

THE GALLOWS, THE MOB, AND THE VOTE: LETHAL SANCTIONING OF BLACKS IN NORTH CAROLINA AND GEORGIA, 1882 TO 1930

E. M. BECK
JAMES L. MASSEY
STEWART E. TOLNAY

This paper examines the relationship between lynchings and executions of blacks in North Carolina and Georgia between 1882 and 1930 as well as before and after the political disenfranchisement of blacks in both states. The findings are used to assess two competing models of the relationship between these different types of lethal sanctioning. No supporting evidence is found for a "substitution model," which predicts a *negative* relationship between lynchings and executions. The evidence for Georgia, especially for the pre-disenfranchisement period, does offer moderate support for the "conflict model," which hypothesizes a *positive* association between lynchings and executions. Although the direction of the relationship between lynchings and executions was insensitive to disenfranchisement in both states, our analysis reveals that *total lethal sanctioning* (lynchings plus executions) did decline in Georgia after several restrictive voting statutes were implemented. No similar effect is observed for North Carolina.

I. INTRODUCTION

Historically, black Americans have been exposed to higher levels of lethal social control in the South than in any other region of the country. This has been as true for extralegal violence at the hands of lynch mobs (Ames, 1942; NAACP, [1919] 1969; Raper, 1933; White, [1929] 1969) as for state-sanctioned executions (Bowers, 1984; Cutler, 1907). The threat of lethal violence (both legal and extra-legal) served as an important mechanism for the social control of southern blacks following emancipation and well into the twentieth century (Ayres, 1984; Williamson, 1984). Southern blacks clearly perceived this threat of violence, with numerous

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northbound migrants mentioning it as an important reason for fleeing the South (see e.g., Henri, 1975; Scott, 1920; Woodson, [1918] 1969).

Attempts have been made both to determine the social or economic conditions that gave rise to southern lynchings, (e.g., Corzine *et al.*, 1983; Hovland and Sears, 1940; Inverarity, 1976; Mintz, 1946; Raper, 1933; Reed, 1972; Tolnay *et al.*, 1989; White, [1929] 1969) and to explain temporal shifts and geographic variation in the frequency of executions (Bowers, 1984; Cutler, 1907; Kleck, 1981; Phillips, 1986). A recent paper by Phillips (1987) offers an examination of the association *between* these two seemingly different forms of lethal social control. Drawing from various theoretical perspectives on social control, Phillips poses two possible models to describe the association between lynchings and executions over time. A "conflict model," based on the work of Turk (1969), sees lynchings and executions as complementary modes of social control, both of which can be used, when needed, to subjugate the black minority. Thus, we would expect them to be *positively correlated* over time and across space. Alternatively, a "deviance model," as identified by Phillips, views lynchings and executions as substitutable responses to the deviant behavior of blacks. This model implies that lynchings and executions should be *negatively correlated* over time and across space. Phillips finds a theoretical rationale for the deviance, or substitution, model in Black's (1976: 6) hypothesis that changes in the quantity of law occur in inverse proportion to other forms of social control.

Phillips employed execution and lynching data for North Carolina between 1889 and 1918 to assess these competing perspectives and found support for both models. For the fourteen years between 1889 and 1903, lynchings and executions exhibit a moderately strong *positive* correlation ($r = .530$). After 1903, the relationship becomes negative, although negligible ($r = -.080$). Phillips attributes this change to the political disenfranchisement of North Carolina blacks, which occurred in 1900. Prior to disenfranchisement, lynchings and executions were used in concert to suppress the black population. Once blacks were politically neutralized, the need for lynchings and executions was reduced, and lynching became a "costly and unnecessary form of repression" (Phillips, 1987: 372). Legal executions then became sufficient to punish deviance within the black population.

Phillips's analyses raise many important questions about the nature of the social control of the black population in southern society, but his data were limited. In this paper we: (1) re-examine the evidence for North Carolina using more complete lynching and execution data and a longer time interval; (2) explore trends in *total* lethal sanctioning (i.e., the sum of lynchings and executions); and (3) examine lynching and execution trends in Georgia, a Deep South state that differed from North Carolina in many respects,

including racial composition, agricultural specialization, and political history.

