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# “The Real Victim of Lynch Law Is the *Government*”: American Protestant Anti-Lynching Advocacy and the Making of Law and Order

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**Abstract:** This article examines American Protestant anti-lynching advocacy in the early twentieth century. In contrast to African American Protestants, who framed their anti-lynching efforts in ways that foregrounded the problem of racism and black experiences of suffering, white mainline Protestant critiques of lynching regularly downplayed race and framed the crime in terms of its threat to American civilization and national law and order. This article connects these latter concerns to the national war on crime of the 1930s and 40s and the early history of the modern carceral state.

**Keywords:** American religious history; lynching; American Protestantism; African American Christianity; religion and race; incarceration; criminal justice

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In 1905, Edwin Taliaferro Wellford, the white pastor of First Presbyterian Church in Newport News, VA, published a book entitled *The Lynching of Jesus*. The book began with a chronicle of the horrors that occasioned such a work: the widespread deployment of the “sword of injustice” of lynch mobs in over one hundreds cases in the past year. As a minister of the gospel and a patriot, Wellford believed he was duty bound to offer a reflection on this savage “Reign of Terror” that gripped so much of the nation, especially the south. He offered theological contextualization for how fellow Christians might consider the issue: “Lynch law is usually credited as an American product. The most awful application of it, however, belongs to the first century . . . The lynching of Jesus excels in brutality, and in the slaughter of the innocent, all succeeding offenses.” If the Christian citizens of America continued to understand the “mobbing of Jesus with unconcern and apathy,” the repulsive sinful act would continue to plague the nation (Wellford 1905, pp. 9–18).

Wellford knew lynching affected black Americans disproportionately, citing statistics to this effect on the first page of the book. However, he only mentioned the statistics in passing, with no analysis of this fact. He did not return to any detailed discussion of race throughout the rest of the text. Instead of focusing on how lynching at the turn of the century was a form of racialized terror that targeted black Americans, often with justifications of protecting the purity of white femininity, Wellford developed a different argument: “the real victim of lynch law is the *Government*” [italics in the original]. He cited as prophetic the words of an Alabama jury that had recently indicted twenty-six men in a recent lynching and called for impeachment of the local sheriff and police chief: “We must either make a stand for law and order today, or surrender to the mob and the anarchist for all time” (Wellford 1905, pp. 9–13). The rest of the book proceeded in a similar vein, focusing on the trial and execution of Jesus as a moral outrage because it violated legal norms and proceeded unfairly, delving into exegetical minutiae to show how rules of criminal procedure were flouted by both Jewish and Roman leaders. The point was that Christians, in Wellford’s mind, had a faith that fully grasped the blessedness of the pursuit of justice and the tragedy of misguided legal power. After all, the Son of God had endured such injudicious authority himself. There was a particular affinity between those who might seek Christ

and public safety in the modern American context: “All who would be lovers of law and order must be lovers of Jesus” (Wellford 1905, pp. 101–2).

Wellford’s text exemplified a complicated blend of religious ideas regarding lynching in the early twentieth century, ideas also present in the writing and speaking of numerous other white Protestants at the time. Here was a white religious leader making a forceful argument for recognition of Christ’s status as a lynched man. However, his argument differed significantly from those made by many African American anti-lynching advocates around the same time. The significance of Christ’s death for Wellford was found in the stark contrast of his holy perfection to the actions of the conniving mobs who put him on trial and executed him. This was not primarily an argument about race or racial violence; Wellford’s Christ was not black. Instead, it was an argument focused on the safeguarding of the state and the violent capacities it might pursue in service of society. “Law and order” was the crucial term, one that denoted disciplined enforcement and due process. Securing these would benefit society more broadly, which in turn could safeguard African Americans from racist violence. But the primary aim was the preservation and strengthening of the legal order itself.<sup>1</sup> This combination of racial elision and legal concern defined white Christian anti-lynching activism, and would remain a potent public force as the century wore on.

This article explores this dynamic through the public anti-lynching advocacy of leaders like Wellford in the first few decades of the twentieth century: ministers at prominent Protestant churches, leaders of their denominations, and authors in Protestant magazines and newspapers. People from this demographic were more likely to oppose lynching than the average layperson in the pews.<sup>2</sup> These leaders can loosely be termed as belonging to the Protestant “mainline,” in that they were part of historic denominations with a wide footprint in the American religious and cultural mainstream at the turn of the twentieth century.<sup>3</sup> They were leading members of one side of the culture war over lynching that historian Michael Pfeifer has examined at length, the “middle-class due-process advocates” who faced down “rural and working-class supporters of ‘rough justice.’” (Pfeifer 2004, pp. 2–3).

There was a wide spectrum of mainline Protestants committed to the anti-lynching cause, politically and theologically. Some were quite confident in the role of politics and social activism in bringing about the kingdom of God, others less so. Some were quite conservative in their doctrine, others fully imbibed the latest in liberal theological trends. With lynching, some deplored the act, while others were more hesitant (and, as we shall see, could sometimes equivocate depending on the context). This article will attend to some of these important differences across the Protestant spectrum, but will focus primarily on exploring what this wide spectrum of believers held in common concerning the lynching menace. Broadly speaking, these Protestants held a confidence in their Christian obligation to impact and improve American society. This wide-ranging “social Christianity” often retained evangelical zeal for orthodox piety even as denominational leaders, sometimes in response to grassroots influence, involved themselves in economic debates and humanitarian issues (Carter 2015, pp. 150–69).

There were important textures and internal debates within early twentieth-century mainline Protestant social Christianity that should not be obscured. Social Christianity was, as Heath Carter has argued, “a heterogeneous tradition” (Carter 2017). But this article will point to a consensus on lynching

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<sup>1</sup> My interpretation of Wellford’s *The Lynching of Jesus* challenges other recent readings of this text, like those of Donald Mathews and James Cone. Both have both stressed Wellford’s text as a rare example of white solidarity with black people in his willingness to frame Christ as a lynching victim. Though I follow Mathews and Cone on other points in this article and find their contributions to understanding the religious character of lynching invaluable, I differ with their reading of Wellford. Why Wellford should be read as a text less about racial solidarity and more about law and order will become apparent in the final section of this article (D. G. Mathews 2017; Cone 2012).

<sup>2</sup> For a compendium of various Protestant responses to lynching that emphasizes official denominational pronouncements, see (Miller 1957). One study of lynching from 1933 argued that larger churches were more likely to have ministers who opposed lynching, while ministers of smaller churches were more likely to sympathize with the lynchers (Raper 1933, pp. 21–23).

