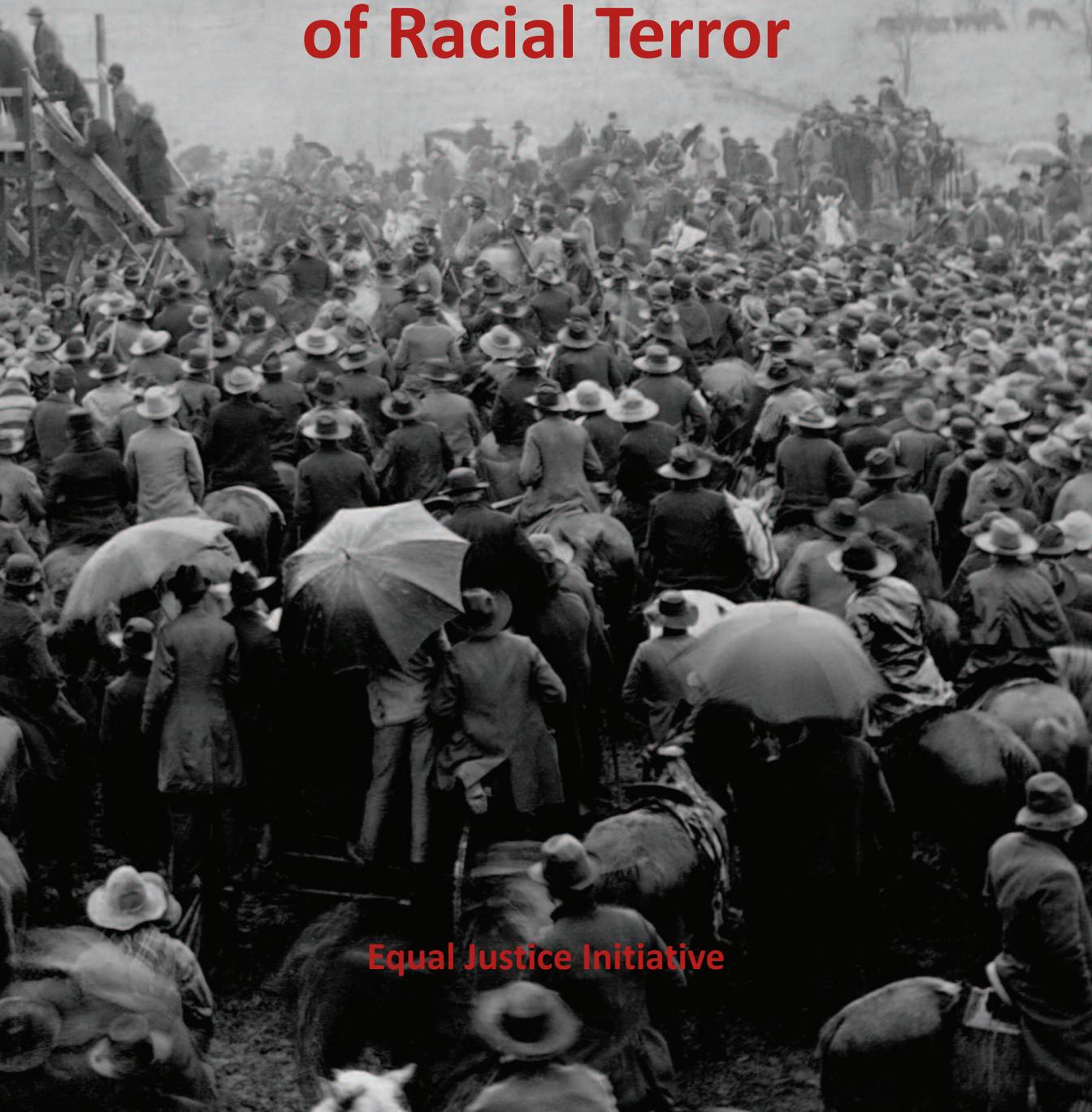


Lynching in America: Confronting the Legacy of Racial Terror



Equal Justice Initiative



Men and boys pose beneath the body of Lige Daniels shortly after he was lynched on August 3, 1920, in Center, Texas.

From the Civil War until World War II, millions of African Americans were terrorized and traumatized by the lynching of thousands of black men, women, and children. This report documents this history and contends that America's legacy of racial terror must be more fully addressed if racial justice is to be achieved.

Lynching in America: Confronting the Legacy of Racial Terror

REPORT SUMMARY

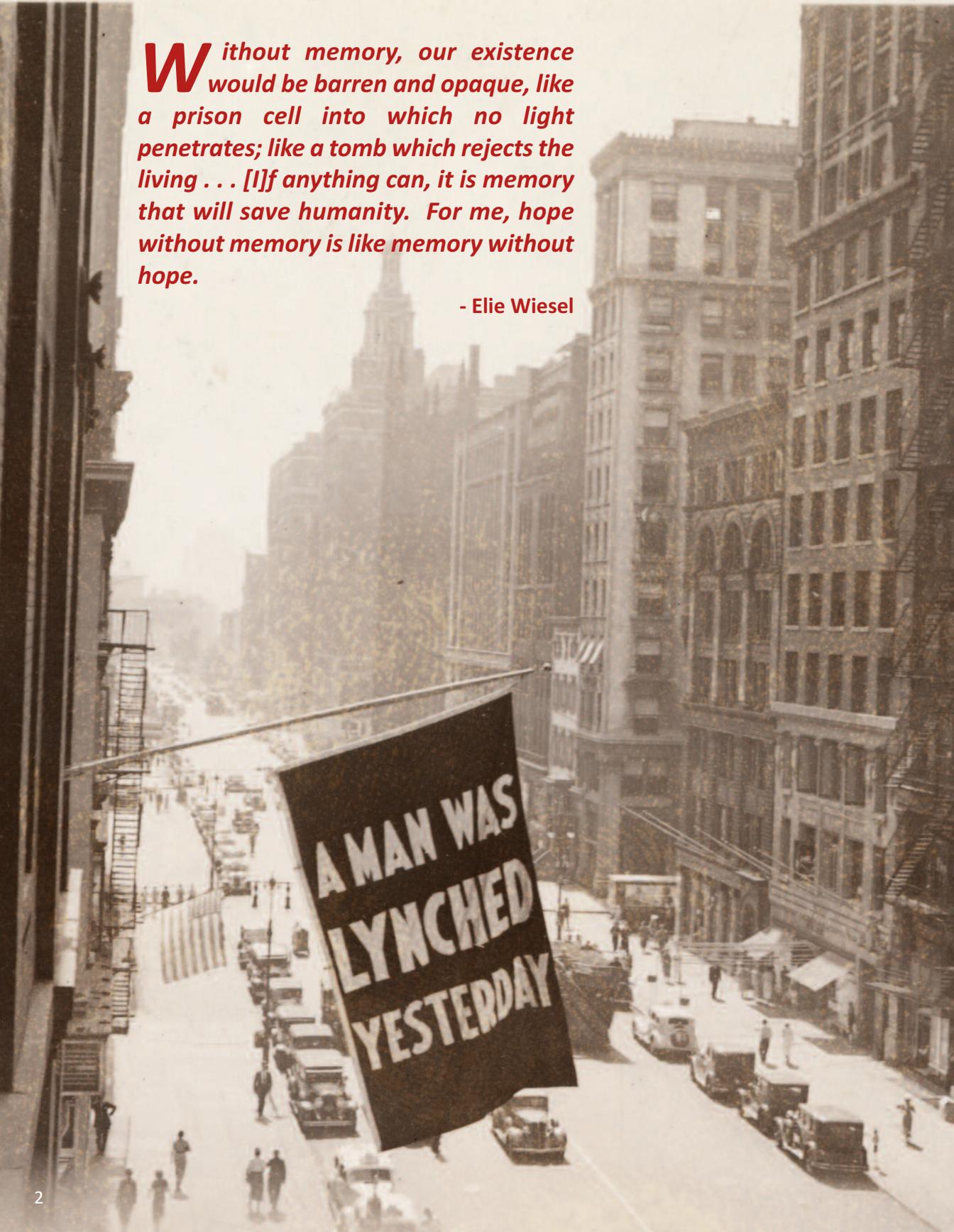
Equal Justice Initiative
122 Commerce Street
Montgomery, Alabama 36104
334.269.1803
www.eji.org

