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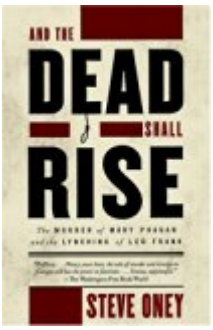
Steve Oney. *And the Dead Shall Rise: The Murder of Mary Phagan and the Lynching of Leo Frank.* New York and Toronto: Pantheon Books, 2003. 742 pp. $18.95, paper, ISBN 978-0-679-76423-6.



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On the morning of August 17, 1915, Leo M. Frank was lynched by a mob in Marietta, Georgia. Frank, a southern-born, northern-bred, Jewish factory superintendent living in Atlanta, had been convicted over two years earlier for the murder of Mary Phagan, a thirteen-year-old white girl who worked for Frank. Initially, after Phagan's body was discovered, Atlanta police suspected that one of several African-American menial laborers who worked at the plant had likely committed the crime. When those leads proved fruitless, they turned their attention to various white employees, Leo Frank among them. Eventually, and for a number of rather odd circumstantial reasons, Frank became the chief suspect. The case against Frank, which went to trial in the summer of 1913, ultimately rested on the salacious and titillating testimony of Jim Conley, the factory's African-American sweeper. Conley told a wild tale in which he alleged that Frank was a promiscuous man who sexually exploited his predominantly female work force. In a remarkable twist, a black man's words helped convict a white man, an altogether uncommon occurrence in the early-twentieth-century American South. Further, the case resuscitated the flagging careers of men like Hugh M. Dorsey, the Atlanta prosecutor who eventually became Georgia's governor, and Tom Watson, the former Populist firebrand. Over time, the case became a *cause celebre* throughout the nation.

The case emerged at a pivotal moment in southern history when racial, religious, economic, and social factors coalesced in order to form the "New South." Mary Phagan, who worked for the Atlanta Pencil Company, the factory Frank supervised, was, in many ways, representative of the changing environment one found throughout the South at the time. Like so many others of her ilk, she earned a meager wage from her factory employment. While her elders often disapproved of the work she performed, her situation was fast becoming a reality for many southerners, male or female, young and old alike. Growing urbanization, industrialization, and modernization brought rapid change to the region, and especially the "Gate City" of Atlanta, throughout the last decades of the nineteenth and first decades of the twentieth centuries. Leo Frank's plight was influenced to some extent by each of these concerns.

Between April 26, 1913, when Mary Phagan was murdered, and August 17, 1915, when Leo Frank's lynching punctuated the end of Frank's legal and extralegal troubles, Americans from all walks of life expressed much about the affair. Regardless of whether one was a northerner or southerner, middling, poor, or affluent, white or black, or Jew or Gentile, few Americans lacked an opinion on Leo Frank's guilt or innocence, or whether some other individual was responsible for "Little Mary's death." Southerners, angered by the dramatic commutation of Leo Frank's death sentence, railed against the state's governor; Jews from across the country wondered aloud how an "American Dreyfus Affair" could emerge in a progressive society such as that found in the United States; rural dwellers expressed concern over who would protect their working girls from abuse and despair. Local, statewide, and national newspapers covered and reviewed all of this.

In 649 pages of text, Steve Oney painstakingly retraces the paths that led from Leo Frank's arrest and incarceration to his eventual lynching. He recreates the ways in which Frank's accusers pieced together their evidence, offered their affidavits, and built a case against the defendant. Oney describes an Atlanta pulled on many sides by various agendas: newspapermen in pursuit of the next hot lead; political figures working desperately to protect their own tenuous reputations; ordinary citizens overwhelmed and nearly intoxicated by the growing publicity surrounding the affair. There is much here to make sense of and interpret, and Oney does everyone interested in the Frank case an important service. He provides us with the minutiae that, when organized properly, tell a story of prejudice, corruption, deceit, and inflamed passions. It may be a familiar story, but no one has ever presented it in such a dramatic or comprehensive way.

Still, much has been written about the famed Leo Frank case. From its outset, contemporary social critics wrote numerous accounts of both the court proceedings and its aftermath. By the 1950s and 1960s, however, more serious scholars, intent upon uncovering the root causes of the case itself, began to write more complicated historical analyses. Of them all, Leonard Dinnerstein's ***The Leo Frank Case***, published in 1968, has always been considered the standard work. In it, Dinnerstein argued that the Frank case represented a virulent outpouring of local anti-Semitism, similar in its ferocity to both France's "Dreyfus Affair" and Russia's "Beiliss ritual murder" case, two late-nineteenth-century episodes involving prejudicial prosecution. Most scholars who followed Dinnerstein, like Robert Seitz Frey, Albert Lindemann, and Steven Hertzberg, were informed by his analysis. Thus, notions of anti-Semitism in America have influenced most studies. Recently, though, Nancy MacLean, in a provocative article written in the ***Journal of American History***, opined that the Frank case had been marred by a newly evolving power structure involving both southern white working girls and the rise of what she terms "reactionary populism." Clearly, the case has garnered its fair share of attention. Indeed, one might reasonably ask: what is there left to say?[1]