<sup>3</sup> For a discussion of various approaches to defining the “mainline” in American religion, see (Coffman 2013, pp. 3–11).

that underlay important shifts in white Protestant consideration of politics and criminal justice. This consensus would help form a cultural foundation for the country's deployment of law and order rhetoric and policies in later generations, and ultimately its system of mass incarceration. As with other well-intentioned Protestant humanitarian projects at the time, their efforts were, as historian Heather Curtis has put it, "bound up with personal self-interest and broader political agendas," for "the practice of philanthropy has always involved the exercise of privilege, prejudice, and power" (Curtis 2018, p. 6).

This linkage of anti-lynching activism with the history of mass incarceration follows an important recent turn in carceral studies, as scholars have moved beyond the "backlash" paradigm of narrating the Nixon and Reagan-era conservatism as the progenitor of rising prison populations. As the subtitle of Naomi Murakawa's important book in this vein has argued provocatively, "liberals built prison America" (Murakawa 2014; Hinton 2016).<sup>4</sup> Mass incarceration is so deeply entrenched because its architecture was constructed through consensus, as liberals forged arguments for public safety that emphasized the law's aims of neutrality (particularly racial neutrality) and its humanitarian prospects in securing civil rights (Murakawa 2014, p. 10). This consensus helped set the stage for later conservative and liberal influence in crime politics, from the Republican Nixon's law and order-politicking to the Democrat Bill Clinton's leadership on the punitive Violent Crime and Law Enforcement Act of 1994. The history of white anti-lynching activism, particularly its religious dimensions and actors, contributes to this broader interpretive reframing of the carceral state.

This article proceeds in four parts. First, it will provide a brief overview of lynching as a matter of religious and racial concern. Second, it will explore the ways certain white Protestants developed a particular line of reasoning in their anti-lynching activism that downplayed matters of race. Third, it will examine a key concern that these Protestants focused on in their anti-lynching advocacy: the safeguarding and promotion of American law and order. Lastly, this article explores the ways that this form of anti-lynching activism played into the anti-crime consensus in the 1930s and 40s, which helped lay an important cultural and political foundation for the emergence of the modern carceral state.

### 1. "They Put Him to Death by Hanging Him on a Tree"

Lynching has a long history in American life, with the term deriving from the unofficial courts that Charles Lynch and his co-conspirators developed during the American Revolution as a means of punishing British sympathizers outside the bounds of the law. Originally the term simply referred to extralegal punishment, with whites actually more likely to be lynched than blacks for much of the nineteenth century. But following Reconstruction, as southern whites terrorized black people and implemented various constraints on their public life during the "redemption" of the south, lynching took on a new meaning. It became a way to punish African Americans both for violating laws and overstepping the bounds of the racialized social order, or some combination of the two. By the late 1880s, reports indicated that more blacks than whites were being lynched, primarily in the south (D. G. Mathews 2017, pp. 49–50). The Tuskegee Institute recorded 4743 lynchings between 1882 and 1968, listing 3446 of the victims as black men and women. At the height of the lynching era, from 1889 to 1899, an average of 188 people were lynched annually. From 1900 to 1909 the annual average was ninety-three, with the number slowly decreasing to seventeen by 1929 (Trodd 2017; D. G. Mathews 2017, p. 49). For the African Americans in the south, the threat of mob violence was persistent and palpable. Lynching was a specter, an ever-present potential result of a social misstep, designed to violently force into submission any black man or woman who would dare violate the norms of southern white supremacy.

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<sup>4</sup> My argument in this article is indebted to Marie Gottschalk's reframing of the politics of mass incarceration as going beyond "the usual suspects," as well as her own summation of the ways anti-lynching activism and debates informed crime politics in the 1930s (Gottschalk 2006, pp. 63–65).

A lynching might proceed in any number of ways, though there were recurring patterns. Whites would accuse a black person of a crime or violation, typically against a white person, and a lynch mob would form. Rumors of the crimes would circulate, often adding false charges or turning the original violation into an act of fearsome brutality. If the accused had already been arrested, the mob would forcefully remove the accused from the care of law enforcement. They would kill the victim, often in a painful or gruesome manner like through beating or burning. Though lynching during Jim Crow was violence outside the law, it was rarely private or disorganized. The victim's suffering and death would often be a public occasion, with large numbers of people participating or observing. Hundreds might gather for a lynching, many treating the event as a kind of touristic experience by collecting souvenirs (like severed body parts) and taking photographs of black victims and smiling white onlookers to print on postcards and distribute.<sup>5</sup> Neither did lynching lack approval or even participation from various legal and political authorities. Southern politicians would regularly voice their approval of lynching, and law enforcement officers would frequently turn a blind eye to a mob killing, or even participate themselves (Murakawa 2014, p. 31).

Some lynchings would occur in response to an alleged crime, though it was clear that the act had far more significance than functioning as a simple punitive reaction to an offense. Others happened as a result of minor black behavioral miscues, which southern whites deemed transgressions of the sacred Jim Crow racial divide. Mob violence was regularly framed by perpetrators and sympathizers as a way to protect white women from the ravages of rapacious black men. Whether they rationalized the act as a way to protect white womanhood or explained in some other way, lynchings held a transcendent air that drew upon Christian concepts of sin, sacrifice, and atonement. They could operate as a form of human sacrifice, a way for whites to expiate the sin of blackness that stained their land beyond the immediate crime in question (Patterson 1998, pp. 171–232). This was why, as Donald Mathews has argued, lynching *was* religion; it was a ritualized form of violence with a sacred reference point. It could lead white perpetrators to erupt in shouts of “Glory!” as they burned a black victim alive as a scapegoat for regional sins, and make it possible for one southern newspaper to declare in a headline that “Lynching is part of the religion of our people” (D. G. Mathews 2017, pp. 1–2, 127).

Black responses to lynching took a variety of forms. Some activists were outspoken on the issue. For instance, Ida B. Wells regularly wrote and lectured on the issue and the brutality of Jim Crow more broadly, even traveling to Great Britain to broadcast America's racial woes to an international audience. Beyond urging black self-defense and boycotts as modes of resistance, Wells angered southern whites with her challenges to prevailing racial and gender norms. She critiqued the southern fiction that black men needed to be restrained from preying upon white women by highlighting examples of consensual interracial relationships (D. G. Mathews 2004, p. 167). Other forms of black resistance to lynching were more guarded. As historian Fitzhugh Brundage has shown, often this resistance was “double-voiced.” With little to no political power and in constant danger of becoming victims of white supremacist violence, African Americans found clever ways to subvert white oppression by emphasizing their own status as deferent to authority and pointing to the ways white lynchings were violating the law and social order. African Americans, Brundage argues, “publically performed in ways that conveyed submission even while they sustained an ongoing dialogue of protest.” Once they exited the white-dominated public square, however, blacks made their true feelings known to their peers, voicing “words of anger, revenge, and self-assertion” in enclosed spaces like churches and social clubs (Brundage 1997, pp. 276–77). As we shall see, white Protestant anti-lynching appeals utilized similar tropes of deference to law and order. But though it could be a pragmatic deployment in order to garner a wide range of sympathetic support, this framing was not a double-voiced strategy for avoiding oppression. Instead, the de-racialized framing of lynching as a violation of American legal

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<sup>5</sup> For a discussion of this disturbing phenomenon see (Cone 2012, p. 9).

norms offers a glimpse into the goods that these Protestants believed to be most important and worthy of public discussion.

