the legal consequences of premeditated and horrible crime."

Watson also called out the Northern papers owned by "rich Jews," including "*The Baltimore Sun*, owned by Abells; *The New York World*, owned by the Pulitzers." But he

1908
Leo Frank becomes manager of the National Pencil Company

1909
In "Uprising of the 20,000," female shirtwaist makers in NY strike against sweatshops; in 1911 a fire at the Triangle Shirtwaist factory kills 148

1913
Mary Phagan is murdered on her way to the Confederate Memorial Day parade

directed most of his venom at *The New York Times:* "Mr. Adolph Ochs, a…servant of the Wall Street Interests, runs a…paper in New York whose chief end [is] to uphold all the atrocities of special interest and all the monstrous demands of Big Money."

Even after Frank's lynching, Watson continued his assaults on "outsiders" who called for an investigation into Frank's murder: "…if [the North] doesn't quit meddling with our business…another Ku Klux Klan may be organized to restore HOME RULE."

The Jeffersonian

Vol. 11, No. 18 Thomson, Ga., Thursday, April 30, 1914 Price, Five Cents

The Frank Case; the Great Detective; and the Frantic Efforts of Big Money to Protect Crime

CONCLUSION

Fifty years after the Civil War, the cultural and economic differences that divided the nation were still evident. "Our principles were not defeated when we surrendered," intoned Dr. Charles Lee, cousin of Civil War General Robert E. Lee, in his Confederate Memorial Day address on the day that Mary Phagan was murdered. "The wars are not over," he continued, signaling that Southern values were still under attack. "There are other enemies, bitter ones that must be fought…"

Northerners expressed similar sentiments. "The South is a region of illiteracy, blatant self-righteousness, cruelty and violence," raged *The Chicago Tribune* after Frank's lynching, branding the region "a danger to the American Republic."

More than any other incident of its time, the Leo Frank affair served to expose and intensify regional and class biases like those expressed by Lee and *The Tribune.* Today the case stands as an example of the way in which socioeconomic prejudices can fuel hate, and a lesson to look beyond the superficial boundaries that money and geography place on human understanding.

1914
The Ford Motor Company raises its basic wage from $2.40 for a 9-hour day to $5 for an 8-hour day

1914
Atlanta's Fulton Bag and Cotton Mills workers strike after management fires members of United Textile Workers union

1915
Fiddlin' John Carson first performs "Little Mary Phagan"

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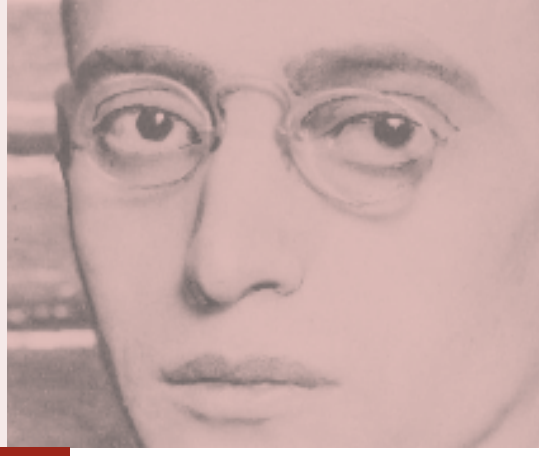
The Power of The Press



SECTION 4

"The Frank case is emblematic. From start to finish, it was a media frenzy, a convergence of journalistic excess and legal tragedy."

Steve Oney,
author of
And the Dead Shall Rise

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The Power of The Press

SECTION 4
EDUCATOR STRATEGIES

CLIP 4A

CLIP 4B

CLIP 4C

TAKE ANOTHER LOOK

After screening the entire film, review the following clips, which focus on the media's depictions of Leo Frank, Jim Conley and Mary Phagan. Discuss the questions below with students.

Clip 4A: **The Media Descends** *(16:39–18:30)*

- Define "sensationalism." Why did newspapers then (and now) engage in tabloid journalism? Do you think it is ever okay to share the "gory details" with the reader or viewer? Explain.
- What do you think was the intent of *The Georgian's* front page picture of Mary Phagan's head attached to a living child's body? What do you think was its impact?
- Why did the Leo Frank case become such a media sensation? What were some of the key elements that hit a nerve with readers in Georgia and all over the U.S.?
- What recent media stories have dominated the news? Why do these stories become larger than life? What do they tell us about our society?

Clip 4B: **Northern Vs. Southern Exposures: *The New York Times* and *The Jeffersonian*** *(52:50–53:43, 54:47–58:09)*

- Why did some Jews feel that the Jewish community should remain uninvolved in press coverage of the case while others felt strongly about speaking out?
- Adolph Ochs' campaign of support for Frank backfired. Do you think that he made a mistake by taking on the case as a "crusade"? Why or why not?
- What is populism? How did Tom Watson take advantage of populist feelings in his campaign against Frank?
- What role did money and class play in media coverage of the Frank case? How do these issues play out in the media today? Do you think today's press is more biased toward the "haves" or "have-nots"? Explain.

Clip 4C: **Frank's Sentence is Commuted** *(1:06:46–1:08:38)*

- What message do you think the image of Governor Slaton hung in effigy as "King of the Jews" sent to the people of Georgia? To Jewish people (locally and nationally)?
- How did "The Ballad of Mary Phagan" serve as a form of news media? What contemporary songs deal with current events? What is their impact?
- Watson believed that the "people have the right to carry out a verdict." What does this mean? Share an example of a community reaction to a news story today.

DEFINE IT

Make sure students understand the following terms.

anti-Semitism
backlash
bias
caricature
child laborer
commute/ commutation
crusade
"Extra"
incite
Ku Klux Klan
lynch/ lynch law
populist
prejudice
privilege
sensationalism
solidarity
stereotype
tabloid
tirade
tycoon
yellow journalism
Yankee

READ ABOUT IT

Have students read the article, "Media Sensationalism and the Case against Leo Frank" (see page 50. Make sure students understand the terms in the DEFINE IT section above prior to reading (a Student Glossary is included on pages 56 and 57). After reading, have students discuss their reactions in pairs, small groups or as a whole class.

Poster for a film about Mary Phagan's murder, *1936*

DIG DEEPER

Assign one or more of the following activities to deepen the discussion about sensationalism and bias in the media, and to promote further investigation of the topic.

1) There are many notorious examples of sensational media coverage of court cases. Research one of the following historical trials and the surrounding media coverage: the Dreyfus Affair, Sacco and Vanzetti, Julius and Ethel Rosenberg or O.J. Simpson. Compare and contrast this case with the Leo Frank case through a presentation of media headlines and stories.

2) Listen to the "Ballad of Mary Phagan" by Fiddlin' John Carson (available on iTunes as "Little Mary Phagan") and/or read the lyrics (see page 37). Write a reaction describing how the song served as a source of news media and how it influenced public opinion. Compare this ballad to a contemporary song written in reaction to current events or write an original song that explores a current issue.

3) Leo Frank's defense and much of the pro-Frank media coverage relied on stereotypes of African-American men as savage, animalistic and sexually violent. Research the case of the "Scottsboro boys " (1931) and write a report comparing it with the case made against Jim Conley. Explore the use of racist myths in the media in each case.