II. THE NEED TO REPLICATE THE ANALYSES FOR NORTH CAROLINA

Two features of Phillips's work on North Carolina led us to attempt a replication of his findings. The first derives from limitations on his data; the second comes from our view that an alternative conceptualization of lethal sanctioning might provide a better test of his hypothesized effect of disenfranchisement.

A. *Data Limitations*

Phillips drew his data from a variety of sources, including the state's major newspaper, Bower's *Legal Homicide* (1984), and data gathered by the NAACP ([1919] 1969). The most comprehensive compilation of legal executions in the United States is Watt Espy's Capital Punishment Research Project. While Bowers (1984) relied heavily on Espy's earlier enumeration for his listing of those legal executions carried out under state authority, Espy's inventory has become much more complete since 1984 and now includes executions carried out by *local* (i.e., county) authorities.¹ A comparison of data on executions from Phillips and Espy suggests that Phillips failed to include 20 percent of black executions, all of which occurred in the 1889–1909 period. The NAACP ([1919] 1969) inventory of lynchings, relied upon by Phillips in the 1910–18 period, is seriously flawed (Tolnay *et al.*, 1989). Using existing inventories of lynchings in conjunction with contemporary newspaper accounts, we have constructed a new, confirmed inventory for North Carolina and Georgia.² Table 1 indicates that Phillips's data on lynchings missed some cases and, in a reversal of the pattern for executions, was more complete in his early period.

¹ The changes in the completeness of the inventory of legal executions have been confirmed by personal communication with Espy. Through the painstaking examination of local records and archival collections, Espy has compiled the most exhaustive enumeration of legal executions in the United States. An earlier version of his data has been released by the University of Michigan's Inter-University Consortium for Political and Social Research.

² In a larger project supported by the National Science Foundation (Grant No. SES-8618123), we are creating an inventory of lynchings (black and white) that occurred in southern states between 1882 and 1930. Three publicly available inventories of lynchings (those of the *Chicago Tribune* Year-End Summaries, the NAACP ([1919] 1969), and Tuskegee University [Williams, 1968]) have been used to compile a preliminary enumeration of lynchings, which is then checked against contemporary newspaper accounts of each lynching to: (1) confirm that the event actually happened and was in fact a lynching; and (2) to verify details about the event such as race and sex of victim, reason for the lynching, and location.

Table 1. Lynchings and Executions of Blacks in North Carolina, 1889–1918, as Reported by Phillips (1987) and as Revised

Period	Black Executions		Black Lynchings	
	Phillips	Revised	Phillips	Revised
1889–1909	50	71	30	31
1910–1918	34	34	6	10
Total	84	105	36*	41

* Phillips reports 37 blacks lynched during this period, but his time series suggests only 36 lynchings.

B. *The Importance of Total Lethal Sanctioning*

Phillips examined the conflict and deviance models of social control by focusing on the association between black lynchings and executions. According to Phillips, an inverse relationship implies a substitution process, while a positive association supports the conflict model. Phillips attributes the apparent transition from a conflict to a substitution process after 1903 to the disenfranchisement of blacks. However, he did not directly consider trends in the level of total lethal sanctioning, that is, the number of lynchings and executions combined.³ If disenfranchisement made whites less concerned about the potential political power of blacks, the level of total lethal social control should have declined after blacks lost the vote. A shift in the direction of the relationship *between* executions and lynchings could be a secondary, although not necessary, product of the altered political-racial climate.

The replication of Phillips's investigation thus addresses two questions. First, are Phillips's conclusions about the nature of the relationship between legal executions and lynchings in North Carolina supported when more complete data are used? Second, is his inference of a "disenfranchisement effect" supported when trends in the level of total lethal sanctioning are considered?

III. NEED TO EXTEND THE ANALYSES IN TIME AND SPACE

To explore the relationship between lynchings and legal executions in the South more thoroughly, we have extended the analyses over a longer period and conducted a parallel analysis for Georgia, a more typical Deep South state.

³ Phillips (1987: 370) does briefly acknowledge the importance of trends in total lethal sanctioning, but does not recognize, for example, that a negative correlation between lynchings and executions could be associated with rising, declining, or stable levels of total sanctioning. Two separate processes are involved here: (1) the *trend* in the level of total lethal sanctioning over time; and (2) the *covariance* between the two components of total lethal sanctioning (lynchings and executions) over the same period.

