

“THE FORCES THAT CAME TOGETHER TO INFLICT THAT PAIN”: CLASS, RACE, AND SEXUALITY IN ELLEN FELDMAN’S SCOTTSBORO¹

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ABSTRACT: In the infamous Scottsboro case (Alabama, 1931), nine black youths were falsely accused of raping two low-class white girls that happened to be sexually promiscuous with both white and black males. The Scottsboro Boys were innocent victims of the southern rape complex and the automatic legal lynching of any black male accused of raping a white woman. The main character of Ellen Feldman’s novel *Scottsboro* (2008) is based largely on two progressive northern reporters, Mary Heaton Vorse and Hollace Ransdall, both of whom looked into the case. She visits Alabama and learns about the complex racial, class, and gender relations there, as well as her own bigotry and class-privilege. Like Ransdall and Vorse, she reports on an event in which two poor victims of capitalist oppression are elevated from the level of “white trash” to be made representatives of “defiled” white womanhood, while eight of the nine black youths, stereotyped as hypersexualized and inherently criminal, are given death sentences because of the tyranny of values which mean nothing in the life of the girls themselves.

RESUMEN: En el infame caso de Scottsboro (Alabama, 1931), nueve jóvenes negros fueron acusados falsamente de violar a dos jóvenes blancas de clase baja y conocidas por su promiscuidad sexual con hombres blancos y negros. Los

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Chicos de Scottsboro fueron víctimas inocentes del llamado "southern rape complex" y del linchamiento legal automático de cualquier varón negro acusado de violar a una mujer blanca. La protagonista de *Scottsboro*, basada en gran medida en dos reporteras progresistas del Norte, Mary Heaton Vorse y Hollace Ransdall, que investigaron el caso, aprende sobre las complejas relaciones raciales y de clase vigentes en el Sur, así como sobre sus propios prejuicios y privilegios de clase. Al igual que Ransdall y Vorse, informa sobre un episodio en el que dos víctimas de la opresión capitalista son elevadas del nivel de "basura blanca" para convertirse en representantes de la feminidad blanca "profanada", mientras ocho de los nueve jóvenes negros, estereotipados como hipersexualizados e intrínsecamente criminales, reciben sentencias de muerte, todo ello debido a la tiranía de unos valores que no significan nada en la vida de los jóvenes que les acusan.

INTRODUCTION

It all began on a freight train from Chattanooga to Memphis. The train was stopped by a posse of armed men near Paint Rock, Alabama, on March 25, 1931, because a fight had broken out between young black and white hobos. Nine young blacks, known to history as the Scottsboro Boys (Charlie Weems, Ozie Powell, Clarence Norris, Olen Montgomery, Willie Roberson, Haywood Patterson, Andrew and Leroy Wright, and Eugene Williams), aged between 13 and 21, were immediately arrested for allegedly gangraping two white girls, Ruby Bates and Victoria Price, who were also on the train. Although the nine defendants, except for the Wright brothers, did not know each other and were not even in the same car, and did not have any contact with the girls, Ruby and Victoria told the authorities that all the nine black youths had raped them. They made the accusation to avoid being arrested for vagrancy. The Alabama Governor averted a mob lynching by calling a National Guard unit to protect the accused. Tried with haste, and without adequate legal counsel or a minimum of solid evidence, the black youths, except for 13-year-old Roy Wright, were sentenced to death, although the US Supreme Court reversed the convictions in November 1932 on the grounds of lack of due process. The International Legal Defense of the Communist Party gained the confidence of the defendants and their parents and fought the NAACP (National Association for the Advancement of Colored People) for the control of the case, which gained national and international notoriety as yet another instance of racial injustice in the US South. A new trial began on March 27, 1933, in Decatur, Alabama, with renowned

lawyer Samuel Leibowitz leading the defense. Ruby Bates admitted that she had lied on the stand and that there had been no rape, but the all-white jury still found the defendants guilty. Judge Horton ignored the verdict and granted a new trial in which Judge Callahan openly instructed the jury to find the black youths guilty. Once again, the US Supreme Court ordered retrials, as African Americans had not been included in the jury. Four defendants were released after a plea bargain in 1937, and the remaining five suffered long prison sentences. The youths spent a total of 104 years in prison, and Andy Wright, the last that remained imprisoned, was released on parole in 1950. On November 21, 2013, the Alabama parole board granted posthumous pardons to the only three *Scottsboro Boys* who had neither had their convictions overturned nor previously received a pardon.

The *Scottsboro* case, synonymous with racialized criminality and racial injustice in the US South, has been the subject of three excellent works of non-fiction: Dan Carter's *Scottsboro: A Tragedy of the American South* (1969, revised 2007), James Goodman's *Stories of Scottsboro* (1994), and James Acker's *Scottsboro and Its Legacy* (2008). The case also inspired Langston Hughes' verse play *Scottsboro Limited* (1932), John Wexley's play *They Shall Not Die* (1934), Terry Green's film *Heaven's Fall* (2006), and the 2010 Broadway musical *The Scottsboro Boys*. Surprisingly, Ellen Feldman's 2008 novel about the case, *Scottsboro*, has remained undetected by the radar of literary criticism, this reflecting what James Miller describes as the "relative disappearance [of the *Scottsboro* narrative] from public discourse in more recent times" (235).