4) Using *The New York Times* online archive, research the changing perspective of the paper in relation to the Frank case between 1913 and 1915. Read at least two articles from each year (1913, 1914 and 1915) and write an analysis of the coverage you have reviewed.

5) Write a letter to the editor of Tom Watson's *The Jeffersonian* explaining why the paper's anti-Semitic language poses a danger to the entire community. In your letter, discuss how hateful words can incite hateful actions.

6) Interest in the Frank case did not end in 1915. Many artists and authors have written their own interpretations of the story. Read/view at least one of the books, films or plays listed below, and write a review analyzing this version of the story. As an additional exercise, write an essay exploring African American (Oscar Micheaux, Ishmael Reed) perspectives on the case and how they differ from other viewpoints.

Media Exploring the Leo Frank Case

Plays *Parade* by Alfred Uhry (1998)
The Lynching of Leo Frank by Robert Myers (1998)

Films *Murder in Harlem* by Oscar Micheaux (1936)
They Won't Forget by Mervyn LeRoy (1937)
The Murder of Mary Phagan by George Stevens, Jr. (1988)

Novels *Death in the Deep South* by Ward Green (1936)
Member of the Tribe by Richard Kluger (1977)
The Hampton Women by Julie Ellis (1980)
Reckless Eyeballing by Ishmael Reed (1986)
The Old Religion by David Mamet (1997)

CONSIDER THE SOURCE

Have students investigate the following primary sources (see next 2 pages), both published after Governor John Slaton commuted Frank's sentence from death to life in prison: Excerpt from Tom Watson Editorial in *The Jeffersonian* (June 20, 1915) and Excerpt from "Marshall Praises Slaton's Courage" from *The New York Times* (June 22, 1914). Discuss the following document-based questions (DBQs):

- What is the purpose of each editorial? What language and images are used in each to convince readers of the author's point of view?
- What metaphors does Watson use to make his case *(he likens the commutation to rape, the press to prostitutes and Jews to slave masters)*? How do these images make you feel? Do you think they are effective?
- How does Marshall's version of events differ from Watson's? What images does he conjure in the way he depicts Slaton, Watson and the Atlanta public?
- What does Watson mean by, "let no man reproach the South with Lynch law"? Do you think Watson bears some responsibility for the lynching of Leo Frank?
- Marshall portrays the Governor as a hero. Do you agree with this characterization? Why or why not?
- How would you compare the overall tone of the two pieces? Which do you think does a better job of persuading the particular audience it is targeting? Why?

PAGE 48

PAGE 49

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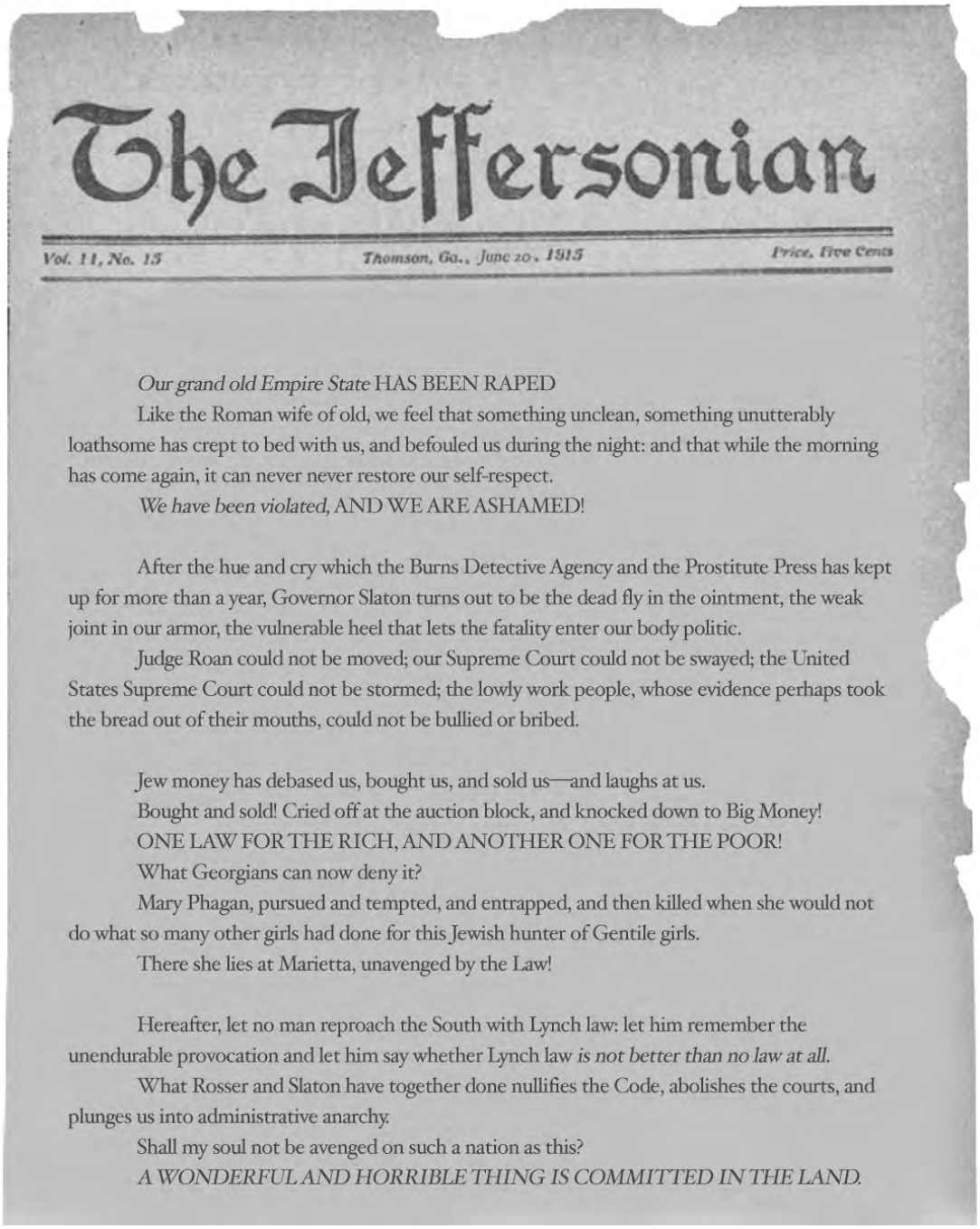
Excerpt from Tom Watson Editorial
The Jeffersonian,
June 20, 1915



The Jeffersonian

Vol. 11, No. 15 *Thomson, Ga., June 20, 1915* *Price, Five Cents*

Our grand old Empire State HAS BEEN RAPED

Like the Roman wife of old, we feel that something unclean, something unutterably loathsome has crept to bed with us, and befouled us during the night: and that while the morning has come again, it can never never restore our self-respect.

We have been violated, AND WE ARE ASHAMED!

After the hue and cry which the Burns Detective Agency and the Prostitute Press has kept up for more than a year, Governor Slaton turns out to be the dead fly in the ointment, the weak joint in our armor, the vulnerable heel that lets the fatality enter our body politic.