A. *Extended Time Frame*

There are pragmatic and substantive reasons for extending the time frame beyond the years 1889 to 1918, which were examined by Phillips. Data are available for both lynchings and executions in North Carolina (and elsewhere) before 1889 and after 1918, and extending the time period increases the number of data points in the time series, which in turn increases the power of our trend analyses. We have used the *Chicago Tribune* Year-End Summaries, the NAACP ([1919] 1969), and Tuskegee University (Williams, 1968) inventories of lynchings, in conjunction with verification through the examination of contemporary newspaper accounts, to extend the North Carolina lynching data back to 1882 and forward to 1930, and we have used Espy's enumeration of legal executions to identify North Carolina executions during the same period.

Extending the time frame also allows us to include years during which the patterns of lethal sanctioning in North Carolina were somewhat different from those observed for 1889 to 1918. Between 1889 and 1918 the median annual lynching and execution rates (per 100,000 blacks) were 0.170 and 0.520, respectively. The seven years preceding 1889 were characterized by a substantially greater probability of lethal sanctioning, with median lynching and execution rates of 0.550 and 0.930, respectively. In contrast, the twelve years following 1918 saw a marked 32 percent *drop* in the black lynching rate from 0.170 to 0.115, while the execution rate changed very little (from 0.520 to 0.495).

B. *Expanded Geographic Setting*

North Carolina had more in common with Border States than it did with the Deep South. Parallel analyses for Georgia, a typical Deep South state, may provide a more complete picture of lethal sanctioning in the South as a whole. Although geographically close, North Carolina and Georgia differed in many respects. Georgia had a substantially higher percentage of blacks (47% versus 33% in North Carolina), its economy was driven by cotton as opposed to tobacco production, and the states had different political histories (Daniel, 1985). Republicans (sometimes in concert with Populists) were a significant political force in North Carolina, while the Republican Party was weaker in Georgia than in almost any other southern state (Kousser, 1974).

To the extent that patterns of lethal social control may have been responsive to the social, economic, and political environment, we would also expect to find differences between the two states in their dependence on executions and lynchings. Indeed this appears to have been the case between 1882 and 1930. The annual median rate of total lethal sanctioning (per 100,000 blacks) was twice as high in Georgia (1.600) as in North Carolina (0.760), and both lynchings and executions were considerably more common-

place in Georgia (0.810 and 0.810, respectively) than in North Carolina (0.170 and 0.540, respectively). Finally, the two states employed somewhat different patterns of lethal control, as indicated by Georgia's equal reliance on lynchings and executions and North Carolina's heavier dependence on executions than lynchings. These differences clearly suggest that parallel analyses for the two states are warranted.

IV. FINDINGS FOR NORTH CAROLINA

We shall first examine Phillips's hypotheses using our extended and improved data, and then examine the impact of disenfranchisement by using the concept of total lethal sanctioning. Figure 1 displays trends in executions and lynchings for the period 1882–1930.⁴ The zero-order correlation between the two is .652, suggesting that the two forms of lethal social control “tracked” each other well between those years.⁵

The data in Figure 1 can, however, be misleading, because the zero-order correlation may in fact be reflecting broader secular trends common in the 1882–1930 period. To avoid spurious conclusions, the data should be detrended by taking first differences before computing the association between lynching and execution rates.⁶ When this is done, the correlation between the differenced, unsmoothed trends drops to a minuscule $r = .081$, suggesting little support for either the conflict or the deviance model.⁷

When we examine Phillips's hypothesis that political disenfranchisement might have affected the relationship between lynchings and executions, we find little support for his theory. The disenfranchisement of North Carolina blacks was effectively completed by 1900 with the passage of several statutes restricting

⁴ We have used rates per 100,000 blacks for executions and lynchings rather than raw numbers to facilitate our later comparison between North Carolina and Georgia. The rates in Figures 1, 2, 3 and 4 have been smoothed twice, using three-year moving averages, to facilitate graphic presentation. In order to retain the same number of years, two-year averages were used for the first and last data points. While using three-year moving averages clouds some inter-annual variation in lynching and execution rates, the smoothing process greatly clarifies the underlying trends.