Black Christians wrestled with the theological meaning of lynching, and came to different conclusions. Many black pastors, as Mary Beth Mathews points out, saw “no religion at the lynching tree . . . only evil.” For them, lynching was a manifestation of godlessness and a denial of universal Christian brotherhood (M. B. Mathews 2015). Other African Americans understood lynching as having religious and sacrificial valences, and they flipped the sacred logic on its head. Black artists and authors regularly linked the act with visual representations of Christ. W. E. B. Du Bois imagined Jesus’s own lynching, with its implicit condemnation of southern white Christian culture, in his short story “Jesus Christ in Texas.” He remarked on one famous lynching in Georgia in 1899 that “Sam Hose was crucified” (Du Bois 1920; Blum 2007, pp. 157–60; Blum and Harvey 2012, pp. 197–98; D. G. Mathews 2017, pp. 258–60). This observation spoke to the tragedy of the brutal act, but it also contained within it a constructive theological potential. By arguing, as poet Gwendolyn Brooks wrote later, that “the loveliest lynchee was our Lord” and that there was a striking resemblance between cross and lynching tree, African Americans could point to the solidarity that the crucified Lord had with those who were suffering the terror of white mobs (Brooks n.d.; Cone 2012). By placing a black Christ at the ritual’s center, Zoe Trodd has argued, the scapegoat was transformed into a martyr who “dies for *black* need” and who offered a choice to the broader populace of whether they would align with the forces of salvation or destruction. Black anti-lynching jeremiads warned that to choose the latter path was to risk divine judgment. Black preachers pointed to the past for proof. God had raised up martyrs like the abolitionist John Brown to do his bidding, and had ultimately judged the slaveholding South through the violence of the Civil War. A generation later, it was hoped that Brown’s “bones and ashes . . . will spring a multitude that will prevail,” forming an army of anti-lynchers who could fight lynching’s “powers of hell” (Trodd 2017).

## 2. Anti-Lynching and the Eclipse of Race

As they wove a black Christ and the threat of God’s divine judgment into their work, African American Christian advocates for anti-lynching placed race and the welfare of black people at the center of their activism. But there were other approaches to anti-lynching work. One taxonomy for understanding the varieties of anti-lynching work was identified by the black minister Rev. Francis Grimke. In 1899 Grimke, the son of an enslaved woman and her owner, delivered a three-part sermon series, later published as a booklet, on the topic of “The Lynching of Negroes in the South: Its Causes and Remedy.” Grimke contended that there are two ways to view the matter. One was the manner in which black people viewed lynching more directly, as a concern of “special interest” against their own race. “The great majority of these lynchings are in the South and in ninety-nine cases out of a hundred the victims are Negroes. His own welfare and happiness, his own safety compels him therefore to take in this subject more than a passing interest.” The other way to view lynching was with a “general interest,” as a broader issue of how mob rule showcased contempt for American law (Grimke 1899, p. 5). Grimke did not see the two as mutually exclusive, and he believed that most black Americans felt the same way. Crucially, Grimke foregrounded matters of race and black suffering throughout his sermons. But most white Christian leaders identified the rationale for resisting lynching as a matter of “general interest,” a move that downplayed the stratified racial landscape of the United States and the effects of lynching on black people.

One way that white mainline Protestants anti-lynchers advocated for the “general interest” concerned geography. Instead of zeroing in on the crime’s distinctly southern qualities, white Protestants argued that lynching was a national offense that transcended region. By abstracting lynching from its regional roots, they removed it from consideration as a vestige of the Jim Crow south. The minutes of the 1921 General Assembly of the Presbyterian Church U.S. (the southern branch of Presbyterianism, formerly the Presbyterian Church in the Confederate States of America) noted not only that victims of lynching were not always black, but that the crime was not confined to one part of



the country ([Minutes of the General Assembly of the Presbyterian Church, U.S. 1921](#), pp. 114–15). Both of these points were technically true, though they obscured the reality of lynching as both a clearly racialized act and a ritual connected to southern religion and culture. Though there had been regular lynchings in the north in past generations, by the turn of the twentieth century it was phenomenon largely limited to the south. This was true not only in a statistical sense, but culturally; southern defenders of lynching were quick to characterize the need to lynch as a reality of life in their region, given their view of the predations of black people and the honor culture that underlay their own way of life and reverence for the religion of the Lost Cause.<sup>6</sup>

Other southern Christians noted their opposition toward lynching by directly blaming northerners, sometimes even fellow anti-lynching advocates. A piece in a North Carolina Baptist magazine (a positive reply to an *Alabama Baptist* op-ed) argued that “right-minded people” oppose lynching, as it offends “the spirit and letter of Christianity” and undermines civil government. And yet the piece placed the primary blame on northerners for stirring up trouble. Concerning a recent lynching of three black men accused of assault (presumably sexual) and murder of a white girl, the Baptists blamed two International Labor Defense lawyers from New York for the incident. The lawyers had sought to represent the accused black men which, according to the Baptist newspaper, incensed the people of Alabama (who, it was argued, were doing all they could to end mob violence on their own). Deploying intermixed racial and religious categories of Christian whiteness even as the author downplayed the racial connotations of lynching, he made sure to mention that the lawyers were Jewish. Racial and religious “others” were primarily to blame for lynching, not southern racial prejudice. This was a theme that slaveholders had mobilized in the years leading up to the Civil War, and it was one that southerners critical of the Civil Rights movement would channel in the coming years ([Biblical Recorder 1933](#)).

The Methodist Episcopal Church, South regularly discussed lynching at its quadrennial general conferences, usually in ways that avoided or downplayed racial referents. In 1922, the conference’s Committee on Temperance and Social Service submitted a report on “Mob Violence” that did not use the term “lynching” or reference race whatsoever. Instead, the committee argued that mob rule corrects no evils and “breaks down constitutional government.” The committee urged Methodists to prevent mob violence by pushing for punishment of those who “defy the law of both God and the land” in the courts ([Rowe and Haley 1922](#), p. 244). At a different point in the conference, lynching was mentioned in tandem with the topic “interracial relations.” Here black people, “in spite of numerous drawbacks which have encumbered [their] progress,” were described as having the potential to develop into productive members of society. Lynchings were less of a problem because of their cause of severe black suffering, and more of an issue in how they limited blacks’ attainment of proper cultural footing. Indeed, lynchings were an embarrassment to the nation more broadly because they downgraded the shared culture itself: they were “no less a disgrace to those who engage in them as they are an outrage upon the helpless victim” ([Rowe and Haley 1922](#), p. 356). Mob violence may have wounded the African American community, but it was lynching’s self-inflicted wound upon the national well-being that motivated the deepest concern.