Judge Roan could not be moved; our Supreme Court could not be swayed; the United States Supreme Court could not be stormed; the lowly work people, whose evidence perhaps took the bread out of their mouths, could not be bullied or bribed.

Jew money has debased us, bought us, and sold us—and laughs at us.

Bought and sold! Cried off at the auction block, and knocked down to Big Money!

ONE LAW FOR THE RICH, AND ANOTHER ONE FOR THE POOR!

What Georgians can now deny it?

Mary Phagan, pursued and tempted, and entrapped, and then killed when she would not do what so many other girls had done for this Jewish hunter of Gentile girls.

There she lies at Marietta, unavenged by the Law!

Hereafter, let no man reproach the South with Lynch law: let him remember the unendurable provocation and let him say whether Lynch law *is not better than no law at all.*

What Rosser and Slaton have together done nullifies the Code, abolishes the courts, and plunges us into administrative anarchy.

Shall my soul not be avenged on such a nation as this?

A WONDERFUL AND HORRIBLE THING IS COMMITTED IN THE LAND.

he New York T

MARSHALL PRAISES SLATON'S COURAGE

Counsel for Leo Frank Says the Governor Has Saved the Honor of Georgia

BY PREVENTING A CRIME

Frank's Innocence Will Soon Be Triumphantly Established, the Lawyer Asserts.

In an interview yesterday Louis Marshall, one of the counsel for Leo M. Frank, made the following statement in regard to the commuting of his sentence:

"Governor Slaton has saved the honor of Georgia. Had the sentence of death pronounced against Frank been executed, it would have been a crime against justice, for I am as firmly convinced of his absolute innocence as I am of my own.

"He has been the victim of poisoned public opinion. The vile aspersions, which were insinuated before Conley's connection with the crime was known, were so industriously and insidiously circulated that it became impossible to dislodge the impression, which gained foothold throughout the State and, fanned by the fires of prejudice, burst forth into a destroying flame.

"Demagogues like Tom Watson, who is the very embodiment of hate, kept unthinking men in a state of continual excitement. From this grew the mob spirit, which was manifested without abatement from the very beginning, and blinded the populace of Atlanta to truth, common sense and probability.

The Campaign of Prejudice.

"As it progressed the attitude of the public became more and more ominous. Hostile demonstrations took place of such a nature that the presiding justice was constrained to call into conference, in the very presence of the jury, the Chief of Police of Atlanta and the Colonel of the local militia regiment.

"While the various appeals taken by Frank were pending inflammatory articles appeared in Watson's unspeakable Jeffersonian, attacking everybody connected with the defense, replete with the most unworthy charges and stimulating the most shocking prejudices.

"While the Board of Prison Commissioners and the Governor himself were engaged in hearing the arguments presented in behalf of this unfortunate man, thousands of excited men clamored for his blood under the very windows where these public officials were deliberating.

"It, therefore, required high moral courage in Governor Slaton to perform his duty.

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Media Sensationalism and the Case against Leo Frank

SECTION 4
READ ABOUT IT

OVER 100,000 THE ATLANTA GEORGIAN. HOME EDITION
SENSATIONAL CHARGE IN FRANK CASE
Says Juror Declared Eagerness to Hang Accused

reenactment of murder commissioned by ***NY Times***

THE ATLANTA GEORGIAN EXTRA No. 6
POLICE HAVE THE STRANGLER

NOTE:
This reading includes racially explicit language that is considered offensive today, but was widely used at the time of the Leo Frank case. These words are used here to educate you about the history of racism in the U.S. and are not appropriate outside of this particular educational discussion.

Parts of this reading adapted from the work of Steve Oney, author of And the Dead Shall Rise: The Murder of Mary Phagan and the Lynching of Leo Frank *© 2003. Reprinted with permission of the author.*

BACKGROUND

The murder of Mary Phagan and trial of Leo Frank became a media sensation in its day. Before television and the Internet, the news was carried by local and national papers and magazines. In Atlanta, a race to win the most readers drew the city's two older dailies, *The Constitution* and *The Journal*, into a heated competition with a new upstart, *The Georgian*.

The coverage of the case began the morning after Phagan's murder, when a reporter from *The Constitution* accompanied police on a 3:00 am report that a girl had been found brutally murdered in the basement of the National Pencil Company. By dawn the newspaper had an "Extra" on the streets. Soon after, *The Journal* got hold of a mysterious note discovered near the victim's body and immediately printed it on the front page.

From that point on, reporters and editors fanned interest in the story using tabloid techniques that are still common today. Much of the coverage began as "yellow journalism," a sensational style of reporting that downplays accuracy in favor of eye-catching headlines and exaggerated accounts. Newspapers took sides and slanted their coverage to make Leo Frank look innocent or guilty. The media coverage did more than just report the story; it shaped the course of events and ultimately changed the course of history.

THE GEORGIAN SETS OFF TABLOID FRENZY

"Police Have the Strangler," read the headline of *The Georgian* on April 29, 1913, following the arrest of Frank, but long before the investigation was complete.

William Randolph Hearst, *1910*

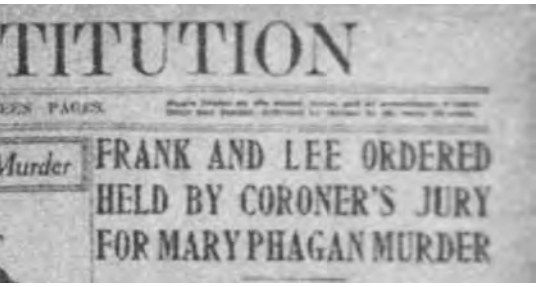
Publishing tycoon William Randolph Hearst had purchased *The Georgian* about a year before the Phagan story broke, and he staffed the paper with hard-hitting reporters from New York and Chicago. According to Herbert Asbury, a writer for *The Georgian*, they had been sitting around Atlanta bored out of their minds, waiting for something to happen. Word that a child laborer had been found murdered in a factory thrilled them. "We played the case harder than any Hearst paper had ever played such a case anywhere," Asbury later wrote.

The Georgian's coverage of the Phagan murder was sensational from the start. The paper's first front page devoted to the story included a photo of Phagan's body

A Brief Timeline of the Role of the Press in Leo Frank's Time

1851
The New York Times is founded

1877
Adolph Ochs enters the publishing business after purchasing a controlling interest in *The Chattanooga Times* for $250



snapped at the morgue and a headline offering a $1,500 reward for information leading to the murderer's arrest. Despite the fact that the weather was dry, a feature story quoted the victim's grandfather demanding revenge while standing in the pouring rain. "It wasn't raining, but it might have been," the reporter who wrote the article confessed years later.

Nearly every hour, an "Extra" edition of *The Georgian* rolled off the presses with shocking new details. "Our paper…burst upon Atlanta like a bomb," recalled Herbert Asbury, "and upon *The Constitution* and *The Journal* like the crack of doom." Readers fell in love with *The Georgian*—on the day of Frank's conviction, the paper printed over 130,000 copies, more than triple the number it sold just a year earlier.

As the investigation progressed, *The Constitution* and *The Journal* competed with *The Georgian* for readers. "Frank Tried to Flirt with Murdered Girl, Says Boy Chum," declared *The Constitution* in a front-page headline. "Was Factory Used as Secret Rendezvous?" asked *The Journal*.