© 2015 by Equal Justice Initiative. All rights reserved. This is a summary only; quoted material is cited in the full-length report. For a copy of the full-length report, please e-mail EJI at contact_us@eji.org or call 334.269.1803. No part of this publication may be reproduced, modified, or distributed in any form or by any electronic or mechanical means without express prior written permission of Equal Justice Initiative (EJI). EJI is a nonprofit law organization with offices in Montgomery, Alabama.

Opposite: James Allen, ed., et al., Without Sanctuary: Lynching Photography in America (Santa Fe, NM: Twin Palms Publishers, 2000), 117-118. On the cover: 10,000 people gathered to watch the lynching of Henry Smith in Paris, Texas, on February 1, 1893. (© CORBIS.)

Without memory, our existence would be barren and opaque, like a prison cell into which no light penetrates; like a tomb which rejects the living . . . [I]f anything can, it is memory that will save humanity. For me, hope without memory is like memory without hope.

- Elie Wiesel



Introduction

Between the Civil War and World War II, thousands of African Americans were lynched in the United States. Lynchings were violent and public acts of torture that traumatized black people throughout the country and were largely tolerated by state and federal officials. These lynchings were terrorism. “Terror lynchings” peaked between 1880 and 1940 and claimed the lives of African American men, women, and children who were forced to endure the fear, humiliation, and barbarity of this widespread phenomenon unaided.

Lynching profoundly impacted race relations in America and shaped the geographic, political, social, and economic conditions of African Americans in ways that are still evident today. Terror lynchings fueled the mass migration of millions of black people from the South into urban ghettos in the North and West during the first half of the twentieth century. Lynching created a fearful environment where racial subordination and segregation was maintained with limited resistance for decades. Most critically, lynching reinforced a legacy of racial inequality that has never been adequately addressed in America. The administration of criminal justice especially is tangled with the history of lynching in profound ways that continue to contaminate the integrity and fairness of the justice system.

This report begins a necessary conversation to confront the injustice, inequality, anguish, and suffering that racial terror and violence created. The history of terror lynching complicates contemporary issues of race, punishment, crime, and justice. Mass incarceration, excessive penal punishment, disproportionate sentencing of racial minorities, and police abuse of people of color reveal problems in American society that were framed in the terror era. The narrative of racial difference that lynching dramatized continues to haunt us. Avoiding honest conversation about this history has undermined our ability to build a nation where racial justice can be achieved.

The Context for this Report

In America, there is a legacy of racial inequality shaped by the enslavement of millions of black people. The era of slavery was followed by decades of terrorism and racial subordination most dramatically evidenced by lynching. The civil rights movement of the 1950s and 1960s challenged the legality of many of the most racist practices and structures that sustained racial subordination but the movement was not followed by a continued commitment to truth and reconciliation. Consequently, this legacy of racial inequality has persisted, leaving us vulnerable to a range of problems that continue to reveal racial disparities and injustice. EJI believes it is essential that we begin to discuss our history of racial injustice more soberly and to understand the implications of our past in addressing the challenges of the present.

Lynching in America is the second in a series of reports that examines the trajectory of American history from slavery to mass incarceration. In 2013, EJI published **Slavery in America**, which documents the slavery era and its continuing legacy, and erected three public markers in Montgomery, Alabama, to change the visual landscape of a city and state that has romanticized the mid-nineteenth century and ignored the devastation and horror created by racialized slavery and the slave trade.

Over the past four years, EJI staff have spent thousands of hours researching and documenting terror lynchings in the twelve most active lynching states in America: **Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia**. We distinguish “racial terror lynchings”—the subject of this report—from hangings and mob violence that followed some criminal trial process or that were committed against non-minorities without the threat of terror. Those lynchings were a crude form of punishment that did not have the features of “terror lynchings” directed at racial minorities who were being threatened and menaced in multiple ways.

We also distinguish “terror lynchings” from racial violence and hate crimes that were prosecuted as criminal acts. Although criminal prosecution for hate crimes was rare during the period we examine, such prosecutions ameliorated those acts of violence and racial animus. The lynchings we document were acts of terrorism because these murders were carried out with impunity, sometimes in broad daylight, often “on the courthouse lawn.” These lynchings were not “frontier justice,” because they generally took place in communities where there was a functioning criminal justice system that was deemed too good for African Americans. Terror lynchings were horrific acts of violence whose perpetrators were never held accountable. Indeed, some “public spectacle lynchings” were attended by the entire white community and conducted as celebratory acts of racial control and domination.

Key Findings of this Report

First, racial terror lynching was much more prevalent than previously reported. **EJI researchers have documented several hundred more lynchings of African Americans than the number identified in the most comprehensive work done on lynching to date.** Professor Stewart E. Tolnay’s extraordinary work provided an invaluable resource, as did the research collected at Tuskegee University in Tuskegee, Alabama. These two sources are widely viewed as the most comprehensive collection of research data on the subject of lynching in America. EJI conducted extensive analysis of these data as well as supplemental research and investigation of lynchings in each of the subject states. We reviewed local newspapers, historical archives, and court records; conducted interviews with local historians, survivors, and victims’ descendants; and exhaustively examined contemporaneously published reports in African American newspapers. **EJI has documented 3959 lynchings of**

black people in twelve Southern states between the end of Reconstruction in 1877 and 1950, which is at least 700 more lynchings in these states than previously reported.