⁵ If the raw rates are used, rather than the smoothed rates presented in Figure 1, the zero-order correlation drops abruptly to .158.

⁶ First differences in $\Delta Y = Y_t - Y_{t-1}$. Two time-series variables may be correlated for either of two reasons: (1) One of the variables has a direct effect on the other; or (2) the two series are dependent upon a common trend. The purpose of differencing the data is to remove any dependencies the variables have on this common factor or trend. Since our interest is in the relationship between lynchings and executions, taking first differences is appropriate and necessary.

⁷ For this and subsequent analyses the raw data, rather than the smoothed trends, were used. Where reported we also adjusted for serial correlation using a second-order auto-regressive process. While we investigated a large variety of ARIMA models, the ARIMA(2,1,0) model was most satisfactory empirically (see Gottman, 1981, for a discussion of ARIMA models in time-series analysis).

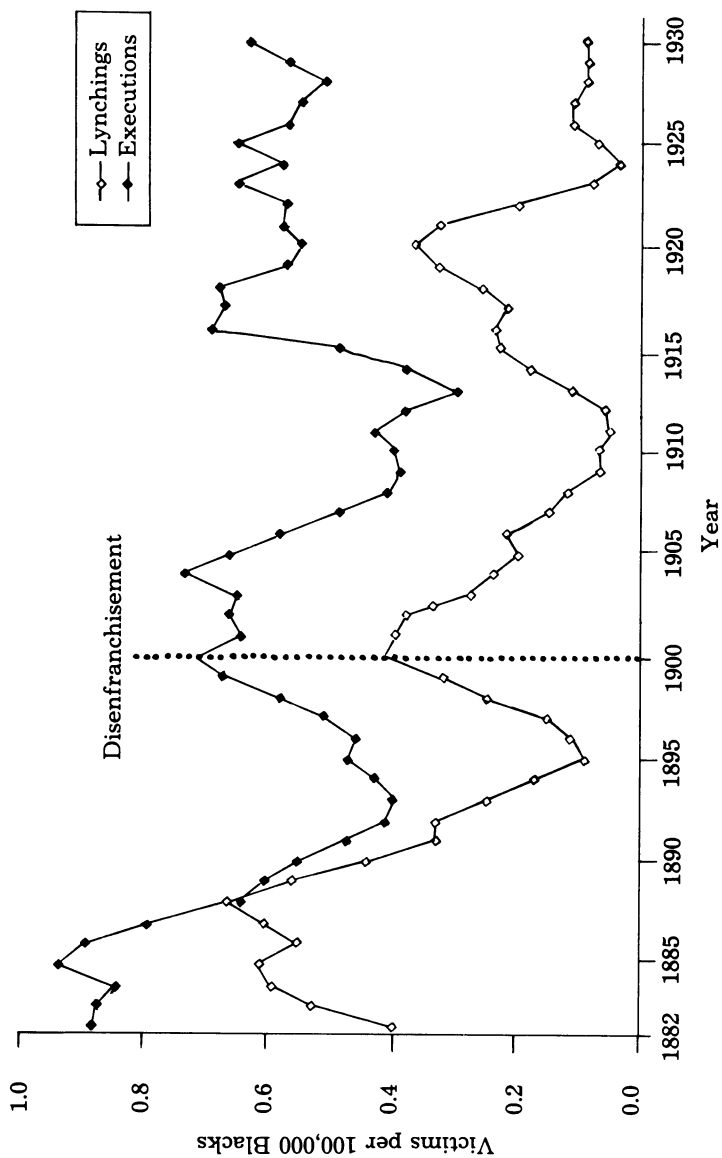


Figure 1. Lynchings and Executions per 100,000 Blacks in North Carolina Before and After Disenfranchisement in 1900. (Both trends twice smoothed statistically using three-year moving averages.)

black voting (Kousser, 1974: 239).⁸ The correlations between the differenced, unsmoothed execution and lynching rates was .058 and .000 for the pre- and post-1900 periods, respectively.⁹ Thus there is no evidence that the relationship between lynchings and executions changed after disenfranchisement.