As Jayne Anne Phillips notes in her introduction to Feldman's novel, "History gives us the facts, but literature often tells us the story" (vii). *Scottsboro* centers on the intersection of the events of the case with the personal lives of some of those involved, and provides insight into what they may have been thinking and feeling at the time. In her afterword to the 2015 Picador Classic edition, the author underlines the fact that the novel is a women's story: "Telling the tale through the eyes of the nine young men would leave no room for nuance. Their suffering was too acute, the crime committed against them too unspeakable. The reader might ache with their referred pain, but would fail to understand the forces that came together to inflict that pain" ("Afterword" 366). According to Jayne Anne Phillips, "Feldman's *Scottsboro*, unlike any other account of the case, uses the depth and breadth of fiction to bring the women of *Scottsboro* alive" (ix). The main protagonist is Alice Whittier,

a reporter from New York who visits Alabama and learns about the complex racial, class, and gender relations there, as well as about her own personal bigotry, class privilege, and self-interest. She manages to befriend and explore the life of Ruby Bates, who even narrates some parts of the story. She learns about the ways in which Ruby Bates and Victoria Price, both victims and victimizers, take advantage of the only power they have in the racist and classist society of the South: the assumed virtue of the white woman, systematically portrayed as the potential victim of black men who are stereotyped as hypersexualized and prone to crime.

The majority of the story is told by Alice, who functions as a first-person intradiegetic homodiegetic narrator. She is not a mere observer of events, but rather occupies the central role in the story, which traces her relationship with Ruby, and also recounts the process of how she, Alice, comes to acquire knowledge about the South, which she sometimes sees through a lens of prejudice and stereotypes. The fact that Ruby Bates also tells some parts of the story in the first person lends the narrative a dual perspective, one that allows Ruby to communicate to the reader certain facts of the case of which Alice is unaware, as well as her own resentment at being misunderstood and patronized. Social hierarchies are themselves replicated in the interrelationship between these two perspectives: in a novel with 32 chapters, Ruby narrates only the Prologue (about the day of the fight on the train and the subsequent arrests), the whole of chapters 5, 9, and 23, plus a few small sections in chapters 6, 10, 15, 16, 25, 27, 28, and 32. The contrast in the two narrative voices allows the author to graphically represent the differences between the life of a southern “white trash” girl and a sophisticated liberal woman from New York who cannot always understand the troubles and internal conflicts of the former. Thus, the reader not only notes the epistemologically and ideologically restrictive nature of individual perception, but is led into a comparison of the two differing perspectives that reflect unbridgeable differences in perception, ideology, class, and language.

The character of Alice Whittier is largely modeled on two progressive northern women who were related to the case: Hollace Ransdall, who travelled to Alabama as a representative of the ACLU (American Civil Liberties Union) and wrote her own

thirty-one-page "Report on the Scottsboro, Ala. Case,"² and Mary Heaton Vorse, who authored the article "How Scottsboro Happened," published in *The New Republic* of May 10, 1933.³ Following the path marked by Ransdall and Vorse, Feldman's fictional Alice Whittier, who writes for a left-wing magazine called *The New Order*, reports on the infamous episode in which two poor victims of socioeconomic oppression are elevated from the level of "white trash" to that of representatives of "defiled" white womanhood, while eight of the nine black youths are given death sentences because of that tyranny of values which in fact mean nothing in the real lives of the girls. Like Ransdall and Vorse, Alice always strives to understand Ruby and Victoria in their role as victims of an unjust social system, one that leads them to make the black boys suitable objects of their own hatred and suffering. As with Ransdall, Alice prefers Ruby, giving her a fairly sympathetic portrait, and is at times scornful of Victoria, who is cocky, dubious, and controls the more nuanced and malleable Ruby.⁴

In order to better understand what Feldman terms "the forces that came together to inflict that pain" (366), I will look in this article at the ways in which the real-life Ruby Bates and the fictional Alice Whittier that interact in the story are affected by the intersections of race, class and sexuality, and the influence of these categories on the way the accusers were perceived in and outside the courts. It all takes place in a racialized society ruled by a complex articulation of sexuality designed to subjugate black men and white women equally; white men exert power on women, and the women in turn become excuses to punish and oppress black males. It is a complex system of power that deploys stereotypes like the "black beast rapist," a pernicious myth so dear to white male southerners who, as Peter Bardaglio says, "widely shared the belief that black men were obsessed with the desire to rape white women" (750).

² The report was intended for publication and offered to several newspapers and magazines, which told Ransdall they had already arranged for somebody else to cover the case. Members of the governing board of the ACLU did not want the organization itself to publish it, apparently because it was too "sensational" (Goodman 44).

³ In the acknowledgements section, the author says: "The eyewitness accounts of Hollace Ransdall for the American Civil Liberties Union and Mary Heaton Vorse for *The New Republic* proved invaluable for both understanding the events and creating the fictional character of Alice Whittier" (361-62).

⁴ For Randall's relationship with Ruby and Victoria, see Miller 15-16.

