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The Hartje Paper

The Martha and Robert G. Hartje Award is presented annually to a senior in the spring semester. The History Department determines the three or four finalists who write a 600 to 800 word narrative essay dealing with an historical event or figure. The finalists must have at least a 2.7 grade point average and have completed at least six history courses. The winner is awarded \$400 at a spring semester History Department colloquium and the winning paper is included in the History Journal. This year's Hartje Paper award was presented to Rex Van Wormer.

The 2005-2006 edition of the Wittenberg History Journal is dedicated to Dr. Jim Huffman, who for a long time has been our steadfast advisor. He has been a devoted and exceptional member of the History Department, who always found the time to help a student who needed it. Unfortunately for us, he will be retiring from Wittenberg in the spring of 2007, and so handed off his position as our advisor to Dr. Darlene Brooks Hedstrom this year while he is on sabbatical. He will be deeply missed by all, and we wish him well in all his future endeavors.

The History Journal Staff

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Kokoro no Kizu (Scars of the Heart) The Story of Michiko Yamaoka¹

Rex Van Wormer

Sometime around 8:00a.m. August 6, 1945, fifteen year old Michiko Yamaoka said "see you later" to her mother and headed for the door. As she was about to leave her mother called out to her, "watch out, the B-29s might come back again."² Ms. Yamaoka assured her mother that she was just paranoid and started her journey to work without giving it much thought.³ Several minutes after leaving her house she noticed a group of students pulling down houses at a point about eight hundred meters away from the hypocenter (ground zero) to form a fire break. It was at that moment she heard the faint sound of planes passing over Hiroshima. "The planes were tricky. Sometimes they only pretended to leave. I could still hear the very faint sound of planes."⁴ Her life would be changed forever within the next few seconds. Looking up into the clear summer sky she remembered her mother's worries. Just as she was about to shield her eyes from the bright sun she witnessed a "beautiful blue-yellow flash" and fell unconscious.

She regained consciousness in a sea of darkness and heard the voices of others calling out for help. She soon heard her mother's voice and began to call out to her. The fire could be heard cracking all around her as her mother eventually found her and dug her out of the burning debris just in the nick of time. Thanks to her mother, Ms. Yamaoka miraculously escaped death twice within in a matter of several minutes. Only after being reunited with her mother did she realize the macabre scene around her. The image of skin hanging loosely and peeling off both her and her mother's arms was burnt into her memory forever. Her mother gestured for her to leave and so she headed for Hiyajima (an area that was not affected much by the initial blast).⁵ As she made her way through the "hell on earth" she heard a voice call out to her, "Michiko, is that you?" It was her friend from school, Keko. Michiko was frightened by her friend's appearance but was happy to have her company. They eventually came to a river filled with countless bodies. Keko insisted on jumping into the river and was never seen again. Fortunately, Ms. Yamaoka did not follow her friend and thus, escaped death a third time.

Ms. Yamaoka eventually made it to Hiyajima, which was also a nightmare. Soldiers came to help and dispose of dead bodies but regrettably, had no medication to give to the incalculable amount of victims. She still clearly recalls the horrors that surrounded her. "The worst part," she declares, "was that if you stopped yelling, if you stopped screaming, the soldiers considered you dead, and threw you on top of the pile of corpses."⁶ She, like many others, could do nothing but wait. Just when she was about to lose all hope, her mother found her. Ms. Yamaoka was so badly injured that her own mother could only identify her from the sound of her voice.

Ms. Yamaoka would never completely heal from her wounds. Directly after the blast, she had burns throughout much of her body. Also, her fingers were melted

together and she gradually lost her hair. About ten years after the end of the war, she was invited to the United States by an independent organization, *Friends*, in order to receive treatment that was not available in Japan at the time.⁷ She would stay in New York for a year and a half, spending most of her time in a hospital where she underwent twenty-seven operations. Even though the operations greatly improved her appearance, she later would suffer from cancer and numerous other problems. The largest scar, she says, is "the scars of her heart"⁸

Ms. Yamaoka's testimony is a chilling reminder of the death and destruction humans are capable of. The now seventy-five year old *hibakusha*⁹ has long since dedicated her life to peace education and is still traveling to share her story and speak out against war everywhere. "Nuclear weapons," she asserts, "are such an inhumane way to kill people. I don't want anyone to have to go through what I did." Remarkably, she still has faith in humanity and is certain that peace is possible. She asserts, "Never believe that we are powerless. Peace will come through the accumulation of individual efforts. My heart's deepest desire is the abolition of nuclear weapons and genuine peace on Earth."¹⁰ Hopefully everyone who hears her story will do their part to ensure that Ms. Yamaoka's vision becomes a reality, for it is the only way to fully heal the scars of her heart.

End Notes

¹ Ms. Yamaoka's lecture at the Hiroshima Peace Museum was the main basis for this work. A few online sources, however, were used in order to create a more complete narrative.

² Michiko Yamaoka, Hiroshima Peace Memorial Museum, Hiroshima, Japan, October, 2004.

³ In order to support the war effort, Ms. Yamaoka, like many young women at the time, was encouraged to find employment prior to finishing school. She worked as a switchboard operator.

⁴ "Hiroshima: Survivors," *Hiroshima International School*, <http://www.hiroshima-is.ac.jp/Hiroshima/survivors.htm#Michiko%20Yamaoka>

⁵ Ibid.

⁶ Ibid.

⁷ "Michiko Yamaoka," *IDEA Center for the Voices of Humanity*, 26, June 2003, <http://www.idealeprosydignity.org/VoicesOfHumanity/Awards.htm>

⁸ Michiko Yamaoka

⁹ Atomic bomb survivor

¹⁰ "Michiko Yamaoka," *IDEA Center for the Voices of Humanity*.

