
Gwen Jordan

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GWEN JORDAN*

INTRODUCTION

"Remember, I too, am one of the despised."1 Edith Sampson uttered this pronouncement in her 1957 address in Kansas City, Missouri at a regional conference of the Links, a prominent, national African American women's volunteer service organization.2 Sampson was speaking as a black woman attorney of thirty years and a former U.S. Delegate to the United Nations (U.N.). She was responding to black radicals who criticized her for aiding the U.S. government's anti-communism campaign.3 They asserted she was one of a group of conservative African Americans that the State Department enlisted to emphasize the progress of race relations in the U.S. as they downplayed the significant racism that persisted.4 More than half a century later, activists and scholars continue to identify Sampson as one of that conservative group.5

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In her speech to the Links, Sampson was both defending her support of American democracy and calling on the black women in attendance to join her in a continued fight for racial justice for African American women within the democracy. She acknowledged that in practice the U.S. fell short of its ideology of equality and cited some instances of discrimination she had endured as evidence of her deep understanding of racial bigotry, but she juxtaposed these with the advances she experienced:

I have twice been privileged to serve with the United States Delegation to the United Nations. I have also known what it means to have a white sneer and refuse to shake my hand, and to be denied membership in a bar association. . . . I have been called 'Madame' respectfully in Iran and India, and I have also been called unspeakable names in scores of cities in my native land. So if I do not now dwell upon the many injustices done to us, it's not for any want of knowing them.6

Sampson's message in this speech and throughout her career, to this point, had always focused on the greatness of democracy and the possibilities of change it provided, especially for African American women. She explained, "in no other nation, in no other time has a people managed to make the strides that we who are Negroes have been able to make here. . . . And the world does move," she emphasized, "It does move."7

Sampson's fierce support of American democracy and her outspoken criticism of communism made her an easy target for more radical African Americans who rejected U.S. domestic and foreign policies. In the 1950s and 1960s, in the aftermath of World War II and the beginning of the Cold War, Sampson's appointment to the U.N. and her numerous international addresses in support of democracy created the impression that she was tied to the U.S. government, its racially discriminatory policies and practices, and its aggressive red scare tactics. Radical African Americans saw through the U.S. government's attempts to present what Mary Dudziak has described as "a particular story about race and American democracy: a story of progress, a story of triumph of good over evil, a story of U. S. moral superiority." They rejected "the lesson of this story," which Dudziak explains, "was always that American democracy was a form of government that made the achievement of social justice possible, and that democratic change, however slow and gradual, was superior to dictatorial imposition."8

7. Id. at 521.
8. DUDZIAK, supra note 4, at 13.
Sampson, however, believed this story and repeated it through the 1950s. But Sampson did not, as her critics charged, downplay the racism that persisted in the United States. Sampson consistently acknowledged the pervasive racial injustice that occurred at every level in America and skillfully used her position as an international spokesperson to fight for racial justice for all people of color, especially women.

The historiographical debate in the last decades of the twentieth century between left revisionists, right anti-communists, and centrist scholars continues to rage over whether and how communist or anti-communist African Americans advanced or hindered the cause of racial justice.9 Edith Sampson gets only slight, but polarized, mention in this debate. Among revisionists, Gerald Horne is the most critical of Sampson. Horne claims elites used Sampson to "cover up racism and barbarism at home," but "kept [her] distant from important matters like policymaking." Horne asserts Sampson "was a hired gun," even a "stooge."10

Sampson's greatest defenders, Helen Laville and Scott Lucas, argue that Sampson cooperated with the White House and the State Department not out of naiveté but out of a firm conviction that democracy was the best hope for race equality. They further posit that Sampson used her position to seek "advances against racial discrimination at home and abroad" and that her "vision of Americanism was broadly representative of many of her contemporaries," those who supported American democracy as they fought for racial justice within it.11 Legal historians explain that this group of consensus liberals believed that "only liberal and democratic ideals could cope with the threats of the post-war period, namely fascism and communism."12

But Horne, Laville, and Lucas miss the import of gender and its intersection with race in understanding Sampson. Horne, like many other revisionists and critical race theorists, ignores the effect of gender on the racial hierarchy and, in this case, its affect on Sampson's position and strategy. As Bernie Jones explains, "the critical race theory

focus on race exclusively means that gender-based differences within communities of color escape scrutiny: men cannot fully represent women, and it is presumptuous to conclude that women of color are represented solely by their race."13 Lucas and Laville also miss the import of gender on Sampson’s activism. They incorrectly assert that because Sampson did not figure prominently in Chicago’s black organizations run by men, she came to her international work in 1949 having played only “a minor role” in the civil rights movement with “little involvement either with international affairs or with racial issues.”14 Including gender in the analysis, examining Sampson’s life from a critical race feminist perspective that considers the intersection of her race and gender, however, reveals Sampson’s historical importance as a leader in African American women’s domestic and international civil rights movements.

Gender was as central to Edith Sampson as was race. Both her perspective and her aim were shaped by the intersection of her race and gender. Sampson understood that law and politics treated women of color differently than they treated not only white men, but also white women and black men. Sampson lived critical race feminism before scholars identified it as a legal theory.15 It complicated her position as a liberal gradualist. It both drove her strategy, which included developing relationships with other women of color from around the country and the world, and her aims, which focused on securing a gendered racial justice that advanced the position of black women as well as the race in general.

This paper does not assess whether Edith Sampson’s pro-democracy, anti-communist position was right or wrong. Rather, it attempts to place Sampson in the historical context of gendered black activism that sought racial justice for women of color in the United States and around the world. This context connects the activism of African American women to the issues of race and international rela-

14. Laville, supra note 11, at 566, 568. Cf. Helen Laville, Spokeswomen for Democracy: The International Work of the National Council of Negro Women in the Cold War in CROSS ROUTES – THE MEANINGS OF "RACE" FOR THE 21ST CENTURY, supra note 12, at 125. Here Laville argues for the importance of a gender analysis and recognizes the contribution of Sampson and the National Council of Negro Women to the issues of race and international relations, but concludes that their leadership was “co-opted” and their voices were “distorted” by the U.S. government. Id. at 135.
tions during the decades before and after the start of the Cold War. Sampson came to her position as an international spokesperson for the U.S. after more than twenty years of domestic civil rights work for African American women. In 1949, on her first international trip with the World Town Hall radio program, she determined to use her expanded international access to advance the cause of racial justice, particularly for women of color.

