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Christopher Waldrep. *African Americans Confront Lynching: Strategies of Resistance from the Civil War to the Civil Rights Era.* African American History Series. Lanham: Rowman & Littlefield Publishers, 2009. xxvi + 201 pp. $34.95 (cloth), ISBN 978-0-7425-5272-2.

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African American Activism and the Struggle against Racial Violence

Historian Christopher Waldrep's latest contribution to the field of lynching studies is a compact and readable volume that traces the various strategies and tactics that African American activists used throughout the nineteenth and twentieth centuries to combat white supremacist violence. It is published as part of a Rowman & Littlefield series that aims to present interpretations of major events in African American history to nonspecialists. Gearing the book to a general audience and undergraduates, Waldrep writes in direct and crisp prose, includes an appendix with relevant primary documents, and keeps footnotes to a minimum, opting for a bibliographic essay instead. The book largely builds off previously published scholarship, including Waldrep's own important 2002 monograph, *The Many Faces of Judge Lynch: Extralegal Violence and Punishment in America.*

Even as a work of synthesis, however, *African Americans Confront Lynching* advances a new and valuable interpretation of lynching and anti-lynching activism. Waldrep argues that the battle between defenders of lynching and their opponents boiled down to a conflict over how to interpret the Constitution. The Constitution's limits on federal power allowed racial violence to flourish relatively unchecked through the nineteenth and early twentieth centuries. The federalist guarantee that local or state authorities had jurisdiction over criminal justice had dual consequences. On the one hand, notions of popular sovereignty, which had traditions that stretched far beyond the Constitution, led citizens to justify vigilantism as a legitimate expression of popular will, which the rule of law would unjustly thwart. At the same time, it also led them to resent any outside intervention, particularly federal intervention, as an unconstitutional interference in local affairs. On the other hand, opponents of lynching also appealed to constitutionalism in arguing that lynching flouted basic constitutional principles, namely, due process and rule of law, and in particular, defied the Fourteenth Amendment guaranteeing equal protection. Although he includes a chapter on the ways in which whites justified lynching in the late nineteenth century, the greater part of the book is about how African American activists used legal principles and the political system to challenge racial violence.

In these ways, Waldrep is less concerned with the social or political causes of lynching or the reasons for its decline as he is with how it was defended and challenged. In focusing on public arguments, he emphasizes the way in which lynching existed as rhetoric. The violence, to be sure, was very real and it had concrete consequences, but the public perception of those consequences and the response to them depended largely on the way in which lynching was defined and interpreted rhetorically. Here, Waldrep builds off his work in *The Many Faces of Judge Lynch*, in which he demonstrated that the definition of lynching was subject to much political contestation, which had real political effects. For instance, the National Association for the Advancement of Colored People, in lobbying Congress for federal anti-lynching legislation, broadened its definition of the term over time in response to critics on the left, like the Communist Party, which wanted to expand the meaning of lynching to include other forms of terror and violent intimidation, such as labor violence. While more narrow definitions of lynching might have facilitated the construction and passage of legislation against it, they also elided other forms of racial violence that were no less damaging.

Waldrep thus argues for an expansive understanding of lynching and resists defining the term. Although he notes that "we cannot say that lynching only means racial violence," he focuses on forms of racial violence meant to punish and intimidate African Americans in order to bol-

ster white power and control (p. xiii). Reconstruction-era Ku Klux Klan violence, the murders and bombings of the civil rights era, and modern-day hate crimes are all considered forms of lynching here. In covering such a wide swath of history, Waldrep emphasizes continuity. He shows how the horrendous mob lynchings of the late nineteenth and early twentieth centuries had roots in older traditions and practices, going back to Reconstruction and beyond. Moreover, in drawing a line from earlier lynchings to civil rights era violence and then to hate crimes, he shows that lynching persisted across the national landscape throughout the twentieth century.

In the first half of the book, Waldrep tells the story of anti-lynching activism through the lens of biography, focusing on the lives and work of black journalists Thomas Fortune, John Mitchell Jr., and Ida B. Wells, as well as sociologist Monroe Work. The sections on Fortune, Mitchell, and Work are particularly welcome. There has been so much scholarly interest in Wells in recent years that the vital work of these lesser-known activists has been overshadowed. In an excellent chapter juxtaposing the efforts of Wells and Work, Waldrep reveals the ways in which sociology as an academic field allowed activists to collect and use national data on lynching in order to challenge many of the myths that supported the practice. In publicizing that data, activists rendered what many considered to be simply of local concern a national problem, taking authority over lynching away "from the clutches of the neighborhoods that sponsored lynchings" (p. 41). The stories that Waldrep tells of these figures, however, are not quite in step with his introductory argument that constitutionalism was at the center of activists' rhetoric. In his chapter on the careers of Fortune and Mitchell, Waldrep does show the ways in which these men used constitutional arguments against lynching, but he also shows that they resorted to political wrangling to persuade authorities to act and at times advocated black militancy. In that sense, constitutionalism operated as one tool in their rhetorical arsenal; they otherwise used whatever arguments and tactics they had at their disposal.

The last three chapters change course a bit in that they focus on movements and events rather than the stories of individuals. His last chapter on the rise of hate crime laws in the 1980s is particularly interesting and novel. Waldrep traces how these laws, which led to harsher sentences based on the motives of the crime, emerged out of a new political interest on the part of conservatives in the 1970s and 1980s to protect the victims of violent crime. His argument here is both counterintuitive and compelling. The conservative focus on crime legitimized the state's role, particularly the federal government's role, in defending the rights of victims and determining sentencing guidelines based on those rights. This Republican offensive against crime emerged from white fears of black urban crime, but it provided liberals the legal reasoning to construct hate crime laws that protected minorities.

In covering struggles against Klan violence in the 1860s to the movement for hate crime laws as part of one long trajectory, Waldrep shows how African Americans have consistently and adamantly used rhetoric, politics, and the law to battle against white supremacist terror. Yet Waldrep's emphasis on the continuity of lynching in American life has an unsettling effect. Although he does document particular successes of activists, he does not explain how or why change did occur over time: why white supremacists came to use different forms or tactics over time; why rates of violence rose or declined at particular times; and why white public opinion about racial violence shifted over time. To be sure, his focus is on strategies of resistance, not these larger causal arguments; the two are not unrelated, however. Understandably, he wants to present a counter-narrative to the dominant narrative of inexorable racial progress that his readers would be more familiar with. But in emphasizing the persistence of lynching across time, he unwittingly downplays the successes of the activists under study.

On the whole, however, this volume will be of great use to teachers and scholars of legal history, African American history, and Southern history. In 2006, Waldrep published *Lynching in America: A History in Documents*, an excellent collection of primary documents and scholarly excerpts related to the history of lynching. With that collection and this book, Waldrep is providing teachable texts on the topic of lynching that have not existed before, and is thus encouraging a larger place for the study of lynching in U.S. history courses. *African Americans Confront Lynching* also reminds us that we cannot study the history of lynching without studying those who resisted it.

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