SUPPRESSION OF INTERRACIAL CLASS SOLIDARITY

In one of the episodes in Feldman's novel, the leftist writer Theodore Dreiser quotes something that Alice wrote in one of her articles about Scottsboro: "If racial hatred threatens death to those boys, class oppression stole every hope of a decent life from those girls" (114). Not even within the northern progressive circles in which Alice moves—mostly a men's world—is there much sympathy for the accusing girls, often laughed at for their loose morals. But Feldman's female protagonist exhibits the same sympathy for Ruby Bates and Victoria Price that Hollace Ransdall and Mary Vorse had expressed in their respective written reports. As she says, "I was the only one who wrote about the Scottsboro girls as well. At least, I was the only one who went further than a summary of their sordid pasts. Maybe that was because I was the only woman covering the story" (107). She tells Ruby not to be ashamed of her syphilis, which was "merely one more example of the way she had been oppressed and exploited" (53). Like Ransdall and Vorse, Alice seeks to avoid demonizing Ruby and Victoria by citing and denouncing the devastating effects of poverty on the lives of these poor girls who occasionally had to resort to prostitution in order to survive. Acutely conscious that for members of the white elite a rape case against blacks is the most effective way of distracting the dispossessed from their own troubles, Alice lectures Ruby on the fact that her true enemies are not the black youths that she and Victoria accused, but "the mill bosses, and the owners, and the people who have all the things you don't". As she explains, "as long as poor white people are crying rape against poor Negroes, no one is carrying on about low wages, or complaining about bad working conditions, or trying to unionize" (89). As Hollace Ransdall notes in her perceptive report, "wages were always low and hours long" and "working conditions are very bad" in the Huntsville cotton mills where Ruby and Victoria were hired only very occasionally, and at meager wages, in times of economic depression. They come from the lowest social group and the only other way of making money is occasional prostitution: "Promiscuity means little where economic oppression is great" (Ransdall). This is indeed the analysis shared by the writers and readers of the Marxist magazine for which Alice writes, as well as the line of the Communist Party's International Legal Defense, which led the defense of the nine black youths. At the time of the second trial, in Decatur, Alabama, Alice and her friend the playwright Abel Newman are

harassed by a mob of poor white southerners, which she describes as "nothing more than a mob of ordinary men, impoverished, frustrated, emasculated by the conditions and time in which they lived" (253).

This lack of interracial working-class solidarity, which perplexes not only the real-life Ransdall and Vorse but also the fictional Alice Whittier, had a long and complex history in the US South. As Vorse perceptively explains in "How Scottsboro Happened," "There is one precious superiority which every white person has in the South. No matter how low he has fallen, how degraded he may be, he still can feel above the 'niggers.' It was this feeling of superiority that started the fight between the white hobo boys and the black hobos on the train between Chattanooga and Huntsville." In the US South, the culture of racial segregation resulted in a collective racial identity that narrowed the scope for class politics. Historian Diane Sommerville observes here a crucial difference between the antebellum and the postbellum period: "And since slavery defined the status of most southern blacks, white racial solidarity across class lines was not necessary in the antebellum period; it became critical after emancipation, when African Americans, whose place in society was in constant flux, assumed unprecedented political positions and posed a threat to white elites" (515). Whiteness inhibited the natural expression of class divisions in the South, as the white southerner, no matter what misfortunes might befall him, would never be a member of the "inferior" race. It is what W.E.B. Du Bois terms the "psychological wage" in his book *Black Reconstruction in America* (1935): "It must be remembered that the white group of laborers, while they received a low wage, were compensated in part by a sort of public and psychological wage. They were given public deference and titles of courtesy because they were white" (626). He further explains how at the same time the emancipated blacks were relentlessly insulted and oppressed, and reminded of their inferiority, the result of this being "that the wages of both classes could be kept low, the whites fearing to be supplanted by Negro labor, the Negroes always being threatened by being substituted by white labor" (626). In *Scottsboro*, Victoria Price expresses her awareness of the advantage of having a white skin when she says about the condemned black youths: "Them boys ain't nothing like me. They're niggers" (69). Another episode which proves the crucial difference between white and black poverty is seen in Lester Carter, an occasional sexual partner of Ruby and Victoria who

had been repeatedly humiliated during his time on the chain gang by a white guard who would address him as “boy,” yet who reclaims his self-esteem when he yells at a black youth, “You look at me when I’m talking to you, boy!” As Ruby comments, “But now he was saying them [words] to the nigger, and he was a white man again” (83).

Estelle Freedman explains how in the 1890s the emergence of a third party, the Populists, who aimed at a political alliance between blacks and poor white voters in the South, alarmed southern Democrats, who “found that rape fears could be an extremely useful tool for gaining and sustaining power, and for undermining local civil rights” (91). Southern elites soon realized that white supremacy was a very invigorating drug for poor whites, since it gave them an automatic feeling of superiority. The southern white liberal Lillian Smith expresses it “in the form of a parable” in the chapter “Two Men and a Bargain” of her book *Killers of the Dream*: “Once upon a time, down South, Mr. Rich White made a bargain with Mr. Poor White” (174). The result was that Mr. Poor White might be destitute and hungry, but Mr. Rich White was always ready to remind him that he had the South’s most precious possession: a white skin. According to the bargain, Mr. Rich White would “boss the money” and Mr. Poor White would “boss the nigger” (176). Thus did the ruling class keep both blacks and poor whites down by setting and maintaining them apart.⁵

In the agricultural depression of the late 1880s and through the 1890s, white men lost power in a frightening way, as they did during the Depression. In a parallel with the “dirty Jew” rhetoric that pervaded Germany during the economic depression of the 1930s, southern whites resorted to anti-black rhetoric every time the South’s economy faced dire straits. The Ku Klux Klan was actually most active in periods of both economic uncertainty and black demands for autonomy (Jenkins 22-23). Both racial prejudice and economic conditions drove the violence against black males that characterizes the Scottsboro case, which took place during the depths of the Depression, when black and white hobos were moving around

⁵ The Tennessee-born journalist Ben Cothran wrote about this same issue in his article “South of Scottsboro” (9 June 1935), referring to the poor whites who served to make segregation work for the rich whites, who indeed instituted such a situation: “They are used just as the Negro is, but still they are told they are superior to him and must assert this superiority, when the only way they know how to do it is to knock the black man down” (qtd. in Goodman 164-65).

in the hope of finding work. Thus did poverty become a crucial factor, in that it brought black boys on the same train as the white boys, the former seeking work in competition with the white community. When it was hard for southern white males to play the role of breadwinner, since blacks were becoming a more competitive presence in the labor market of the crisis economy, they seized on another element in their assumed role of protector—the defender of the purity and honor of the iconic southern woman, who was seen to be in danger of being assaulted by the illusory threat of the “black beast rapist.” Ruby Bates and Victoria Price readily took advantage of the protective cloak of these two myths.