Despite some southern criticism of northern interference, unfolding here was a vision of a unified national white republic, an idealized Protestant reconciliation of north and south, where the concerns of those perceived as outsiders or agitators (whether black or Jewish) could be marginalized. In the decades after Reconstruction, as Edward Blum has shown, white identity gradually “papered over sectional divisions.” Religion enabled this process, as prominent Protestant leaders moved the national conversation away from racial justice, which characterized a great deal of northern Protestant activism before and immediately following the Civil War, to a concern with national unity. With lynching, this “culture of conciliation” in turn allowed the crime to be removed from consideration as a southern

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<sup>6</sup> For more on southern honor culture and religion, see ([Wilson 2009](#)).

racial woe, a vestige of the Confederacy (Blum 2005, pp. 6–7, 13). An earlier generation of white Protestant humanitarians had avoided discussing lynching altogether, for they knew that it would inflame sectional tensions in denominations (Curtis 2018, pp. 202–4). By critiquing lynching as a social problem without a regional or racial reference point, white Protestant anti-lynching advocates in the early twentieth century had worked out a compromise. In turn, lynching lost its association with southern racism and violence against blacks.

In 1930, Southern Methodist delegates to the General Conference meeting in Dallas adopted a “Resolution on Mob Violence” that expressed “horror and deep regret” over the “shocking affair” that took place the day before in Sherman, TX. The resolution reaffirmed the General Conference’s “lasting opposition to mob violence,” but what it did not mention were any of the particular details of the incident that took place only seventy miles away, and that had been widely reported in local and national newspapers (Haley 1930, p. 67). In rural Sherman, white farmers had been mistreating black workers for several years, though tensions were particularly high amidst the economic struggles of the Depression. Likely as a result of a dispute over wages, a black farmhand named George Hughes had been indicted for killing his boss. Rumors also spread that he had raped his boss’s wife, despite no evidence for the latter crime. Soon after Hughes was arrested, a white lynch mob gathered at the courthouse. After Texas rangers refused them entry and forced them away with tear gas, the mob burned down the courthouse with Hughes inside and dragged his body away (law enforcement had feeble orders from the governor to “hold him if you can, but do not shoot anybody”) (Associated Press 1930). The white mob dragged the body behind a truck through black neighborhoods, burned it further, and then hung it from a cottonwood tree. They then looted and burned black-owned buildings in town (*The Bonham Daily Favorite* 1930; Apel 2004, pp. 93–94; Hall 1993, pp. 129–30). At every stage of this incident race was central, from the longstanding black-white tensions framing the backdrop of the crime, to the white mob’s violent rage at the rumored violation of white femininity, to the destruction of black people’s property. And though the General Conference was horrified by the violence of the recent events, they nevertheless chose to forswear any reference to the race of Hughes or the motivations of the mob who killed him.<sup>7</sup>

Over the course of the thirties the General Conference proved more willing to place race in connection with lynching, though sometimes in ways that still downplayed the association of the two. At the next General Conference in Jackson, MS in 1934, the Committee on Temperance and Social Service released a report on lynching. This report noted that “lynching most frequently grows out of race prejudice,” but then, in a sidestep, contended a few lines later that “Lynching is not confined to any sectional area, nor to a particular race.” The report briefly argued that a deeper sense of human brotherhood was a solution to the problem, and then pivoted to a much longer section on the ways law enforcement might address the issue through “speedy court action and certain justice.” In a curious conclusion, the report argued that “the victim of a lynching probably suffers less than the lynchers,” for the act had a deteriorating effect on the souls of perpetrators (Haley 1934, pp. 329–31).

This concluding point, the white avoidance of recognizing specifically black suffering and victimhood even in the midst of anti-lynching activism, has been noted by other scholars. Rachel Lindsey has shown how the Association of Southern Women for the Prevention of Lynching avoided direct mentions of African Americans in their appeals. In one report the Association noted how “we would have to insist that our concern was with the crime of the lynchers instead of their victim.” Instead the Association channeled its energy into careful critiques of the “assumption that it is for the protection of white women.” However, in making this argument the Association was not avoiding

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<sup>7</sup> Connor S. Kenaston has offered a helpful reading of the evolution of the Methodist Episcopal Church, South’s views on lynching leading up to the 1930 conference. He rightly notes the importance of the denomination’s statement at this point (given the skepticism of Southern Methodist laity) as well as the crucial influence of women and African Americans in pushing them to this point. Though he is correct that the statement “strongly condemned lynching,” the fact that it excluded any mention of the racist nature of the crime (or lynching more broadly) is a needed qualification (Kenaston 2015).

race altogether. The effect, Lindsey argues, was to “mute discourses of race even as it amplified the cultural work such discourses performed” (Lindsey 2014).

When they encountered this narrative frame, African Americans with connections to historically white denominations were often forced to make similar arguments. A black Methodist minister from Florida named Thomas H. B. Walker submitted a resolution to the general conference of the Methodist Episcopal Church, held in Saratoga Springs, NY. The resolution began by noting “The question of lynching is not a question of race, but a problem of civilization,” before urging its suppression and lamenting the widespread indifference to “law, order, and the sanctity of human life” (Locke 1916). The omission of race was strange given the themes of Walker’s own writing elsewhere. The previous year he had published a novel about an African American man’s quest to prove his own racial identity to a woman who refuses to marry him until he can prove he is black. The novel’s hero proclaims that “the Negro is not trying to get away from his race,” a message Walker hoped to mobilize in service of racial pride. By contrast, in discussing lynching with a predominantly white Methodist audience, Walker worked to downplay the notion that race had anything to do with the issue (Smith 2006, pp. 51–52).

It was possible for white Protestants to articulate concerns about lynching in ways that reified racial stereotypes and segregationist distinctions. Historian Darren Grem has written of a Georgia Methodist revivalist name Sam Jones, who was committed to white supremacy and paternalism, believing that blacks had “misapprehended freedom” after the Civil War. Jones nevertheless protested lynchings, not because of their effects on black people, but because they were violations of God’s law and the authority of the state. In his argumentation Jones left in place the assumption that black men were predators and white femininity was in perpetual danger from their rapacious behavior. He made sure to note that the noble strivings of lynching as a protection of white women would largely not be in vain if the responsibility for policing was entrusted to law enforcement: “nine times out of every ten [instances] the man who is mobbed would surely be convicted and executed by the courts of the State.” Jones later equivocated in the aftermath of a spate of lynchings in the state, admitting he was perhaps open to a system where convictions might be secured by courts and executions handled by mobs (Grem 2006, pp. 40, 51–57).