Sampson engaged in a version of the strategy Margaret Keck and Kathryn Sikkink have labeled the Transnational Advocacy Network (TAN) model that employed the "boomerang pattern." This strategy allowed individuals or groups whose rights were being violated by their own government to use international connections to voice their plight and motivate "international allies to try to bring pressure on their states from outside." Sampson's version of this strategy was to develop relationships with women of color in many of the newly decolonized foreign countries, listen to their concerns regarding the racial violence and discrimination that occurred in the U.S., and then relate those concerns to U.S. citizens and officials. She related them with a warning that the persistence of racial discrimination in the U.S. was turning these countries away from democracy as a form of government and from the U.S. as an ally. Sampson then urged her own government to end such practices and live up to its ideals of equality.

This perspective of Sampson's international activism undermines arguments that she was primarily a spokesperson for the government's propaganda and engenders our understanding of the role international relations played during the Cold War civil rights era. It also alters our understanding of the role African American women, including black women lawyers, played in the domestic civil rights movement from the 1920s through the 1950s. This paper argues that Edith Sampson, and her sister black women lawyers and activists, engaged in domestic and international activism to pressure the United States government and its citizens to end race discrimination as they worked to ensure that the civil rights movement included the advancement of the position, rights, and protections of African American women.


18. DUDZIAK, supra note 4, at 59.
This paper attempts to revive Sampson’s role as a leader among women of color activists within the broad civil rights movement by examining Sampson’s work as an attorney and a leader in Chicago as well as her international work. It is organized into three additional sections. The first examines Edith Sampson’s development and work as one of the few, early, black women lawyers in the United States from the 1920s through the 1940s. Although small in number, these women wielded influence locally and nationally. They developed careers to fulfill their own ambitions, engaged in service work for their communities, became leaders of the black women’s social networks, pursued a gendered agenda of law reform that addressed the legal needs of black women, and pushed for the inclusion of women’s rights issues within the growing civil rights movement. This section identifies Sampson as a leader in the context of African American women’s civil rights activism.19

The next section examines Sampson’s work as an activist in the international context. It first documents the historical foundations of African American women’s international activism. It then identifies Sampson’s strategy of using her international connections and experiences to pressure the U.S. government and U.S. citizens to end racial discrimination in America. It also explores the way Sampson used her connections with women in countries throughout the world to advance civil and human rights activism specifically for women of color.

The third section explores Sampson’s changed, but continued activism in the 1960s during a period of growing domestic unrest. It focuses first on her reassessment of the gradualist approach to civil rights she had championed. Sampson never doubted her support of American democracy, but she did come to believe that the slow, incremental advance of black civil rights had failed to yield racial justice. It then briefly examines her activities as judge, counsel to the U.S. government in the 1960s, and as mentor to other black women activists.

The paper concludes with an assessment that understanding Sampson’s efforts, and her sister women activists, is essential to understanding race and international relations before and during the Cold War era. It also argues that they were an important faction of the

early civil rights movement. It assesses that the application of a critical race feminist lens to the life and work of Edith Sampson reveals that women of color had a different agenda and employed different strategies than white men, black men, and white women, and that their efforts helped to shape the historical course of race relations in the U.S. The paper concludes with a call to continue this work so that we might broaden, and perhaps correct, current narratives as well as strengthen the foundation of future activism for gendered racial justice.

I. THE EMERGENCE OF A CIVIL RIGHTS ACTIVIST

A. The Early Years

Edith Sampson's personal and professional life drove her civil rights activism. She was born Edith Spurlock in Pittsburgh, Pennsylvania, in 1901, one of eight children. Her family was poor. Everyone worked. Sampson began working when she was fourteen, cleaning fish at a fish market and assisting her mother. After she graduated from high school, she sought a position as a schoolteacher, but Pittsburgh did not hire black teachers. She did secure employment at the Associated Charities of Pittsburgh who sent her to the New York School for Social Work because they needed a black social worker. One of her professors, George Kirchwey, recognized her potential and encouraged Sampson to attend law school. Sampson would eventually heed his advice, but not for a number of years.20

In her early twenties, Sampson left New York, married Rufus Sampson, a Tuskegee Institute representative, and moved with him to Chicago where she would soon emerge as a civil rights leader for African American women. Sampson initially continued her career in social work, attending the School of Social Service Administration at the University of Chicago, working for the YWCA and the Illinois Children's Home and Aid Society, as she cared for one of her sister's two young children after her sister's death. Sampson soon also began taking courses at night at John Marshall Law School. She earned her law degree in 1925. When she failed her initial bar exam, she enrolled and then graduated from Loyola University Law School with a Masters of Law. Two years later she passed the Illinois bar exam.21

21. Id. at 969–70.
Sampson worked first as a probation officer and then as an Assistant Referee for the Cook County Juvenile Court as she also established her own law firm on the Southside of Chicago. She would later reflect, "Day by day I saw the need for service and the greater need for intelligent, honest and fearless Negro leadership." These experiences “get[ting] to know the real needs of [my] people” gave her “the urge, not only to make progress for [myself], but to pave the way for others to follow.”

B. Black Women Lawyers in Chicago

Edith Sampson joined a very small but critical mass of black women lawyers in Chicago. The first African American woman lawyer in Illinois, Ida Platt, was admitted in 1894. It took more than a quarter century before Violette Anderson became the second black woman to be licensed to practice law in the state. In 1927, Sampson became the ninth black woman to earn her law license in Illinois. This group of women practiced every kind of law, but all focused most of their activities on the legal injustices suffered by African American women. Sampson recognized the need and issued a call for more black women to enter the profession:

Women as lawyers are needed in matters concerning the protection and welfare of women, children; as public defenders in specialized women's courts; as probation officers in Juvenile Court; as arbitrators in on industrial accident boards; as judges in Juvenile and Domestic Relations Courts; as members of the state legislatures, etc.

She saw the work as critical and explained, “the profession of law, is concerned with the administration of justice.”