Figure 2 presents data on trends in total lethal sanctioning and clearly indicates rather wide swings throughout the period. An examination of the trends in the periods just prior to and shortly after 1900 suggests the strong influence of disenfranchisement, as total lethal sanctioning declined markedly thereafter. This view, however, may overlook longer term trends in the data.

If we examine the *levels* and *trends* before and after 1900, we observe a downward trend in both periods ($r = -.550$ and $r = -.140$, respectively). This comparison is complicated by the particularly high levels just prior to 1900, but it does suggest that the downward trend in the post-disenfranchisement period was, in part, at least a continuation of a previous movement in this direction since the mid-1880s. The ultimate effect of this downward trend is evident in the lower *level* of total lethal violence after 1900 (a median rate of 0.875 per 100,000 blacks before 1900 as compared to 0.700 afterward). As can be seen from Figure 1, this reduction was due primarily to fewer lynchings, while the execution rate remained more stable.

Thus, our replication in North Carolina suggests that over a longer period than Phillips studied there is little correlation between executions and lynchings, which therefore provides no support for either the substitution or conflict model. We find, moreover, little effect of disenfranchisement of blacks upon the overall level of lethal sanctioning.

V. LETHAL SANCTIONING OF BLACKS IN GEORGIA

Figure 3 presents similar data for Georgia in the 1882–1930 period. Over the whole period, the three-year moving averages are moderately positively correlated ($r = .381$). If the data are not smoothed and if adjustments are made for serial correlation and common trend, the correlation falls to $r = .261$. This suggests some modest positive support for the conflict model.

An examination of the effects of disenfranchisement in Georgia is complicated by the lack of as clear a demarcation line as exists in North Carolina. In terms of the imposition of statutory barriers, the appropriate date appears to be 1908 (Kousser, 1974: 239). The cumulative poll tax adopted in 1877 had curtailed the black

⁸ It is not clear why Phillips chose to separate his time period at 1903, although he (1987: 369) does report that his results are virtually identical if the period is broken at 1901 or 1905.

⁹ The full regression equations for the two periods are:
 1882–99: $\Delta\text{Lynchings} = -0.0310 + 0.0770 (\Delta\text{Executions})$
 1900–30: $\Delta\text{Lynchings} = -0.0256 + 0.0010 (\Delta\text{Executions})$