Other Protestants were less brash than Jones, but nonetheless elided the racial effects of lynching by expressly resisting any association of the anti-lynching cause with broader matters of racial justice. At one North Carolina Baptist convention, delegates urged federal anti-lynching legislation at the same time they adopted what *The Christian Century* called a “bold statement on race relations,” which argued that “segregation . . . because of color or social status into racial or class churches is a denial of the New Testament affirmation of the equality of all believers at the foot of the cross . . . ” However, soon after adoption, convention-goers began receiving telegrams from white Baptists angry at the suggestion that they should open their churches to African Americans. The statement on segregation and equality was rescinded, while the anti-lynching recommendations remained (*Christian Century* 1947; Carpenter 1946).

### 3. “Lynching Is the Murder of Law Itself”

Instead of emphasizing lynching as a danger to black people, white mainline Protestants instead named lynching as a danger to the health of a civilized, lawful nation. Lynching was a form of anarchy that threatened America’s democratic form of government, rational legal procedures, and her citizenry’s sense of justice. For some, like Edwin T. Wellford, this concern was particularly palpable because of their deep conviction of America’s status as a Christian nation. Lynching was named as a regressive act, one not in keeping with a modern democratic nation seeking to serve as a beacon for the faith in the world.

An early version of this argument came from Warren Candler, a Methodist bishop from Georgia. Candler wrote a 1903 piece on lynching that was hailed by other Christian groups, with a North Carolina Baptist newspaper reprinting it on its front page. For Candler, social harmony was the goal.



He downplayed lynching's racial connotations and urged careful engagement with the issue, arguing that he was "not nearly so afraid of the race question" as he was of sensationalist "agitators" who discussed the issue in public lectures on the chautauqua circuit. Just as the South would be benefitted by a calm and measured approach to what he saw as a complex matter, the nation as a whole should renew its commitment to the importance of law and how it was threatened by mob violence. Lynching, Candler contended, was an "outburst of anarchy" that would ultimately open the door to tyranny. Democracy itself was under threat, which was why "when a lynching occurs, the law is more truly lynched than is the victim of the mob's fury" (Candler 1903).

Three years after the publication of Candler's piece, Atlanta was wracked by a massive riot. Over the course of three days in September, 1906, white mobs killed and wounded dozens of blacks and destroyed black-owned property. The riots were the product of long-simmering racial tensions that developed as a result of new economic pressures in the city, the recent expansion of segregation and disenfranchisement laws, and the conspicuous rise of a number wealthy black elites in the city (which infuriated whites). However, newspapers described several of the mobs' murders as lynchings, and deployed familiar racial stereotypes blaming black men's predatory behavior towards white women as initially sparking the unrest (Mixon and Kuhn 2015; *New York Times* 1906). Following the riots, a large group of white Atlanta religious leaders released a series of statements on lynching. It was a theologically diverse group, with Methodists and Presbyterians joining Unitarians and Universalists (even including one rabbi). Their statements, all compiled into a pamphlet entitled "Ministers Plead for the Preservation of Our Civilization, Now in Peril Because of Lawlessness and Mob Violence," followed a recognizable pattern in avoiding the mention of race. But the statements were also significant in that they categorized the riots and the lynching problem as symptoms of a broader problem of American lawlessness. The answer, the ministers argued, was helping the citizens of Atlanta develop their religious sense of the "spirit of obedience to the law" (Ministers Plead for the Preservation of Our Civilization, Now in Peril Because of Lawlessness and Mob Violence n.d., p. 4).

The Episcopal clergy of Atlanta framed their comments in terms of human progress: "The history of our civilization is largely the history of the process by which private vengeance has been preplaced by public justice" (ibid., p. 6). The clergy likely had in mind reformers like the antebellum Protestants who had helped develop America's penitentiary system as a humanitarian intervention into the haphazard, barbaric practices of whippings or confinement in the stocks.<sup>8</sup> Lynchings belonged to the same category of barbarism, hardly fit for a modernizing, pluralistic nation. A modern America could punish more effectively because it rendered public criminal judgments that were subject to the scrutiny of all, not simply the whims of the few. But if lynchings and riots, like those that had plagued Georgia in recent years, were allowed to continue, progress was at risk. "We are in imminent danger of allowing to be torn down what it has been the task of centuries to build up . . . the seeds of anarchy have been plentifully sown and the crow has already begun to ripen." The key, the Episcopalians contended, would be to convince the public of a deep truth about the problem of lynching: "the taking of the law into their own hands by unauthorized men is far worse in its essential nature and in its ruinous results than any crime committed by one individual against another." Murder was the killing of a human being, "but lynching is the murder of law itself" (ibid., pp. 6–7).

This point, that lynching was to be opposed fundamentally because it threatened the law, was a rebuke to what was thought of by lynchers as the "higher law" of white supremacy (Gerber 1992, pp. 193–94). It was analogous to the regular calls for recognition of lynching as a threat to American civilization that became common over the next several years (like the resolution Thomas H. B. Walker would present to the Methodist General Conference). But Walker would frame the issue more narrowly, and did not take the step that white ministers in Atlanta and elsewhere took: as a symptom of

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<sup>8</sup> For the broader history here, see (Graber 2011).

lawlessness, lynching was a threat to America's civilization and law, and *therefore* the force of law should meet it and all other crimes with force.

One of Atlanta's leading Christian citizens at the turn of the century, a devout Southern Baptist judge named George Hillyer, made this connection as well. The former mayor of Atlanta, Hillyer was a recognized political moderate (Crowe 1968, p. 251). Like many southern moderates, he was opposed to lynching and mob violence. But he saw lynchings as part of a broader problem of lawlessness afflicting the nation, and as a result, he framed his advocacy on the issue accordingly. It would be a mistake to focus on lynchings to the exclusion of crime more generally, he argued in one speech to a group of Baptists. "The best way to stop lynchings is to stop the crimes that provoke the lynchings." Lynchings were wrong, but the real problem were the hang-ups in criminal procedure that had caused people to lose confidence in America's system of criminal justice. "Innocent and good people" would be tempted to lynch if they could not be assured of "getting justice in the courthouse." The answer to the lynching and crime problem was simple: "make the law better and make it stronger . . . Astonish the murderer and rapist by its quickness and its certainty." If criminal law was bolstered and penalties made more certain, crime would largely cease and "any such thing as a lynching would become absolutely unknown" (Hillyer n.d.).