Second, some states and counties were particularly terrifying places for African Americans and had dramatically higher rates of lynching than other states and counties we reviewed. Florida, Mississippi, Arkansas, and Louisiana had the highest statewide rates of lynching in the United States. Georgia and Mississippi had the highest number of lynchings. Hernando, Taylor, Lafayette, and Citrus counties in Florida; Early and Oconee counties in Georgia; Fulton County, Kentucky; and Moore County, Tennessee had the highest rates of terror lynchings in America. Phillips County, Arkansas, and Lafourche and Tensas parishes in Louisiana were sites of mass killings of African Americans in single-incident violence that mark them as notorious places in the history of racial terror violence. **The largest numbers of lynchings were found in Orange, Marion, Alachua, and Polk counties in Florida; Caddo, Bossier, Iberia, Ouachita, and Tanqipahoa parishes in Louisiana; Jefferson and Dallas counties in Alabama; Early and Brooks counties in Georgia; Hinds and Lowndes counties in Mississippi; Anderson and McLennan counties in Texas; and Shelby County, Tennessee.**

Third, our research confirms that many victims of terror lynchings were murdered without being accused of any crime; they were killed for minor social transgressions or for demanding basic rights and fair treatment. **Racial terror lynching was a tool used to enforce Jim Crow laws and racial segregation—a tactic for maintaining racial control by victimizing the entire African American community, not merely punishment of an alleged perpetrator for a crime.**

Fourth, our conversations with survivors of lynchings show that terror lynching played a key role in the forced migration of millions of black Americans out of the South. Thousands of people fled to the North and West out of fear of being lynched. **Parents and spouses sent away loved ones who suddenly found themselves at risk of being lynched for a minor social transgression; they characterized these frantic, desperate escapes as surviving “near-lynchings.”**

Fifth, in all of the subject states, we observed that there is an astonishing absence of any effort to acknowledge, discuss, or address lynching. Many of the communities where lynchings took place have gone to great lengths to erect markers and monuments that memorialize the Civil War, the Confederacy, and historical events during which local power was violently reclaimed by white Southerners. These communities celebrate and honor the architects of racial subordination and political leaders known for their belief in white supremacy. There are very few monuments or memorials that address the history and legacy of lynching in particular or the struggle for racial equality more generally. Most communities do not actively or visibly recognize how their race relations were shaped by terror lynching.

Sixth, we found that most terror lynchings can best be understood as having the features of one or more of the following: **(1) lynchings that resulted from a wildly distorted fear of interracial sex; (2) lynchings in response to casual social transgressions; (3) lynchings based on allegations of serious violent crime; (4) public spectacle lynchings; (5) lynchings that escalated into large-scale violence targeting the entire African American community; and (6) lynchings of sharecroppers, ministers, and community leaders who resisted mistreatment, which were most common between 1915 and 1940.**

Seventh, the decline of lynching in the studied states relied heavily on the increased use of capital punishment imposed by court order following an often accelerated trial. That the death penalty's roots are sunk deep in the legacy of lynching is evidenced by the fact that public executions to mollify the mob continued after the practice was legally banned.

Finally, the Equal Justice Initiative believes that our nation must fully address our history of racial terror and the legacy of racial inequality it has created. This report explores the power of "truth and reconciliation" or transitional justice to address oppressive histories by urging communities to honestly and soberly recognize the pain of the past. Only when we concretize the experience through discourse, memorials, monuments, and other acts of reconciliation can we overcome the shadows cast by these grievous events.



Second Slavery After the Civil War

At the end of the Civil War, the nation did nothing to address the narrative of racial difference that is the most enduring evil of American slavery. Involuntary servitude was horrific for enslaved people, but the ideology of white supremacy was in many ways a more severe barrier to freedom and equality. White Southern identity was grounded in a belief that whites are inherently superior to African Americans. Following the war, whites reacted violently to the notion that they would now have to treat their former human property as equals and pay for their labor. Plantation owners attacked black people simply for claiming their freedom. In May 1866, in Memphis, Tennessee, forty-six African Americans were killed; ninety-one houses, four churches, and twelve schools were burned to the ground; at least five women were raped; and many black people fled the city permanently.

In his 1867 annual message to Congress, President Andrew Johnson declared that black Americans had “less capacity for government than any other race of people,” that they would “relapse into barbarism” if left to their own devices, and that giving them the vote would result in “a tyranny such as this continent has never yet witnessed.” Instead of facilitating black land ownership, President Johnson (a Unionist former slaveholder from Tennessee) advocated a new practice that soon replaced slavery as a primary source of Southern agricultural labor: sharecropping.



MURDER OF A NEGRO AT MRS. CARTER'S HOUSE.

Formerly enslaved people were beaten and murdered for asserting they were free after the Civil War. Without federal troops, freed black men and women remained subject to violence and intimidation for any act or gesture that showed independence or freedom. (Library of Congress.)

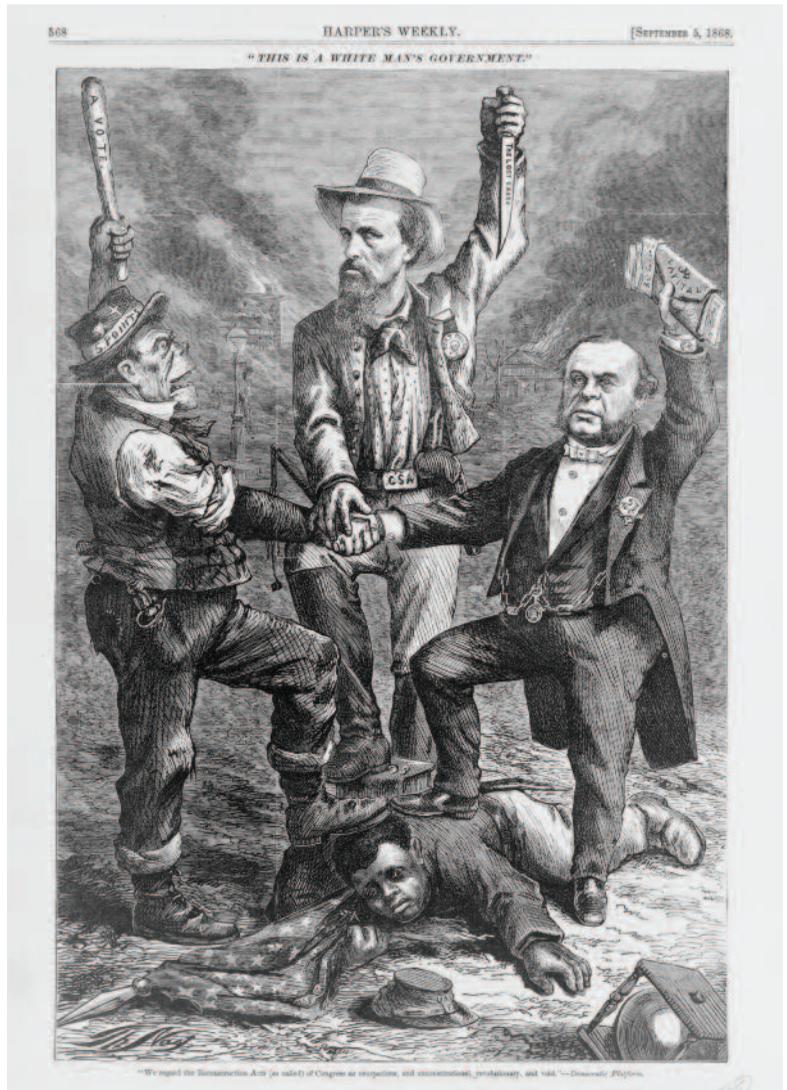
Officials struggled to control increasingly violent and lawless groups of white supremacists in their states. Beginning as disparate “social clubs” of former Confederate soldiers, these groups morphed into large paramilitary organizations that drew thousands of members from all sectors of white society. As historian Eric Foner explained, the “wave of counterrevolutionary terror that swept over large parts of the South between 1868 and 1871 lacks a counterpart . . . in the American experience.” While white mobs attacked black voters, the United States Supreme Court began an assault on the legal architecture of Reconstruction. Prior to 1865, the Court had only twice struck down congressional acts as unconstitutional; between 1865 and 1872, the Court did so twelve times. A proposal in Congress to discipline Georgia for the violence and corruption surrounding its 1870 election was defeated by a five-day filibuster, and Northern support for federal intervention on behalf of black people living in the South diminished considerably.