THE MYTH OF THE BLACK BEAST RAPIST: RAPE AS A POLITICAL TOOL

After emancipation and Reconstruction, the white version of southern history made the black male the new enemy, one that enabled white men to fulfill their role as assumed protectors of white women. According to this new version, after the collapse of the “moral order” of slavery, black males reverted to their base African instincts, the most prevalent of which was their insatiable sexual appetite, especially for white women. Estelle Freedman remarks on the incongruity and contradictions of whites in their reading of the workings of nature and culture when they substituted the myth of the black man as fierce beast for the one of the subservient and happy slave: “On the one hand, they naturalized black men as innate sexual predators; on the other hand, they blamed the historical event of emancipation for freed people’s descent into sexual immorality” (94).

In Feldman’s novel, before she leaves for Scottsboro, Alice is well aware that “in the South, when a white woman is caught in bed, or in this case in a railroad gondola, with a Negro man, the first word out of her mouth is rape” (30), although in this case she wrongly assumes that the promiscuous girls may have had sex with the black youths on the train. When later in the novel she presses Ruby to tell her the truth about the rape and the girl stays silent, Alice notes: “That was when I realized what the problem was. No one had ever asked her the question without letting her know what the answer was supposed to be” (87). In the US South, sexual fears were systematically manipulated to prevent the full citizenship of blacks, who had to fight a long battle against the racialized definition of rape. In his article “Rape,” published in the May

1919 issue of *Crisis*, Du Bois wrote about the re-establishment of white control over blacks in the post-Reconstruction South: “The charge of rape against colored Americans was invented by the white South after Reconstruction to excuse mob violence” and it had become “the recognized method of re-enslaving blacks” (qtd. in Freedman 89). As Freedman notes, in the antebellum South, rape was not only related to race, but also to class, and interracial rape charges did not mean an automatic death sentence; the social class and reputation of the accuser were significant factors in determining whether a relationship had been consensual or forced (89). Diane Sommerville also points out that the collective fear and anxiety about black sexual assault that characterized postbellum southern society did not exist in the slave South; and that before the Civil War white women suspected of dubious virtue who had sex with black men were not automatically protected by their race from assaults on their moral character. She stresses that the image “of lawless, unrestrained southern lynch mobs bent on vigilante ‘justice’ retribution” is largely the product of the postbellum period (483).

After Reconstruction, the hysterical need to keep emancipated blacks under different forms of subjugation, plus the irrational fear of racial mixing, led southern whites to the point of denying the possibility of consensual unions between black men and white women, and thus race became the one and only determining factor when accusations of interracial rape made it to the courts. Critics usually refer to this reaction as “the southern rape complex,” which Deborah Barker summarizes as follows: “The typical narrative of the southern rape complex assumes a black male rapist, an innocent white female victim, and a white male vigilante: the innocent white victim is transformed into a symbol of a threatened southern culture, while the black male rapist symbolizes that threat, and the white male is thereby sanctioned by the ‘code of honor’ to seek revenge in the form of lynching” (1). The Democratic senator from Alabama James Thomas Heflin, nicknamed Cotton Tom, perfectly sums up this attitude in his notorious words: “Whenever a Negro crosses this dead line between the white and negro races and lays his black hand on a white woman he deserves to die” (qtd. in Sundquist 184). As argued by W. J. Cash, who coined the term in his most influential *The Mind of the South* (1941), “the ultimate content of the Southerners’ rape complex” is related to the fact that “in their concern for the taboo on the white woman, there was a final concern for the right of their sons in the legitimate line,

through all the generations to come, to be born to the great heritage of white men." According to Cash, this explains the fact that "from the beginning, they justified [...] violence toward the Negro as demanded in defense of woman, and though the offenses of by far the greater number of the victims had nothing immediately to do with sex" (116-17). More recently, historians like Sommerville have revised some of the ideas of Cash and argued that he was one of those who read backwards into the antebellum period the anxiety about black male sexuality that gripped whites after emancipation (Sommerville 486). Sommerville categorically concludes that "There is no evidence, however, to suggest that the white southerners were apprehensive or anxious about their slaves raping white women" (490).

Since the beginning of the Scottsboro case, the white press emphasized the theme of black savagery, practically sentencing the black youths to death. Dan Carter quotes from an article in the *Chattanooga News* of March 27, 1931: "We still have savages abroad in the land, it seems," and the *Huntsville Daily Times* of March 27, 1931, where a reporter insisted that the supposed rape "savored of the jungle" and the "meanest African corruption" (Carter 20). In Feldman's novel, a member of the posse that apprehends the black youths and pressures Ruby and Victoria to cry rape, says: "They niggers, ain't they? They see it, they gotta have it" (19). In another episode, a woman who tends a small store in Scottsboro, tells Alice: "Them black brutes chewed the breast clear off the white gal" (44).