Hillyer minimized the racialized dimension of lynching and characterized its perpetrators as otherwise "innocent and good." He also echoed a common refrain from lynchers themselves, that law courts were unreliable and therefore the mob was needed to achieve justice (Gerber 1992, pp. 193–94). But he was confident that his proposal would have humanitarian benefits in the service of racial and economic equality. The current criminal justice system, he noted, was a place where the "poor and friendless negro" (and his poor white counterpart) faced easy conviction, for they lacked money to hire good lawyers or political influence. By contrast, the rich and powerful rarely faced serious criminal penalties for their crimes (Hillyer n.d.).

Though Hillyer regularly made similar appeals to members of the legal and law enforcement professions, he wanted to bring this case before his fellow Baptists (Hillyer 1913). He believed that this was a message just as relevant for Christian leaders and laypeople as it was for colleagues in the legal guild. He hoped that Christians, with God's help, might "give the lawmaking power light" (Hillyer n.d.). To that end, in 1906 he used his position on the Georgia delegation to the Southern Baptist Convention (SBC) annual meeting to push for a resolution on the "weak and imperfect" state of the law. His proposals, which were eventually dubbed the "Hillyer Resolutions," targeted both lynching and lawlessness. Lynching, one resolution stated, risked plunging the nation into anarchy. But lynching's aim was not altogether misplaced; something indeed had to be done to defend "helpless and innocent" victims who lynchers aimed to protect. It therefore condemned "with equal emphasis, and in many cases with much greater emphasis . . . the horrible crimes which cause the lynchings." It cited President Theodore Roosevelt's analysis of lynching, where he framed the issue as stemming from the lack of speedy trials and the hang-ups that defendants introduced through the appeals process. Lynchings would continue, Roosevelt had argued, as long as "people feel . . . there will be an indefinite delay in the punishment of the criminal, and that the punishment will be uncertain . . ." The resolution followed Roosevelt on this point: the core matter was enforcement of the law. Therefore, repeating lines from Hillyer's own speeches, the adopted resolution offered an answer, "Make the law better and make it stronger . . . Astonish the murderer and rapist by its quickness and its certainty" (Hillyer et al. 1906).

Running in tandem to the SBC's anti-lynching advocacy was the denomination's own conflicted relationship to matters of race and Jim Crow. As a denomination that was founded as a result of a sectional divide with American Baptists over slavery and that counted numerous ardent segregationists in its ranks (even as social gospel-influenced liberals helmed the denomination's social agencies), subsuming lynching into lawlessness offered a way for the denomination to sidestep complicated

questions around race and racism.<sup>9</sup> This was precisely the route that the denomination took for the next few decades. Beginning with Hillyer's resolution in 1906 until 1941, the denomination passed nine resolutions dealing with lynching and lawlessness. Resolutions grew sharper in opposition to lynching and mob violence while also advocating the "orderly" and "impartial" administration of criminal justice. Later resolutions noted a decline in lynching (or dropped the issue altogether) while simultaneously urging attention to the problem of crime more generally ([Southern Baptist Convention 1907, 1911, 1929, 1930, 1936, 1937, 1939a, 1941](#)).

The 1936 SBC annual gathering showcased how flexible anti-lynching statements could be, and how internal differences could be obscured by the concluding resolutions that were adopted by the convention. The report made by the SBC's comparatively progressive Social Service Commission presented statistics to the convention concerning lynching rates. It included statistics about the much higher number of black people lynched (eighteen) compared to white (two). The Commission's report urged equal protection and due process under the law for citizens of all races and argued for "backing and support" of law enforcement by U.S. citizens in order that they might prevent further lynchings. It was this latter sentiment, detached from language about race and the effects of lynching on black people, that the Commission put forward as a proposal to be adopted and that the convention moved forward with in its official public resolution. There, the SBC reaffirmed "our unchanging condemnation of mob violence" and admonished pastors to preach on the "sanctity of human life and of civil rights under orderly government," with the ultimate goal being "a wholesome respect for law and order" ([Annual of the Southern Baptist Convention 1936](#), p. 34; [Southern Baptist Convention 1936](#)). The same dynamic occurred at the next year's convention in New Orleans, though there the SBC's Field Secretary of Negro Missions spoke in more critical tones. "The Negro's life and property should be protected. It is not enough for us to simply pass a few resolutions at our conventions in respect to lynchings; we must become active in our home communities against this crime and those who excite people to it" ([Annual of the Southern Baptist Convention 1937](#), p. 271). However, the main resolution on lynching from the same convention neglected to mention black life and property, instead repeating generic calls for law and order and support for law enforcement from previous years ([Southern Baptist Convention 1937](#)).

A shift occurred in 1939. There, the convention released its first substantive resolution on race, and linked it directly with lynching. A separate resolution was dedicated to crime and lawlessness. For the first time, the SBC had made a clear connection of lynching to race and separated it out from the matter of general crime and lawlessness. But by this point it was clear where their true concern lay. The lynching resolution spoke in positive tones, noting that only six lynchings occurred the year before. Animosity between blacks and whites was decreasing, the resolution claimed, and "racial understanding and cooperation are increasing." By contrast, the crime resolution outlined a grim picture: "4,600,000 criminals" causing \$15 billion of damage annually. Looking to an uncertain future, the SBC's pushed for Christian support of government officials leading a war on crime in their "abiding determination to put forth every possible effort for the creation and maintenance of law and order" ([Southern Baptist Convention 1939a, 1939b](#)). What had begun as an anti-lynching effort had fully evolved into an anti-crime effort, with "law and order" rhetoric serving as a bridge.

The Federal Council of Churches (FCC) was far more willing than the SBC to confront matters of racial injustice. Founded in 1908 as an ecumenical organization that could offer a united public Protestant voice, the FCC would eventually come to represent nearly thirty denominations and around one-quarter of the nation's population. As Gene Zubovich has noted, the FCC was unusually aggressive in championing rights for African Americans ([Zubovich 2018](#), pp. 267–68). Soon after their founding, the FCC began speaking out on the lynching question. In 1923 the organization published a leaflet entitled "Mob Murder in America: The Challenge Which Lynching Brings to the Churches." Unlike a great deal of other Protestant maneuvering on the issue, this leaflet considered the racial

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<sup>9</sup> For more on the internal dynamics of the SBC, see ([Stricklin 1999](#)).

dynamics of lynching, mobilizing statistical evidence and clearly identifying the race of victims in its various anecdotes as “Negro.” But the pamphlet still framed the primary issue at stake in terms of the existential threat that mob rule posed to American civilization and legal order. The cover of the pamphlet cited a 1919 FCC statement that summed up the effect of lynching as “law and order are trampled under foot.” Three lead quotes from affiliated Protestant groups graced the inside cover, each of which spoke of the lynching’s threat to national honor and law and order. The remainder of the document largely followed suit, using terms like “lawlessness” and pointing to the need both for anti-lynching legislation on the state and federal level and for modernized law enforcement that citizens could support and hold accountable. The formation of a mounted police force was urged, and citizens were encouraged to support sheriffs who protected prisoners in danger of lynching ([Federal Council of Churches of Christ in America 1923](#), pp. 8–9).