Undermined by the United States Supreme Court and a Congress that retreated from protecting recently emancipated African Americans, Reconstruction collapsed. As one black man from Louisiana stated, “The whole South—every state in the South—had got into the hands of the very men that held us as slaves.” For millions of black men, women, and children, a new violent and tragic era in America had begun. As Mississippi Governor Adelbert Ames predicted, “They are to be returned to a condition of serfdom. An era of second slavery.”

The Politics That Created Terrorism

When Alabama rewrote its constitution in 1901, John B. Knox, president of the constitutional convention, opened the proceedings with a statement of purpose: “Why it is within the limits imposed by the Federal Constitution, to establish white supremacy in this state.” The South created a system of state and local laws and practices that constituted a pervasive and deep-rooted racial caste system. The era of “second slavery” had officially begun. Relying on language in the Thirteenth Amendment that prohibits slavery and involuntary servitude “except as punishment for crime,” lawmakers empowered white-controlled governments to extract black labor in private lease contracts or on state-owned farms.

By 1890, the term “Jim Crow” was used to describe the “subordination and separation of black people in the South, much of it codified and much of it still enforced by custom, habit, and violence.” Racial segregation often meant the total exclusion of black people from public facilities, institutions, and opportunities. Over the century that this racial caste system reigned, perceived violations of the racial order were met with brutal violence targeted at black Americans—and lynching was the weapon of choice. Southern lynching took on a racialized character, and a brutal era of racial terror was born.



(Thomas Nast/Harper's Weekly, Sept. 5, 1868)

Lynching in America

By the end of the nineteenth century, Southern lynching had become a tool of racial control that terrorized and targeted African Americans. Through lynching, Southern white communities asserted their racial dominance over the region's political and economic resources—a dominance first achieved through slavery would be restored through terror.

Characteristics of the Lynching Era

The thousands of African Americans lynched between 1880 and 1950 differed in many respects, but in most cases, the circumstances of their murders can be categorized as one or more of the following: (1) lynchings that resulted from a wildly distorted fear of interracial sex; (2) lynchings in response to casual social transgressions; (3) lynchings based on allegations of serious violent crime; (4) public spectacle lynchings; (5) lynchings that escalated into large-scale violence targeting the entire African American community; and (6) lynchings of sharecroppers, ministers, and community leaders who resisted mistreatment, which were most common between 1915 and 1940.

Lynchings Based on Fear of Interracial Sex. Nearly 25 percent of the lynchings of African Americans in the South were based on charges of sexual assault. The mere accusation of rape, even without an identification by the alleged victim, could arouse a lynch mob. The definition of black-on-white “rape” in the South required no allegation of force because white institutions, laws, and most white people rejected the idea that a white woman would willingly consent to sex with an African American man.

In 1889, in Aberdeen, Mississippi, Keith Bowen allegedly tried to enter a room where three white women were sitting; though no further allegation was made against him, Mr. Bowen was lynched by the “entire (white) neighborhood” for his “offense.” General Lee, a black man, was lynched by a white mob in 1904 for merely knocking on the door of a white woman’s house in Reevesville, South Carolina; and in 1912, Thomas Miles was lynched for allegedly inviting a white woman to have a cold drink with him.

Lynchings Based on Minor Social Transgressions. Hundreds of African Americans accused of no serious crime were lynched for social grievances like speaking disrespectfully, refusing to step off the sidewalk, using profane language, using an improper title for a white person, suing a white man, arguing with a white man, bumping into a white woman, and insulting a white person. African Americans living in the South during this era were terrorized by the knowledge that they could be lynched if they intentionally or accidentally violated any social convention defined by any white person.

In 1940, Jesse Thornton was lynched in Luverne, Alabama, for referring to a white police officer by his name without the title of “mister.” In 1919, a white mob in Blakely, Georgia, lynched William Little, a soldier returning from World War I, for refusing to take off his Army uniform. White men lynched Jeff Brown in 1916 in Cedarbluff, Mississippi, for accidentally bumping into a white girl as he ran to catch a train.

Lynchings Based on Allegations of Crime. More than half of the lynching victims EJI documented were killed under accusation of committing murder or rape. Deep racial hostility in the South during this period focused suspicion on black people, whether evidence supported that suspicion or not, especially in cases of violent crime against white victims.

Whites’ accusations against black people were rarely scrutinized seriously. Of the hundreds of black people lynched under accusation of rape and murder, nearly all were killed without being legally convicted. When Berry Noyse was accused of killing the sheriff in Lexington, Tennessee, in 1918, an angry mob lynched him in the courthouse square, dragged his body through the town, shot it dozens of times, and burned the body in the middle of the street below hung banners that read, “This is the way we do our bit.”

Jesse Washington was burned before a crowd of thousands in Waco, Texas, in 1916. (© Bettmann/CORBIS.)