The flood of headlines linking Frank to the crime convinced many Atlantans of his guilt before the trial even began. As the case wore on, the media bias was mostly in Frank's favor. However, the sensational tactics of the media had taken their toll, giving expression to the prejudices of the time and stirring the passions of a captivated audience.

THE JEWISH COMMUNITY RESPONDS

The morning after the "Police Have the Strangler" headline hit the newsstands, members of Atlanta's Jewish community showed up at *The Georgian's* newsroom to protest. There was a feeling that Frank was being singled out because he was a Jew, and judged in the media before a trial had even begun. Frank's immediate release was demanded and, the next day, a petition was circulated declaring that *The Georgian's* coverage had "aroused the community to a dangerous degree."

Louis Marshall

The Jewish community was divided about how best to respond to the arrest of Frank and, later, to his conviction. Some, including Louis Marshall of the American Jewish Committee, cautioned against "Jewish involvement" in the wake of the trial. "They can do no good…they can only accentuate the mischief," said Marshall about the involvement of Jewish members of the press. "Any action that is taken must emanate from non-Jewish sources."

Many members of the Jewish press disagreed with Marshall's strategy, and ran stories arguing that anti-Semitism was a key factor in Frank's conviction. "Frank's religion precluded a fair trial," pronounced Cincinnati's *American Israelite* on September 26, 1913. "The man was convicted at the dictates of a mob, the jury and the judge fearing for their lives."

Stirring statements like these caused exactly the backlash that Marshall feared. A *New York Sun* article, entitled "Jews Fight to Save Leo Frank" (October 12, 1913) argued that "prejudice did finally develop against Frank and…the Jews," but that "Frank's friends" were responsible: "The anti-Semitic feeling was the natural result of the belief that the Jews had banded to free Frank, innocent or guilty. The supposed solidarity of the Jews for Frank, even if he was guilty, caused a Gentile solidarity against him."

1880
Photographs appear in a newspaper for the first time

1887
William Randolph Hearst enters the publishing business after taking control of *The San Francisco Examiner*

1895
The *New York World* introduces the first comic in color; circulation grows from 15,000 to 600,000, making it the country's largest newspaper

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RESENTMENT IN THE AFRICAN-AMERICAN PRESS

Ironically, the fact that prejudice was used against Frank did not stop Jewish members of the press from employing the use of bias to protect him. Drawing upon the same tactics as Frank's defense team, the press played on African-American stereotypes and caricatures to shift blame on to Jim Conley, a sweeper at the factory and the prosecution's star witness.

In a March 1914 article in the Jewish-owned *New York Times,* Conley was described as "emotionless," "a brute in human form" and a "hungry dog." "That [the highly educated and respected] Leo Frank…should be doomed to die," the article proclaimed, "is not more astonishing than that this black human animal…should be alive to tell his dreadful tale for readers…to shudder at."

Racism and anti-Semitism in the press mirrored the tensions that surfaced during the case, and fed a hostile climate in which Jews and African-Americans were pitted against one another. The African-American press of the time responded defensively to the racist portrayals of Conley and turned the blame back onto Frank.

"Atlanta tried to lynch a Negro for the alleged murder of a young white girl and the police inquisition nearly killed the man," read an article in the NAACP's *The Crisis* (September 1913). "A white degenerate has now been indicted for the crime, which he committed under the most revolting circumstances."

After Frank's death, many African-American journalists expressed anger over the public outrage and extensive media coverage of the lynching of a white, Jewish man when hundreds of black men were lynched every year with little outcry. An article published in the August 21, 1915 issue of *The Philadelphia Tribune* put it this way: "And while we as a race sympathize with Mrs. Frank and other relatives, we also feel that they are now in a better position to extend sympathies to the relatives of the hundreds of families of the many colored victims of mob violence in Georgia."

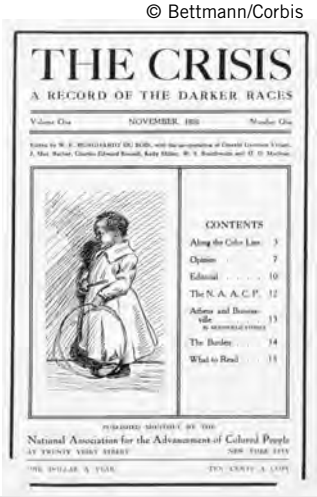
LEO M. FRANK, AN INNOCENT MAN, MAY MAY SUFFER A DISGRACEFUL DEATH FOR ANOTHER'S CRIME

That Is the Conclusion of Edward Marshall After a Week's Investigation of the Frank Murder Case in Atlanta.

First Interview With Conley, the Ignorant Negro on Whose Sole Testimony Frank Has Been Condemned to Death.

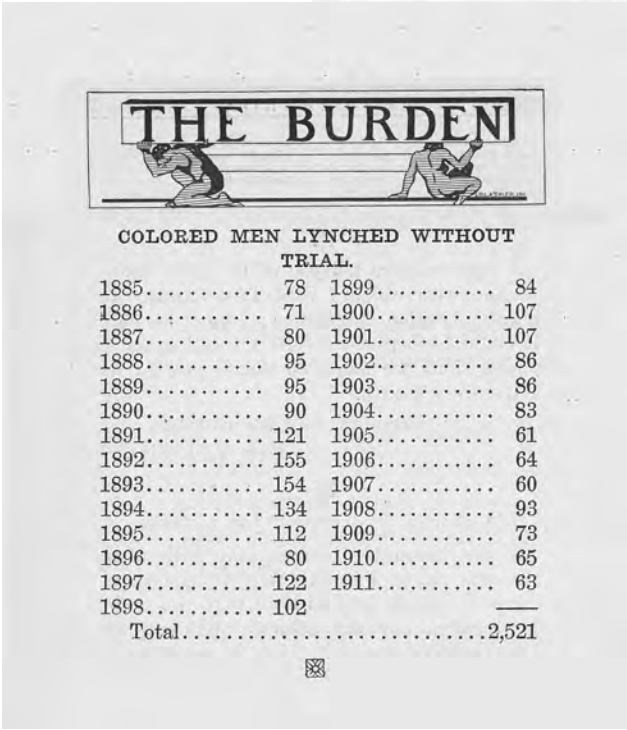
From *NY Times*,
March 15, 1914

© Bettmann/Corbis


THE CRISIS
A RECORD OF THE DARKER RACES

CONTENTS

National Association for the Advancement of Colored People


THE BURDEN

COLORED MEN LYNCHED WITHOUT TRIAL.