This generation of black women lawyers entered the profession when a sea change was occurring within the black movement for racial justice. As Clarence Darrow explained in 1930, black men and women needed to elevate their fight for civil rights because white support had significantly diminished. "In the early days there were many people who believed in the equality of all people. That number,” Darrow ex-

23. Id. at 2.
25. Colored Woman is First in State to Be Admitted to Bar, CHI. TRIB., June 20, 1920, at 12.
27. Socialites, supra note 26, at 25.
claimed, "has dwindled to a mere handful...." Darrow specifically urged black lawyers to use the courts to protect their rights.28 Historians have long documented the resurgence of racism in the years before and after 1920 that included the rebirth and growth of the Ku Klux Klan, anti-immigration sentiment spurred by the Red Scare, and the race riots that occurred in cities across the country, including Chicago. African American men and women were responding to this racism through a number of organizations and strategies, including the NAACP and its legal strategy to fight discrimination through the courts,29 black clubwomen’s organizations,30 and the small, but committed, cadre of black women lawyers.

Black women lawyers included civil rights work as part of their practice. One of Edith’s Sampson’s first acts as an attorney was to organize the handful of Chicago’s black women lawyers into the Portia Club to provide free legal services to poor black women and children.31 Ever the optimist, in 1930 after practicing law for three years, Edith Sampson described a palpable change in the position and influence of women and, more specifically, black women. "The changes which have taken place in the past few years in the activities and position of women ... [include] distinctive[ly] the tendency of women to invade every intellectual area." 32 She especially noted that “women as lawyers have made tremendous progress.”33

Sampson explained her generation of women lawyers sought more than formal equality; they sought race and gender justice. "[Black women lawyers] strive to cure social ills, they preach and advocate justice and reason in law and in social institutions. They are frank, progressive and humane."34 Sampson’s description was of a particular paradigm of law practice, one that incorporated civil rights works into the very essence of their practice. These lawyers combined their ambitious pursuit of a career with a social justice agenda that focused on

28. Race Must Fight Own Battle, Says Darrow, CHI. DEFENDER, Dec. 6, 1930, at 2; Clarence Darrow Warns Race, CHI. DEFENDER, July 11, 1931, at 1.
30. White, supra note 19, at 110–41.
33. Id.
34. Id.
alleviating the effects of race and gender discrimination, and especially assisting those who stood at the intersection of those discriminations. Specifically, they worked in their law practices, within legal professional organizations, women’s associations (both black and mixed-race), and political organizations in pursuit of justice. This generation of black women lawyers was integral to laying the groundwork for the civil rights movement that evolved in the subsequent decades and ensuring that it considered the rights and position of black women as well as black men.35

Through the 1930s and 1940s as Sampson rose in her career, she maintained her focus on seeking racial and gender justice. Her accomplishments included admission to practice law before the U.S. Supreme Court in 1934, appointment as Special Commissioner to the Cook County Juvenile Court in 1940,36 admission as one of the first three women of color to the National Association of Women Lawyers when it ended its color ban in 1943,37 and appointment as the first black woman assistant state’s attorney for Cook County in 1947.38 When Sampson received this appointment, she entrusted her law office to two young black lawyers, one a woman, Ernestine Washington, to operate it as “a legal clinic where the people can get legal aid at minimum cost.”39 Within two years, Sampson left the practice of law to advance her gender and racial justice agenda at the national and international level.

C. National Black Women Civil Rights Activism

Mary McLeod Bethune founded the National Council of Negro Women (NCNW) in 1935, during the heart of the Great Depression, to bring together the voices of black women from around the country in order to organize their efforts and increase their collective power. She wanted to ensure black women’s “representation and participation... in the policies and plans which were to seriously affect the na-


36. Race Woman Attorney Serves on Bench in Chicago Juvenile Court, CHI. DEFENDER, June 1, 1940, at 1. In 1934 Sampson also divorced Rufus Sampson and married Joseph Clayton, a Chicago attorney. Pinderhughes, supra note 20, at 970.


It was an organization for African American women, because Bethune understood that the needs of black women were often distinct from those of black men and white women. “We need a unified organization to open new doors for our young women; we need a vast council of women—and when that council speaks,” Bethune declared, “its power will be felt.”

Edith Sampson was an early member and leader within the NCNW. She helped to shape and carry out its civil rights agenda for black women. This included an economic campaign to establish a minimum wage, maximum hours, and “to improve the working condition of Negro women—especially those in domestic service,” as well as educating black women as consumers. They also organized protests against the “vicious propaganda which reflects discredit on the Negro race.” This type of propaganda depicted black men as sexual predators and black women as sexually promiscuous. The Council also focused very specifically on the New Deal programs of the Roosevelt administration and sought to ensure that black women and children were able to fully and equally participate in all federal social welfare programs. It insisted that black women be included in both the processes of developing and administering these policies. “Only in this way,” the NCNW explained, “do we feel that the Negro viewpoint will be adequately presented and the special problems and difficulties of Negro women and children be satisfactorily approached and met.”

By the 1940s the NCNW expanded its civil rights agenda to address additional issues that were central to the lives of black women. It focused on issues of: “discrimination against married women; discrimination against Negro women; new opportunities opening up for Negro women; migration of Negro women; lay-offs in industry; wages; strikes affecting Negro women as workers; unions old and new which accept or bar Negro women; and outstanding achievements of Negro women.” The organization also worked for health care and childcare and

40. Edith Sampson, Council History 1, ESS Papers Box 9 Folder 188 [hereinafter Council History].
41. Id. at 2; HANSON, supra note 19, at 9–10; WHITE, supra note 19, at 148–49.
42. Council History, supra note 40, at 4; see CHERYL D. HICKS, TALK WITH YOU LIKE A WOMAN 38–40 (2010).
44. Hicks, supra note 42, at 8.
46. Id. at 18.
pre-school education, vocational training and education for black youth and adults, and for political rights, especially enforcing the franchise. It further sought to ensure that black women would be included in post-war planning and programs. Throughout, it maintained its aim: "the complete integration of Negro women into the American commonwealth, with all normal rights and privileges."47 This is the civil rights work in which Sampson was fully engaged.

