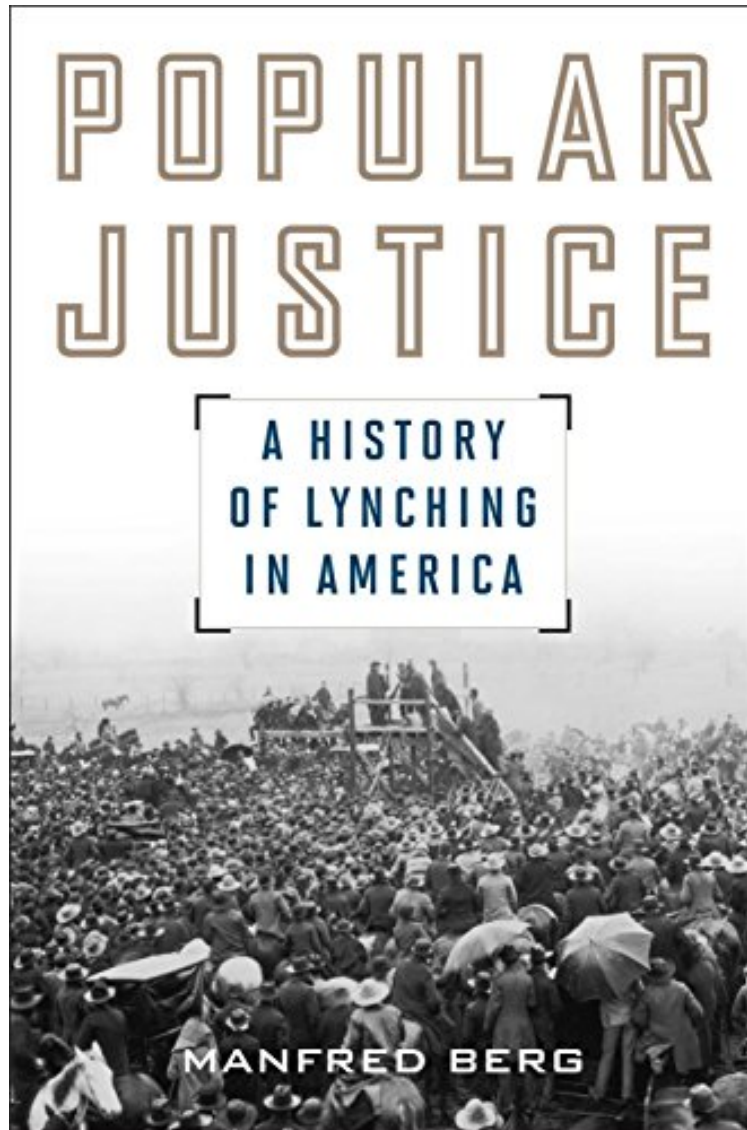


(Free and download) Popular Justice: A History of Lynching in America (American Ways Series)

## Popular Justice: A History of Lynching in America (American Ways Series)

*Manfred Berg*

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**Manfred Berg : Popular Justice: A History of Lynching in America (American Ways Series)** before purchasing it in order to gage whether or not it would be worth my time, and all praised Popular Justice: A History of Lynching in America (American Ways Series):

1 of 1 people found the following review helpful. A Captivating Page-Turner of a Sad Chapter in American History.By The Peripatetic ReaderDue to its pervasiveness of the practice a hundred years ago, it is surprising there