Public Spectacle Lynchings. Large crowds of white people, often numbering in the thousands and including elected officials and prominent citizens, gathered to witness pre-planned, heinous killings that featured prolonged torture, mutilation, dismemberment, and/or burning of the victim. White press justified and promoted these carnival-like events, with vendors selling food, printers producing postcards featuring photographs of the lynching and corpse, and the victim's body parts collected as souvenirs. These killings were bold, public acts that implicated the entire community and sent a message that African Americans were sub-human, their subjugation was to be achieved through any means necessary, and whites who carried out lynchings would face no legal repercussions.

In Dyersburg, Tennessee, a mob tortured Lation Scott with a hot poker iron, gouging out his eyes, shoving the hot poker down his throat and pressing it all over his body before castrating him and burning him alive over a slow fire.

In 1904, after Luther Holbert allegedly killed a local white landowner, he and a black woman believed to be his wife were captured by a mob and taken to Doddsville, Mississippi, to be lynched before hundreds of white spectators. Both victims were tied to a tree and forced to hold out their hands while members of the mob methodically chopped off their fingers and distributed them as souvenirs. Next, their ears were cut off. Mr. Holbert was then beaten so severely that his skull was fractured and one of his eyes was left hang-

Lynching of Henry Smith in Paris, Texas, on February 1, 1893 (© CORBIS)



3,000 WILL BURN NEGRO

Kaiser Under Stronger Guard Following Escape Of Crown Prince

Frank Simonds
Writes For States

NEW ORLEANS STATES

VOL. 39 NO. 177

NEW ORLEANS, LA.

NEW ORLEANS, LA. THURSDAY, JUNE 26, 1919

NEW ORLEANS, LA.

From the Jackson, Miss., Daily News, Thursday, June 26, 1919.

27th YEAR

JOHN HARTFIELD WILL BE LYNCHED BY ELLISVILLE MOB AT 5 O'CLOCK THIS AFTERNOON

Governor Bilbo Says He Is Powerless to Prevent It—
Thousands of People Are Flocking Into Ellisville to
Attend the Event—Sheriff and Authorities Are Power-
less to Prevent It.

HATTIESBURG, June 26.—John Hartfield, the negro
alleged to have assaulted an Ellisville, young woman, has
been taken to Ellisville and is guarded by officers in the office
of Dr. Carter in that city. He is wounded in the shoulder but
not seriously. The officers have agreed to turn him over to
the people of the city at 4 o'clock this afternoon when it is
expected he will be burned. The negro is said to have made
a partial confession.

GOV. BILBO SAYS HE IS POWERLESS.

When Gov. Bilbo was shown the
above dispatch and asked what
action, if any, he intended to take
to prevent the affair, he said:

"I am powerless to prevent it.
We have guns for state militia,
but no men. It is impossible to
send troops to the scene for the
obvious reason that we have no
troops

Several days ago, anticipating

for the lynching has now been fixed
for five p. m.

A committee of Ellisville citizens has
been appointed to make the necessary
arrangements for the event, and the
mob is pledged to act in conformity
with these arrangements.

Rev. L. G. Gates, pastor of the First
Baptist church of Laurel, left here at
one o'clock for Ellisville to entreat the
mob to use discretion.

THOUSANDS GOING TO SCENE

NEGRO JERKY AND SULLEN AS BURNING HOUR NEARS

To Be Taken to Scene of
Crime and Stood Be-
fore Crowd

ELLISVILLE, Miss., June 26.
—(Special).—As four o'clock ap-
proaches John Hartfield, assail-
ant of the Ellisville white girl,
is being carefully guarded in the
office of Dr. Carter of this city.

The wounded negro has con-
fessed and seems very nervous.
Dissention has broken out
among the indignant citizens as
to what disposition should be
made of the prisoner.

It is said the negro will be
taken to the scene of his crime,
near the Ellisville railroad
tracks, where he attacked Miss
Meek, and will be stood up where
everybody can see him.

Some of the angry citizens, it
is said, want Hartfield lynched,
while others want him burned.

ELLISVILLE, Miss., June 26.—
(Special).—Walter Crawley and
Will Rogers, two farmers, were
members of the posse who shot
Hartfield in the shoulder, and af-
fected his capture.

Three thousand strangers are in
Ellisville today to witness the dis-
position of John Hartfield, negro
assailant of Miss Meek.

Officers are unable to control
the crowds.

HATTIESBURG, Miss., June 26.
—John Hartfield, negro assailant
of an Ellisville young woman, has
been brought to Ellisville from
Collins and is guarded by officers
in the office of Dr. Carter in that
city.

He is wounded in the shoulder.
The officers have agreed to turn
him over to the people at 4 o'clock
this afternoon when it is expected
he will be burned.

ing from its socket. Members of the mob used a large corkscrew to bore holes into the victims' bodies and pull out large chunks of "quivering flesh," after which both victims were thrown onto a raging fire and burned. The white men, women, and children present watched the horrific murders while enjoying deviled eggs, lemonade, and whiskey in a picnic-like atmosphere.

Lynchings Targeting the Entire African American Community. Some lynch mobs targeted entire black communities by forcing black people to witness lynchings and demanding that they leave the area or face a similar fate. These lynchings were designed for broad impact—to send a message of domination, to instill fear, and sometimes to drive African Americans from the community. After a lynching in Forsyth County, Georgia, in 1912, white vigilantes distributed leaflets demanding that all black people leave the county or suffer deadly consequences; so many black families fled that, by 1920, the county's black population had plunged from 1100 to just thirty.

To maximize lynching as a terrorizing symbol of power and control over the black community, white mobs frequently chose to lynch victims in a prominent place inside the town's African American district. In 1918 in rural Unicoi County, Tennessee, a group of white men sought a black man named Thomas Devert who was accused of kidnapping a white girl. When the men found Mr. Devert crossing a river with the girl in his arms, they shot him in the head and the girl drowned. Insisting that the entire black community needed to witness Mr. Devert's fate, the enraged mob dragged his dead body to the town railyard and built a funeral pyre. The white men then rounded up all sixty African American residents and forced the men, women, and children to watch the corpse burn. These African Americans and eighty black people who worked at a local quarry were then told to leave the county within twenty-four hours.

Lynchings of Black People Resisting Mistreatment (1915-1940). From 1915 to 1940, whites used lynching to suppress African Americans who, individually and in organized groups, were demanding the economic and civil rights to which they were entitled.

In 1918, when Elton Mitchell of Earle, Arkansas, refused to work on a white-owned farm without pay, "prominent" white citizens of the city cut him into pieces with butcher knives and hung his remains from a tree. In Hernando, Mississippi, in 1935, when white landowners learned that Reverend T. A. Allen was trying to start a sharecropper's union among local impoverished and exploited black laborers, they formed a mob, seized him, shot him many times, and threw him into the Coldwater River. Also in 1935, Joe Spinner Johnson, leader of the Sharecroppers' Union in Perry County, Alabama, was called from work by his landlord and delivered to a white gang that tied him "hog-fashion with a board behind his neck and his hands and feet tied in front of him" and beat him. Mr. Johnson's mutilated body was found several days later in a field near the town of Greensboro.