At the end of World War II, Sampson spoke out forcefully to African American women and girls in cities throughout the country urging them to act "to promote the interest of Negro women for the post war days."48 Determined not to endure the discriminations African Americans, and especially African American women, endured after WW1, Sampson implored black women to band together. "The Negro woman is the source of tremendous woman power if we would work as an organized unit, if we would join hands and present a solid front."49 She posited that women of color needed to assert their rights to economic, social and political justice. She urged them to study the issues and the candidates, to vote, to take their place as leaders, to support each other, and to work to relieve tension between the races.50

II. INTERNATIONAL ACTIVIST

A. The Historical Foundations

Sampson joined a long tradition of women of color engaged in international coalition activism. Organized international participation began in 1893 when six African American women spoke at the first quinquennial meeting of the International Congress of Women (ICW).51 African American women served internationally through the YMCA during World War I assisting the African American soldiers serving in Europe. After the war, a handful of African American women participated in numerous international conferences held throughout

47. Id. at 24; White, supra note 19, at 148-55.
49. Sampson's Speech, supra note 22, at 3.
50. Id. at 4–6.
51. Michelle Rief, Thinking Locally, Acting Globally: The International Agenda of African American Clubwomen, 1880–1940, 89 J. Afr.-Am. Hist. 203, 204 (2004). Elizabeth Cady Stanton and others, including Frances Ellen Watkins Harper, a black activist, founded the ICW in 1888. When the National Association of Colored Women was founded in 1896 it joined the US branch of the ICW, the National Council of Women. Id. at 203, 205.
Europe. These experiences increased African American women's efforts to unite with women of color around the world and to play a role in shaping U.S. domestic and foreign policy.

Black women's most prominent influence in women's international organizations after World War I was in the Women's International League for Peace and Freedom. A number of black women joined the organization and persuaded it to place racial justice at the core of its conception of peace. But these women soon determined it was important to establish their own international organization, free from the control of white women. In the fall of 1922, a number of African American women met in New York City with women from "Africa, Haiti, West Indies, [and] Ceylon." They founded the International Council of Women of the Darker Races (ICWDR). There were women from other nations who could not attend the meeting but "pledged their heartiest cooperation in the new movement." The object of the organization was "the economic, social and political welfare of the women of all the dark races." They explained, "the many handicaps, barriers and embarrassments from which the women of the darker races suffer because of color prejudice can and must be overcome by a powerful organization working intensively along definite lines." The primary organizer and first president of the ICWDR was Margaret Murray Washington, widow of Booker T. Washington. With the assistance of a number of prominent African American women, the organization remained active until 1940.

When Mary McLeod Bethune, who had been a member of the ICWDR, founded the NCNW she brought with her its international aim to advance "racial, gender, and economic justice" for women of the darker races in the United States and throughout the world. In its first years the NCNW determined to "establish a working relationship with the women of India" and formally endorsed the work of the ICWDR. In 1940, it held its first summer seminar "for intellectual and
cultural growth" in Cuba, focusing on the activism of Cuban women of color in their fight for liberty and equality.58 In 1943, it pledged to Liberia that it would stand with its people during the war and "when there is peace again, and the chance for reconstruction, the National Council of Negro Women of the United States looks forward to a pilgrimage of good will to Liberia."59 And, in 1944, it hosted its first international session in which representatives from the Philippines, Liberia, Mexico, Costa Rica, France, China, Haiti, Great Britain, and Belgium were in attendance.60

After World War II, the NCNW intensified its international work. It participated, along with the National Association of Colored Women (NACW), in the ICW 1947 meeting held in Philadelphia. It also participated in the first Inter American Congress of Women (IACW) held in Guatemala City. The IACW was comprised of thirty-nine women's associations from nineteen countries from North, Central, and South America. Like the ICW, the IACW was an inter-racial, but primarily white organization, although its first president was Dr. Gumersinda Paez, from Panama, "one of the three Negro women in attendance."61 Its aims were broad, focusing primarily on peace and human rights.62

In 1947, Bethune also insisted on taking her place as one of the consultants to the State Department at the U.N. Conference on International Organizations where the U.N. charter was to be established. Although the State Department initially declined to include Bethune, she insisted. Ultimately, the State Department allowed her to be an associate consultant through the NAACP. No other African American women were included. Bethune, nonetheless, participated actively in the conference and brought with her more than fourteen African American women as observers. "Negro women like all other women," Bethune explained, "must take part in building this world, and must therefore keep informed of all world-shaping events."63

58. Id. at 14.
59. Id. at 21.
62. Id.
63. SMITH, supra note 60, at 240. See also GILMORE, supra note 19, at 406.
B. First International Efforts

Edith Sampson became directly involved in the NCNW's international work in 1949 when she was chosen to participate in a Town Hall World Seminar. It was an extension of Town Hall, Inc., a program that since 1935 had aired weekly radio broadcasts on public issues of the day. In 1949, it decided to hold town meetings around the world.64 This program was technically distinct from the State Department, but it was supported by the Department and worked in concert with its campaign to promote American democracy and oppose communism during the growing Cold War.65 Sampson was one of twenty-eight seminar members, one of two African Americans (with Walter White, the executive secretary of the NAACP), and the only African American woman.66 Bethune, as president of the NCNW, authorized Sampson to serve as the NCNW's representative on the trip and charged her "to represent the high standards of fine womanhood, and reflect that cultural atmosphere that will ingratiate the spirit and the lives of the American women whom you represent, and particularly the six and a half million brown American women of which you are a part."67

Sampson came to this work fully indoctrinated from decades of activism in the civil rights struggles of African American women. She had been a practicing attorney in Chicago for twenty-two years where she focused on assisting women of color. Through the NCNW she had participated in economic campaigns for African American women, including labor reforms and antidiscrimination campaigns. She had been involved in education reforms to allow women of color greater access to higher quality education and training and voting campaigns to meaningfully enfranchise women of color.68 She fully shared the aim of the NCNW, "the complete integration of Negro women into the American commonwealth, with all normal rights and privileges."69

Sampson was initially frustrated with the tour, as it purposefully determined not to focus on issues of race or gender. But when the Town Hall reached Asia, the audience persisted in raising issues of race