Around this time the FCC also organized an “Honor Roll” campaign to recognize states that had been free of lynching, and though some states moved on and off the roll with regularity, by 1932 the organization announced overall progress showed that a “lynchless land” was attainable ([Federal Council of Churches 1932](#), pp. 8–9). By this time the anti-lynching campaign was subsumed into the FCC’s broader effort to promote positive race relations, “the supreme domestic task before the churches today.” In one pamphlet, the FCC blasted “the assumption of inherent racial superiority by dominant groups,” promoted programs of interracial cooperation, and encouraged Christians to tackle the problem of segregation. Even here though the FCC still foregrounded orderly civic life and lawful behavior, beginning their 1932 report on race relations with a warning of the “militant revolutionary mass action against the majority white group” that, along with the Ku Klux Klan, threatened to destabilize the nation. This warning, alongside the report’s insistence that Christians should push for due process of law (lest the courts “become permeated with the lawless spirit”) and that pastors should participate in “spreading respect for law and order,” showed how the integrity of America’s civic and legal orders nonetheless were part and parcel of the push for racial equality (*ibid.*, pp. 3, 13).

#### 4. Anti-Lynching and the Making of Mass Incarceration

White anti-lynching appeals added to a growing cultural consensus regarding the expansion of the power and reach of American law enforcement. Other catalysts for this shift included the moral crusades of the Progressive Era around the same time, which helped Americans grow more comfortable with the idea of the state being mobilized to combat humanitarian ills and social vices, particularly as law enforcement expanded to combat liquor traffic in the wake of Prohibition ([Stuntz 2011](#), p. 186). But anti-lynching calls for more “law and order” also helped set the stage by shifting Americans’ gaze toward the crime issue more generally, and assuring them law and order could move to counter crime in an orderly manner.

The way the anti-lynching cause shifted into to a broader anti-crime consciousness can be seen in the publishing history of Edwin T. Wellford’s *The Lynching of Jesus*. The status of the book’s 1905 edition as a Christian anti-lynching manifesto was clear. But in 1930, Wellford released an updated version of the book with a different aim. With a new title of *Crime and Cure: A Review of this Lawless Age and the Mistrial of Christ*, Wellford repurposed his earlier anti-lynching arguments into an anti-crime declaration. Significant portions of the book remained the same. But though the new edition opened with an indictment of “Judge Lynch,” it charted new territory in a section on murder. The “old and feeble” Judge Lynch had been “succeeded by Judge Homicide,” with twelve thousand murders a year and the cost of crime pushing thirteen billion dollars annually. Speaking both of lynching and violent crime more generally, Wellford contended widespread defiance of authority and “the savage spirit of barbarity” had created a “Reign of Terror” ([Wellford 1930](#), pp. 5, 10).

There was little distinction in Wellford’s mind between lynching and crime more broadly. They were connected theologically: “Back of the lynchings of the past—Back of the lawlessness of the present—Back of crime—Is the rejection of Christ.” Wellford moved to dedicate the remainder of his first chapter linking the two to reprinting an excerpt from President Herbert Hoover’s inaugural

address, which focused solely on the crime menace and proposed policy solutions. Hoover, who Wellford believed spoke with “the foresight of a prophet,” had a plan, not to address lynching, but to tackle what the president termed “the most malign of all these dangers today ... disregard and disobedience of law.” Hoover listed ways that the federal government might address the issue: simplifying the complex criminal procedures that sheltered criminals; revamping jury selection; reorganizing and modernizing law enforcement agencies. “Rigid and expeditious justice is the first safeguard of freedom, the basis of best ordered liberty, and the vital force of progress” (ibid., pp. 12–15).

As his quotations of Hoover indicated, Wellford was channeling a shared cultural consensus on the crime issue. The 1920s through the 1940s saw the beginning of an expanded vision and toughening attitude of national policy and public opinion on crime. This was due in part to rising rates of violent crime (Gottschalk 2006, p. 59; Adler 2015, p. 36). But accompanying concern over these increases was a shift in the expectations of law enforcement. Police response to rising crime was viewed as anemic, and with good reason; in Chicago, for example, less than a quarter of murderers were convicted from 1875 to 1920 (Adler 2006, p. 5).

Hoover launched some of the first real national policy initiatives on crime in an attempt to forestall rising crime rates and empower law enforcement. In doing so, he opened the door for future federal engagement on the issue (Calder 1993, pp. 1–24). Under Hoover, federal law enforcement began to be professionalized, with agencies assembled to fight crime in its various forms, like the Federal Bureau of Narcotics. Hoover supported policies like 1932’s Lindbergh kidnapping law, which made kidnapping a federal offense. President Franklin Roosevelt went even further, increasing federal law enforcement powers by linking the fight against crime with the New Deal. It was in this climate that J. Edgar Hoover led the Justice Department’s Bureau of Investigation into an aggressive war against organized crime (Gottschalk 2006, pp. 64–68). The results of anti-crime efforts like these could be seen in the dramatic rise in nationwide incarceration rates. After a brief sharp rise in the 1880s, imprisonment rates grew only slightly from 1890 to the early 1920s, from 72 to 74 prisoners per 100,000. From 1923 to 1930, however, the rate jumped from 74 to 98 per 100,000, and the decade after that from 98 to 125, a 69% increase.<sup>10</sup>

Wellford’s earlier vision had evolved into a different kind of cause, with both reflecting the needs of the day. The hinge that connected the anti-lynching and anti-crime visions was the line near the end of both editions of his book: “All who would be lovers of law and order must be lovers of Jesus” (Wellford 1930, p. 77). Law and order could be repurposed in service to a larger campaign. To be sure, Wellford saw the new anti-crime cause as contiguous in its humanitarian concern. He believed criminal justice could reduce violent crime and protect the innocent. And because many lawmakers would increasingly frame anti-crime measures in race-neutral terms, there was hope that new measures for targeting lawbreakers could safeguard minorities and proceed in a colorblind manner. But, like Wellford’s books and the rhetoric of many other white Protestants, direct consideration of race and the nation’s legacy of racial injustice was largely missing from the calculus for how law enforcement might truly safeguard and benefit African Americans. Even when substantial consideration of racial injustice was present, as in the work of the FCC, the anti-lynching appeals of white Protestants would be mobilized to more straightforwardly punitive ends. As the FCC advocated for racial equality in the 1920s, its leaders were simultaneously attempting to rouse “militant public opinion” in the fight against organized crime: “Every preacher, priest and rabbi, and every one of their flocks should start a crusade of his or her own against lawlessness” (Cadman 1926).