are not more books dealing with the history of lynching in America. It is because of this notoriety that many would want to sweep the subject under the carpet, as if it did not occur. But it did, and the history in this book is a reminder of the grim realities of the history in America at that time. Manfred Berg's book not only fills a need to provide a history of lynching, but he accomplishes this in an extremely well-written, captivating manner and produced a genuine page-turner. America was not the first or only country to have lynchings in its history, but raised this practice to the level of a fine art. The author Manfred Berg treats the subject from many angles. There is of course a historical account of lynching from Revolutionary times to the recent present. Berg also attempts to explain the root causes of lynching. Many of the justifications for lynching simply do not hold up to the historical record. Berg also describes the transformations lynching has taken. Lynching is described from its roots in mob justice to its contemporary cousin, Hate crimes. Berg relates how during pre-Revolutionary times, rebellious elements would capture and assault Loyalists or Crown agents, and torture them through various means, by tar and feathering, torture, banishment, whipping, and even hanging, all with little or no criminal consequences. To the Crown those Revolutionary rambler rousers would today no doubt be considered "terrorists." Berg describes subtle changes in the form of lynching in different areas of the United States. He describes ante-bellum lynching in the South, where lynching was conducted pursuant to a Code of Honor, to that of the Western States. In both, there was little or no criminal consequences for the perpetrators of lynching. In the West, especially in California, the practice of lynching thrived. There, as in other parts of the country, the pervasive picture of lynching is that of mob action dispensing justice in the face of inefficient government. Under this scenario, an individual would be lynched if he -- most, but not all lynching victims were male -- was awaiting trial (the vigilantes would storm the jail cell and execute the prisoner), was jailed and escaped but caught by a vigilante committee and executed, was tried and convicted (the vigilantes would storm the jail cell and execute the prisoner), or was tried and acquitted but executed by the vigilante committee anyway. In this case, the vigilante committee would execute him because they thought he was guilty and was acquitted on a technicality. Prior to actual hangings, a mock trial would be convened. The appointment of judges and jury was entirely ad hoc, and the verdict was a foregone conclusion. These kangaroo courts would nonetheless take place to give the ultimate lynching and killing a veneer of legitimacy. These trials were, in fact, a travesty of justice, where due process rights were unknown and the admission of hearsay the order of the day, if evidence is used at all. Many innocent persons were executed. These mock trials rival the Stalinist Show Trials of the 1930s. Berg examines the historical record and discovers that the stated justification of lynching as a response to a weak central government was largely a cover for the lynchers' hidden agenda. Most vigilante committees in the Western United States were organized as the vehicle to further the personal interests of personal vengeance, political power or economic advantage. The vigilante committees in San Francisco in the 1850s are prime examples. There were two notable vigilante activities in 1851 and 1856. Both committees were backed by wealthy businessmen who disagreed with the policies of the elected City government, who exaggerated the existence of a surge in the crime rate in order to install business-friendly city governments which would lower taxes and reduce the size of government. Any of this sound familiar? Additional chapters deal with lynching during the decades after the Civil War, lynchings in the early Twentieth Century and lynchings up to the late 1940s. Berg describes the lynchings in the Twentieth Century as "indescribable barbarism." Berg reveals historical patterns which were used time and again to justify lynching activities: 1. Lynchings are necessary to protect the community from an external threat of danger, whether that danger is Crown government agents, criminals, Union sympathizers in a Confederate community, or a minority group. Berg demonstrates that the historical record more often than not fails to substantiate the existence of this external "danger." Anyone remember "Weapons of Mass Destruction"? 2. Act now, make determinations of guilt or innocence later, even if persons are executed later determined to be innocent. There is a compelling need to find a scapegoat. 3. Judicial proceedings or rights -- Constitutional, due process or otherwise -- are immaterial, and frankly just get in the way. 4. Lawful apprehension, detention, adjudication or acquittal according to legal process are also immaterial. Berg gives many examples of persons found innocent, or whose conviction was overturned or commuted but were lynched anyway. 5. Location of the victim doesn't matter. Berg gives many examples of a posse traveling outside of United States territory, apprehending the victim in Mexico or Canada, and lynching him anyway. The clear impression one is left by this book is the incredibly violent history of the United States. In addition to lynchings, the book describes vigilante actions, night raids, mob action, and riots. Berg mentions little known incidents such as the El Paso Salt War. Here, Mexican Americans were lynched as a result of competing designs to exploit the salt deposits which had been long used by the local Mexican-American population. Or the Philadelphia Bible Riots where the local Protestant population killed sixteen Catholics because they protested the use of a Protestant version of the King James Bible. And in what takes the cake, the notorious Rosewood Massacre of 1923, where avenging white vigilantes killed six African-Americans, rioted for several weeks, and razed the community of African-Americans who lived in Rosewood, Florida to the ground, wiping off any vestige of an African-American community and relocating the population. These incidents beg a major lesson of Berg's book. If you are not a WASP in America, watch out! As the author observes, there is a collective reluctance to look at this embarrassing part of our history, so given the subject he down-peddles the narrative as much as humanly possible to still produce a relevant history. Berg's account is written in a cool, detached, academic manner, without recrimination or reproach. As

