

Lynch Law in America

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Annotation: A crowd of nearly 2,000 people gathered in Georgia in 1899 to witness the lynching of Sam Holt, an African American farm laborer charged with killing his white employer. A newspaper described the scene:

Sam Holt...was burned at the stake in a public road.... Before the torch was applied to the pyre, the Negro was deprived of his ears, fingers, and other portions of his body.... Before the body was cool, it was cut to pieces, the bones were crushed into small bits, and even the tree upon which the wretch met his fate were torn up and disposed of as souvenirs. The Negro's heart was cut in small pieces, as was also his liver. Those unable to obtain the ghastly relics directly, paid more fortunate possessors extravagant sums for them. Small pieces of bone went for 25 cents and a bit of liver, crisply cooked, for 10 cents.

From 1889 to 1918, more than 2,400 African Americans were hanged or burned at the stake. Many lynching victims were accused of little more than making "boastful remarks," "insulting a white man" or seeking employment "out of place."

Before he was hanged in Fayette, Mo., in 1899, Frank Embree was severely whipped across his legs and back and chest. Lee Hall was shot, then hanged, and his ears were cut off. Bennie Simmon was hanged, then burned alive and shot to pieces. Laura Nelson was raped then hanged from a bridge.

They were hanged from trees, bridges, and telephone poles. Victims were often tortured and mutilated before death: burned alive, castrated, and dismembered. Their teeth, fingers, ashes, clothes, and sexual organs were sold as keepsakes.

Lynching continues to be used as a stinging metaphor for injustice. At his confirmation hearings for the U.S. Supreme Court, Clarence Thomas silenced Senate critics when he accused them of leading a "high-tech lynching."

Lynching was community sanctioned. Lynchings were frequently publicized well in advance and people dressed up and traveled long distances for the occasion. The January 26, 1921 issue of the Memphis Press contained the headline: "May Lynch 3 to 6 Negroes This Evening." Clergymen and business leaders often participated in lynchings. Few of the people who committed lynchings were ever punished. What makes the lynchings all the more chilling is the carnival atmosphere and aura of self-righteousness that surrounded the grizzly events.

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Railroads sometimes ran special excursion trains to allow spectators to watch lynchings. Lynch mobs could swell to 15,000 people. Tickets were sold to lynchings. The mood of the white mobs was exuberant--men cheering, women preening, children frolicking around the corpse.

Photographers recorded the scenes and sold photographic postcards of lynchings, until the Postmaster General prohibited such mail in 1908. People sent the cards with inscriptions like: "You missed a good time" or "This is the barbeque we had last night."

Lynching received its name from Judge Charles Lynch, a Virginia farmer who punished outlaws and Tories with "rough" justice during the American Revolution. Before the 1880s, most lynchings took place in the West. But during that decade the South's share of lynchings rose from 20 percent to nearly 90 percent. Some 744 blacks were lynched during the 1890s. The last officially recorded lynching in the United States occurred in 1968, though many consider the 1998 death of James Byrd in Jasper Texas, at the hands of three whites who hauled him behind their pick-up truck with a chain, a later instance.

It seems likely that the soaring number of lynchings was related to the collapse of the South's cotton economy. Lynchings were most common in regions with highly transient populations, scattered farms, few towns, and weak law enforcement - settings that fueled insecurity and suspicion.

The Census Bureau estimates that 4,742 lynchings took place between 1882 and 1968. Between 1882 and 1930, 2,828 people were lynched in the South; 585 in the West, and 260 in the Midwest. That means that between 1880 and 1930, a black Southerner died at the hands of a white mob more than twice a week. Most of the victims of lynching were African American males, but some were female, and a number were Italian, Chinese, or Jewish. In the West, mobs lynched 447 non-blacks and in the Midwest 181 non-African Americans; in the South, 291. The hangings of white victims rarely included mutilation.

Apologists for lynching claimed that they were punishment for such crimes as murder and especially rape. But careful analysis has shown that a third of the victims were not even accused of rape or murder, and many of the charges of rape were fabrications. Many victims had done nothing more than not step aside on a sidewalk or accidentally brush against a young girl. In many cases, a disagreement with a white storeowner or landowner triggered a lynching. In 1899, Sam Hose, a black farmer, killed a white man in an argument over a debt. He was summarily hanged and then burned. His charred knuckles were displayed in an Atlanta store window.

The journalist G.L. Godkin wrote in 1893:

"Man is the one animal that is capable of getting enjoyment out of the torture and death of members of its own species. We venture to assert that seven-eighths of every lynching party is composed of pure, sporting mob, which goes...just as it goes to a cock-fight or prize-fight, for the gratification of the lowest and most degraded instincts of humanity."

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Document: Our country's national crime is lynching. It is not the creature of an hour, the sudden outburst of uncontrolled fury, or the unspeakable brutality of an insane mob. It represents the cool, calculating deliberation of intelligent people who openly avow that there is an "unwritten law" that justifies them in putting human beings to death without complaint under oath, without trial by jury, without opportunity to make defense, and without right of appeal.