65. Dudziak, supra note 4, at 48–49; Laville, supra note 11, at 568.
66. Id. at 569.
67. Letter from Mary McLeod Bethune to Edith Sampson (Apr. 14, 1949), ESS Papers Box 3 Folder 67.
68. Sampson, supra note 40, at 18–20.
69. Id. at 24.
discrimination in the United States, and Sampson quickly became the most important member of the tour. Sampson answered the questions directly, as a woman of color who had endured a lifetime of discrimination and yet had also risen from poverty to a position as an accomplished lawyer. Her response in New Delhi received international attention: "Let me answer here and now the question that you in New Delhi, as well as people throughout Europe and the Middle East, have been asking," Sampson stated clearly. "The question is, quite bluntly, 'Do Negroes have equal rights in America?' My answer is no, we do not have equal rights in all parts of the United States. But let's remember," Sampson added, "that eighty-five years ago Negroes in America were slaves and were 100 per cent illiterate. And the record shows that the Negro has advanced further in this period than any similar group in the entire world." Sampson then gave examples of African Americans who had attained great achievements and made great contributions to American life, excluding the more radical activists, but including herself.

Sampson's response was firmly in line with the strategy that the State Department was pursuing. Through a number of agencies, including the Information Agency, the U.S. was telling the story of past U.S. racial transgressions while insisting that only in a democracy can these wrongs be overcome. It painted a picture of significant improvement in race relations and the condition of African Americans and asserted that the U.S. was well on the way to fixing the remaining problems. Sampson's response agreed that there was improvement, but stopped short of the positive picture of current race conditions. Sampson echoed the position of the NCNW and its founder Bethune who, during World War II, had said that she supported the war against Hitler "in spite of the discrimination against Negroes in America." Bethune explained, "[w]e're not blind to the fact that the doors of democratic opportunity are not opened very wide to us," but asserted "under Hitler their persecution would be far greater." Eight years later, Sampson agreed there was much racial work yet to be done. "Does this mean that I am satisfied?" she asked. "Or that Negroes in the United States are satisfied? No, not by a long shot! We will never be satisfied

70. Laville, supra note 11, at 570.
71. Town Meeting: What are Democracy's Best Answers to Communism? 10 (1949) [hereinafter Town Meeting], ESS Papers Box 9 Folder 192.
72. Dudziak, supra note 4, at 50–51.
74. Id.
until racial barriers are lifted and we have full and complete integra-
tion."75

Sampson did believe and, in line with the State Department, did reiterate that a democracy was the best form of government under which to secure better conditions. However, she turned the State Department’s strategy back on itself. She called upon the U.S. to act immediately to prove that democracy is a better form of government. "From an international standpoint, we in the United States must realize the importance of cleaning up our own back yard," she warned. "The countries of the world are looking to America for leadership in democracy. We must set an example," Sampson challenged, "if we would win their support. We will not win their confidence, especially the confidence of Asia’s dark-skinned millions, if they continue to read about discriminatory practices in America. Therefore, I say," she chided, "democracy’s best answer to communism is to practice what it preaches, but fast!" Sampson concluded by calling for a world-wide end to racial discrimination, "Let us wipe out the last vestige of separation of the races by eliminating in each and every country of the world any trace of discrimination because of race, color, or creed."76

Contemporary and more recent reports of Sampson’s speech note her acknowledgement of race discrimination in the U.S., but emphasize her support of American democracy. Most accounts omit her call for the U.S. to live up to its rhetoric and end race discrimination immediately. One of the most recent discussions of her speech, repeat a distorted account "that Sampson told her audience that she would not tolerate criticism of the United States for its civil rights record."77 Sampson did defend the United States and democracy against leftist radicals that asserted African Americans would support socialism or communism over democracy, but she offered her own criticism of the U. S. civil rights record.78 These attacks on Sampson as a puppet for the State Department continued for decades.79

Sampson’s identity as a woman of color was perhaps even more important than her identity as an African American. When Sampson met with the All-Pakistani Women’s Association on the 1949 tour, they formed a gendered bond. The Pakistani women, who included Begum

75. Town Meeting, supra note 71, at 11.
76. Id.
77. DUDZIAK, supra note 4, at 60, 105.
78. Laville, supra note 11, at 571.
Liaquat Ali Khan, the wife of Pakistan’s Prime Minister, shared with Sampson that they too were victims of race and religious discrimination and asked how the U.S. addressed its similar problems. Sampson responded that she paid her way and participated in the seminar because she “wanted to know what the other women of the world were going through” and she “thought there should be a Negro woman along to answer the question you have asked.” Ali Kahn offered to pay Sampson the cost of her trip. Sampson accepted the gift and returned the amount as a contribution to the Pakistan Women’s Association. At the end of the meeting Sampson and Ali Khan embraced and the audience applauded. Walter White recognized the importance of this gender bond and postulated that this “one simple act of human sisterhood cemented a more lasting bond between East and West than a thousand pompous speeches.” The two women maintained correspondence for years.

After the close of the Town Hall tour, the delegates determined to continue their work in the U.S. They elected Sampson president of their association and dispatched her to spread their experiences in cities throughout the country. Although Sampson had impressed the delegates on the tour and they supported her, they did not completely understand her. This became apparent when the group attempted to dine at a hotel in Washington, D.C. The hotel refused to serve the group because Sampson was black. When they moved their dinner to another hotel that did serve blacks, the other delegates were reportedly too upset to eat. Sampson, who nonetheless enjoyed her meal explained, “I’ve been colored a long time. If I stopped eating every time something like this happened, I’d be thin as a rail.” As a woman of color Sampson maintained a perspective white men and women and black men would never fully understand.