1885	78	1899	84
1886	71	1900	107
1887	80	1901	107
1888	95	1902	86
1889	95	1903	86
1890	90	1904	83
1891	121	1905	61
1892	155	1906	64
1893	154	1907	60
1894	134	1908	93
1895	112	1909	73
1896	80	1910	65
1897	122	1911	63
1898	102		
Total			2,521

From *The Crisis*,
July 1912

1896
Adolph Ochs purchases the money-losing *New York Times*

1897
The New York Press coins the term "yellow journalism" to describe sensational reporting in Pulitzer and Hearst papers

1898
The New York Journal blames Spain for the sinking of The USS Maine in Cuba, helping push the U.S. into war with Spain

© Underwood & Underwood/Corbis

Adolph Ochs

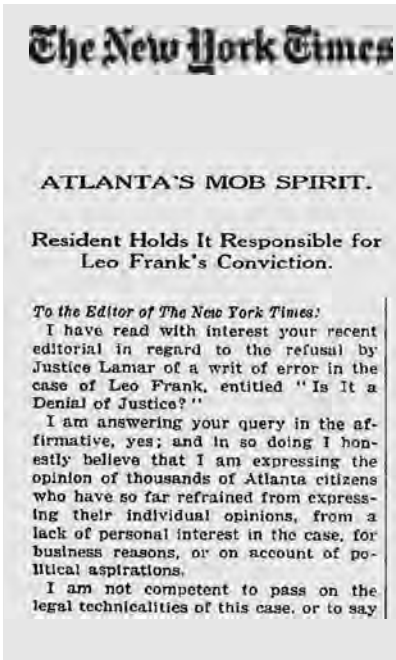
***NY Times* building,**
1919

ADOLPH OCHS AND *THE NEW YORK TIMES*

The resentment that grew against Frank in the aftermath of his trial was unintentionally fueled by fellow Jew and publisher of *The New York Times,* Adolph Ochs. During the trial, *The Times* only printed three brief pieces about the case because Ochs didn't want it to be seen as "a Jewish newspaper." After Frank was sentenced to death, however, Ochs reversed his earlier decision and took up the case up as a crusade.

Over the next 18 months, *The Times* published hundreds of articles and editorials about the case. While some of the pieces were balanced, many more were one-sided, quoting defense lawyers at length while failing to seek comment from anyone connected with the prosecution. "Frank Convicted by Public Clamor," read *The Times'* headline on March 2, 1914, voicing the opinion that Frank did not receive a fair trial. Other articles included, "Friends Plea for Frank," "Georgians Urged to Plead for Frank" and "Atlanta's Mob Spirit."

Unfortunately for Frank, *The Times* coverage provoked hostility against him in Atlanta. Most Georgians believed in Frank's guilt. Additionally, the general anti-Yankee sentiment (a lingering result of the Civil War) created resentment in what was viewed as a Northern paper challenging the Southern court system.



The New York Times

ATLANTA'S MOB SPIRIT.

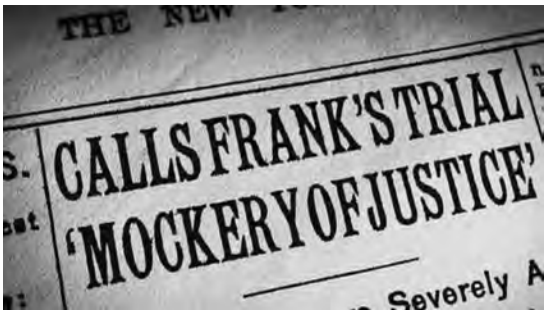
Resident Holds It Responsible for Leo Frank's Conviction.

To the Editor of The New York Times:

I have read with interest your recent editorial in regard to the refusal by Justice Lamar of a writ of error in the case of Leo Frank, entitled "Is It a Denial of Justice?"

I am answering your query in the affirmative, yes; and in so doing I honestly believe that I am expressing the opinion of thousands of Atlanta citizens who have so far refrained from expressing their individual opinions, from a lack of personal interest in the case, for business reasons, or on account of political aspirations.

I am not competent to pass on the legal technicalities of this case, or to say



THE NEW

CALLS FRANK'S TRIAL 'MOCKERY OF JUSTICE'

Severely A

1903
The first "tabloid," *The Daily Mirror*, is published in London and introduces the "exclusive interview"

1906
Tom Watson's *Jeffersonian Magazine* and *Jeffersonian Weekly* are founded

1910
The NAACP's journal, *The Crisis*, is established by W.E.B. Du Bois

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THOMAS WATSTON AND *THE JEFFERSONIAN*

Future U.S. Senator, Thomas Watson, who published an influential paper, *The Jeffersonian*, voiced the opinion of many Georgians, who viewed Northern journalists as outsiders representing those with money and privilege. Beneath the banner headline, "Does the State of Georgia Deserve this Nation-Wide Abuse?," Watson declared:

The Jeffersonian

The Leo Frank Case.
Does the State of Georgia Deserve
This Nation-Wide Abuse?

Price, Five Cents

the Rich Jews
ts of Georgia

"Mr. Adolph Ochs, a most useful servant of the Wall Street Interests, runs a Tory paper in New York whose chief end in life seems to be to uphold all the atrocities of special interest and all the monstrous demands of Big Money." (*The Jeffersonian*, April 9, 1914)

Tom Watson

Watson used his newspaper to counter the claims of Ochs and *The New York Times.* A populist who argued for the rights of the common people, Watson used the case against Frank as a platform to criticize corporate greed, the use of child labor and to play upon the tensions between Southerners and "outsiders." Eventually, Watson's reporting became openly anti-Semitic.

Do the rich Jews want to create among the Gentiles of this country, the same deep dislike which they have created everywhere else?...[The U.S. has] freely welcomed the immigrant Hebrew, and given him a National House of Refuge…[but] If they continue…villainous abuse of the people who wanted Leo Frank punished for his awful crime, they will raise a tempest which they cannot control. (*The Jeffersonian*, July 9, 1915)

As he fanned the flames of hatred, Watson also issued a call to arms. Furious that Governor John Slaton was considering commuting Frank's sentence from death to life in prison, Watson lashed out:

GUNS QUELL ATLANTA RIOT

CHICAGO AMERICAN

AFTERNOON EDITION

ALLEN TRUSTY GETS "3D DEGREE"

ANTI-FRANK MOB STORMS SLATON

WOMAN WHOSE DEATH

1910
The number of daily newspapers in the U.S. peaks at 2,200

1912
William Randolph Hearst buys the failing paper, *The Georgian*

1913
Following the arrest of Leo Frank, *The Georgian* reports that "Police Have the Strangler" on April 29th

"…if the Prison Commission or the Governor undertake to undo—in whole or in part—what has legally been done by the courts that were established for that purpose, there will inevitably be the bloodiest riot ever known in the history of the South." (*The Jeffersonian*, May 27, 1914)

After the Governor announced his decision to commute Frank's sentence, Watson raged:

"Our grand old Empire State HAS BEEN RAPED…Jew money has debased us, bought us, and sold us—and laughs at us…Hereafter, let no man reproach the South with Lynch law: let him remember the unendurable provocation and let him say whether Lynch law is not better than no law at all." (*The Jeffersonian*, June 20, 1915)

A day after Watson's piece appeared, reports began to circulate that a group calling itself the Knights of Mary Phagan gathered at her grave to plan its revenge. Watson's inflammatory editorials incited the community to take justice into its own hands and lynch Frank. Even after Frank's death, Watson did not let up, and his hateful tirades contributed to the revival of the Ku Klux Klan in the fall of 1915.

The Jeffersonian

Vol. 12, No. 54 — Thomson, Ga., Thursday, August 26, 1915 — Price, Five Cents

"The Wages of Sin is Death."

