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James A. Miller: Remembering Scottsboro

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INTRODUCTION



If you were alive at any time between March 25, 1931 and June 8, 1950, you lived, willy-nilly, in a Scottsboro world. The air you breathed was affected; the speech you heard; the newspaper you read; your political and international outlook, no matter where you sojourned, on the so-called civilized earth. The present tensions between East and West owe much of their early growth to the gigantic morality drama which did one-night stands around the globe—in which American democracy was depicted as the hypocritical Ogre of Evil, and Somebody Else as Helper of Justice—in foundation of the pleas for financial help “to save the Scottsboro boys.”

—John Lovell, “Review of Allan K. Chalmers’s *They Shall Be Free*”¹

America free Tom Mooney
America save the Spanish Loyalists
America Sacco & Vanzetti must not die.
America I am the Scottsboro boys. . . .

—Allen Ginsberg, “America”²

THE GHOSTS OF THE MODERN CIVIL RIGHTS MOVEMENT continue to haunt American life. While the 2001 trial and conviction of Thomas Blanton, Jr., and the 2002 conviction of Bobby Frank Cherry, for the 1963 bombing of Birmingham’s Sixteenth Street Baptist Church, killing four young black women, seems to have brought this episode to a successful conclusion, other cases are still pending. Recent years have witnessed a new investigation into the 1955 kidnapping, torture, and murder of Emmett Till and the revival of the investigation into the infamous murders of three civil rights workers, Michael Schwerner, Andrew Goodman, and James Chaney, in Neshoba County, Mississippi in 1964. In Georgia, activists, some public officials and relatives of the victims have pressed for authorities to bring charges in the 1946 incident when a white mob pulled four black sharecroppers from a car near the

banks of the Apalachee River, dragged them down a wagon trail, and shot them to death.³ Unfortunately, neither the tangled racial history nor the political culture of the United States is conducive to anything approaching a national “Truth and Reconciliation Commission” about such outrages—in spite of the earnest efforts of the Clinton administration to orchestrate a series of “National Conversations on Race” during the late 1990s—so the litany of racial grievances will undoubtedly continue into the foreseeable future. In the midst of this ongoing process of historical reconstruction and legal redress, the infamous Scottsboro case of the 1930s continues to function—albeit intermittently—as a broad signifier for the history of American racial atrocities.

In April 2004, for example, Courtland Milloy, an African American columnist for the *Washington Post*, reflected on the recent arrest of three Howard County, Maryland black teenagers who had been arrested and jailed after being accused of raping a fifteen-year-old white girl in a high-school restroom. The young men were subsequently freed six days later and the Howard County State’s Attorney announced plans to seek dismissal of all charges against them, but Milloy saw in this event the disturbing signs of a persistent racial mythology that recalled the notorious Scottsboro case of 1931: “one of the greatest travesties of justice in 20th century America.”⁴ Linking this episode to the 2003 conviction and sentencing, in Rome, Georgia, of a black high school senior, eighteen-year-old Marcus Dixon, to ten years in prison for having sex with a fifteen-year-old white classmate; and to the then pending trial of the celebrated basketball star Kobe Bryant, who was facing the possibility of life in prison if he were convicted of raping a white woman staff member at an exclusive hotel in Colorado, Milloy invoked the Scottsboro case as “a cautionary tale about the pitfalls that racial and sexual mythology hold for black men. Unfortunately, he went on to moralize, “some young black men have been unaware of that history and, as the saying goes, were doomed to repeat it.”⁵

Milloy’s rhetoric is symptomatic of a wider pattern of discourse which continues to circulate—or, more accurately perhaps, flare up—around public events rooted in the still explosive alchemy of race, sex, and violence in American life. The Scottsboro case has been routinely invoked by contemporary writers in wide, and sometimes bewildering, contexts. In a rather garrulous letter to the editor of the *Boston Globe* regarding the racial ancestry of golfer Tiger Woods, David L. Evans invoked Scottsboro to account for the existence of a particular form of solidarity across class lines in the black community: “My reference is a vestigial habit from the Jim Crow era when a person with only one drop of black blood was black, regardless of his other heritage(s). That Draconian policy sealed a fraternal bond among African-Americans as disparate as the poor, dark-skinned Scottsboro Boys of Alabama and the erudite, light-skinned Walter White of the NAACP.”⁶ When four Morehouse