Jack Johnson: Breaking the Color Barriers of Boxing

Erika J. Franz

Imagine being arguably the best in your sport in the nation with public support. No jerseys with the number 23, no bobble head dolls, no baseball cards. Training and winning day in and day out but no one seems to notice. This is exactly how Jack Johnson felt in beginning of the 20th century. As a major star in a desegregated sport, Johnson suffered the prejudices of a highly segregated country.

Jack Johnson was born in 1878 and educated primarily from the streets. His career began in amateur fighting leagues near his home in Galveston, Texas.¹ He quickly climbed into the top tier of fighters. Unfortunately, his country was not ready to accept this. He was not able to have many fights in the United States and his first Heavyweight Championship title match was held in Australia in 1908. Fueled by prejudices, the country began the search for the "Great White Hope", any white boxer who could defeat Johnson and reaffirm the inequality of blacks.²

The most anticipated match of Johnson's career came on July 4, 1910 in Reno, Nevada. After the boxing community had scoured the country looking for an opponent they were confident could beat Johnson, they thought they had found their man. Jim Jefferies, a former heavyweight champion himself, was dragged out of retirement for the fight. Although the match-up was the best that the white community could produce, there was no contest. Johnson quickly polished off Jefferies and destroyed any goals that whites may have had of reaffirming the idea of inequality.³

To add to the annoyance that whites were experiencing, Johnson began to show a controversial personality. While he was fortunate to be successful in a desegregated sport, he was still forced to deal with the stereotypes of a segregated country. He also dated white women, which was a social taboo to say the least at the time.⁴ In a time of our nation's history that did not tolerate interracial couples, Johnson refused to follow the social norms. He pushed the boundaries of what was accepted and created a large amount of enemies because of it.

Johnson's outgoing personality and ability to hit on the very issues that caused heated debate throughout the nation caused him to be easily hated by whites and feared by blacks. As he became an easier target, whites figured out a way for the law to stop him. The Mann Act of 1910, which was created to prohibit the transportation of women across state boundaries for immoral purposes, was thought, by many, to have been created with Johnson specifically in mind. He was found in violation of the Act and forced to serve one year in jail.⁵ Jack Johnson's trouble with the law essentially marked the end of his boxing career but not before he was able to make a lasting impression on the country.

One of the most significant ways Johnson impacted society was the symbol of his success both in the ring and in the business world. Johnson, as one single black man, was not the threat to the white community, but rather it was what he stood for. He was no longer dependent on whites and, in fact, it took the whole white community eight years to find a white boxer that could defeat Johnson. Johnson's personality kept him from having an impact to the likes of Jackie Robinson. However, he challenged the nation to accept desegregation and the idea that all men are created equal. Johnson, without a doubt, helped pave the way for black athletes that came after him. He is often overlooked as a trailblazer of desegregation in sports but that is far from the truth. Jack Johnson is arguably one of the most influential black athletes of the segregated era, even if there are no bobble head dolls or shiny boxing shorts commemorating his contributions.

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End Notes

¹ Randy Roberts, *Papa Jack: Jack Johnson and the Era of White Hope* (New York, NY: The Free Press, 1983), 6.

² Roberts, 16-17.

³ Nat Fleischer, *The Heavyweight Championship* (New York, NY: Van Reese Press, 1949). 150.

⁴ Jack Johnson, *Jack Johnson: In the Ring and Out* (Chicago, IL: National Sports Publishing Company, 1927), 70-88.

⁵ Roberts, 144.

A Dash Through the Canyons: Gen. John Wesley Powell's First Expedition on the Colorado

Steve Byrne

On May 10, 1869 workers drove in the final spike into the Union Pacific Railroad at Promontory, Utah, connecting both coasts of the United States. The historic moment not only paved the way for the country's future economic expansion, but it signaled the final days of the frontier. With increased westward migration, the frontier quickly disappeared into settled, charted land. Yet even though the coasts were now connected, one large swath of the American West still lay blank on maps and unexplored by white men. The region was known as the Plateau Province, and those crossing the West tried to avoid it at all costs.¹ Composed of high deserts, deep canyons and occasional mountain ranges the area remained off limits and unchallenged by westward settlers. While westward fortune seekers on the railroad avoided this uncharted part of the country, one man, Gen. John Wesley Powell, dared to explore and chart the Plateau Province. Because the land was too arid and expansive to walk, the only method of exploration was by boat on the Colorado River.

Maimed at the Battle of Shiloh during the Civil War and left with only his left hand, Powell ignored the difficulties that his injury might present and set out determined to explore the last American frontier. Born in the frontier Midwest, as a child, Powell's preacher father moved his family between small country towns in Ohio, Illinois and Wisconsin. Raised far from civilization, early on Powell developed an intense appreciation for nature. After his days at war and expeditions of eastern rivers, exploring the most remote corner of the U.S. proved an illusive attraction for Powell and during the spring of 1869, he set out for Green River Crossing, Wyoming.