"DINAH, the daughter of Jacob . . . went out to see the daughters of the land; and when Shechem, . . . *prince of the country*, saw her, *he took her*, and lay with her, and *defiled her*.

And it came to pass, on the third day, when they were sore, two of the sons of Jacob, Simeon and Levi, . . . took each man *his sword*, and came upon the city (of the prince), *and slew all the males*.

And they slew Shechem "(and Hamor, his father) with the edge of the sword, and took Dinah out of Shechem's house, when the sons of the Canaanites came upon him.

The sons of Jacob did not accuse Shechem of violence to their sister. Dinah appeared to be willing. She was continuing to live with the prince. He had not struck her in the face, knocked her against a crank handle, rendered her unconscious, and then choked her to death with a cord.

Dinah made no complaint: Dinah evidently meant to remain with the prince.

Hamor, the father of the young prince, went to Jacob and pleaded with the sons.

The condition was complied with: "every male was circumcised;" and then it was that the Jews, without any trial at law, without any sentence of any court, fell upon the people whom they had craftily thrown off their guard; and these Jews wrecked indiscriminate slaughter upon young and old, male and female, innocent and guilty.

They slew the old father, Hamor, *who had gone to Jacob and pleaded for peace, reconciliation and atonement.*

They robbed every dweller in the city, taking the cattle the sheep and the mouth

"The North can rail itself hoarse, if it chooses to do so, but if [it] doesn't quit meddling with our business and getting commutations for assassins and rapists who have pull, another Ku Klux Klan may be organized to restore HOME RULE." (*The Jeffersonian*, September 2, 1915)

CONCLUSION

As time went on, the Frank case was eclipsed by other news stories and faded from the headlines, but not before it gripped the nation for over two years with sensational headlines, photos and a full-blown media circus. Some viewed the story as an opportunity to grab readers' attention; others saw it as a continuation of the conflict between North and South; and still others used the story to play upon the fears and prejudices of a community, and to incite hateful actions.

The press coverage and sensationalism surrounding the Leo Frank case offers both a fascinating look back at history and a lens through which we can examine the role of media in today's era of Twitter, Facebook and instant messaging. News stories from Frank's time provide present-day readers an opportunity to better understand the prejudices and tensions of the time period in which he lived. They also remind us that even as time and technology evolve, we must be alert to the media's enduring power to shape public opinion and to intensify feelings of bias and hate.

1913
Leo Frank is convicted on August 25th and *The Georgian* prints 131,208 copies—more than triple its pre-Hearst circulation

1915
Following the lynching of Frank, *The Atlanta Constitution* runs the headline, "Georgia's Shame!"

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GLOSSARY OF TERMS

anti-Semitism: prejudice and/or discrimination against people who are Jewish based on their religious beliefs and/or their group membership (ethnicity).

aristocracy: a privileged class, usually based on birth, that is richer and more powerful than the rest of society (an aristocrat is a member of an aristocracy).

atonement: something that makes up for a wrong that has been done.

B'nai B'rith: literally "Sons of the Covenant," this is the oldest Jewish service organization in the world (founded in 1843).

backlash: a negative reaction to a political or social event.

ballad: a poem or song that tells a story.

bias: a tendency or preference either for or against an individual or group that prevents fair and impartial consideration.

bigotry: prejudice and/or discrimination against a person or group.

blood libel: a false accusation that a person or group engages in human sacrifice and uses the blood of the victims in various rituals.

boycott: to protest by refusing to purchase from a person or company, or otherwise do business with them.

capitalist: a person who invests in a business or is a supporter of capitalism, an economic system based on the private ownership of wealth.

caricature: a representation of someone or something that is exaggerated, usually for comic effect or to make fun.

carpetbagger: a negative label given to Northerners who moved to the South after the Civil War to take advantage of business opportunities; they often traveled with their possessions in bags made of cheap carpets.

child labor: the employment of children who are under the recognized minimum age. This practice is considered abusive and is illegal in many countries.

classism: prejudice and/or discrimination against people because of their social or economic status (how much money their families have, where they live, the kind of clothes they wear, etc.).

colonialism: control of a weaker nation by a stronger one; the use of the weaker country's resources to enrich the stronger country.

commute/commutation: to change a penalty to another one that is less severe.

Confederate/Confederacy: relating to the Confederate States of America, made up of the 11 southern states that seceded from the U.S. in 1860 and 1861.

corrupt: dishonest or immoral, especially in business or political dealings.

cracker: an insulting name for poor Southern whites; "Georgia crackers" were descendants of poor British people (they commonly ate biscuits) who were sent to the Georgia penal colony.

crusade: a campaign or series of actions toward a particular goal.

defamation: words or actions that injure or destroy the reputation of a person or group.

degraded: lowered in worth or value; often refers to a person's character.

diabolical: devilishly wicked, cruel or cunning

discrimination: actions that exclude people or treat them unfairly. Some forms of discrimination are illegal.

emigration: the act of leaving a country or region to live elsewhere.

"Extra": an additional edition of a newspaper (usually to report a crisis).

Gentile: a person who is not Jewish.

ghetto: the section of a city (usually poor and crowded) in which members of a minority group live; the area of many European cities in which Jews were formerly required to live.

hypocrisy: pretending to have qualities or beliefs that you do not really have.

immigrant: a person who moves to a country other than his/her native land to live.

incite: to move to action, provoke or stir up unrest.

indict: to charge someone formally with a crime.

industrialization: the creation and growth of manufacturing in a country or region; an industrialist is a person who owns or manages an industrial business or project.

Jim Crow: system of laws and practices in the U.S. from the 1870s to the 1960s that mandated racial segregation and prevented African Americans from achieveing social, economic and political equality.

Ku Klux Klan: oldest U.S.-based hate group that uses violence and intimidation to advance white supremacist ideas and terrorize African Americans, immigrants, Jews and other non-white groups.

linthead: an insulting label for poor working-class whites from cotton-mill districts; airborne lint from textile plants often clung to mill workers' clothing and hair.

literate/illiterate: able/unable to read and write.

lynch/lynch law: to execute without a legal trial, especially by hanging.

migrant: a traveler or worker who moves from one region or country to another.

NAACP: The National Association for the Advancement of Colored People is one of the oldest civil rights organizations in the U.S. (established in 1909), which works for racial equality.

nuclear family: a family unit, usually that lives together and consists of parents and children; this can be contrasted with an extended family.

pardon: to forgive or excuse one from a crime, and release from the punishment associated with it.

perjury: the act of lying under oath, which is punishable by law.

persecute: the systematic mistreatment of an individual or group by another group.

populism: the political philosophy that promotes the rights of common people in their struggle against the privileged, wealthy or powerful. Populist refers to both the people and political parties that have taken up the ideas of populism.

prejudice: making a decision about a person or group of people without enough knowledge. Prejudice is based on stereotypes.

privilege: a special advantage, benefit or right reserved exclusively for some, but not enjoyed by all members of society.

remorse: a feeling of regret or sadness for doing something wrong.

scapegoat: the act of blaming a person or group for something when there may not be a person or group responsible for the problem.

segregation: the separation of one thing from another; the system that mandates separate facilities for different groups according to race, class or other categories.

sensationalism: the manner of being controversial or extreme to arouse an emotional reaction, especially the use of exaggerated and attention-grabbing stories by journalists.

slur: an insult or disparaging label.

socioeconomic: relating to social and economic factors.

solidarity: unity among individuals or groups based on shared interests and goals.

stereotype: an oversimplified idea about an entire group of people without regard for individual differences.

strike: to stop work for the purpose of forcing an employer to meet demands.

submissive: inclined or willing to give in to the authority or control of another.

tabloid: a newspaper that favors sensational stories and photographs over more serious news.

tirade: A long, angry or violent speech.

tribulation: distress or suffering resulting from unjust treatment or misfortune.

tycoon: a very wealthy or powerful business leader.

white supremacy: the system or set of beliefs which holds that white people are superior to the people of other racial backgrounds.