The message Sampson took on the road was two-fold. She called for the U.S. to end racial discrimination at all levels immediately, and she called for women of color to unite locally, nationally, and interna-

80. Laville, supra note 11, at 570–71.
83. Laville, supra note 11, at 571; Edith Sampson, To the Members of the Committee on International Relation of the National Council of Negro Women, circa 1950, ESS Papers Box 9 Folder 188.
84. Laville, supra note 11, at 565; No title, LA. WKLY, Oct. 29, 1949, ESS Papers Box 8 Folder 192.
tionally to ensure that their voices were heard and that they would help shape the new social order. The first part of her message was often reported in news accounts of her speeches in various cities. She began to repeatedly emphasize that two-thirds of the people of the world are non-white and that they "are watching America's treatment of her Negro population as they decide whether they should accept democracy."85

But Sampson's message to African American women was a critical part of her mission. She reported back to the NCNW and urged the black women members to take an even larger role in working for peace and equality. She saw a special role for women of color in moving America to end its racial hierarchy. "You and I know," she explained, "that we have yet to convert those who give lip service to democracy into people who believe in it and practice it."86 She mobilized the NCNW to have all of their chapters hold a program on October 24, 1950, the day President Truman declared as International Relations Day. The program was to address the questions "what would it mean to this community if the Declaration of Human Rights were observed." She offered them "practical steps and projects for implementing the Declaration of Human Rights in this community."87 At every turn she urged members of the NCNW, and all black women, to seize the opportunities before them. "My great plea to 'our people,'" she wrote, "would be that they prepared themselves because the doors of opportunity are opening faster than we have people prepared to walk through them." She urged, them to "be optimistic about the future..."88

Sampson's work gained her the attention of India Edwards, one of President Harry Truman's advisors and Truman then chose her to serve as an alternate representative of the U.S. to the fifth General Assembly of the U.N. Some dismissed her appointment as part of the U.S. propaganda effort, but Sampson, and other black women, saw her appointment as an important opportunity for African Americans, for women, and specifically for women of color. Pauli Murray wrote to Sampson offering her support and assistance. She explained she was

86. Edith Sampson, To the Members of the Committee on International Relations of the National Council of Negro Women, ESS Papers Box 9 Folder 188.
87. Id.
88. Letter from Edith Sampson to the NCNW (Oct. 29 1950), ESS Papers Box 9 Folder 198.
"deeply aware of how much this [appointment] means to you and to us."89 Jane Bolin, who had been appointed the first black woman judge in the country in New York in 1939, wrote to Sampson welcoming her to the city and emphasized, "[w]e are depending on you to do your usual magnificent job."90 Neither of these women identified who "we" represented; they did not have to. Women of color understood their bond and the import of this opportunity.

Sampson carried this work forward in her position as a U.S. representative to the U.N. In a speech she presented within a month of her appointment, Sampson called on Americans to help advance world security. She listed a number of general ways all individuals could contribute to U.S. foreign policy, including fighting inflation and hoarding and working to increase production. But then Sampson asked more; she asked individuals to promote a free civilization. "World security begins at home," she explained, "where children who are born without racial or religious prejudice either learn it from parents and neighbors or are taught, according to the words of the United Nations' Charter, 'to practice tolerance and live together in peace with one another as good neighbors.'"91 She further implored Americans to reach out to the immigrants living in their communities, advocating a "grass-roots, down to earth approach to world security."92

Sampson continued to spread her message in the U.S. and abroad, traveling to Austria, Germany, and Scandinavia in 1951. When acts of grave racial injustice happened in the States, Sampson used the occasion to attempt to scare white America into ending racial discrimination. She chided the people of Cicero, Illinois who rioted and vandalized an African American veteran who moved his family into an apartment in the city. She explained the great loss from their actions was "to the 136 million white Americans. They have lost prestige throughout the civilized world as a result of this terrible act," she explained. "The 360 million people in India, the 100 million people in Pakistan, the 80 million people in Japan, and the countless millions in other parts of the East now have the news of what happened in Cicero, and they are saying," Sampson asserted, "that you speak with your mouths about democracy but you do not practice it; that you describe

89. Letter from Pauli Murray to Edith Sampson (Sept. 29, 1950), ESS Papers Box 9 Folder 197.
90. Letter from Jane Bolin to Edith Sampson (Oct. 11, 1950), ESS Papers Box 9 Folder 198.
92. Id. at 6.
America as the land of the free and the home of the brave, but they
know now it is not so." 93

Sampson also used her international women's coalition to push
this message. The most vivid example of her use of this network oc-
curred in January 1952 after the murder of Harry Moore. Moore, a
leader in the Florida NAACP, and his wife had died from injuries they
received when their home was bombed on Christmas night. Many in
Florida and throughout the country called for official action to catch
and prosecute those responsible. 94 Sampson, who was in Paris at the
time, engaged in nongovernmental organization work as a representa-
tive of the NCNW, brought the matter to her international sisterhood.
She described to Walter White, chief secretary for the NAACP, that she
proposed a motion the day after the bombings "calling upon all NGOs
and their influential organizations to bring strong pressure upon [the
U.S. attorney general, J. Howard] McGrath to act." 95 Sampson told
White that many answered her call. Although there is no evidence that
this pressure resulted in any action, that Sampson utilized her position
and the NGO network to put pressure on the United States to address
racial injustice, demonstrates the strategy and activism of the black
women's civil rights movement during this era.

C. Post United Nations Service

After serving the United Nations in 1950 and 1952, Sampson re-
turned to Chicago and resumed her legal career and her domestic gen-
dered racial justice work. In 1955, Mayor Daley appointed her
assistant corporation counsel in the appeals division. 96 That year she
also co-chaired with Ellen Borden Stevenson, the ex-wife of former
Illinois Governor Adlai Stevenson, a project to construct a center for
homeless and neglected girls on Chicago's Southside. 97 Sampson main-
tained a rigorous speaking calendar, most often addressing women of
all races, and continued to use her international connections and expe-
rience as a tool to persuade Americans to take steps to end racial dis-

93. Edith Sampson, What Price Cicero, NEGRO DIGEST 32 (Nov. 1951), 32 ESS Papers Box 5
Folder 109.
MOVEMENT 413 (2009).
95. Letter from Edith Sampson to Walter White (Jan. 8, 1952), ESS Papers Box 3 Folder 72.
96. Mayor Daley and Edith Sampson in City Hall, CHI. TRIB., Nov. 18, 1955.
of Education that public schools must be desegregated, Sampson warned Americans to achieve that end. As a member of the executive committee of the U.S. commission for UNESCO, Sampson warned "we don't have much time to set our democracy in order" ... people of nonwhite races in Asia and Africa are unwilling to become allies of this country because of 'our reluctance to implement democracy at home.' 98

Sampson also continued to develop relationships with women all around the world, white and nonwhite. In 1952, she met with women's organizations throughout Scandinavia, Central Europe, and England.99 In 1955, she received an award from the American Friends of the Middle East to travel and lecture in Turkey, Egypt, Iran, Iraq, Lebanon, Jordan, Israel, and Syria. Her message was consistent, women of color needed to play a crucial role in advancing civil and human rights for all, but especially for themselves.