The Green River is a high tributary of the Colorado crossed by the Union Pacific Railroad. Because of its easy access to the railway and river, Powell chose the small town of Green River Crossing as the starting point for his journey. Traveling westward, Powell recruited nine other men to join in his expedition. Some of the men, like his brother Walter, he knew. Others, frontiersmen looking for adventure, he recruited along way to Wyoming. While preparing his gear at Green River Crossing, Powell noticed a young man rowing on the Green River. The eighteen year old, Andy Hall, displayed skills that caught Powell's attention. Thinking that the boy would be useful on his voyage, Powell quickly recruited him for the trip. By May 24, 1869, the eclectic group of ten adventurers set out down the Green River, bound for the unknown in four wooden dories: the *Maid of the Canyon*, the *Kitty Clyde's Sister*, the *Emma Dean*, and the *No Name*.² "Onlookers of the departure must have thought they would never see the 10 men again."³

The first few miles down the Green River presented no great difficulties. Swift but unchallenging waters met the expedition affording time to hone their paddling and navigation skills. Despite the easy start, Powell and his crew knew that before them lay treacherous waters. As the crew entered Flaming Gorge, a river canyon carved out of red sandstone that glowed in the sun, they encountered their first major rapids. Upon scouting the boiling waters, the team decided to shoot the rapids rather than portage, risking themselves and months of provisions. The river smashed the boat on sharp, underwater rocks, sending its crew and supplies floating down river. No men were lost, but the decision cost the expedition the *No Name* and month's worth of supplies.

As the expedition wore on, the river's volume grew. The water, murkier with the characteristic red silt of the Colorado and angrier as the canyon walls reached higher and higher, trapped the expedition in what seemed like a never-ending hell. Between the confluence of the Green River and the Colorado four thousand feet of drop awaited Powell and his men. The rapids that had destroyed the *No Name* were just the beginning of the long voyage ahead. With the surrounding canyon terrain growing every more severe, the possibility of portage, and in many cases scouting, withered away. Day after day the expedition faced unrelenting waters and risks that threatened to end the expedition. The grueling monotony of deadly rapids took their toll on the crew. On August 27 the expedition arrived at a rapid impossible to portage and difficult to scout. George Bradley described the scene as "a hell of foam."⁴ The next morning O.G. Howland, his brother Seneca and Bill Dunn decided that they had had enough, and abandoned the group claiming "how surely we will all die if we continue this journey."⁵ As the rest of the expedition took their chances on the rapid before them, the three men climbed out of the canyon in search of civilization. Instead of finding a way out, a group of Shivwit Indians slaughtered the three not far from the canyon rim. Only three days later, the rest of the expedition reached their takeout at the mouth of the Virgin River, what is present day Lake Mead.⁶

Even though he too felt overwhelmed with the enormity of the landscape, and the inexorable monotony of the voyage, Powell never stopped focusing on the flora, fauna and geography surrounding the river. For Powell, the mission was not to simply pass through the Colorado River and Plateau Province, but to record and chart this enigma of the American wilderness.

The same spirit that propelled Powell into the unknown on his first Colorado River expedition, later led him down the Colorado and other rivers throughout the West. Powell's never ending desire to explore and chart the U.S. led him into politics and to be the father of the US Geological Survey, Bureau of American Ethnology and of the Reclamation Service of the country'. To this day, the agency carries on the spirit of Powell: the never-ending pursuit to understand our country and the natural environment in which we live so that there are no uncharted, unknown areas of our country's wilderness.

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End Notes

- ¹ Marc Reisner, *Cadillac Desert: The American West and Its Disappearing Water* (New York: Penguin Books, 1993), 24.
- ² Reisner, 26.
- ³ Unknown, "Major John Wesley Powell." Available from <http://www.powellmuseum.org/MajorPowell.html>; Internet; accessed 9 February 2006.
- ⁴ Reisner, 26.
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- ⁶ Unknown, "Major John Wesley Powell." Available from <http://www.powellmuseum.org/MajorPowell.html>; Internet; accessed 9 February 2006.
- ⁷ Dr. William Herbert Hobbs, "John Wesley Powell: 1834-1902," *The Scientific Monthly* vol. 39, no. 6 (1934): 519-529.

The Idea of Southern Womanhood and its Influence on Scottsboro

Heather Witt

...I'm not the President,
Nor the Honorable So-and-So.
But only one of the
Scottsboro Boys
Doomed 'by law' to go.¹

Langston Hughes crafted these words into a poem dedicated to one of the nine Scottsboro boys who were wrongfully accused of raping two white women in Alabama in 1931. Hughes put quotation marks around 'by law,' and for good reason. The series of trials for the Scottsboro boys were faced with many legal discrepancies and biases which leads us to the question of how lawful the court really was. This idea can be found when examining the women in this case, Ruby Bates and Victoria Price, the two accusers of rape

While not being the typical white Southern women themselves, Ruby Bates and Victoria Price benefited from the overwhelmingly popular thought that all white Southern women were ladies. Both women were widely known as prostitutes in Huntsville, and were in and out of jail for vagrancy as well.² The two young women, when possibly facing new vagrancy charges, started making up stories in an effort to save themselves from returning to jail. "They tell a wild tale of knives and pistols brandished by ferocious blacks who hurled them from a swiftly moving train. The 'law' jumps to the trigger. The wires start humming along the line - to the next station - Paint Rock - 'Stop that train - stop that freight - round up the niggers -'"³ When people heard the terms white woman, blacks, and rape in the same sentence it mattered very little whether the women were ladies. All that mattered was that "justice" was accomplished. Thus the Scottsboro Trials began.

Historiography

Overview of the Study of Scottsboro

The Scottsboro Case has been studied by many historians, but due to its location on the Civil Rights timeline, the impact of Scottsboro overall is relatively small. Even though Scottsboro was one of the first events shaping Civil Rights, however, there is an impact. The Scottsboro case has been credited with helping the Civil Rights Movement emerge by introducing new political involvement groups, and implementing new legislation to make trials fairer for all races. Scottsboro has also been widely associated with lynching. The defendants were not lynched, however,

and Scottsboro has even been given credit for the early stages of lynching eradication. The other main focus of my study deals with the women of this case. How women are studied in relation to rape in the South, and how they are generally viewed by society shed light on the way in which Price and Bates affect the trials.