Yankee: a slang term used to refer to residents of the states on the Union side of the Civil War, and later to Northerners in general.

yellow journalism: a type of journalism that favors sensational and eye-catching headlines and stories.

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CORRELATION TO NATIONAL STANDARDS FOR GRADES 9 – 12

CIVICS STANDARDS	SECTIONS 1	2	3	4
STANDARD 1: Understands ideas about civic life, politics, and government	•	•	•	•
STANDARD 9: Understands the importance of Americans sharing and supporting certain values, beliefs, and principles of American constitutional democracy	•	•	•	•
STANDARD 10: Understands the roles of voluntarism and organized groups in American social and political life	•	•	•	
STANDARD 11: Understands the role of diversity in American life and the importance of shared values, political beliefs, and civic beliefs in an increasingly diverse American society	•	•	•	•
STANDARD 13: Understands the character of American political and social conflict and factors that tend to prevent or lower its intensity	•	•	•	•
STANDARD 14: Understands issues concerning the disparities between ideals and reality in American political and social life	•	•	•	•
STANDARD 18: Understands the role and importance of law in the American constitutional system and issues regarding the judicial protection of individual rights	•	•	•	•
STANDARD 19: Understands what is meant by "the public agenda," how it is set, and how it is influenced by public opinion and the media				•

LANGUAGE ARTS STANDARDS	SECTIONS 1	2	3	4
STANDARD 1 (Writing): Uses the general skills and strategies of the writing process	•	•	•	•
STANDARD 2 (Writing): Uses the stylistic and rhetorical aspects of writing	•	•	•	•
STANDARD 3 (Writing): Uses grammatical and mechanical conventions in written compositions	•	•	•	•
STANDARD 4 (Writing): Gathers and uses information for research purposes	•	•	•	•
STANDARD 5 (Reading): Uses the general skills and strategies of the reading process	•	•	•	•
STANDARD 7 (Reading): Uses reading skills and strategies to understand and interpret a variety of informational texts	•	•	•	•
STANDARD 8 (Listening and Speaking): Uses listening and speaking strategies for different purposes	•	•	•	•
STANDARD 9 (Viewing): Uses viewing skills and strategies to understand and interpret visual media	•	•	•	•
STANDARD 10 (Media): Understands the characteristics and components of the media	•	•	•	•

GEOGRAPHY STANDARDS	SECTIONS 1	2	3	4
STANDARD 6: Understands that culture and experience influence people's perceptions of places and regions	•	•	•	•
STANDARD 17: Understands how geography is used to interpret the past	•	•	•	•

HISTORY STANDARDS	SECTIONS 1	2	3	4
STANDARD 1 (Historical Understanding): Understands and knows how to analyze chronological relationships and patterns	•	•	•	•
STANDARD 2 (Historical Understanding): Understands the historical perspective	•	•	•	•
STANDARD 14 (U.S. History): Understands the course and character of the Civil War and its effects on the American people		•	•	
STANDARD 15 (U.S. History): Understands how various reconstruction plans succeeded or failed		•		
STANDARD 16 (U.S. History): Understands how the rise of corporations, heavy industry, and mechanized farming transformed American society	•	•	•	
STANDARD 17 (U.S. History): Understands massive immigration after 1870 and how new social patterns, conflicts, and ideas of national unity developed amid growing cultural diversity	•	•	•	
STANDARD 18 (U.S. History): Understands the rise of the American labor movement and how political issues reflected social and economic changes			•	
STANDARD 20 (U.S. History): Understands how Progressives and others addressed problems of industrial capitalism, urbanization, and political corruption		•	•	

LIFE SKILLS STANDARDS	SECTIONS 1	2	3	4
STANDARD 1 (Working with Others): Contributes to the overall effort of a group	•	•	•	•
STANDARD 3 (Working with Others): Works well with diverse individuals and in diverse situations	•	•	•	•
STANDARD 4 (Working with Others): Displays effective interpersonal communication skills	•	•	•	•

Source: *Content Knowledge: A Compendium of Standards and Benchmarks for K-12 Education, by John S. Kendall and Robert J. Marzano (2009, 4th ed.): Mid-continent Research for Education and Learning (McREL), Aurora, CO; www.mcrel.org/standards*

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SOURCES

Ambrose, Andy. 2008. "A Model of the New South." In *Seeking Justice: The Leo Frank Case Revisited Exhibition Catalogue*, eds. Sandra Berman and Jane Leavey. Atlanta: The William Bremen Jewish History Museum.

Anti-Semitism in History: Racial Anti-Semitism 1875-1945. United States Holocaust Memorial Museum. www.ushmm.org/wlc/article.php?lang=en&ModuleId=10007171 (accessed November 1, 2009).

Ben Loeterman Productions, Inc. On-Camera Interview with Clarissa Myrick-Harris. February 21, 2008, Atlanta, Georgia.

Berman, Sandra and Leavey, Jane. 2008. "The Leo Frank Case Revisited." In *Seeking Justice: The Leo Frank Case Revisited Exhibition Catalogue*, eds. Sandra Berman and Jane Leavey. Atlanta: The William Bremen Jewish History Museum.

Bernstein, Matthew H. 2008. "Screening a Lynching: The Leo Frank Case on Film and Television." In *Seeking Justice: The Leo Frank Case Revisited Exhibition Catalogue*, eds. Sandra Berman and Jane Leavey. Atlanta: The William Bremen Jewish History Museum.

Brundage, William Fitzhugh. 1993. *Lynching in the New South: Georgia and Virginia, 1880-1930*. Urbana: Board of Trustees of the University of Illinois.

Bryan, Ferald Joseph. 1994. *Henry Grady or Tom Watson?: The Rhetorical Struggle for the New South, 1880-1890*. Macon: Mercer University Press.

Carnes, Jim. 1995. *Us and Them: A History of Intolerance in America*. Montgomery: Teaching Tolerance.

Causey, Virginia E. and Lee, John. 2005. *WORK 'N PROGRESS: Lessons in the History of American Labor for Middle and Secondary Students—The Fulton Bag and Cotton Mill Strike, 1914-1915*. Atlanta: Georgia State University

Dinnerstein, Leonard. 2008. "The Case that Will Not Die." In *Seeking Justice: The Leo Frank Case Revisited Exhibition Catalogue*, eds. Sandra Berman and Jane Leavey. Atlanta: The William Bremen Jewish History Museum.