During one of Alice's visits to the imprisoned black youths, a guard taunts Haywood Patterson with the grim joke that the part of a black man's body that fries first in the electric chair is the penis, which prompts her reflection: "He had hit on the secret no one would admit, the measuring stick of competition, the wellspring of unconfidence, the source of fear, the cause of the lynchings that the Commission on Interracial Cooperation kept authorizing studies to investigate. The black penis was at the heart of it all, or so the white man believed" (104). According to Winthrop Jordan, the idea that blacks possessed an especially large penis "without question antedated the settlement of America" and "By the final quarter of the eighteenth century the idea that the Negro's penis was larger than the white man's had become something of a commonplace in European scientific circles" (158). Eugene Genovese remarks that the "titillating and violence-provoking theory of the superpotency of the black superpenis, while

whispered about for several centuries, did not become an obsession in the South until after emancipation” (461-62). In May 1903, the Baltimore physician William Lee Howard argued in his article “The Negro as a Distinct Ethnic Factor in Civilization,” published in *Medicine*, that the physiological basis for the supposed increase of rape on white women was “the large size of the negro penis,” which lacked “the sensitiveness of the terminal fibers which exists in the Caucasian,” the result being that “the African’s birthright” was “sexual madness and excess” (qtd. in Fredrickson 279).

Much more recently, Cornel West has written about the persistent infatuation of whites with black sexuality, which provokes in them a paradoxical mixture of attraction and fear. This fear constitutes “a basic ingredient of white racism. And for whites to admit this fear even as they try to instill and sustain fear in blacks is to acknowledge a weakness—a weakness that goes down to the bone” (86). For whites, interracial sex and marriage are the most intensely felt source of fear of black people, and the frequent castration of the victims of lynching is related to this secret fear. According to West, “Black sexuality is a taboo subject in America principally because it is a form of black power over which whites have little control—yet its visible manifestations evoke the most visceral of white responses, be it one of seductive obsession or downright disgust” (86-87).

Victoria Price and Ruby Bates take advantage of this obsession, which reinforced the idea of the black male’s aggressive sexuality, as well as of other changes in the twentieth-century South, where, as Freedman explains, “With the rise of Jim Crow segregation and lynching, southerners extended chivalrous protection to poor white women even if they had tainted reputations” (259). Martha Hodes observes that “Without slavery to differentiate blacks from poor whites, it was equally important that ideas about the purity of white women included poor women” and that the characterization of all white women as chaste had one particularly significant consequence: “it made sex between a black man and a white woman by definition rape, because a ‘pure’ white woman, no matter how poor, could not possibly (in white minds) desire sex with a black man” (202). Dan Carter quotes from the *Journal of Winston-Salem, North Carolina* (October 15, 1932), in which a writer noted of the Scottsboro case that “in the South it has been traditional [...] that its white womanhood shall be held inviolate by an ‘inferior race,’” also emphasizing that protection applied to every white woman, regardless of class or reputation,

as it did not matter whether she was a "spotless virgin or a 'nymph de pavé'" (Carter 105). The practical result of this thinking was a reconfiguration of rape, so that in the Jim Crow South, as Freedman notes, "any sexual relations between a black man and a white woman could be defined as rape" (94), even when they were consensual. In one of the retrials of the Scottsboro boys, Judge Callahan insisted that a white woman should systematically be believed when she accuses a black man.⁶ As Alice narrates in the novel, "Charging the jury, he [Judge Callahan] informed them no white woman would yield sexually to a Negro man of her own volition" (305). Freedman quotes from a landmark 1899 decision of a Georgia court which would influence later cases in the South concerning the role of race in determining criminal intent: "Where a negro is charged with assault with intent to commit a rape upon a woman of the white race, no inference that he reasonably presumes to think that a white woman will consent to his lustful embraces will ever arise in his favor, unless the circumstances are such that no other inference can be possibly drawn" (94).

In Harper Lee's *To Kill a Mockingbird*, poor white Mayella Ewell, who accuses a black man of rape, is also a girl of dubious morals, like Victoria Price and Ruby Bates: everybody knows that Mayella is the victim of her father's beatings and sexual abuse and that she attempts to break the taboo that forbids sex with black men and later makes Tom Robinson pay for her own sexual transgression. As with the fictional Mayella Ewell, in the Scottsboro case Victoria and Ruby take advantage of the social code that a white woman's word is always going to be believed before that of any black man, and that in the case of sexual assault by a black male, the white woman is always going to be assumed to be chaste, no matter how strong the evidence to the contrary or how low she is in social estimation. For some critics, such as Joseph Crespino, there is no doubt that "the Scottsboro trial's false accusations of rape influenced Harper Lee's depiction of Tom Robinson's trial" (12). Harper Lee in fact denied that the novel

⁶ Dan Carter quotes from Callahan's stunning statement during the Decatur retrial of 1933: "Where the woman charged to have been raped, as in this case is a white woman there is a very strong presumption under the law that she would not and did not yield voluntarily to intercourse with the defendant, a Negro; and this is true, whatever the station in life the prosecutrix may occupy, whether she be the most despised, ignorant and abandoned woman of the community, or the spotless virgin and daughter of a prominent home of luxury and learning" (Carter 297).

had been influenced by the Scottsboro trials, although in a 1999 letter to Hazel Rowley she wrote that the case “will more than do as an example (albeit a lurid one) of deep-South attitudes on race vs. justice that prevailed at the time” (qtd. in Shields 118).⁷