When starting to study the Scottsboro Case many will turn to Dan Carter,⁴ as he is the leading scholar on Scottsboro. He has written one main text⁵ and many other articles concerning the trials. His works are very helpful, and are very complete on the incident. He uses many primary sources for his writing. James Goodman, another looked to expert in Scottsboro, writes in a very similar way. While not given as much credit for his Scottsboro history, he, like Carter, only focuses on the facts of the case, and does not offer any supplemental support or suggest any implications to this period in history.⁶ Both could be identified as positivist historians. Instead of working for, and striving towards the truth, they both engulf their work with primary source material, which is very evident in their writing. They believe that if you surround yourself with the sources the truth will ultimately come out. While both Carter and Goodman give an informative overview of the case, the way that it affects history is fuzzy. However, if one focuses on some of the main ideas surrounding Scottsboro, the larger implications become clear. These include racial discrimination and the role of women in the South.

Racial Discrimination Studies

The first aspect of Scottsboro that has had an effect on the way history is studied is that of racial discrimination. Throughout the case it is apparent that the nine boys were not given a fair trial, but over the course of history these unfair advantages are used as a tool to further racial progression. The discrimination in Scottsboro gave rise to new institutions ready to help in the fight for African American rights. Herbert Shapiro, a historian focusing on race relations in the 20th century, suggests that the Scottsboro case gave rise to the International Labor Defense. "But new factors entered into the calculations in this case, factors that would significantly affect the future of the black struggle...Shortly after the boys were convicted in April 1931, they placed the case in the hands of the International Labor Defense, an organization that would combine courtroom efforts with mass agitation."⁷ This is helpful to the study of history because this group not only assisted in the fight for Civil Rights, but also kept everything well documented which can help historians evaluate this period of time.

Another way that historians have studied Scottsboro for the benefit of race relations is through some of their actual court precedents. In Mark Grossman's *The Civil Rights Movement*, Scottsboro is discussed as one of the first cases in which actual court decisions would help the civil right's movement gain momentum. New trials were ordered in Scottsboro after the courts deemed an all white jury to be an unfair advantage. "The Alabama Supreme court ruled 7-2 (Justice James McReynolds and Pierce Butler dissenting) that the absence of blacks on the jury tainted the conviction, and it overturned them and ordered new trials."⁸ The trial is seen as a huge step forward in the beginning stages of the Civil Right's Movement, and helps historians utilize political history by using court cases to study how and why events shape this period of history.

In order to understand why there was such a push for civil rights for African Americans, and how Scottsboro helped paved the way, it is beneficial to look at the evolution of lynching in the South. Scottsboro became the turning point, making lynching take the back seat and giving favor to the courtroom. Historians such as B.D. Amis⁹, Dora Apel¹⁰, and Lynn Barstis Williams all agree that opposition to lynching, and the lynch-mob mentality, was one of the driving forces behind abolishing lynching, and using Scottsboro as a catalyst to do so. Williams states, "For much of the 1930s, artwork in various media became propaganda clamoring for release of the Scottsboro boys and against the widespread injustice of lynching."¹¹

This study and importance of lynching not only made Scottsboro an example on how justice could still be obtained without lynching, but also initiated lynching's demise. Raymond Wolters discusses how using Scottsboro as an example, actually helped to stop lynching in the South. "Thus Roy Wilkins recalled that for several years the association had been able to raise large sums of money from the local branches only when spectacular cases arose in which individuals were victimized by racial hate...the anti-lynching crusade built purely on emotional resentment; the Scottsboro case."¹² All of these historians have shown not only the importance of lynching when studying the South, but also how Scottsboro has helped to destroy it in the long run. Another aspect of Scottsboro's history that is studied, and changes through the course of history, is that of women and their changing roles

Women's role in Scottsboro and Southern History

When evaluating these sources dealing with the lynch mob mentality, and the implications that Scottsboro has on the study of lynching, one should ask what, or who, is missing? Usually the answer to this question is the victim of the crime. In the Scottsboro Case, the women tend to fall from the limelight in most of the sources. I believe this is partly due to the heinous nature of the crime, especially when involving black males and white females. The attention quickly leaves the women and proceeds to punishing the men.

Some historians focus on the notion of lynching, and how it ties into the women's role. One of the leading historians engaged in the study of the rape of females in the South is Jacquelyn Dowd Hall.¹³ Even though in rape the victim is female, the male still gets most of the attention. Instead of making sure the woman is alright and helping her cope, the focus is put on the attacker, especially when the attacker is black. "As stories spread the rapist became not just a black man but a ravenous brute..."¹⁴ Dowd has shown that even after advances have been made over time, the most predominant course of action when dealing with this "brute" can only be lynching. "Despite the pull of modernity, the emotional logic of lynching remained: only swift, sure violence, unhampered by legalities, could protect white women from sexual assault."¹⁵

Lynching aside, other historians have agreed with the idea that rape of Southern women is serious, and eventually loses focus of the victim. Peter W. Bardaglio¹⁶ suggests that this is not only due to the victims being women, but because when a black male commits this crime it is challenging the authority of the white male dominated south. "The rape of white women by blacks provoked such profound

rage among southern white men because they viewed female sexuality as property that they owned, like slaves, and protection of this property was a key to preserving their position in society.¹⁷ Due to this challenge of power, the shift to focusing on the attacker versus the victim emerges. This will be looked at closer in the paper because it directly correlates with the Scottsboro Case. It will become apparent that Ruby Bates and Victoria Price, two women of questionable character, were looked at as helpless victims and their flaws never made it to the surface like they should have. Instead, as Bardaglio suggests, the attention was directed more towards the nine boys where it should not have been in the first place.