College students were accused of raping a Spellman student, the lawyer of one of the defendants hyperbolically compared their case to that of the Scottsboro Boys, with the hint that it deserved a comparable international outcry: “this case reminds him of the Scottsboro Boys, nine young Black men who in 1931 were falsely accused of raping two White girls. Eight received death sentences and one received life in prison. Their case inspired a successful international campaign.”⁷ In the aftermath of the infamous O. J. Simpson trial, scholars Abigail Thernstrom and Henry D. Fetter, alluding to a reference poet Nikki Giovanni made to the O.J. Simpson trial as “Scottsboro redux,” sought to set the historical record straight by attempting to systematically dismantle such “ludicrous comparisons.”⁸ During the late 1990s, a poster advertising a Washington, DC meeting of the International Socialist Organization to demand freedom for the celebrated death-row prisoner Mumia Abu-Jamal foregrounded a picture of the “Scottsboro Nine” with their defense attorney, Samuel Leibowitz, inviting its readers to “join the ISO’s weekly meeting to discuss the lessons of the Scottsboro case and how the tactics of 1931 can be used in the fight against the racist death penalty today!”⁹

The Scottsboro case left a distinct imprint upon the generation that came of age during the 1930s, as even a cursory survey of biographies and memoirs of blacks and whites, across a wide spectrum of social and political backgrounds and from different regions of the country, makes clear.¹⁰ Even more striking, however, is the way that Scottsboro has continued to function as a multivalenced reference in contemporary American life.

Why does this infamous case continue to resonate in American culture more than seventy years after it occurred and more than a quarter of a century after the last chapter of the case apparently came to a close? Why does the invocation of Scottsboro invite knowing looks and the assumption of shared understandings about the nature of racism and the workings of the criminal justice system in the United States—even when anecdotal evidence suggests that people attach significantly different meanings to the case? What are the cultural and historical forces that have kept the memories of Scottsboro alive—and, more to the point perhaps, what is the content of those memories? And what are the implications of the ways the Scottsboro case has been constructed over time for how Americans perceive and talk about race?

Remembering Scottsboro explores the ways in which the case—arguably the most celebrated racial spectacle of twentieth-century American history, at least up to the 1955 murder of Emmett Till—entered American daily life, providing a vocabulary and frame of reference that continues to serve a purpose even when its referents are no longer clearly visible. From the very outset of the case in 1931, against the backdrop of heated and contentious struggles among the International Labor Defense (ILD), the Communist Party, and the National Association for the Advancement of Colored People, a carefully crafted “Scottsboro Narrative” emerged that had significant impact on

the ways the case was perceived and understood in the national and international arenas. Other, competing narratives emerged as social and historical conditions changed, from the 1930s to the 1970s—and it was not until 1976, when Clarence Norris, “the last of the Scottsboro Boys,” was officially pardoned by George Wallace, the Governor of the state of Alabama, that the case can be said to have officially come to an end.

In the 1930s, through the efforts of the ILD, the Communist Party, and their supporters, accounts of the case were marked by a very strong sense of advocacy for the Scottsboro Boys; in the years following World War II, coincident with the onset of the Cold War and its far-reaching effects upon American culture, accounts of the Scottsboro case were often inflected with sharply anti-communist rhetoric that persistently cast doubt upon the underlying motives of the Communist Party’s involvement in the case. The emergence of the modern Civil Rights Movement in the late 1950s signaled the appearance of a Scottsboro Narrative that often placed the moral and political dilemmas of white subjects at its center.¹¹ Taking the 1930s “Scottsboro Narrative” as its point of departure, *Remembering Scottsboro* tracks its construction, its disaggregation, its reconstitution, and its sublimation in journalism, poetry, fiction, drama, and film as it traveled through more than a half century of American life. Chapter 1, “Framing the Scottsboro Boys,” revisits the fierce combat between the International Labor Defense (ILD) and the National Association for the Advancement of Colored People (NAACP) over the right to represent the Scottsboro Boys. The ILD handily won both the struggle for legal representation *and* the battle for the control of their cultural and political representation; that is to say, the ILD and Communist Party propaganda shaped the dominant visual, literary, and popular images of the Scottsboro Boys during the 1930s. These images were constructed very quickly, within weeks of the conviction of the defendants, and their death sentences, in April 1931. Drawing upon materials from the ILD files, the NAACP files, and internal memoranda of the Communist Party–USA, this examination offers a glimpse at the behind-the-scenes discussions, bickering, and debates that helped to shape the publicity about the case. The intense preoccupation among the Scottsboro defenders about race, class, gender—and, more specifically, deeply entrenched attitudes and stereotypes about black masculinity—all fueled the rhetoric generated by the case. “Framing the Scottsboro Boys” meditates upon how this rhetoric created new opportunities to mobilize favorable public opinion at the same time that it foreclosed other possibilities of imagining and constructing the “boys.” It also delineates the emergence of two significant and sometimes overlapping counternarratives to that proposed by the Communist Party, one largely shaped by Walter White and the NAACP, the other by southern apologists, some of whom seemed genuinely taken aback that critics of the state of Alabama did not give it sufficient credit for the humanity and restraint of its citizens who, after all, had not lynched the

Scottsboro Boys on the spot and had allowed justice—such as it was—to run its course.