<p>In 1940, Jesse Thornton was lynched in Luverne, Alabama, for referring to a white police officer by his name without the title of “mister.”</p>	<p>In 1919, a white mob in Blakely, Georgia, lynched William Little, a soldier returning from World War I, for refusing to take off his Army uniform.</p>	<p>White men lynched Jeff Brown in 1916 in Cedarbluff, Mississippi, for accidentally bumping into a white girl as he ran to catch a train.</p>
<p>In 1912, Thomas Miles was lynched for allegedly writing letters to a white woman inviting her to have a cold drink with him.</p>	<p>General Lee, a black man, was lynched by a white mob in 1904 for merely knocking on the door of a white woman’s house in Reevesville, South Carolina.</p>	<p>In 1889, in Aberdeen, Mississippi, Keith Bowen was lynched after he allegedly tried to enter a room where three white women were sitting.</p>

Lynching in the South, 1877-1950

This report documents 3959 lynchings of black people that occurred in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia between 1877 and 1950. The data reveals telling trends across time and region, including that lynchings peaked between 1880 and 1940.

Georgia, Mississippi, and Louisiana had the highest absolute number of African American lynching victims during this period. The rankings change when the number of lynchings are considered relative to each state’s total population and African American population. Florida, Mississippi, and Arkansas had the highest per capita rates of lynching by total population, while Arkansas, Florida, and Louisiana had the highest per capita rates of lynching by African American population. (See Tables 1 and 2.)

The twenty-five counties with the highest rates of lynchings of African Americans during this era are located in eight of the twelve states studied: Arkansas, Louisiana, Florida, Tennessee, Georgia, Texas, Kentucky, and Mississippi. The terror of lynching was not confined to a few outlier states. Racial terror cast a shadow of fear across the region. (See Table 3.)

Table 1: African American Lynching Victims by State, 1877-1950

Alabama	326
Arkansas	503
Florida	331
Georgia	586
Kentucky	154
Louisiana	540
Mississippi	576
North Carolina	102
South Carolina	164
Tennessee	225
Texas	376
Virginia	76
Total	3959

Table 2: Number of African Americans Lynched Annually Per 100,000 Residents in Southern States, 1880 to 1940

State	Per capita rate
Florida	0.594
Mississippi	0.556
Arkansas	0.545
Louisiana	0.475
Georgia	0.378
Alabama	0.256
South Carolina	0.180
Tennessee	0.165
Texas	0.154
Kentucky	0.111
Virginia	0.072
North Carolina	0.068

Table 3: 25 Counties With the Most Lynching Victims, 1877-1950

Rank	County	Lynchings
1.	Phillips, AR	243
2.	Caddo, LA	54
3.	Lafourche, LA	50
4.	Tensas, LA	40
5.	Ouachita, LA	35
6.	Orange, FL	34
7.	Bossier, LA	32
8.	Marion, FL	30
9.	Jefferson, AL	29
10.	Dallas, AL	25
11.	Early, GA	24
12.	Iberia, LA	23
13-t.	Anderson, TX	22
13-t.	Hinds, MS	22
13-t.	Tangipahoa, LA	22
16-t.	Brooks, GA	21
16-t.	Shelby, TN	21
18.	McLennan, TX	20
19-t.	Alachua, FL	19
19-t.	Lowndes, MS	19
19-t.	Polk, FL	19
22-t.	Kemper, MS	18
22-t.	Leflore, MS	18
22-t.	Warren, MS	18
25-t.	Columbia, FL	17
25-t.	Taylor, FL	17
25-t.	Fulton, KY	17
25-t.	Obion, TN	17

Enabling an Era of Lynching: Retreat, Resistance, and Refuge

The lynching era was fueled by the movement to restore white supremacy, but Northern and federal officials who failed to act as black people were terrorized and murdered enabled this campaign of racial terrorism. For more than six decades, as Southern whites used lynching to enforce a post-slavery system of racial dominance, white officials outside the South watched and did little.

Congress never passed an anti-lynching bill, instead capitulating to Southern politicians who argued that such legislation constituted racial “favoritism” and violated states’ rights. Southern states passed their own anti-lynching laws to show that federal legislation was unnecessary, but refused to enforce them. Not a single white person was convicted of murder for lynching a black person in America during this period, and of all lynchings committed after 1900, only 1 percent resulted in a lyncher being convicted of a criminal offense.

By 1886, a “New South” controlled by white supremacist leaders was largely established. The dominant political narrative blamed lynching on its victims, insisting that brutal mob violence was the only appropriate response to the growing scourge of black men raping white women. Southern white politicians

relied on lynching and vigilantism to restore white supremacist state governments and successfully defeated proposed federal voting rights protections. When the Southern-controlled Democratic Party won the White House and a majority of Congress in 1892—just as the national lynching rate soared—the Republican Party “defected entirely to the resurgent white supremacist order,” and in 1896 regained power by running “strictly as a party of economic interests, not civil rights.”

President Theodore Roosevelt declared that “the greatest existing cause of lynching is the perpetration, especially by black men, of the hideous crime of rape.”

Opposition to Lynching

African Americans undertook their own efforts to combat the terror of lynching through grassroots activism. Black people targeted members of white lynch mobs for economic retaliation by boycotting their businesses, refusing to work for them, and setting fire to their property. To thwart lynching attempts, black people risked serious harm to hide fugitives, organized sentinels to guard prisoners against lynch mobs, and engaged in armed self-defense. Black anti-lynching activists like journalists Ida B. Wells and T. Thomas Fortune and Tuskegee sociologist Monroe Work harnessed the growing power of the black press

to dispute the black-on-white rape excuse and demand accountability for lynchings.

Black efforts to combat racial violence during the lynching era gave rise to many important black organizations, including the nation's most effective and longstanding, the National Association for the Advancement of Colored People (NAACP). The NAACP formed in direct response to racial attacks in Springfield, Illinois, in 1908 that shocked Northerners and demonstrated that lynching was not only a Southern phenomenon. The NAACP's campaign decrying lynching as "America's shame" helped turn the tide of public opinion—including in the South. In 1930, white Southerners launched the Association of Southern Women to Prevent Lynching and by 1940, it had 40,000 supporters. By the mid-1930s, "forward-looking white Southerners were compelled to adopt the position that lynching was barbaric and disgraceful, even as they continued to defend white supremacy or rail against black criminality."