By the late 1950s, however, Sampson's belief that the United States would achieve racial and gender justice began to falter. As she spoke to audiences across the country, her underlying message did not change, she still loved America and supported democracy, but her assault on white America became stronger. She was growing weary of the continued incidences of violence and discrimination against African Americans. She increasingly confronted white audiences with the contradiction in their conception of democracy. As her list of the foreign countries she visited grew longer, she added them to the mantra. In Iowa in 1959, she asked the all white audience, "What question do you imagine was put to me most often as we moved through Caracas, Bogotá, Lima, Santiago, Buenos Aires, Montevideo, San Paolo, Rio de Janeiro? Everywhere in those eight cities that we held a town meeting session, and we held many of them, the question was the same: 'What about Little Rock and Faubus?'" Others, she continued, ask, "what about Emmett Till, dead in Mississippi, his murderers graciously set free by an all white jury?" 100 And she went on, citing more instances noting, "they are all too typical of what happens over and over again with dreary, heartbreaking monotony." 101 Her recounting of the advances of African Americans no longer held out the promise that the

98. Cite Problems, supra note 17.
100. Edith Sampson, International Aspects of Race Relations 5 (Oct. 4, 1959) [hereinafter International Aspects], ESS Papers Box 6 Folder 117.
101. Id. at 6.
continued discriminations would end. Increasingly she seemed to say that these strides "cannot really erase the other facts" and instances of violent and blatant race discrimination.102

Her trip to South America was a continuation of the Town Hall of the Air program. Its mission was in part to "revisit most of the places where Vice President Nixon on his tour of Latin America had run into hostility."103 Dorothy Height, the new President of the NCNW and the only other woman of color on the delegation, described how she and Sampson were often "put on the firing line ... about the racial situation in the United States," especially in light of the negative reaction in many cities to the Supreme Court ruling in 1954 that public schools must be de-segregated.104 Sampson and Height described the current situation and shared their own experiences in an effort to explain the disparities regarding race across the United States. "We did not deny the impact of segregation," Height explained, "nor the fact that there was resistance to the court decision." But she asserted that as they shared their experiences, "we could see among the Uruguayans glimmerings of understanding about the nuances of our situation ... these small pieces of our personal histories suddenly became an important part of our national story."105 Height described that their honest reflections engendered trust from the many Latin Americans of color they encountered and the respect of the white members of their delegation for "find[ing] the balance between acknowledging that the United States still had racial problems to solve, on the one hand, and pointing out the progress already made and confirming our hopefulness about the future, on the other."106 But Sampson's hopefulness continued to fade.

By 1959, Sampson began to more forcefully use the threat of communism and world shame to try to persuade whites to change their ways. She spoke of "the colored people of the world" explaining, "far from being minorities, [they] constitute a real majority on this shrunken globe of ours." She also explained that they had been awakened "and now, fully conscious of new found strength, they are making a determined drive for recognition of their human dignity on their own

102. Id. at 7.
105. Id. at 226.
106. Id. at 227.
She also more forcefully lamented the continued race prejudice in the U.S., despite the race progress that had been made. Her speech in Iowa laid bare her frustration. "The fact that a Negro can get a hotel room in the nation’s capital today," she explained, "cannot really erase the other fact that some towns in Illinois still will not let a Negro stay within the town limits overnights. The fact that some Negroes now have jobs in some industries two steps above porter ing," she continued, "does not remove from the bylaws of the Brotherhood of Railroad Trainmen the clause that demands that an applicant for membership be white. The fact that Miles Davis is cheered by jazz fans at Newport," she emphasized, "does not save him from a beating by police in front of a New York night club, …." 108 She told Iowans, it does not only happen in the south, but also "throughout the North—even in Iowa." 109

Sampson described these and other acts as betrayals of the U.S. creed of equality, surmising, "small wonder, then, that other people elsewhere look upon us with bewildered dismay." 110 She warned, it is especially troubling when these people are from the newly decolonized countries in Asia and Africa, twenty-nine of which were represented at the Asia-Africa Conference in Bandung, Indonesia in 1955. Although we may "be much heartened by the fact that Bandung turned out to be anti-Communist. We run a grave risk unless we note as well that, even more than being anti-Communist, Bandung was first and foremost anti-racist." 111

### III. Wise Judge and Counsel

By 1960, Sampson had lost faith in the "gradualist" approach she had championed her first sixty years. She explained that she had long believed that blacks were gradually climbing the hill to equality. She noted that she had taken this position "at something of a price" because a "‘gradualist’ [is] a dirty word in many circles." 112 She offered support for the students who staged sit-ins and asserted that although

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107. *International Aspects*, supra note 100, at 10.
108. *Id.* at 7.
109. *Id.* at 11.
110. *Id.* at 8.
111. *Id.* at 10.
she did not agree with all of their tactics, she understood their frustration.

Sampson was entering the final phase of her career, one of a judge, counsel, and mentor. In 1962, she became the first black woman elected as a judge in Illinois. She served on the Chicago Municipal Court hearing domestic cases where she developed a reputation as a compassionate judge. After four years of service, Sampson was elected to the Circuit Court bench in Cook County where she served for twelve years. In addition to her elected post, Sampson also remained active in national and international affairs, offering counsel to Presidents and other federal officials on issues of race and gender justice.

Sampson became aware of Senator Lyndon Baines Johnson and his civil rights agenda in 1959. She corresponded with Dean Acheson, Truman’s former Secretary of State, about Johnson as a potential white southern leader in the civil rights movement. Sampson expressed to Acheson that she believed he was “attempting to lead his colleagues of the South, as well as their northern counterparts ‘out of the darkness into the light.’” Sampson vowed to attempt “to interest some of my own people in supporting Mr. Johnson” and used her planned speaking engagements at three Dallas high schools to muster support for Johnson among African Americans.