Chapter 2, “Scottsboro, Too: The Writer as Witness,” tracks the trajectory of the “Scottsboro Pilgrimage” as a distinct feature of the emerging rhetoric of the Scottsboro campaign in the early 1930s. Beginning with the poet and writer Langston Hughes, who visited the Scottsboro Boys during his first reading tour of the South in 1932, a number of poets and writers traveled to Alabama either to visit the defendants or to bear witness to the series of trials they endured. Often appropriating the Christian motif of bearing witness to the suffering of Christ on the cross, many of these writers—among them Muriel Rukeyser, Mary Heaton Vorse, John Hammond, and Louise Patterson—hoped to mobilize a movement of social justice by giving literary expression to the bodily suffering of the Scottsboro Boys—producing an extensive body of poetry, essays, and reportage based upon their journeys to Alabama and the South.

Contemporary plays and, in several cases, films were also inspired by the Scottsboro case. John Wexley’s *They Shall Not Die*, Paul Peters’s *Stevedore*, Langston Hughes’s *Scottsboro Limited* all took the Scottsboro case (or roughly comparable incidents) as their point of departure; films such as Fritz Lang’s *Fury* (1936) and Mervyn Leroy’s *They Won’t Forget* (1937) explored the issues of aggrieved innocence and trial-by-mob rule which many saw as the heart of the Scottsboro case, while William Wellman’s *Wild Boys of the Road* in effect rewrote the Scottsboro case, turning it into a Depression-era “road” saga. Chapter 3, “Staging Scottsboro,” examines the ways in which key playwrights and filmmakers joined the chorus of Scottsboro defenders during the 1930s.

Novelists weighed in on the case as well. Novels like Grace Lumpkin’s *A Sign for Cain* placed the false accusation of rape at the heart of her somewhat melodramatic anatomy of life in a small southern town. Arna Bon-temps’s *Black Thunder* and Guy Endore’s *Babouk* were both novels ostensibly concerned with significant but historically remote slave rebellions, but contemporary readers would have been quick to recognize the ways in which these novels both masked and expressed some of the urgent political concerns and debates of the 1930s. Chapter 4, “Fictional Scottsboros,” analyzes the ways in which writers mined different literary genres in their efforts to bring Scottsboro to the attention of the reading public.

Focusing largely on the life and work of the most prominent African American writer of his times, Chapter 5, “Richard Wright’s Scottsboro of the Imagination,” considers the ways in which Wright’s position as a cultural ambassador, a bridge between the black community and white readers, brought the struggles and terrors of African American life into a larger public arena. At the heart of Wright’s sharp critique of Jim Crow racism and its corrosive impact upon the African American psyche stands the inextricable link between sexual terror and lynching—for which the Scottsboro case is often the signifier.

This chapter mines Wright's novels and his early poetry and short fiction to probe how his deepest preoccupations shaped his writing. This chapter concludes with a brief consideration of William Demby's important but neglected 1950 novel, *Bettlecreek*—in which the Scottsboro Narrative is recast with a white victim at its center, signaling an important shift in the version of the Scottsboro case that had circulated during the past two decades.

Chapter 6, "The Scottsboro Defendant as Proto-Revolutionary: Haywood Patterson," focuses upon the most uncompromising and truculent of the Scottsboro defendants, who attracted both the hostility of the Alabama prison authorities and the attention of the Scottsboro defenders, many of whom invested their hopes in the revolutionary potential of the black masses in his presence. Somewhat like Richard Wright's fictional Bigger Thomas, Patterson emerged as a wily and enigmatic personality who eluded the categories and definitions ascribed to him.

Chapter 7, "Cold War Scottsboros," follows the trajectory of the Scottsboro Narrative through the peak years of the McCarthy era, examining the ways in which the basic elements of the case were recast and reconstituted during the 1950s, and setting the stage for what I see as the final chapter of the Scottsboro Narrative, Harper Lee's *To Kill a Mockingbird*, to which I turn in Chapter 8.

In many respects this is an archival project. My purpose has not been primarily to appeal to a sense of retrospective indignation about a particularly sordid episode in twentieth-century American racial history (although, to be sure, any sober account of the case invariably provokes such a reaction), but to explore the ways in which the shifting lexicon surrounding the Scottsboro case sheds light upon shifting and enduring American attitudes towards race and justice.