THE ICONIC PURE WHITE WOMAN AS PRETEXT FOR RACIAL OPPRESSION

In her discussion of the cultural construction of southern womanhood, Anne Goodwyn Jones argues that “In general, [historians] agree that the function of southern womanhood has been to justify the perpetuation of the hegemony of the male sex, the upper and middle classes, and the white race” (44). In his study of the Scottsboro case, James Goodman could not be more perceptive when he explicitly connects the accusation of rape to the condition of white women in the South: “Rape was the most serious accusation a white person could level against a black person, and as women, Price and Bates were the victims of ideas that gave the accusation its power: ideas about the bestial nature of black men and the corresponding danger of integration and equality; ideas about the powerlessness and vulnerability of white women and the corresponding precondition of personal safety, complete deference and submission to white men” (192). Michael Thurston also remarks on the web of interconnected racial and gender oppression that characterizes the southern social system, in which white women pay a heavy toll for their proclaimed racial superiority: “While the Scottsboro defendants face death for simply sharing space with white women, unwittingly riding on the train that carried them, white men enjoy unquestioned mastery over women of both races because they control women’s economic horizons” (37). Victoria and Ruby ostensibly benefit from the southern taboo on race mixing and the presumption that white women are to be protected from violation by the “inferior” race. In southern culture, the elevation of the “pure” white woman in turn elevated the white man to the noble role of protector, at the same time reinforcing the need to keep blacks “in their place.” Thus did sexuality forge a link between gender and race, and southern womanhood became closely tied to racial attitudes: white men became protectors of “innocent” white women,

⁷ Hazel Rowley is the author of *Richard Wright: The Life and Times*.

threatened as they were seen to be by sexually aggressive black males. The iconic white woman who represented purity and virtue constituted the natural antithesis of the violent and vicious "black beast rapist." It was W. J. Cash who described the setting of the southern white woman at the center of the patriotic ideal and the fusion of the tradition of the lady with the very identity of the South. Cash suggests that white southerners identify their women with the land itself, which makes rape an attack on southern civilization: "To get at the ultimate secret of the Southern rape complex, we need to turn back and recall the central status that Southern woman had long ago taken up in Southern emotion—her identification with the very notion of the South itself" (115-16).

In the culture of segregation the body itself became a site of political contention. The body of the white woman, especially that of the white lady, was supposed to be far removed from sexuality, and at the same time severely endangered by it, especially by black sexuality. In the post-war South, white women were identified with civilization, whereas black sexuality was seen as an ominous threat to society, and political demagogues warned of the risk of the "mongrelization" of the white race.⁸ Segregation was, then, essential to keep the pure white South free from the pollution of black sexuality. As Alice says in the novel, the story that "southern gentlemen" tell about the two accusers is that of "southern womanhood defiled. That was the one the jury believed" (30). The stereotype of the black beast rapist was counteracted by, and ultimately dependent on, that of the pure white woman, the mythic southern lady whose supposed vulnerability was used to justify violence that was required to maintain white supremacy. As many have noted, white women had to pay dearly in terms of the subjugation and lack of ambition and autonomy that they were expected to accept in return for their purported "protection" by white males. Lillian Smith insistently urged southern white women to rebel against a system which privileged them as whites but oppressed them as women, and to reject their confinement to a pedestal that only perpetrated male hegemony and excluded them from so many things, including the enjoyment of a healthy sexuality. In *Killers of the Dream*, Smith relates the desexualization of the mythic southern lady to the sexual exploitation of black women during

⁸ The term "mongrelization," as a derogatory synonym for race mixing, was popularized by the racist governor Theodore Bilbo of Mississippi in his 1947 book *Take Your Choice: Separation or Mongrelization*.

slavery: “The more trails the white man made to back-yard cabins, the higher he raised his white wife on her pedestal when he returned to the big house. The higher the pedestal, the less he enjoyed her whom he had put there, for statues after all are only nice things to look at” (121).

As Biljana Oklopčić observes, “The black rapist stereotype was also used to cushion increased social differences between lower and upper white classes in the American South as well as to reinforce white solidarity” (315). As Victoria Price tells Alice in the novel, “All my life I been trash, but I ain’t been so low that colored folk could treat me like trash.” She says that “the lawyers in the courtroom called me m’am” and that the stories about her in the paper “didn’t say white trash. They said white womanhood.” To her the accused black boys “ain’t nothing like me. They’re just a bunch of no-count niggers. I’m a defiled white woman” (69). The Scottsboro case is indeed a prime example of the paradox of victims of socioeconomic oppression, like Victoria and Ruby, who are elevated from the level of “white trash” to become representatives of “defiled” white womanhood. In a society in which one whitens oneself by opposing blacks, these two girls place themselves on the side of values that mean nothing to them. No one is in fact more aware of this than Ruby herself, who acknowledges that “When you’re a linthead, you’re so busy feeling folks looking down their noses at you” (72). But the lie that they are victims of rape by blacks elevates them: they exploit a system of power in which they feel they are superior, if only to the blacks, in order to ensure self-preservation, as the accusation of rape gives them an additional advantage over their skin color: their gender. In the episode where Alice asks her how she is “better than Negroes,” Ruby stubbornly answers: “On account of I’m white” (89). Only their skin and their gender protected these girls and allowed them to momentarily transcend their class and to drop the second component of the stigmatized compound “white trash,” which in a sense blackens them. As Robin Kelley remarks, their white skin and their gender “only protected them when the state and white mobs had a yearning to execute some black men” (353-54). As Goodman notes about Ruby Bates, “She too liked being a southern woman better than a piece of poor white trash” (22). Early in the novel, in one of the sections she narrates, Ruby remembers her astonishment when a member of the posse addresses Victoria as “ma’am” and as “lady”: “I couldn’t believe my own ears. Ma’am was nice, but lady was something Sunday special” (19).

