

Michigan. Her most recent publications include *Telling America's Story: A History of The Henry Ford* (2010)

and *An American Jewish Experience: Adeline Moses Loeb and Her Early American Jewish Ancestors* (2009).



## *The Roots of Rough Justice Origins of American Lynching*

By Michael J. Pfeifer

(Urbana: University of Illinois Press, 2011. Pp. x, 143. Maps, appendix, notes, index. \$40.00.)

Michael Pfeifer has produced a prequel to his well-received study, *Rough Justice: Lynching and American Society, 1874-1947* (2004). Like the earlier book, *Roots of Rough Justice* has the merit of ranging widely throughout the United States, in contrast to most studies of lynching that focus on a particular state or region—often the South, and sometimes the West. With its focus on both these regions, as well as the Midwest, Pfeifer's work looks at lynching as a national phenomenon. He admirably reaches back in time, locating its antebellum and colonial origins, and ultimately creating a national history of the practice.

Pfeifer's thesis remains consistent with his earlier book, as he argues that "rough justice" emerged as a reaction to a growing emphasis on regularity and due process within the legal system. Pfeifer begins by suggestively tracing "crowd executions" back in time and across the Atlantic to the United Kingdom, and in particular to Ireland. By the antebellum period, particularly in the Old Northwest and Old Southwest, Pfeiffer asserts that a "vision of constitution-

alism" had arisen "in which communities might temporarily disregard the law and usurp the power of courts through vigilante violence that enforced preferences for harsh communal punishment if the observation of legal process seemed to circumvent local views"—what he terms "rough justice" (p. 15). Pfeiffer roots this vision of justice in a version of republicanism that put the highest value on the defense of kin and neighborhood; nevertheless, he also makes clear how this defensive posture tended to exclude and to deem as a threat the racially "other," whether African Americans, Native Americans, or Mexican Americans. The rise of lynching by the late antebellum period placed the advocates of rough justice in direct conflict with advocates of due process. In the eyes of rough justice advocates, due process led to less justice, with weak punishments and acquittals the norm, leading in turn to more lethal punishments on the part of vigilantes. By his final full chapter, Pfeiffer delineates what he titles "the remaking of American lynching" during the Civil War and Reconstruction, with the phenome-

non now rooted in local resistance to a powerful state, controlled by Republicans, that sought to extend racial equality, and thus due process rights. Such an argument seems consistent with much of the literature on Southern lynching, but it may rush the transition to lynching being primarily a Southern phenomenon.

Like all books that attempt to break into scantily covered ground, this volume is inspirational but not completely convincing. Antebellum Americans were famously litigious; any explanation of lynching must rest more solidly on what drove the sentiment of “due process for me but not for thee,” an explanation that encompasses but also goes beyond race. Moreover, Michigan, although the first state to eliminate capital punishment, saw relatively little rough justice, a fact which Pfeiffer attributes to the strong Northeastern presence in the state. I think he overstates the case, insofar as Michigan saw conflict rooted in cultural differences on other issues, suggesting that Pfeiffer might need to pay more attention to how due process advocates achieved hegemony in Michigan and the Northeast. I also wonder about the “roughness” of justice prior to lynching’s heyday; the public executions decried by the

reformers were certainly rough in the sense of ending in death, but in their ritualized performance, they lacked the raw vengeance of most lynchings. Finally, if due process was the enemy, why did several of the most widely celebrated lynchings of the 1850s, including the one in Noble County, Indiana, claim strict adherence to due process?

In sum, *The Roots of Rough Justice* is suggestive, but its brevity is an issue—it is only ninety-one pages, although the economy of Pfeiffer’s prose permits him to say a great deal within that space. Nevertheless, at twice the length, I am still not sure it would be convincing: the scale of the endeavor in both time and space is grand. Pfeiffer is to be commended for studying lynching on a national scale, when so many historians have been content to study it at the local level. Even if his arguments do not stand in the long run, Pfeiffer has pointed scholars to productive paths.

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