*Howard University students protest lynching, 1934.
(© Bettmann/CORBIS.)*

When national lynching rates declined markedly in the 1930s, NAACP Executive Secretary Walter White attributed the trend to these shifts in the public discourse and to anti-lynching activism, as well as to the Great Migration. In a brutal environment of racial subordination and terror, faced with the constant threat of harm, close to six million black Americans fled the South between 1910 and 1970. Within a single decade, the black populations of Georgia and South Carolina declined by 22 percent and 24 percent, respectively. The United States Department of Labor observed that one of the "more effective causes of the exodus . . . is the Negroes' insecurity from mob violence and lynchings."

Confronting Lynching

When the era of racial terror and widespread lynching ended in the mid-twentieth century, it left behind a nation and an American South fundamentally altered by decades of systematic community-based violence against black Americans. The effects of the lynching era echoed through the latter half of the twentieth century. African Americans continued to face violent intimidation when they transgressed social boundaries or asserted their civil rights, and the criminal justice system continued to target people of color and victimize African Americans. These legacies have yet to be confronted.

Black Southerners who survived the lynching era remained subject to the established legal system of racial apartheid known as Jim Crow. As organized resistance to this racial caste system began to swell in the early 1950s, black demonstrators were met with violent opposition from white police officers and community members. Black activists who protested racial segregation and disenfranchisement through boycotts, sit-ins, voter registration drives, and mass marches were beaten, shot, and bombed by whites.

Lynching and racial terror profoundly compromised the criminal justice system, which required no reliable findings of guilt to authorize “legal” executions or to hand over prisoners to the lynch mob. Southern courts deeply embedded themselves in the exploitation of black workers in the South by enforcing “Black Codes” and convict leasing laws that branded black people as criminals to facilitate their reenslavement for state profit. In flagrant violation of federal law, local officials barred African Americans from serving on juries, which reinforced the impunity under which lynching flourished. The fairness of the judicial system was wholly compromised for African Americans, and the courts operated as tools of their subjugation.

Lynching also racialized criminality. Whites defended lynching as necessary to protect their property, families, and Southern way of life from dangerous black criminals, both in response to allegations of criminal behavior and as a preemptive strike against the threat of black violent crime. Although the Constitution’s presumption of innocence is a bedrock principle of American criminal justice, African Americans were assigned a presumption of guilt.



*Prisoners from Limestone Correctional Facility in Alabama work on a “chain gang” as punishment, 1995.
(© Andrew Holbrooke/CORBIS.)*

Lynching's Legacy: Capital Punishment in America

“Perhaps the most important reason that lynching declined is that it was replaced by a more palatable form of violence.”

By 1915, court-ordered executions outpaced lynchings in the former slave states for the first time. Two-thirds of those executed in the 1930s were black, and the trend continued. As African Americans fell to just 22 percent of the South's population between 1910 and 1950, they constituted 75 percent of those executed in the South during that period. In the 1987 case of *McCleskey v. Kemp*, the Supreme Court considered statistical evidence demonstrating that Georgia decisionmakers were more than four times as likely to impose death for the killing of a white person than a black person. Accepting the data as accurate, the Court described racial bias in sentencing as “an inevitable part of our criminal justice system” and upheld Warren McCleskey's death sentence because he had failed to identify a “constitutionally significant risk of racial bias” in his case.

Race remains a significant factor in capital sentencing. African Americans make up less than 13 percent of the nation's population, but nearly 42 percent of those currently on death row in America are black, and 34 percent of those executed since 1976 have been black. In 96 percent of states where researchers have completed studies examining the relationship between race and the death penalty, results reveal a pattern of discrimination based on the race of the victim, the race of the defendant, or both. Capital trials today remain proceedings with little racial diversity; the accused is often the only person of color in the courtroom and illegal racial discrimination in jury selection is widespread, especially in the South and in capital cases. In Houston County, Alabama, prosecutors have excluded 80 percent of qualified African Americans from juries in death penalty cases.

More than eight in ten American lynchings between 1889 and 1918 occurred in the South, and more than eight in ten of the nearly 1400 legal executions carried out in this country since 1976 have been in the South. Modern death sentences are disproportionately meted out to African Americans accused of crimes against white victims; efforts to combat racial bias and create federal protection against racial bias in the administration of the death penalty remain thwarted by familiar appeals to the rhetoric of states' rights; and regional data demonstrates that the modern death penalty in America mirrors racial violence of the past. As contemporary proponents of the American death penalty focus on form rather than substance by tinkering with the aesthetics of lethal punishment to improve procedures and methods, capital punishment remains rooted in racial terror—“a direct descendant of lynching.”



*Lynching victims George Dorsey and Dorothy Dorsey Malcolm are buried by the black community, Monroe, Georgia, 1946.
(© Bettmann/CORBIS.)*

Trauma and the Legacy of Lynching

The lynching era left thousands dead; it significantly marginalized black people in the country's political, economic, and social systems; and it fueled a massive migration of black refugees out of the South. In addition, lynching—and other forms of racial terrorism—inflicted deep traumatic and psychological wounds on survivors, witnesses, family members, and the entire African American community. Whites who participated in or witnessed gruesome lynchings and socialized their children in this culture of violence also were psychologically damaged. And state officials' indifference to and complicity in lynchings created enduring national and institutional wounds that we have not yet confronted or begun to heal. Establishing monuments and memorials to commemorate lynching has the power to end the silence and inaction that have compounded this psycho-social trauma and to begin the process of recovery.

Most Southern terror lynching victims were killed on sites that remain unmarked and unrecognized. The Southern landscape is cluttered with plaques, statues, and monuments that record, celebrate, and lionize generations of American defenders of white supremacy, including public officials and private citizens who perpetrated violent crimes against black citizens during the era of racial terror. The absence of a prominent public memorial acknowledging racial terrorism is a powerful statement about our failure to value the African Americans who were killed or gravely wounded in this brutal campaign of racial violence. National commemoration of the atrocities inflicted on African Americans during decades of racial terrorism would begin building trust between the survivors of racial terrorism and the governments and legal systems that failed to protect them.

Lynchings occurred in communities where African Americans today remain marginalized, disproportionately poor, overrepresented in prisons and jails, and underrepresented in decisionmaking roles in the criminal justice system. The traumatic experience of surviving mass violence creates “insecurity, mistrust, and disconnection from people”—psychological harms that were amplified by the dangers inherent in navigating Southern racial boundaries.