a result, the practice and history of lynching described appears all the more pernicious. A particularly disturbing aspect of this book are the archival photographs. Readers should be advised that many of the photographic evidence are graphic depictions of death and violence, usually of the victims, hanging on the noose, others with bodies burned beyond recognition. These photographs are gruesome in other ways. In one photograph spectators and participants are featured standing in front of the camera and behind the victim's lifeless body, smiling, as if they were proud of their deed. Berg documents the efforts in the 20th Century to oppose the practice, or at least to enact federal legislation to address lynching. All such efforts were delayed, mired and stymied by Southern States who objected that any such legislation would interfere with their States Rights. It would take decades for such legislation to be enacted. With the changes wrought by the New Deal, and after the conclusion of the Second World War, and especially as a result of the Civil Rights movement, the tide of history changed. Still lynching died a slow, gradual death. Bona fide lynchings occurred as late as 1957. It would not be until 1981, with the gruesome torture and death of an African-American that occurred in Waco, Texas, that a lynching could occur with criminally impunity. Two of the participants in that lynching received life prison sentences and the other received the death penalty. George W. Bush was the governor of Texas at that time, and initially objected to any sentence for the participants. would occur with the criminal prosecution and conviction of the perpetrators. All in all, this book is a bona fide page-turner, filling the gap to a disturbing chapter in history.

0 of 2 people found the following review helpful. Interesting but not supported By Darlene A. Cypser I think the author came to this topic with his mind made up about the subject and many of his conclusions are not support by evidence.

1 of 1 people found the following review helpful. "America's negative exceptionalism" By Oliver Steffen (Preface to this review: This review is written by a reader from germany - as you likely can note while reading this imperfect text...I nevertheless hope it is helpful) This book tells a story of blood and violence. It deals with a dark chapter of the American history, it deals with something many historians have called "Americas national crime" - the history of lynching. If you want to understand the history of vigilantism and racism in the USA, if you want to understand the history of the United States itself, then you have to read this lucid study. You can also read it as a case study about what happens if you call into question the state monopoly of legitimate violence and, instead, execute the law by yourself, punish someone for something you think he or she did. If you think of lynching, then you usually think of the Ku-Klux-Klan, you think of the racist Southern United States, their violence against and suppression of the African American people. In deed this isn't a wrong association, but Berg shows us that the history of the popular justice was also connected with vigilantism and violence against other groups, for example Latinos. While reading the book, you notice the immense knowledge of Berg and how much he has read and researched about the American history. For example, he did some important researches about the origins of the slavery and the history of the Civil Rights Movement. He also wrote a german handbook about the history of the United States in general. This is why you can also get to know much about the American History itself, and on the other hand, you can't understand the phenomenon of lynching without mentioning the general historical context of this history. The most remarkable advantage of this study is also a problem for the reader: Berg tells the story of the lynching crimes very illustrative - sometimes a bit too illustrative (see p. 110). There can be no illusion that this study deals with terrible crimes and that you are confronted with horrible violence - and also much self-righteousness by the men and women who called for "Judge Lynch", when they wanted to punish someone they made responsible for a crime or when they used popular justice as an instrument for the suppression of people because of their race. But what is "popular justice"? Berg defines it as an "extralegal punishment meted out by group of people claiming to represent the will of the larger community and acting with an expectation of impunity" (p. ix). People have used popular justice when the state monopoly of legitimate violence was not asserted, was not existing or was not accepted. People who used the violence of "Judge Lynch" and took the law in their own hands claimed they would protect the people and their rights, because the state could not do so or would not do so. You can only understand this logic if you take into account the high meaning of "the people" in the American society on the one hand and the distrust against the (federal) government on the other hand. This is something you can find throughout in the history of the United States. This think is also connected with the acceptance of private violence and virtually unrestricted access to firearms for ordinary citizens. Berg follows the phenomenon of popular justice throughout the history of the United States. He shows that the most remarkable aspect of this history is the connection between lynching and racism. Lynching often was (especially in the Southern States) an instrument of racist suppression, terror and intimidation against the African Americans. With the help of racist violence, exercised by a group of ordinary, but racist citizens, a racist society should be maintained. The Ku-Klux-Klan for example, but also the Southern States in general, reacted to the emancipation of the former slaves after the Civil War with racist violence; they didn't accepted the laws enforced to protect the civil rights of the African Americans and tried to put through their own, racist law with the help of lynching - many such crimes happened especially between the 1860s and the First World War. Blacks were killed by groups of people many times. The result of this cruel process was that the old rules of suppression were maintained. At this example one also can see in general how racism works. The fact, that most of the lynching crimes happened in the American Southern States and the fact, that most of the victims there were African Americans, underline the unequivocal connection between racism and popular justice. But still it is important to separate popular justice and so called "hate crimes": Hate crimes are