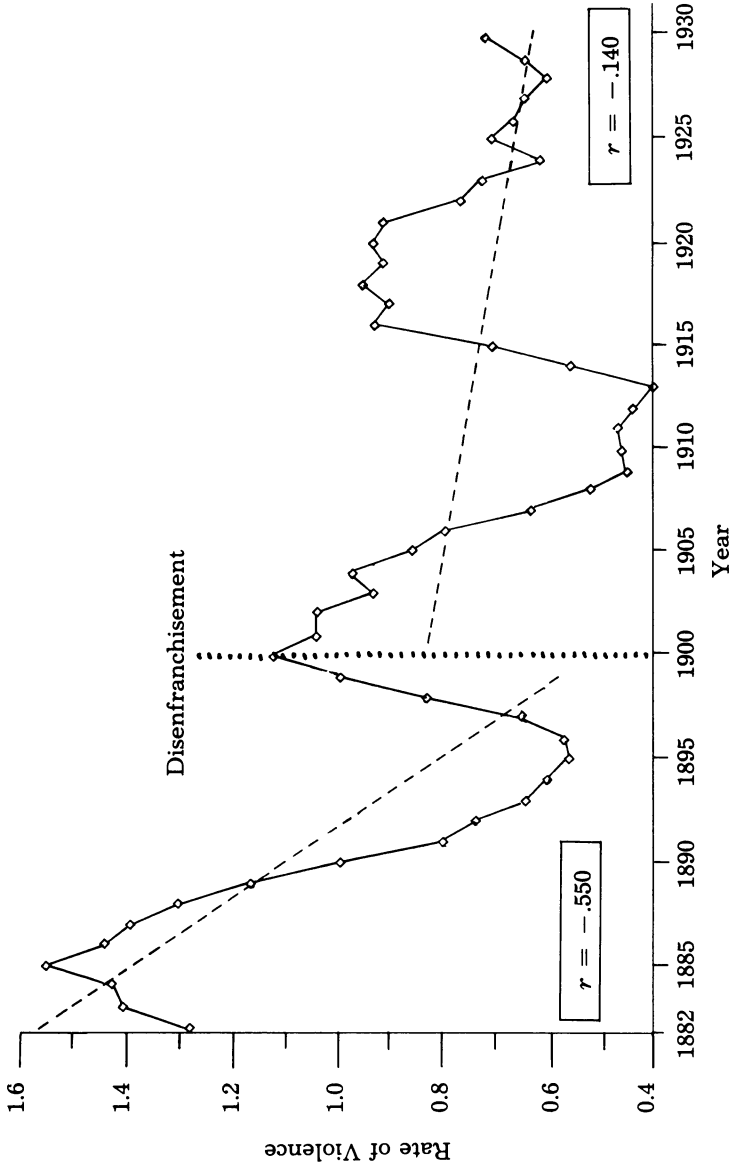


Figure 2. Rate of Total Lethal Sanctioning per 100,000 Blacks in North Carolina Before and After Disenfranchisement in 1900. (Trend in lethal sanctioning rate has been twice smoothed statistically using three-year moving averages. The least-squares slopes and correlations were computed on the unsmoothed data.)

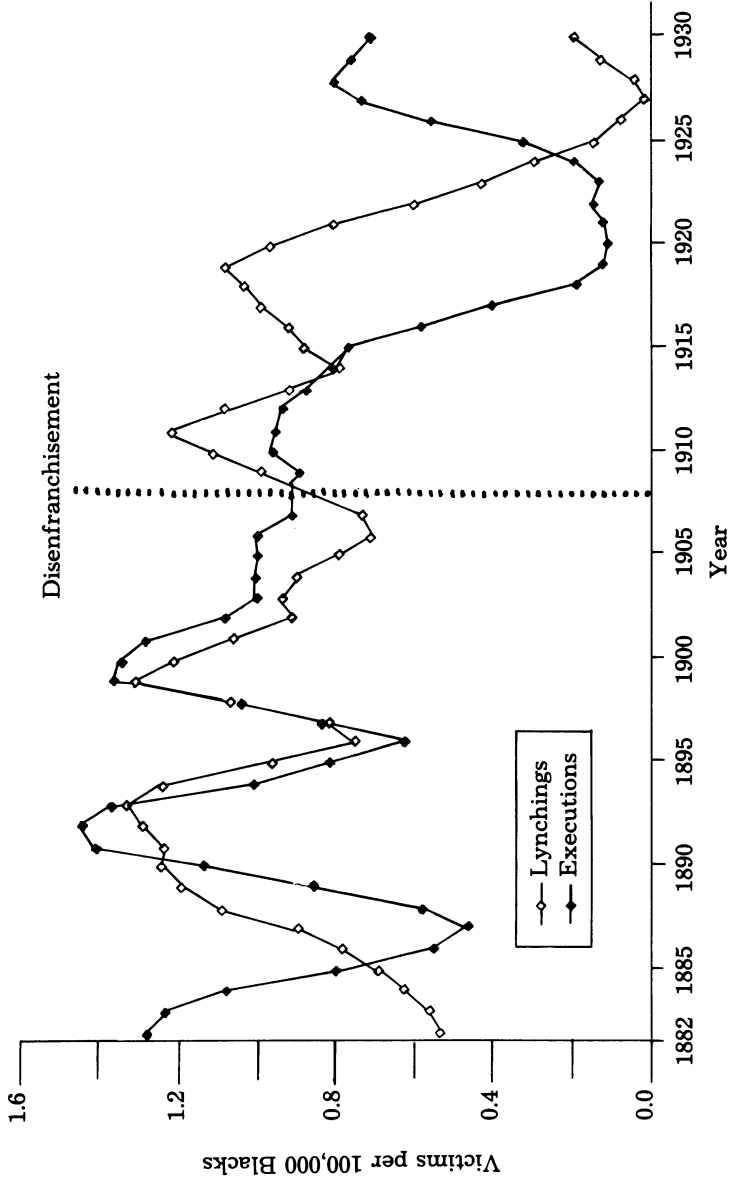


Figure 3. Lynchings and Executions per 100,000 Blacks in Georgia Before and After Disfranchisement in 1908. (Both trends twice smoothed statistically using three-year moving averages.)

vote in the last quarter of the nineteenth century, but it seems reasonable to view 1908—which saw the passage of literacy tests, a property test, an understanding clause, and a grandfather clause for voters—as a symbolic watershed year.