Steve Oney would undoubtedly respond with one word: plenty. For almost two decades, Oney, a journalist who spent years writing for the Atlanta ***Journal-Constitution***, has collected and examined a wealth of information related to the Frank case. He has scoured virtually every newspaper article ever written about the case, sifted through the voluminous correspondence written to and from Leo M. Frank, Hugh M. Dorsey, John M. Slaton, and nearly every other individual who played an important role in the case, and culled evidence from all the major archival sources. Furthermore, Oney conducted numerous and extensive interviews with those whose parents, siblings, or friends had intimate knowledge of the case. His research, to put it bluntly, is both impressive and comprehensive. Oney relies almost exclusively on these primary sources, which can be a bit trou-

bling at times. The author is not a professional historian, which is evident from his limited bibliography. Indeed, the secondary works he relied on, while including those written specifically about the case itself, barely acknowledge the wide swath of scholarship that has, over the last three decades, explored shifting conceptions of race, gender, sexuality, and economic development in the late-nineteenth- and early-twentieth-century South. An understanding and appreciation of these works would have made Oney's presentation a much richer one. This is an admittedly frustrating omission.[2]

Oney's main contribution to our understanding of the Frank case is thus only marginally "historical." He is not concerned with those larger developments, like race, class, or ethnicity, which shaped the South. Instead, in the finest sleuthing tradition of professional journalism, Oney wants to shade in the gray areas. According to the author, there are too many questions that have never been properly answered. Who actually lynched Leo Frank? Oney gives us the names of those who comprised the infamous "Knights of Mary Phagan," the twenty-five Mariettans who completed the nefarious deed. What motivated them to employ extralegal justice? The answer, according to Oney, is a complex one involving local politics, personal favors and debts, and personality clashes. And how did they get away with lynching one of the most recognizable figures in Georgia? Oney's response, as one might have expected, suggests a conspiracy by many parties to usher Frank from the Milledgeville State Prison Farm, where he had been relocated after his death sentence was commuted, to Frey's Gin, a farm only miles away from Mary Phagan's grave. These are the questions that have confounded historians interested in the Frank case for decades, and Oney does us all a great service by supplying reasonable answers to them.

Though Oney adds much to our understanding of those who lynched Frank, ***And the Dead Shall Rise*** is not without its problems. There are too many moments, for example, when Oney, writing like a journalist and not a historian, makes overly dramatic statements. "In 1900," he writes, "the white South--as it still would be on the day Mary Phagan was found murdered--was rigidly divided into two classes, both based on family. You could be a patrician, or you could be a cracker. What you could not be was neither, for while there was some transmigration between these spheres, so powerful were their respective social, cultural and financial gravitational fields that few people fell between them, and even those who did eventually allied with one or the other" (p. 160). If this were the case, then where did Leo Frank fit? Neither patrician nor cracker, Frank, a factory supervisor, was somewhere in the middle. Without delving more deeply into the nuances of the turn-of-the-century South, readers are left with little substantive context with which to better understand the conditions that Frank faced. Serious scholars bent on forming a more complicated understanding of the events that produced the Leo Frank case may be slightly dismayed by these failings.

Problems aside, Oney's work is magisterial in its scope and breadth. The author has investigated many previously unexplored leads, and his descriptions of the bit players--especially William Smith, the lawyer who transformed Jim Conley into a reputable witness--are as fascinating as the case itself. For the "history buff," or anyone with slightly more than a passing interest in the Leo Frank case, ***And the Dead Shall Rise*** is a must-read. For more serious scholars, the book may be a page-turner, but it ultimately leaves unanswered too many serious questions, particularly those related to context.

Notes

[1]. Contemporary accounts include W. E. Thompson, ***The Frank Case: Inside Story of Georgia's Greatest Murder Mystery*** (Atlanta Publishing Co., 1914); and C. P. Connolly, ***The Truth about the***

Frank Case (New York: Vail-Ballou Co., 1915). More scholarly works include Leonard Dinnerstein, *The Leo Frank Case* (Athens: University of Georgia Press, 1968), which most historians consider the standard bearer in the field. Also see Steven Hertzberg, *Strangers within the Gate: The Jews of Atlanta, 1845-1915* (Philadelphia: Jewish Publication Society of America, 1978); Robert Seitz Frey and Nancy Thompson-Frey, *The Murder of Mary Phagan and the Lynching of Leo Frank* (Lanham: Madison Books, 1988); Albert Lindemann, *The Jew Accused: Three Anti-Semitic Affairs* (New York: Cambridge University Press, 1991); and Nancy MacLean, "The Leo Frank Case Reconsidered: Gender and Sexual Politics in the Making of Reactionary Populism," *Journal of American History* 78 (December 1991): pp. 917-48. [2]. Among the influential works conspicuously absent from Oney's bibliography, a few of the more noteworthy include Gaines M. Foster, *Ghosts of the Confederacy: Defeat, the Lost Cause, and the Emergence of the New South, 1865-1913* (New York: Oxford University Press, 1987); Don H. Doyle, *New Men, New Cities, New South: Atlanta, Nashville, Charleston, Mobile, 1860-1910* (Chapel Hill: University of North Carolina Press, 1990); Glenda Gilmore, *Gender and Jim Crow: Women and the Politics of White Supremacy in North Carolina, 1896-1920* (Chapel Hill: University of North Carolina Press, 1996); and Grace Elizabeth Hale, *Making Whiteness: The Culture of Segregation in the South, 1890-1940* (New York: Pantheon Books, 1998). While this is only a brief list, it suggests that Oney could have read far more extensively from the available literature.