Johnson was grateful for the support. After he was elected Vice-President, he appointed Sampson in 1961 and 1962 to the U.S. Citizens Commission on NATO. After Kennedy was assassinated, Sampson sent a letter to Mrs. Johnson announcing her special encouragement for the new President Johnson. “As an American citizen, I pledge my unstinting support; but as a Negro I give him my understanding support not only for what he says, but for what he is to us.” She continued, “As a woman I want also to express pride in the role of grace and dignity I know you will play as the First Lady of the Land….” In 1964 and 1965, President Johnson appointed Sampson to the Advisory Committee on Private Enterprise in Foreign Aid.

114. Letter from Edith Sampson to Hon. Dean Acheson (Mar. 6, 1960), ESS Papers Box 4 Folder 79.
115. Letter from Dean Acheson to Edith Sampson (Mar. 18, 1960), ESS Papers Box 4 Folder 79.
117. Letter from Edith Sampson to Mrs. Johnson, ESS Papers Box 4 Folder 87.
118. Edith Spurlock Sampson in NEGRO WOMEN IN THE JUDICIARY 15 ESS Paper Box 9 Folder 184.
Sampson corresponded with other Presidents and first ladies as well. She continued to work with Eleanor Roosevelt until her death, and she also corresponded with Jacqueline Kennedy, whom she met in October 1960 at a meeting of the Women’s Committee for the New Frontiers.119 She assisted John F. Kennedy with the Democratic Advisory Council in 1960120 and accepted his invitation to meet with leaders of women’s organizations throughout the country in 1963 “to discuss those aspects of the nation’s civil rights problem in which women and women’s organizations can play a special role.”121

Sampson was invited to the White House on numerous occasions, including both Kennedy and Johnson’s inaugurations, and in 1964 for the signing of the Proclamation designating 1965 International Cooperation Year. Sampson then served as a member of the National Citizens Commission to support the International Cooperation Year. In 1968, just two months before his assassination, Robert F. Kennedy asked Sampson to help him “rebuild our party and redirect our nation.”122

Sampson delivered a commencement address a week after Robert F. Kennedy’s assassination in which she called for an end to all racial injustice. Sampson was clearly overcome from the culmination of events of the last year, of which she included the Vietnam War, the riots in Watts, the assassinations of Martin Luther King, Jr. and then Robert Kennedy, as well as the “evil repeated daily, weekly, monthly” that she asserted “becomes so familiar that we’re no longer stirred by it.”123 Sampson demanded an end to the violence. She said the answer was in front of them all and cited the Kerner report, a study conducted by President Johnson’s National Advisory Commission on Civil Disorders issued earlier that year. The report, she explained, had called for action, for an end to the “discrimination and segregation [that] have long been permeated much of American life [and] now threaten the future of every American.”124 Sampson had worked her whole life for that end.

Sampson also continued to encourage and support the lives and careers of African American girls and women. She served as an inspi-
tion to many who heard her speak and knew of her work. Her influence had a profound effect on Barbara Jordan. When Jordan was just fourteen years old, she heard Sampson speak at the University of Texas, and determined at that moment to study law. Sampson also served as an inspiration and colleague to Pauli Murray, an African American woman lawyer, and activist. Sampson kept copies of Murray’s speeches and followed her career.

Like Sampson, Murray understood the important role black women lawyers and activists must play in the civil rights movement. Murray articulated this position in 1963 in an address to the NCNW, which condemned the 1963 March on Washington for its exclusion of women activists as speakers at the event. “Would the Negro struggle have come this far,” Murray asked, “without the indomitable determination of its women?” Sampson echoed these remarks a year later when she spoke at a tribute held for Eleanor Roosevelt in Washington, D.C. Sampson celebrated Roosevelt's work for human rights, but asserted, “civil rights and human rights are one and the same” and “only a woman of color can relate to you what it means to be a Negro in our country.”

CONCLUSION

Sampson retired from the bench in 1978 and died the following year after a long and distinguished career. During her life she was an attorney, a judge, a leader among African American women in the cause for civil rights, and a gendered racial justice. Throughout her career she encouraged and mentored black girls and women, some who followed her into the law. She was also a leader among women of color around the world and an international advocate for the rights of women of the darker races. She served each U.S. President from Truman through Johnson. Yet, Sampson's legacy is marginalized within the historical record.

126. From the Desk of Pauli Murray (Aug. 16, 1971), ESS Papers Box 4 Folder 92; Pauli Murray, Tribute to Mrs. Rosa Parks (Nov. 7, 1965), ESS Papers Box 3 Folder 65; Pauli Murray, The Law as it Affects Desegregation (June 14, 1963), ESS Papers Box 2 Folder 46. After a more radical outlook in her youth, Murray had come to believe, like Sampson, that the best chance blacks had for racial equality was under a democracy. GILMORE, supra note 19, at 254–55.
128. Edith Sampson, Address delivered by Judge Edith Sampson 1 (May 2, 1964), ESS Papers Box 6 Folder 126.
The importance of recovering Sampson’s life, not only identifies yet another strong, accomplished woman of color, it also engenders our understanding of the historical narrative of race and international relations before and during the Cold War era. Sampson was part of a vibrant and dynamic African American women’s civil rights network that fought for the human rights of women of color around the globe. These women employed a rich diversity of strategies, both domestic and transnational, to secure a gendered racial justice—one that included the concerns and position of black and brown women.

Sampson’s life and her activism, like so many others of her generation, must be recounted. We need to understand more of this story, a story that complicates the troubling history and legacy of race in America. Mary Dudziak persuasively argues that we must place “American history within an international context, by telling American stories with attention to the world’s influence upon them and their influence upon the world.”129 When we do this through a critical race feminist perspective, we uncover a rich cast of actors, strategies, and aims that alter our understanding of power and influence and justice. Women of color must be included in our analysis, even though they may be harder to find, not because they were not there, but because the record of their lives has been buried and their influence obscured.

We must also recover the lives and work of women of color to continue the underpinnings on which present and future activism can grow. Sampson’s life work helped lay the foundation for the race and gender justice campaigns that others have pursued since her death and for the next generation of activists. Knowing her complex history and the histories of those with whom she worked will hopefully, broaden “the ground on which new programs, strategies, and coalitions [may] be built.”130 There is still much to be done.

129. DUDZIAK, supra note 4, at 252.