Applying the techniques described above (regressions using unsmoothed, differenced data) to the pre- and post-1908 periods, we find a modest positive association between executions and lynchings in the early period ($r = .332$) and no association in the later one ($r = -.010$).¹⁰ Thus, there is no support for the substitution hypothesis but some support for the conflict model prior to political disenfranchisement.

When we examine total lethal sanctioning in Figure 4, we find that the immediate effect of disenfranchisement appears to be in the wrong direction, for the years just after 1908 saw an increase in such sanctioning. When we examine longer-term levels and trends, we see a lower rate after disenfranchisement (a median lethal sanctioning rate of 1.87 versus 1.59 per 100,000 blacks), with a negligible time trend in the before period and a strong negative trend in the after period. Thus, unlike North Carolina, disenfranchisement in Georgia seems to have been related to a significant drop in total lethal sanctioning.¹¹

Some caution is warranted before concluding that disenfranchisement alone can explain the different trends in total lethal sanctioning before and after 1908. First, the percentage of blacks voting in presidential elections in Georgia never rose above 20 percent between 1886 and 1908, and floundered below 10 percent for the elections in 1900 and 1904 (Kousser, 1974: 212). Thus, it would be somewhat surprising if the striking shift in total lethal control after 1908 was due to a perception by the white majority that blacks were no longer a serious political threat since they had not been for decades. Still, it is conceivable that some racial violence before 1908 was motivated by a desire to eliminate, completely, black political competition. Second, it appears from Figure 4 that the downward trend in total lethal sanctioning actually began near the turn of the century and possibly earlier if the sharp dip between 1894 and 1899 is overlooked. Clearly, this early decline cannot be explained as a result of disenfranchisement, unless it was somehow due to the cumulative poll tax adopted earlier in 1877. Despite these caveats, however, it is very likely that disen-

¹⁰ The full regression equations for the two periods are:

1882–1907: $\Delta\text{Lynchings} = 0.0134 + 0.2693 (\Delta\text{Executions})$

1908–30: $\Delta\text{Lynchings} = -0.0656 - 0.0126 (\Delta\text{Executions})$

¹¹ The conclusion that disenfranchisement played a part in the decline of lethal sanctioning of blacks after 1908 receives further support when comparable trends for Georgia whites are examined. Clearly, black disenfranchisement should not have affected the sanctioning of whites. Indeed, this appears to have been the case. Unlike the pattern for blacks, the decline in lethal sanctioning of whites was actually steeper ($r = -.400$) before 1908, than after ($r = -.087$).