The alleged menace of universal suffrage having been avoided by the absolute suppression of the negro vote, the spirit of mob murder should have been satisfied and the butchery of negroes should have ceased. But men, women, and children were the victims of murder by individuals and murder by mobs, just as they had been when killed at the demands of the "unwritten law" to prevent "negro domination." Negroes were killed for disputing over terms of contracts with their employers. If a few barns were burned some colored man was killed to stop it. If a colored man resented the imposition of a white man and the two came to blows, the colored man had to die, either at the hands of the white man then and there or later at the hands of a mob that speedily gathered. If he showed a spirit of courageous manhood he was hanged for his pains, and the killing was justified by the declaration that he was a "saucy nigger." Colored women have been murdered because they refused to tell the mobs where relatives could be found for "lynching bees." Boys of fourteen years have been lynched by white representatives of American civilization. In fact, for all kinds of offenses--and for no offenses--from murders to misdemeanors, men and women are put to death without judge or jury; so that, although the political excuse was no longer necessary, the wholesale murder of human beings went on just the same. A new name was given to the killings and a new excuse was invented for so doing.

Again the aid of the "unwritten law" is invoked, and again it comes to the rescue. During the last ten years a new statute has been added to the "unwritten law." This statute proclaims that for certain crimes or alleged crimes no negro shall be allowed a trial; that no white woman shall be compelled to charge an assault under oath or to submit any such charge to the investigation of a court of law. The result is that many men have been put to death whose innocence was afterward established; and to-day, under this reign of the "unwritten law," no colored man, no matter what his reputation, is safe from lynching if a white woman, no matter what her standing or motive, cares to charge him with insult or assault.

It is considered a sufficient excuse and reasonable justification to put a prisoner to death under this "unwritten law" for the frequently repeated charge that these lynching horrors are necessary to prevent crimes against women. The sentiment of the country has been appealed to, in describing the isolated condition of white families in thickly populated negro districts; and the charge is made that these homes are in as great danger as if they were surrounded by wild beasts. And the world has accepted this theory without let or hindrance. In many cases there has been open expression that the fate meted out to the victim was only what he deserved. In many other instances there has been a silence that says more forcibly than words can proclaim it that it is right and proper that a human being should be seized by a mob and burned to death upon the unsworn and the uncorroborated charge of his accuser. No matter that our laws presume every

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man innocent until he is proved guilty; no matter that it leaves a certain class of individuals completely at the mercy of another class; no matter that it encourages those criminally disposed to blacken their faces and commit any crime in the calendar so long as they can throw suspicion on some negro, as is frequently done, and then lead a mob to take his life; no matter that mobs make a farce of the law and a mockery of justice; no matter that hundreds of boys are being hardened in crime and schooled in vice by the repetition of such scenes before their eyes--if a white woman declares herself insulted or assaulted, some life must pay the penalty, with all the horrors of the Spanish Inquisition and all the barbarism of the Middle Ages. The world looks on and says it is well.

Not only are two hundred men and women put to death annually, on the average, in this country by mobs, but these lives are taken with the greatest publicity. In many instances the leading citizens aid and abet by their presence when they do not participate, and the leading journals inflame the public mind to the lynching point with scare-head articles and offers of rewards. Whenever a burning is advertised to take place, the railroads run excursions, photographs are taken, and the same jubilee is indulged in that characterized the public hangings of one hundred years ago. There is, however, this difference: in those old days the multitude that stood by was permitted only to gey or jeer. The nineteenth century lynching mob cuts off ears, toes, and fingers, strips off flesh, and distributes portions of the body as souvenirs among the crowd. If the leaders of the mob are so minded, coal-oil is poured over the body and the victim is then roasted to death. This has been done in Texarkana and Paris, Tex., in Bardswell, Ky., and in Newman, Ga. In Paris the officers of the law delivered the prisoner to the mob. The mayor gave the school children a holiday and the railroads ran excursion trains so that the people might see a human being burned to death. In Texarkana, the year before, men and boys amused themselves by cutting off strips of flesh and thrusting knives into their helpless victim. At Newman, Ga., of the present year, the mob tried every conceivable torture to compel the victim to cry out and confess, before they set fire to the faggots that burned him. But their trouble was all in vain--he never uttered a cry, and they could not make him confess. . . .

Quite a number of the one-third alleged cases of assault that have been personally investigated by the writer have shown that there was no foundation in fact for the charges; yet the claim is not made that there were no real culprits among them. The negro has been too long associated with the white man not to have copied his vices as well as his virtues. But the negro resents and utterly repudiates the effort to blacken his good name by asserting that assaults upon women are peculiar to his race. The negro has suffered far more from the commission of this crime against the women of his race by white men than the white race has ever suffered through his crimes. Very scant notice is taken of the matter when this is the condition of affairs. What becomes a crime deserving capital punishment when the tables are turned is a matter of small moment when the negro woman is the accusing party. . . .

No scoffer at our boasted American civilization could say anything more harsh of it than does the American white man himself who says he is unable to protect the honor of his women without resort to such brutal, inhuman, and degrading exhibitions as characterize "lynching bees." The

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cannibals of the South Sea Islands roast human beings alive to satisfy hunger. The red Indian of the Western plains tied his prisoner to the stake, tortured him, and danced in fiendish glee while his victim writhed in the flames. His savage, untutored mind suggested no better way than that of wreaking vengeance upon those who had wronged him. These people knew nothing about Christianity and did not profess to follow its teachings; but such primary laws as they had they lived up to. No nation, savage or civilized, save only the United States of America, has confessed its inability to protect its women save by hanging, shooting, and burning alleged offenders.

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