This idea of focusing on the attackers proves very beneficial for the two women, Bates and Price, in the Scottsboro Case. Keith Burgess-Jackson, using the Scottsboro trial focuses on the rape itself. "The equation is wrong, according to them, because Bates and Price were white, and at the least this means that the 'Scottsboro Boys' could not save themselves at the two women's expense, while the two women could benefit 'from the privilege of being white in southern society' and save themselves 'at the expense of nine lives.'¹⁸ Instead of being put back into prison for prostitution and vagrancy, the two women are lost in the background since the focus is no longer on them, but on the "evil brutes" that committed the crimes. This is a popular sentiment when examining racial tension and the Civil Rights Movement. White individuals, even when they shouldn't be praised, gain respect and power, and black individuals suffer at their hands, even when not deserving of such treatment.

However, with the emergence of the women's rights movement the focus grows steadily back to women, and they receive the vindication against their attackers that they deserve.¹⁹ One of the leading Southern feminist writers is Anne Firor Scott.²⁰ Her work, *The Southern Lady: From Pedestal to Politics 1830-1930*²¹, shows in detail the progression of women's rights in the South. This leads to an even larger study and more writings on women as individuals. Gerda Lerner,²² another leading feminist historian puts women in the forefront, using many biographies to show the importance of women. She is a feminist different from most of her colleagues, however, and believes that more of a focus should be on individual instead of just gaining rights, contradictory of Scott. In this study on more emphasis is placed on women being on a pedestal, and being the prize of men which occurred mostly before women's rights were in full force. In order to determine why women, even lowly women, were looked so highly upon, the perceptions and stereotypes given to women must be examined. Scott does a good job of showing this portrayal of women, as a counter to the progression of the women's movement, as do other feminist authors from the South.

Some historians, like Edwin Mims, give an overview of how Southern women are perceived throughout history. "We associate such women, young and old, with stately columns and porticos, polished halls, family portraits, immemorial trees, and a social life notable for its charm and courtesy."²³ However, another popular notion is shown by other historians such as Sharon Mckern and Shirley Abott. They believe that one of the main contributing factors to the women's movements was fueled by the roles placed upon them by males. "The Southern woman is a product of a provincial, male dominated tradition shaped by the rural past even in the reality of an urban present."²⁴ Women were looked so highly upon that if they did not live up

to their given standards, then they were not truly women. "To grow up female in the South is to inherit a set of directives that warp one for life, if they do not actually induce psychosis. This is true for high-born ladies as well as for farm women, and no one has ever quite explained it."²⁵ These studies on how women were viewed are extremely helpful in discovering why the women in the Scottsboro case are able to escape punishment. Their own faults were not taken into account, because to the men of the court, Bates and Price were viewed as the perfect Southern lady. They would rather uphold a woman's name than save an innocent man's life. This can directly be seen when looking at the ways in which Samuel Leibowitz, the defendant's attorney, was restricted in the way he cross-examined the women. This will be looked at in depth in the paper.

This concept of the perfect Southern woman, however, is not prevalent in the study of women's history by itself, but must be extracted from the study of Southern women's culture in general. One way to study their culture is by looking at the literature that is produced during this time period, and then examining the way in which women are portrayed. The most influential historian who illustrates this point is Kathryn Lee Seidel.²⁶ She discusses how the Southern woman was revered, and even in literature, was put upon a pedestal mirroring society. "Thus the Southern belle in literature before the Civil War was portrayed as an untouched Eve in a domestic garden, or a goddess on a pedestal, unsullied by money, experience, and vanity. As Stowe discovered, to criticize this flower of civilization was to attack the South itself."²⁷

Two other historians focus on one main piece of literature, *Gone With the Wind*²⁸, and use it to show the relationship of women and the novel. Since this is a very popular novel, Francis Ludlow and Shirley Abbott²⁹ have used it as a text in order to understand women's history. One point they both make clear, however, is that everything in literature is not entirely accurate as to how women really lived, but it is very representative of how society viewed them. "Margaret Mitchell, by intent or by chance, offered harassed readers the perfect antidote to thought: a glamorous heroine and the South of a thousand romantic traditions."³⁰ Using literature was a useful tool for historians, especially when dealing with social histories. By looking at their culture, and the works that their culture produced, it becomes clear how they lived and what they valued.

After examining how these different aspects of the Scottsboro case are studied, it is clear that each piece relates to each other, and helps to determine how this event has shaped history or has had an impact on the way the past has been understood. The racial discrimination in this case plays a part with helping the civil rights movement get started, and the focus on women being held in such high esteem helps to understand why progression in women's rights also grew. While the rest of this paper will not directly focus on these ideas, it is very helpful to understand the larger implications of this case, and the effect that it has on the study of history as a whole.

The Scottsboro Case consisted of two white female accusers, and nine black males that supposedly raped them. The following lists all the main participants, and their ages.