"LEGAL" AND EXTRA-LEGAL LYNCHINGS

The Scottsboro Boys were lucky enough to escape from the hands of the raging mob and survive until the court proceedings, but they were nevertheless victims of what Randall Kennedy calls "legal lynching": "an execution sanctioned by the forms of judicial process absent the substance of judicial fairness" (88). As N. Jeremi Duru explains, "Legal lynchings occur when the threat of extra-legal lynching at the hands of violent mobs is so great that the legal system takes the place of the mob in an attempt to cloak the punishment with legitimacy" (1330). In "To Lynch by Law Is as Bad as to Lynch By Obscene Hands of a Lustful Mob," a 1931 article about the Scottsboro case, Lincoln Steffens denounced how the South legitimizes its lynchings by enveloping them in the trappings of juries and courtrooms: "The righteous people of the South have been gradually waking up to the fact that they can save their face by taking justice out of the rude hands of the mob and putting it in the delicate hands of the lawyers, and judges and a few representatives of the better people in a jury" (qtd. in Thurston 36). These legal lynchings progressively replaced extra-legal ones as the latter declined throughout the twentieth century. In Feldman's novel, Alice, prior to her trip South, reflects on this: "The crowd went home that first night, but they managed to lynch the boys in the end, a fine southern legal lynching. [...] True, the electric chair does not provide the see-it-with-your-own-eyes thrill of a lynching, but it gets the job done" (28).⁹

The obsession with containing black sexuality and protecting the purported sexual purity of white ladies is closely linked to the lynching of African Americans in the Jim Crow South. Freedman quotes from the *New Orleans Times-Democrat* that declared in 1887 that "the South has chosen to regard the protection of woman as the supremest importance. Hence, its code on this point is severe; its unwritten lynch laws are more so" (Freedman 101). Before emancipation southern blacks were not the primary targets of lynch mobs. As Freedman explains,

⁹ Hollace Ransdall also described the case as an instance of "legal lynching" in her report: "It is no exaggeration certainly to call this a legal lynching."

“Because killing a slave deprived them of valuable property, slave owners preferred severe punishment, such as whipping, for serious crimes” (96). But the changing historical context engendered new attitudes, and in the post-Reconstruction South the rape myth was the justification for many of the horrific lynchings of blacks, which became a most effective tool of racial terror once emancipation had removed a system that protected blacks from violence as long as they were of monetary value. These lynchings reaffirmed a shared racial superiority and united individuals who would otherwise have been divided by economic barriers. As Ruby Bates notes in one of the sections she narrates, “Nothing brings white folks together, no matter if they’re nose-in-the-air church ladies, fresh-with-their-hands mill bosses, or plain old linthead trash, faster than a colored boy, a piece of rope, and a tree” (16).

Lynching rituals had an evident social purpose: to keep a whole race “in their place.” This is what Faulkner brilliantly shows in his story “Dry September,” where John McLendon, the white man who incites the lynching of Will Mayes, an African American man, for allegedly making sexual advances to a white woman who had made an accusation simply to call attention to herself, asserts that what matters is not if it really happened or not: “What the hell difference does it make? Are you going to let the black sons get away with it until one really does it?” (171-72). Will Mayes, like Tom Robinson in *Mockingbird* and the nine Scottsboro Boys, represents a whole race that must be punished and suppressed. Lynching is thus an effective way of asserting white superiority and denying black males the choice to have sex with white women. “Dry September” features a southern town where tensions are high and nerves are strained because of a prolonged drought that has parched the land, and in such situations attacking those who are different offers release; they become a kind of scapegoat or sacrificial lamb. Significantly, in Feldman’s novel, a sarcastic Alice reaches the conclusion that “The good people [...] of Scottsboro had made up their collective mind. [...] The boys had to die for the good of the community” (48).

Low-class whites, the ones in direct economic competition with black men, were frequently, though not always, the ones who carried out the lynchings, but the elites gave legitimacy to the practice by remaining silent and vocally supporting them through newspapers and political speeches. According to William Hair and Amy Wood, “Mobs also operated with the tacit, and at times vocal, approval of wealthy planters, civic and business leaders, ministers, judges, lawyers, and

newspaper editors" (90-91). In the episode of the attempted lynching of Tom Robinson by poor white farmers, and later during the interrogation of Bob and Mayella Ewell, both the novel and the film *To Kill a Mockingbird* give the impression, so frequent in popular media renditions of southern society, that the ugliest acts of racism are carried out only by the lowest members on the white social scale, which automatically exonerates the elites and leaves unexplained the genesis of the situation. Allison Graham notes how the "cracker" or "redneck" "has functioned in popular culture as a signifier of racial ambiguity, with his class-bound vulgarity consistently representative of contaminated whiteness" (13). Blaming the inferior classes for the elites' structures of oppression is indeed a convenient way of preserving white hegemony by disguising it as racial innocence. Graham describes "the irrationally violent redneck" of white-savior films like *To Kill a Mockingbird* (1962) and *Mississippi Burning* (1988) as "the character whose essential, class-bound criminality is offered up, movie after movie, as proof of the inherent goodness of all other whites" (17).