Dinnerstein, Leonard. 1999. "Leo M. Frank and the American Jewish Community." In *Strangers and Neighbors: Relations between Blacks & Jews in the United States*, eds. Maurianne Adams and John Bracey, 271-82. Amherst: The University of Massachusetts Press.

Evans, Eli N. 2008. "The Long Shadow of the Leo Frank Case." In *Seeking Justice: The Leo Frank Case Revisited Exhibition Catalogue*, eds. Sandra Berman and Jane Leavey. Atlanta: The William Bremen Jewish History Museum.

Excerpts from African-American Sources in Response to the Frank Case. n.d. Original Research by Ben Loeterman Productions, Inc.

Frank, Leo. n.d. *Leo Frank Leaflets*. Anti-Defamation League Archives.

Friedman, Murray. 1995. *What Went Wrong?: The Creation and Collapse of the Black-Jewish Alliance*. New York: The Free Press.

Hall, Jacquelyn Dowd. 1991. "Private Eyes, Public Women: Images of Class and Sex in the Urban South, Atlanta, Georgia, 1913—1915." In *Work Engendered: Toward a New History of American Labor*, ed. Ava Baron, 243-72. Ithaca: Cornell University Press.

Huber, Patrick. 2008. *Linthead Stomp: The Creation of Country Music in the Piedmont South*. Chapel Hill: The University of North Carolina Press.

Jewish Community of Atlanta. The New Georgia Encyclopedia. www.georgiaencyclopedia.org/nge/Article.jsp?id=h-2731(accessed November 1, 2009).

Kuhn, Clifford. 2008. "Lynching." In *Seeking Justice: The Leo Frank Case Revisited Exhibition Catalogue*, eds. Sandra Berman and Jane Leavey. Atlanta: The William Bremen Jewish History Museum.

Levine, Sally N. 2008. *Seeking Justice: The Leo Frank Case Revisited Teacher Guide*. Atlanta: The William Bremen Jewish History Museum.

Levy, Eugene. 1999. "'Is the Jew a White Man?' Press Reaction to the Leo Frank Case 1913-1915." In *Strangers and Neighbors: Relations between Blacks & Jews in the United States*, eds. Maurianne Adams and John Bracey, 261-70. Amherst: The University of Massachusetts Press.

Lindemann, Albert. 1991. *The Jew Accused: Three Anti-Semitic Affairs (Dreyfus, Beilis, Frank), 1894-1915*. Cambridge: Press Syndicate of the University of Cambridge.

Melnick, Jeffrey. 2000. *Black-Jewish Relations on Trial: Leo Frank and Jim Conley in the New South*. Jackson: University Press of Mississippi.

Oney, Steve. 2003. *And the Dead Shall Rise: The Murder of Mary Phagan and the Lynching of Leo Frank*. New York: Random House Inc.

Oney, Steve. Spring 2004. Murder Trials and Media Sensationalism. *Nieman Foundation for Journalism at Harvard*. www.nieman.harvard.edu/reportsitem.aspx?id=100884 (accessed November 1, 2009).

Oney, Steve. 2008. "The Press and the Frank Case." In *Seeking Justice: The Leo Frank Case Revisited Exhibition Catalogue*, eds. Sandra Berman and Jane Leavey. Atlanta: The William Bremen Jewish History Museum.

Rice, Anne P. 2003. *Witnessing Lynching: American Writers Respond*. Rutgers: Rutgers, The State University.

Teaching Tolerance. 1995. *The Shadow of Hate Teacher's Guide*. Montgomery: Teaching Tolerance.

Webb, Clive. 2001. *Fight Against Fear: Southern Jews and Black Civil Rights*. Athens and London: The University of Georgia Press.

Woodward, Comer Vann. 1963. *Tom Watson: Agrarian Rebel*. New York: Oxford University Press.

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ADDITIONAL RESOURCES

NON-FICTION

- *The Leo Frank Case* by Leonard Dinnerstein (1966)
- *The Silent and the Damned: The Murder of Mary Phagan and the Lynching of Leo Frank* by Robert Seitz Frey and Nancy Thompson-Frey (2002)

NOVELS

- *Death in the Deep South* by Ward Green (1936)
- *Member of the Tribe* by Richard Kluger (1977)
- *The Hampton Women* by Julie Ellis (1980)
- *Reckless Eyeballing* by Ishmael Reed (1986)
- *The Old Religion* by David Mamet (1997)

FILMS

- *Murder in Harlem* by Oscar Micheaux (1936)
- *They Won't Forget* by Mervyn LeRoy (1937)
- *The Murder of Mary Phagan* by George Stevens, Jr. (1988)

PLAYS

- *The Lynching of Leo Frank* by Robert Myers (1998)
- *Parade* by Alfred Uhry (1998)

WEB SITES

- Anti-Defamation League, www.adl.org/leofrank
- GeorgiaInfo, http://georgiainfo.galileo.usg.edu/leofrank.htm
- Jewish Virtual Library, jewishvirtuallibrary.org/jsource/anti-semitism/frank.html
- The Leo Frank Case, www.leofrankcase.com
- *The People v. Leo Frank*, www.leofrankfilm.com
- truTV, www.trutv.com/library/crime/notorious_murders/not_guilty/frank/1.html
- University of Missouri-Kansas City School of Law, www.law.umkc.edu/faculty/projects/FTRIALS/frank/frankmain.html
- The William Bremen Jewish History Museum (Seeking Justice: The Leo Frank Case Revisited), www.thebreman.org

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Page 10: Hazan's Fruit Stand (Clip 1A) and Leo Frank (Clip 1D) – both photos courtesy of the Cuba Archives of The Breman Museum.

Page 15: Photograph of Feter Mayer and his wife, Itzkovitz family papers, JMS 035, Savannah Jewis Archives, housed at the Georgia Historical Society, Savannah, GA.

Page 16: Photos of factory girls courtesy of the Library of Congress, Prints & Photographs Division, National Child Labor Committee Collection.

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Page 33: 12-year-old spinner, Addie Card – courtesy of the Library of Congress, Prints & Photographs Division, National Child Labor Committee Collection.

Page 34: Factory girl – courtesy of the Library of Congress, Prints & Photographs Division, National Child Labor Committee Collection.
View of Atlanta (Clip 3A) – courtesy of the Kenan Research Center at the Atlanta History Center.
Governor John Slaton hung in effigy (Clip 3D) – courtesy of the Georgia Archives, Vanishing Georgia Collection, gwn150. (See also p. 55)

Page 35: Child mine worker in WV and Factory girl – both photos courtesy of the Library of Congress, Prints & Photographs Division, National Child Labor Committee Collection.

Page 38: Everybody Pays But Few Profit by Child Labor (Exhibit Panel) and 11-year-old Hosiery Mill Worker – both photos courtesy of the Library of Congress, Prints & Photographs Division, National Child Labor Committee Collection.

Page 47: Little Mary Phagan Sheet Music Cover – courtesy of the Cuba Archives of The Breman Museum.

Page 50: Re-enactment of Mary Phagan's Murder – courtesy of Georgia Archives, Leo Frank Clemency Application, 1915.
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