This was where the legal proceedings began that revolved around the rape charges made by Roby [sic] Bates (17 years old) and her friend Victoria Price (21 years old or perhaps even 27 years old), both White, poor, and underemployed mill workers, against Olen Montgomery (18 years old), Clarence Norris (18 years old), Haywood Patterson (18 years old), Ozie Powell (16 years old), Willie Roberson (16 years old), Charlie Weems (20 years old), Andy Wright (19 years old), Roy Wright (14 years old), and Eugene Williams (15 years old), all temporary workers, African American, and poor.³¹

What Happened That Day

The incident at Scottsboro began on a train on March 25, 1931. Generally, those who stole away in the cars of a train were in hopes of finding work in nearby towns, and were too destitute to secure any other means of transportation. Since this was in 1931, the depression had left many without jobs and no way of earning money, so stealing rides on the train in search of work was very common. "With no money, the way many impoverished workseekers traveled in those days was by hitching rides on empty freight cars. As Mr. Norris and a group of young blacks rode the rails heading into northern Alabama from Tennessee, a fight broke out with some white youths. Most of the young white men left the train."³² However, there were a few left. The other riders included Victoria Price, Ruby Bates, and Lester Carter, a friend from a hobo-jungle. These three were not in the same area as the nine black boys so they did not even know about each other. "The sun is shining and along the same embankment stand the two girls and one of the men. The girls wear overalls. The taller and prettier of the two looks a little frightened...A freight train pulls out of the Huntsville yards, and our three adventurers swing aboard."³³

After news of the first fight, the train was to be inspected at the next stop. At this point the riders were as follows. "The only Negroes left on the train were the nine young Negro boys. A few white men and the two white girl hoboies dressed in men's clothing were still on the train."³⁴ The authorities were surprised to find out, however, that two of the people on board were in fact women. They had not been recognized as so earlier due to their clothes. "In searching the train, the deputies saw three white hoboies getting out of the gondola car. But two turned out to be women in men's clothing."³⁵

As word traveled about the inspection to the townspeople at the next stop, the accusations started flying. Why could there possibly be two white women on a train full of black men? No matter what the answer to the question is, they had already devised their own stories, and were ready to take action. "By the time the train is flagged to a stop at the dusty metropolis of Paint Rock, Alabama – the total population of the town is at the station armed with broomsticks, rusty rifles, ancient shot guns. Savage delight and grim determination – waiting for that train."³⁶

Before the train arrived at the stop the two women had already begun to worry about vagrancy charges if they were found on the train. They had already gone to jail for prostitution and stowing away on train cars. If they were caught again, they knew they would be put back in jail. They couldn't have realized how easy it would be to

get out of that situation, however. When they got off the train they were immediately met with questions. They did not say anything false at first, and tried to tell the crowd that they had not been touched. "But the state solicitor urges them on. 'Go ahead and say they did it,' he told the two women. 'That boy attacked you, didn't he? Go ahead and say that he did it!'"³⁷ After endless prompting, the women went on to tell the people ridiculous stories of rape just as they wanted to hear. Even if they had not made up these stories, the crowd was ready for action due to the racial tension of the town, and the opportunity this event gave them to act out towards the nine boys. "Without waiting for any answer from Ruby and with Victoria probably watching them from beneath lowered eye lids – the words begin to spread through the crowd – 'Rape – lynch – rape – attack – white girls – niggers lynch them – lynch them.'"³⁸

If Price and Bates had argued that they were not touched, and had just been stowing away on the train, they might have faced charges for being on the train. So for them to just let the crowd think what they wanted was the best move for them. "The two white women now ceased to be arrested vagrants and became 'pure' and holy examples of 'outraged white womanhood.'"³⁹ Many of the townspeople, even after the trials, believed that protecting the women and trying the boys was the right thing to do. Even if they were not raped, no Southerner wanted to see a woman be hassled about vagrancy and prostitution when it could be replaced by a black man dying. "The singular opportunity afforded Bates and Price should be appreciated by every woman. From languishing in a jail cell as the lowest of low, vagrant women who stole rides on freight cars, it was a short step to the witness stand where dignity of a sort could be reclaimed by charging that they had been pathetic, innocent victims of rape."⁴⁰ A few years later when Bates recanted her testimony, it is shown that the women did in fact falsely accuse rape on purpose.⁴¹ "Bates began saying in 1933, she and Price perjured themselves by pressing false rape charges against the 'Scottsboro Boys,' and they did so quite selfishly in order to avoid vagrancy or prostitution charges."⁴²

The townspeople had their own ideas regarding this trial, which started on April 6th just seven days after the incident occurred, and the way it affected their community. Some of them thought that it was about time something big like this happened. "The fifteen thousand or so inhabitants of Scottsboro and the hillbillies of the surrounding countryside have ordinarily very little excitement and it was a long time since anything had come their way like nine niggers accused of rape."⁴³ However, the need for this excitement induced numerous exaggerations that only worsened the situation for the nine boys. Newspapers, such as the Jackson County Sentinel, started printing stories about events that never happened. "The white girls were found in the car in a terrible condition mentally and physically, after their unspeakable experience at the hands of the black brutes."⁴⁴ They added as many details as they could to get the townspeople going, never really caring that they were making them up as they wrote.

Other newspapers commented on how well Scottsboro was handling this affair, and that other towns should take the same, "fair", approach.

Only the *Constitution* editorialized on the initial verdicts. Under the heading 'Honor to Alabama,' the paper said: 'The governor and people of Alabama deserve the praise of the whole country for the manner in

which they have handled the perpetrators of the repulsive outrage upon a couple of white girls by a band of Negro tramps on a freight train near Scottsboro several weeks ago. Not in many years has so dastardly and inflaming a wholesale crime been committed in the south. The provocation to a horrified and maddened community to take summary and deadly vengeance upon the guilty brutes was fairly irresistible, but the cool courage of the local sheriff and his influence over his fellow citizens led to the peaceable arrest and imprisonment of the doers of multiple outrages.⁴⁵

The citizens of the town even went as far to say that they were proud that they didn't lynch the boys because they are so guilty that it will be a great accomplishment to kill them using the law. "Calm-thinking citizens last night realized that while this was the most atrocious crime in this county, that the evidence against the negroes is so conclusive as to be perfect and that the ends of justice could best be served by legal process."⁴⁶ While it is good that there is a shift into the legal process from taking matters into your own hands, it is still a problem when the outcome is already established before a trial has even taken place.