exercised by people who could not claim they would act in the name of the people, who could not act "with an expectation of impunity." This was the case since the government began to react resolutely against racist violence since the mid of the 20th century - after it had become clear that the many reports of this violence were very bad for the reputation of the United States and especially the Federal Government and after the Civil Rights Movement became stronger and influential. Now many racist crimes were exercised by night and secretly - as it happened for example in Mississippi in 1964, when three Civil Right activists (one of them an African American) were killed by members of the local "White Knights of the Ku Klux Klan". But before that the representatives of popular justice claimed they would execute the sovereignty of the people and protect the democratic right of self-defense. But when they argued that they often had to use private violence and popular justice because the state would not be able to punish criminals, this was often wrong - not only because many white racists used popular justice as an instrument of suppression; there are also many examples when a group of people got arrested suspicious ones from the prisons to "punish" (and often kill) them by their own hands. Of course, there was also popular justice before the late 19th century. There was lynching since the colonial era, but these cases had other reasons: Public executions and trials satisfied the public ask for revenge, and it also was an attraction to see how people were punished in public. In the following decades the phenomenon of the popular justice was connected with the problem of a more and more violent society; the difficulty to put through law and order in the new western territories (especially at the "Frontier") and the polarization of the society (north and south) concerning the slavery. After many decades of violence and uncontrolled popular justice and after it had become clear how close the question of lynching was connected with the problem of racism, the courts condemned such crimes more resolutely, the Civil Rights Movement was (relatively) successful in removing open racism in the Southern States and the popular justice began to disappear. But not only a strong racism is still existing: Berg also shows us that many of the problems that have something to do with the problem of popular justice are still there: There is still much acceptance for "private violence, including a broad concept of legitimate self-defense and virtually unrestricted access to firearms for ordinary citizens" (p. 194). Above all, in certain respects you can say that the death penalty has replaced the lynching of people: The decline of the popular justice correlates with a massive increase of death sentences. This practice also satisfies the peoples ask for resolute punishment of criminals and for revenge. The fact that the American people want a hart treatment of criminals can also be shown by the fact that the USA has the highest incarceration rate worldwide. The study includes a clear message of the author, that can also be seen as an answer to many Americans and their views on justice and punishment: "This book is predicated on the premise that liberal democracy has provided a solution to the problem of balancing order and liberty, namely the state monopoly of legitimate violence controlled by the rules of law, an independent judiciary, and the democratic process." (p. xi). I think he is definitely right. I also think there is no alternative.