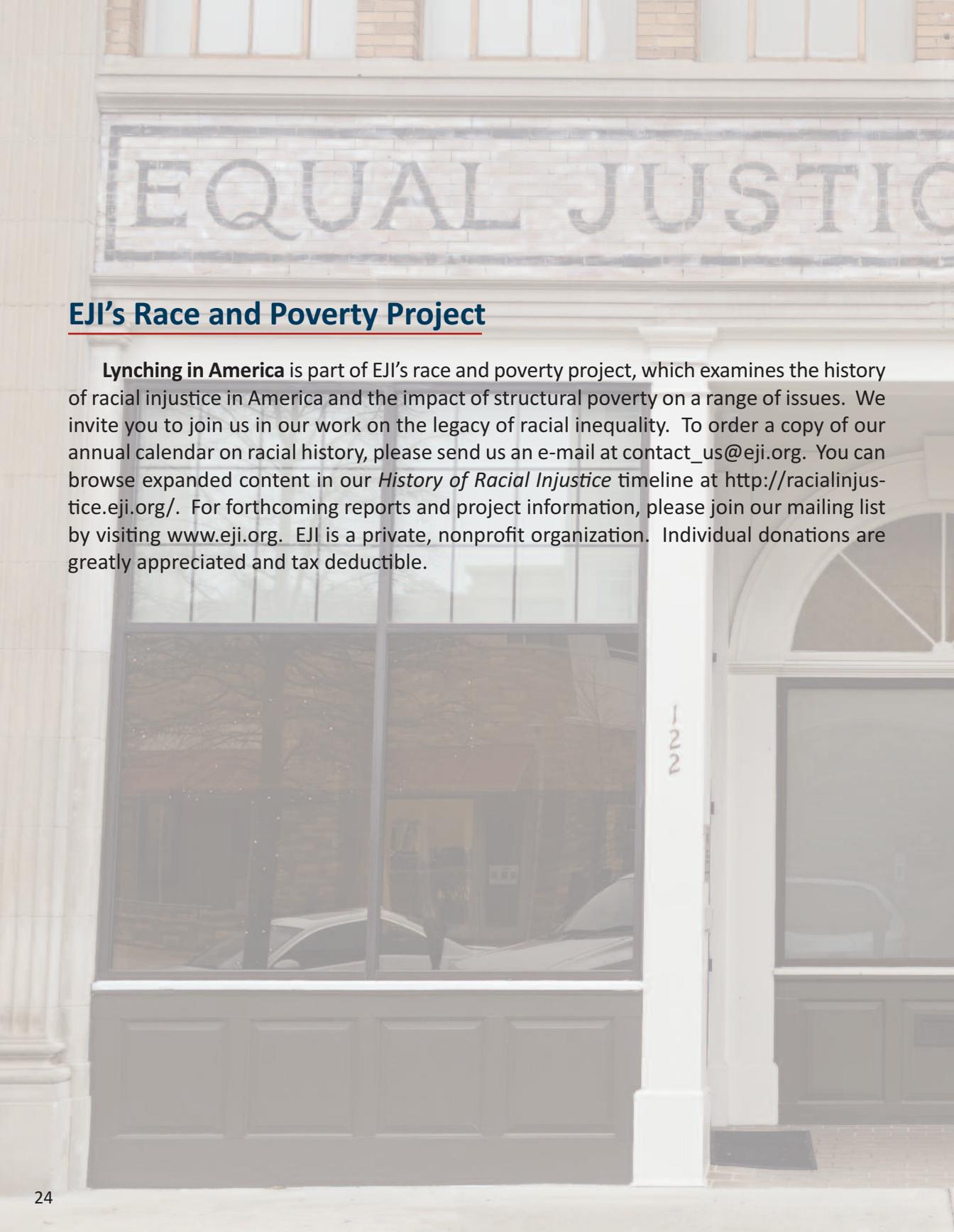
The psychological harm inflicted by the era of terror lynching extends to the millions of white men, women, and children who instigated, attended, celebrated, and internalized these horrific spectacles of collective violence. Participation in collective violence leaves perpetrators with their own dangerous and persistent damage, including harmful defense mechanisms such as “diminish[ed] empathy for victims” that can lead to intensified violent behaviors that target victims outside the original group. Lynching was a civic duty of white Southern men that brought them praise. Southern white children were taught to embrace traumatic violence and the racist narratives underlying it.

Lynchings in the American South were not isolated hate crimes committed by rogue vigilantes. Lynching was targeted racial violence at the core of a systematic campaign of terror perpetrated in furtherance of an unjust social order. Selective public memory compounds the harm of officials’ complicity in lynching and maintains the otherness of black people who have lived in these communities for generations.

Public acknowledgment and commemoration of mass violence is essential not only for victims and survivors, but also for perpetrators and bystanders who suffer from trauma and damage related to their participation in systematic violence and dehumanization. Formalizing a space for memory, reflection, and grieving can help victims “move beyond anger and a sense of powerlessness.” Suffering must be engaged, heard, recognized, and remembered before a society can recover from mass violence.

EJI and community leaders erect public markers about slavery in Montgomery, Alabama, in 2013. (Bernard Troncale.)





EQUAL JUSTICE

EJI's Race and Poverty Project

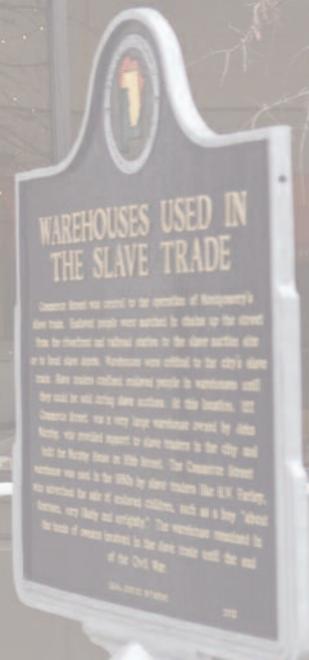
Lynching in America is part of EJI's race and poverty project, which examines the history of racial injustice in America and the impact of structural poverty on a range of issues. We invite you to join us in our work on the legacy of racial inequality. To order a copy of our annual calendar on racial history, please send us an e-mail at contact_us@eji.org. You can browse expanded content in our *History of Racial Injustice* timeline at <http://racialinjustice.eji.org/>. For forthcoming reports and project information, please join our mailing list by visiting www.eji.org. EJI is a private, nonprofit organization. Individual donations are greatly appreciated and tax deductible.

CE INITIATIVE

For a copy of the full-length *Lynching in America* report, please e-mail EJI at contact_us@eji.org or call 334.269.1803.

Equal Justice Initiative

122 Commerce Street
Montgomery, Alabama 36104
334.269.1803
www.eji.org

**WAREHOUSES USED IN THE SLAVE TRADE**
Commerce Street was central to the operations of Montgomery's slave trade. Sold and people were packed to choke up the street from the streetcar and railroad tracks to the slave auction site or to local slave shops. Warehouses were utilized to the city's slave trade. More houses and stores were used to warehouse until they could be sold during slave auctions. In this location, 122 Commerce Street, was a very large warehouse owned by John H. Hays, who provided support to slave traders in the city and sold the facility down on 12th Street. The Commerce Street warehouse was used in the 1850s by slave traders like W.H. Taylor, who advertised for sale of enslaved children, such as a boy "about 6 years, very strong and energetic". The warehouse remained in the hands of owners involved in the slave trade until the end of the Civil War.