Some citizens still wanted to punish the old way instead of bothering with trials because of the extreme conditions of rape. An outraged woman in town worried that another incident might occur if they did not take extreme measures. "When I asked why, she replied, 'The next time they would finish up those black fiends and save the bother of a second trial.' Then she told me of a story of the mistreatment suffered by the two white girls at the hands of 'those horrible black brutes,' one of whom 'had her breast chewed off by one of the negroes.'⁴⁷ There was still the lynch mobs that surrounded the court on a daily basis. "Yet the trials opened in an atmosphere tense with mob hysteria, on several occasions with the courtyard filled with a mob clamoring loudly for the Negroes' blood."⁴⁸

April 6, 1931 opened the first day of trials. During these first trials the defendants were tried in sets of 2 or 3 individuals. The courts felt that if they tried all of them together it would look too much like a legal lynching, and by breaking them up could still achieve a fast trial, and not look too hasty in their procedures.⁴⁹ Two days later all but the youngest boy, Roy Wright, received the death penalty for their gang rape of Victoria Price and Ruby Bates. However, this was soon appealed and by March of 1932, the Alabama Supreme Court upheld the death sentence for all but Eugene Williams, the next youngest member of the group.⁵⁰ Later in November of that year, The U.S. Supreme Court stepped in with *Powell v. Alabama*, and declared that the boys did not have adequate representation during the first trials, so they retry them. After three more trials⁵¹ in Alabama, all resulting in death for the boys, the U.S. Supreme Court steps in again with *Norris v. The State of Alabama* in 1935. The decision resulted in it being unconstitutional for a black man to be denied a spot on a jury. So again, the trials went back to Alabama where finally in January of 1936, Hayward Patterson was convicted once more and sentenced to 75 years in prison. This was monumental because this was the first instance of a black man accused of rape received anything less than death.⁵² It wasn't until 1950, however, until all the boys were rightfully freed. "Through either escape or parole through the years, the Scottsboro Boys are eventually all free. Andy Wright is the last to leave the

Alabama state prison system on parole.⁷³ After knowing the background on the trials themselves, it is now imperative to understand the attitudes of the South regarding women. It is by studying the women that a connection can be made as to why Price and Bates were treated as perfect Southern ladies during the trials.

Women in Society

One of the most predominant views about women during this time period is that they are set apart from the rest of society, but not in inferior way like most groups that are stereotyped. Women were looked upon very highly and put on pedestals in the eyes of Southern men. "On her pedestal at the center of the South's romantic dream stood, of course, its central symbol: the Southern lady. Like the dream world itself, she was beautiful, fragile, good, and ultimately irrelevant to reality."⁷⁴ One achieves this status by adhering to the values and morals that the ideal Southern lady would hold as dictated by those before them, and the wishes of their husbands. "Historically, the ideal of the Southern lady lies at the very core of the culture and beliefs of the American South. The image of the lady and her adherence to a strict code of behavior, her dignity, morality, and chastity have resulted in the Southern male placing her upon a pedestal from which she finds it difficult to descend."⁷⁵

Because there is this sense that the Southern woman is set apart from others, and that part of this is due to the guidance of males, they are closely protected by society and would punish anyone who tried to threaten their womanhood. "None of the South's traditional concerns is dearer to its heart than that of the special nature – and stature – of the white Southern lady. In the mind of the South the idea of the lady has been held sacred, a myth whose centrality must be protected at all times, and particularly at those times when the South sees its special characteristics under threat."⁷⁶ This goes hand in hand with Scottsboro. Even if Price and Bates themselves were not the perfect Southern lady, they still represented one which would not be defiled by the nine boys. This is evident in the way that the court would not allow anyone to discredit them, or make them look bad on the stand.

Even if being put on top of a pedestal does not sound appealing in reference to today's standards of being a women, the women of the South usually did not have any problems with their lifestyle, and fell into it naturally. "She had not to learn to be a lady, because she was born one...She lived in an atmosphere created for her – the pure, clean, sweet atmosphere of her country home..."⁷⁷ They celebrated their status, and were usually content with being the women their husbands and society wanted them to be. "If talking could make it so, antebellum southern women of the upper class would have been the most perfect examples of womankind yet seen on earth. If praise could satisfy all of woman's needs, they would also have been the happiest."⁷⁸ They not only served their own families, but the South in general, thus making their contributions have an impact all across the South. "Her life was one long act of devotion, - devotion to God, devotion to her husband, devotion to her children, devotion to her servants, to the poor, to humanity."⁷⁹

Men of the South were faced with challenges in light of this admiration for women. Since it is one of the most important aspects of life, it is something that they must take seriously. "If there is one thing upon which Southern people have prided

themselves, it is their reverence for womanhood.⁶⁰ This means that if anything ever conflicted with this view they must defend their women at all costs. Here is an example of this mentality.

The private sphere of women embraced femininity, beauty, simplicity, and submissiveness; the highest roles to which a southern woman could aspire were those of nurturing mother, dutiful wife, and social moral pillar. Men, in contrast, operated in a public sphere, where they provided for their families and property and carried on business. These separate spheres constituted an unwritten contract between men and women, where women remained domestic and atop their pedestals, and men protected them.⁶¹

Since the men of the South put their women on this pedestal it was their responsibility for keeping them there. "The Southern lady was a white woman who acquiesced to patriarchal authority in exchange for male protection and support and who left the realm of politics to her father and husband in deference to the particular abilities of man."