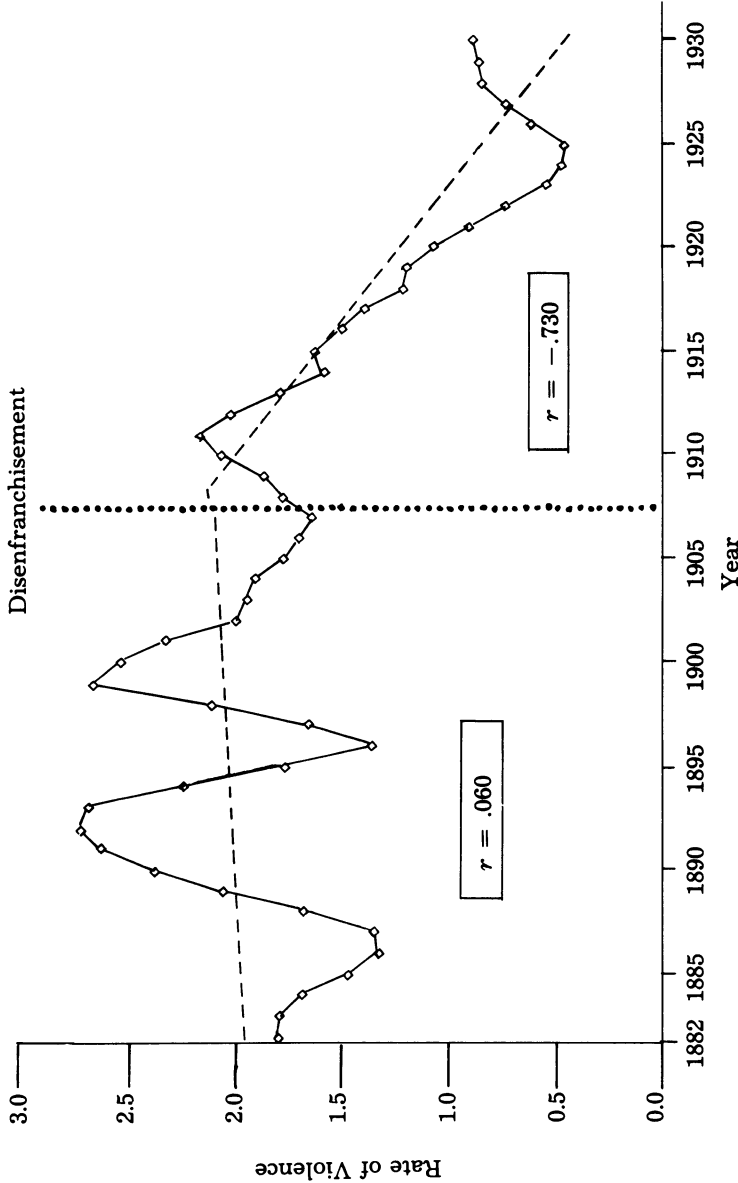


Figure 4. Rate of Total Lethal Sanctioning per 100,000 Blacks in Georgia Before and After Disenfranchisement in 1908. (Trend in lethal sanctioning rate has been twice smoothed statistically using three-year moving averages. The least-squares slopes and correlations were computed on the unsmoothed data.)

franchisement of blacks in 1908 did exert *some* influence on the trend in total lethal sanctioning in Georgia, in contrast to our conclusion for North Carolina.

VI. CONCLUSION

Phillips's work on North Carolina provided some stimulating and intriguing hypotheses about the relationship between formal and informal lethal sanctioning and other forms of social control. We have replicated his work using a longer time frame, more complete data, and a reconceptualization of his measure of lethal sanctioning, as well as extending the analysis to another state. Our results suggest some conclusions different from those of Phillips. In particular we can report no convincing evidence supporting his substitution hypothesis.

The frailty of the deviance model may be due to two factors. First, the substitution process described by the deviance model assumes that the *sum* of lethal social control is more or less stable over time. Thus the direction of association between lynchings and executions should be negative, *and* changes in the prevalence of one should occur at the expense of the other. Clearly, the trends in total lethal control shown in Figures 2 and 4 contradict the stability hypothesis and undermine the deviance model.

A closer look at the offenses allegedly committed by lynched and executed blacks might have raised doubts about the plausibility of a substitution effect. Phillips assumed that murder was the primary impetus for lynching. However, he was correct about the role of murder in executions, but not in lynchings. Of all blacks executed in Georgia between 1882 and 1930, 88 percent were punished for murder and 12 percent for rape. Of those lynched, 34 percent allegedly committed murder, while 41 percent were lynched for rape or some other sexual offense. The record in North Carolina is similar: Among executions, 71 percent were for murder and 22 percent were for rape; among lynchings, 39 percent were for murder and 39 percent were for rape. Thus, in both states executions were largely reserved for murderers, while lynchings were much more likely used to punish sex offenses and other forms of deviance. Obviously, they were not substitutes as required by the "deviance model."

Replications like this one are important when potentially significant findings are the product of limited data from a single case. The questions asked by Phillips and some of the answers he proposes still offer hypotheses that should be subjected to further evaluation. Moreover, we believe that such work might focus more attention on the types of crimes for which lethal sanctions were imposed, the role of lethal sanctions as a supplementary mechanism for social control, and the role of economic conditions as causes of executions and lynchings.

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