The expanded national scope of the crime war and the blessing of mainline Protestant civic concern all coalesced at a Federal Council of Churches anniversary celebration in December of 1933. The FCC had secured as their keynote speaker none other than President Roosevelt. The president congratulated the organization for twenty-five years of faithful service. More work needed to be done,

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<sup>10</sup> See p. 30 (Table 3-3) of (Cahalan 1986).



but “your churches and the other churches—Gentile and Jew—recognize and stand ready to lead in a new war of peace—the war for social justice.” This new war saw church and state as allies in the cause of economic fairness. The war also entailed bringing to justice the oppressive and dangerous mobs who practice “lynch law.” But, Roosevelt continued, “a thinking America goes further. It seeks a government of its own that will be sufficiently strong to protect the prisoner and at the same time to crystallize public opinion so clear that government of all kinds will be compelled to practice a more certain justice. The judicial function of government is the protection of the individual and of the community through quick and certain justice. That function in many places has fallen into a sad state of disrepair. It must be a part of our program to reestablish it.” An equitable economy and the elimination of lynching were not enough. A truly prosperous and fair America was an America safe from crime (Roosevelt 1933).

Roosevelt mentioned lynching alongside crime as an area of concern, but it was clear what the focus of his agenda would be moving forward. At a national conference on crime a year later, Roosevelt said nothing about lynching, leading one NAACP leader to note his own “outrage . . . over F.D.R.’s expedient cowardice on the issue.” Though numerous anti-lynching bills had been proposed over the past few decades, Congress had failed to pass any legislation against lynching. And yet they made kidnapping (an offense perceived as affecting white, wealthy Americans) a federal crime. When white lynchers actually violated the new Lindbergh kidnapping law by transporting a black victim across state lines, the FBI refused to prosecute them (Waldrep 2006, p. 229).

This is not to say that lawmakers were content to allow lynchers to continue perpetrating their crimes. Particularly during and after World War II, politicians grew sensitive to the ways public lynchings had become a blight on American international relations. President Harry Truman named the right to safety as a cornerstone of his civil rights agenda. He did not mention lynching by name, but it was clear that he had it in mind when he decried “lawless violence, and arbitrary arrest and punishment.” Echoing lynching critics from a generation earlier, Truman argued that a society that permits “private and arbitrary violence” without due process of law will find itself corrupted. But, as Naomi Murakawa has shown, to make this argument in the context of a surging war on crime was to make a further claim: “To be killed by private persons or a mob was cruel; to be imprisoned or killed through due process of law preserved the nation’s moral fabric” (Murakawa 2014, pp. 41–43).

The crystallization of public opinion around the crime issue and law and order was a fascination that captured Americans’ minds for the rest of the twentieth century. And though it was often linked to anti-lynching measures, it would come to be implemented in ways that disproportionately affected people of color. In his study of lynching and criminal justice in the early twentieth century, Michael Pfeifer has shown how the modern death penalty emerged as a compromise between rural and working class supporters of lynching and middle class advocates for due process. The motivations underpinning the “rough justice” of lynching were channeled, under the influence of white reformers from the northeast, into the expansion of streamlined and technocratic modes of state-supervised capital punishment. However, because the two camps were both fundamentally committed to America’s racial hierarchy, the death penalty remained a “highly racialized mechanism” that would disproportionately target people of color for the remainder of the century (Pfeifer 2004, pp. 122–53).

The lynching of black people grew rarer as the century wore on. But the continuation of punitive politics over the remainder of the twentieth century resulted in more people of color being incarcerated or placed under state surveillance. And at each stage in this continuation—from the surge of policing after the urban uprisings of the 1960s, to Nixon’s law and order-styled silent majority, to the Reagan-era War on Drugs, to Bill Clinton’s Violent Crime and Law Enforcement Act, to mention only major national initiatives—lawmakers were able to convince wide swaths of the public that the law needed to be strengthened and defended, and that justice could be executed in a colorblind manner. This was the peculiar problem of what has been called “the new Jim Crow;” punitive laws and procedures operated in seemingly race-neutral ways, and yet with devastating effects on communities of color (Alexander 2010). As prominent Christians who provided an early source of twentieth-century law

and order fervor that regularly elided consideration of race, white Protestant anti-lynching advocates played an important role in this history.

The history of crime and punishment in America is a religious history, and one of good intentions often gone awry. The penitentiaries of the antebellum period were begun by Christians as humanitarian interventions into punitive and violent colonial-era justice, but quickly devolved into overcrowded and underfunded hellholes. Progressive era Protestants brought a reformist, scientifically-informed zeal to prison work, but regularly ran the risk of allying too closely with the increasingly bureaucratized institutions that sought social control. Evangelicals in the late twentieth century sought to remake entire wings of prisons as peaceful “God pods,” where individual inmates might experience moral transformation. However, in their fervor they sometimes marginalized non-evangelical inmates and found themselves caught up into troubling punitive aspects of the carceral state (Graber 2011; Skotnicki 2000; Freedman 1981; Sullivan 2009; Erzen 2017). The ways white Protestants framed their early twentieth-century lynching advocacy on the cusp of a national war on crime tracks with this broader pattern.

Over the past decade, everyday Americans have started to wrestle more intensely with their nation’s troubling status as the world leader in incarceration and its disparate effects on people of color (like the fact that black men are imprisoned at a rate 6.5 times higher than white men) (Forman 2012, p. 22; National Research Council’s Committee on Causes and Consequences of High Rates of Incarceration 2014, p. 13). Popular films like *13th* have zeroed in on contemporary racial inequalities in criminal justice that stem from nation’s history of racist practices like convict leasing in the late nineteenth century. Lynching has rightly become part of this conversation too. Bryan Stevenson, a popular author and criminal justice reform advocate, has recognized that one way forward for Americans in moving beyond mass incarceration is to take stock of their history of lynching of black people, in all its horror. To that effect, Stevenson led the Equal Justice Initiative to build a memorial in Montgomery, AL to the men and women who had been lynched and as a clear recognition of how the horrific practice of punishment prefigured the violence that mass incarceration has wrought upon communities of color for the rest of the twentieth century (Mayfield 2017). As this article has shown, understanding of the connection of lynching to mass incarceration must also include consideration of responses to lynching. White Protestant anti-lynching advocates saw their cause as a Christian humanitarian intervention. But in seeking to create a “lynchless land,” they helped instill a strong confidence in law and order that has proven difficult for later generations of Americans to abandon.

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