ALICE WHITTIER AND RUBY BATES: CLASS DIFFERENCES AND SELF-SERVING APPROPRIATION

According to an anonymous reviewer of *Scottsboro* for *Publishers Weekly*, "the best thing about the novel is the detailed, matter-of-fact way in which it recreates Alice and Ruby's milieus—both of which are removed, in very different ways, from the world of the accused" ("Scottsboro" 148). Apart from the lessons that her relationship with Ruby teaches Alice about the complex relations between class, race, and sexuality in the Jim Crow South, she also learns about herself, and this even includes some hidden dimensions of herself that she would rather ignore. The fact that Alice, the only woman reporter on the story, maintains a long relationship with Ruby, both in Alabama and in New York, where she even lets her stay in her own home for some time, helps the author to deal not only with the issue of gender solidarity but also with the appalling class differences between the two narrators: the sophisticated Alice with a trust fund, and the uncultivated, low-class Ruby, whose situation would not have been so compromised had she belonged to a higher social class. Alice has difficulties in understanding how high the stakes are for Ruby once the accusation of rape has set the ball rolling, so that when she urges Ruby to tell the truth about the events,

the girl replies that if she does so, “the sheriff got me laying out ninety days, and the mills ain’t got no work for me never again, nor Ma neither, and the church and the Red Cross ladies are saying we ain’t entitled to no charity” (135).

A crucial lesson that Alice learns is that social class conditions the societal evaluations of a woman and of her sexual behavior. As she observes in relation to Ruby and Victoria having had sexual encounters the evening before the incident, “When it happened in a hobo camp, it was promiscuous lovemaking. When it occurred in Greenwich Village, it was free love” (66). A poor girl that exchanges sex for money commits “a furtive economic act,” whereas in Alice’s Greenwich Village apartment, sex is “a political and social and philosophical statement” (89). When giving testimony in court, alleged rape victims are also treated and characterized differently, depending on their social standing and reputation. In fact, in one of the retrials of the case, defense lawyer Samuel Leibowitz employed what Freedman calls “the time-honored technique of undermining the character of the accuser” (260). In his article “Southern Gentlemen, White Prostitutes, Mill-Owners, and Negroes,” published in *Contempo*¹⁰ (1 December, 1931) as a companion piece to his poem about the case, “Christ in Alabama,” the black writer Langston Hughes disrespected the girls by asking, “And who ever heard of raping a prostitute?” (qtd. in Thurston 47, n9), thus equating social position and reputation with guilt, in the same way as a racist justice system equates race with criminality, and assuming that prostitutes do not need legal protection. In the 1933 retrial of Haywood Patterson, Judge Horton instructed the jurors “that they could consider that Price and Bates ‘were women of the underworld,’ ‘of easy virtue’” (Goodman 134). In the novel, Alice is seen to have reservations about Leibowitz’s methods when interrogating Victoria Price, and remarks on the absurdity of the situation: “The defenders of the downtrodden were doing their best to crucify two hapless amateur hookers, while the champions of ignorance and intolerance were making a stand for two uneducated impoverished sinned-against sinners” (239). In *Against Our Will* (1975), Susan Brownmiller acknowledges the Communists’ involvement in the case and how they discredited the myth of the black beast rapist, but she also criticizes them for propagating the pernicious myth of “the rape lie”: “If one case convinced the American public—and

¹⁰ An unofficial student magazine at the University of North Carolina.

international opinion—that lying, scheming white women who cried rape were directly responsible for the penalties inflicted on black men, the name of that case was Scottsboro” (230).

Alice’s friend, the cynical playwright Abel Newman, likes to say: “Show me an altruist and I’ll show you a man, or woman, with ulterior motives” (156). And in her relationship with Ruby there are more ulterior motives and self-serving appropriation than Alice initially suspected. At the very beginning of her narrative, she shows her retrospective, guilty awareness of being one of the many people who used the Scottsboro Boys as rungs on a ladder: “We did not set out to exploit. The lawyers, and the Communist Party members, and the reporters, and the do-gooders wanted only to help, and we did help. But we also managed to appropriate the story for our own ends. In the long history of white highway robbery, Scottsboro was just one more holdup of black America” (25-26). I concur with Lionel Shriver, who, in her review of the novel for the *Telegraph*, observes that “Alice’s interest in this white-trash millworker is both genuine and guiltily self-serving” and that “Feldman artfully articulates the uneasy relationship between these women whose mutual uses for one another, as well as their vast cultural and educational differences, keep them from quite becoming friends.” Alice interviews Ruby for articles which establish her reputation in the leftist circles of New York, and she becomes so famous that she even strikes up a friendship with First Lady Eleanor Roosevelt, while, as she acknowledges, “None of the Scottsboro boys had [a chance]” (345).

Alice’s contact with the socially excluded girls and the racially excluded boys of Scottsboro no doubt makes her aware of her own classism. When she takes Ruby to hospital in New York, she tells the doctor that the girl is her sister, and this might be a hint that she has been unconsciously trying to undo her past by using Ruby as a substitute for the half-sister (born of her father’s liaison with an Irish maid) that she has always ignored and refused to help.

Historians have told the story of the Scottsboro Boys, and two of these, Haywood Patterson and Clarence Norris, wrote their own autobiographies; Ellen Feldman deserves credit for adding to and broadening our understanding of the case in her excellent fictionalized account. In this article I chose to focus specifically on her attention to the Scottsboro Girls, Ruby in particular, whose thinking she accurately captures and to whom she gives voice in several sections. Alice Whittier, based on Hollace Ransdall and Mary Heaton Vorse, made the right

choice when she decided to write the story of a Ruby trapped by circumstance as a fitting parallel to the story of the black boys imprisoned in a death house: “She too was serving time without hope of parole or pardon, simply because she had been born poor” (135).

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