Lynching has often been called "America's national crime" that has defined the tradition of extralegal violence in America. Having claimed many thousand victims, "Judge Lynch" holds a firm place in the dark recesses of our national memory. In *Popular Justice*, Manfred Berg explores the history of lynching from the colonial era to the present. American lynch law, he argues, has rested on three pillars: the frontier experience, racism, and the anti-authoritarian spirit of grassroots democracy. Berg looks beyond the familiar story of mob violence against African American victims, who comprised the majority of lynch targets, to include violence targeting other victim groups, such as Mexicans and the Chinese, as well as many of those cases in which race did not play a role. As he nears the modern era, he focuses on the societal changes that ended lynching as a public spectacle. Berg's narrative concludes with an examination of lynching's legacy in American culture. From the colonial era and the American Revolution up to the twenty-first century, lynching has been a part of our nation's history. Manfred Berg provides us with the first comprehensive overview of "popular justice."

Berg traces lynching's U.S. history, starting with the Colonial era and coming to the present, addressing the characteristics of this brutal punishment undertaken by 'ordinary' people. (Library Journal) Even the ancient Greeks saw the danger that democracy and other forms of popular government could degenerate into mob rule. In this thought-provoking and disturbing history of lynching from colonial times to the present, Berg, a history professor at the University of Heidelberg, draws a clear connection between lynching and a perversion of democratic impulses. Berg views racism as a fundamental component of many lynchings, particularly after the Civil War, when many white southerners rejected the authority of various Reconstructionist state and local governments. African Americans were the most frequent victims, but other racial and ethnic minorities were often targets. Obviously, simple mob blood-lust plays a role, but at a deeper level, Berg asserts that the perpetrators of lynchings often see themselves as antiauthoritarian avengers, representing the popular will and standing in opposition to an 'illegitimate' state power that cannot be trusted to act swiftly or justly. This is a well-written examination of the history and psychology of this particular form of mob violence. (Booklist) *Popular Justice* explores lynching from the colonial period to the present, closing with emphasis on the societal changes that contributed to the demise of extralegal violence.... Recommended. (CHOICE) *Popular Justice* is a long overdue overview of the history of mob violence in American history. [Manfred

Berg's] impressive study chronicles not only the deservedly well known history of extralegal violence against black victims but also the less familiar collective violence that targeting whites, Mexicans, Native Americans, and the Chinese. Berg's survey simultaneously engages in a thought-provoking discussion of critical issues in lynching scholarship while also providing an accessible summary of the history of mob violence in the United States. (William D. Carrigan, author of *The Making of a Lynching Culture: Violence and Vigilantism in Central Texas, 1836–1916*) Manfred Berg's *Popular Justice* is a landmark contribution to the literature on American violence. This deeply researched, cogently argued book is the first modern single volume scholarly study of the practice of lynching in American history. Encompassing within its analysis all key dimensions of the historical development of mob violence in the United States, *Popular Justice* will be of great aid to all interested in the history of American lynching. (Michael J. Pfeifer, John Jay College of Criminal Justice, The City University of New York) To the terrible tragedy of mob violence Manfred Berg brings vivid detail and narrative, capturing the sweep of violence across all regions and every ethnic group, a comprehensive account. (Christopher Waldrep, author of *Jury Discrimination*) Manfred Berg has written the most comprehensive overview to date on the history of mob violence in the United States. *Popular Justice* provides an intelligent synthesis of the extensive scholarship on lynching that is perfect for classroom use. (Amy Wood, author of *Lynching and Spectacle: Witnessing Racial Violence in America, 1890–1940*) Comprehensive yet concise, this is a superb history of lynching from its colonial origins to contemporary hate crimes. While giving due emphasis to white violence against African Americans, Berg conclusively demonstrates that mob violence afflicted other racial and ethnic minorities, not only in the South but across the entire nation. (Clive Webb, University of Sussex) Manfred Berg traces the history of lynching in America from the colonial era to the present. Berg focuses on lynching as extralegal communal punishment performed by "ordinary" people. He confronts racially fragmented historical memory and legacies of popular justice to help the reader make better sense of lynching as part of American history. Berg analyzes lynching cases with victims ranging from African American men to white women to cattle rustlers as he explores the concepts of "frontier justice" and "popular justice." About the Author Manfred Berg is the Curt Engelhorn Professor of American History at the University of Heidelberg. He is author of, among other books, *The Ticket to Freedom: The NAACP and the Struggle for Black Political Integration*.