Rightfully so, the men were more than willing to protect since it was the women in society that managed the household and provided guidance for children. "This marvelous creation was described as a submissive wife whose reason for being was to love, honor, obey, and occasionally amuse her husband, to bring up his children and manage his household."⁶²

Even though some women resented the fact that all they were there for was keeping a household running and being looked up to by the men in society they had to follow the pattern. Some desperately wanted in. Amanda Jane Cooley Roberts wrote about her predicament in her diary. "I know not what to do; I can't leave home, it seems unless I marry, and there is the difficulty, I cannot find any body to marry."⁶³ However, for those that did marry, if they dissented from their roles they would not be accepted, and therefore, could not live a fulfilling life.

If these speculations ring true, one pressing question still remains. Since the ideal of perfection placed a great strain upon women, why did they tolerate their role? One reason is suggested by the early indoctrination already mentioned: the institutions and mores of the society all pointed in the same direction. Churches, schools, parents, books, magazines, all promulgated the same message: be a lady and you will be loved and respected and supported. If you defy the pattern and behave in ways considered unladylike you will be unsexed, rejected, unloved, and you will probably starve.⁶⁴

Women also felt that it was their duty to marry, and if not you would be looked down upon as well. Leah Byrd Haynie wrote this in her memoirs, "If she lives, woman must make the choice to marry or become that hocking thing, an old maid."⁶⁵

However, even if a woman deviates from this path, they will still be upheld as a Southern lady if threatened by the right circumstances. This notion is obvious in

this case in particular, and also in other cases dealing with rape. Any woman that is taken advantage of by a black male will be defended as if she were a perfect woman

Scottsboro is not the only example of this. Nell Williams, another young Southern lady was involved in a fight and failed rape attempt that broke out between a black male, and a few other women. Her sister and friend were killed by a gun that was introduced by the male, and she was only wounded. When Nell recovered, she immediately accused the first black man she saw in the street of being the attacker. She had no proof, and all the evidence in the case pointed to this man's innocence.⁶⁶ However, much like Scottsboro, the court seemed to not care. "Rather than humiliate Miss Williams by contradicting her story, the state of Alabama was willing to convict an innocent man."⁶⁷ In other words, Miss Williams mirrors Price and Bates and the innocent black man mirrors the nine Scottsboro Boys. As one Southerner, regarding the rape of white women, puts it, "A Negro accused of rape by a white woman had not the 'chance of a sheep-killing dog to establish his innocence or to get the benefit of any doubt."⁶⁸

Price and Bates

Many characteristics of both Price and Bates set them apart from most other Southern women. One of the most distinguishable was their dress. Instead of the modest, and feminine clothing that most women wore, Bates and Price usually donned overalls and raggedy shirts. Even after the incident occurred, the townspeople felt sorry for the two and replaced their clothing. This shows how important it was to take care of women, and also shows that the image of the ideal woman is placed upon those that are clearly not ideal. "Victoria's story so touched a group of Scottsboro citizens that the next day they bought her and Ruby new clothing to replace the overalls and threadbare dresses they had been wearing."⁶⁹

Their past records also set them apart from other women. Both had been jailed numerous times for participated in vagrant activity in the hobo-jungles and as prostitutes. Even the media was enlightened to their pasts and had material that could discredit anything they said on the stand. "A newspaper editor in Alabama said to me later on, 'I have the evidence about the characters of those girls which might free the boys if I published it.' 'Why don't you?' I asked curiously. 'We are a family newspaper,' he replied."⁷⁰ This means that the two women participated in activities which could not even be reported on because their actions were considered improper for women during this time. For Price independently, who insisted the boys raped her even after Bates had told the truth about the lie, had the law against her. "And, at the last trial of Norris, two residents of Huntsville, both former officers of the law, testified that Victoria Price's reputation for veracity was a bad and that they, who had known her since 1924, would not believe her on oath in a court of justice."⁷¹ But even though both of the women's character was not upstanding, collectively the courts still wanted them to be the innocent victims of such a terrible crime.

One last example of how the two women differed from the norm was their crude behavior on the stand. While both were uncooperative at times, showing their lack of respect for the proceedings, some of their other actions were very unladylike. "Occasionally Ruby leaned forward and, carefully holding one finger over half her

mouth, sent a stream of snuff into the spittoon. But afterwards she simply wiped her mouth with her arm and leaned back in her chair, her soft brown eyes almost expressionless.⁷² All of these aspects show that Price and Bates were not the typical Southern Lady like most women during this time, but even in light of these flaws, they still were seen as much more superior than the boys and worthy of getting them convicted and executed at all costs.

Rape in the South

Rape committed by a black man to a white woman in the South was the most heinous of all crimes committed during this time. "... the black rapist, 'a monstrous beast, crazed with lust'; the white victim – young, blond, virginal..."⁷³ This example shows the image of the Southern woman as pure, while the image of the attacker is anything but. Due to the extreme esteem given to these women, to hurt their image in any way is a crime, let alone defiling her at the hands of a "substandard" human being. Men put their women on a pedestal during this time, and for anyone to take them off and victimize them is appalling, but, for someone that they have such a built up hatred for is far worse. Not only do they hate black men, but they view them as inferior, thus making it a slap in the face for white Southern men to have an inferior cause them pain. As Hall puts it in one of her books, "Of all aspects of racial etiquette, those governing sexual relations aroused the strongest emotions and carried with them the severest sanctions."⁷⁴

To the Southern population it is not only that the black male is a "brute" and will ravish a white female, but that they thirst for it. "White Southerners, both inside and outside the legal system, widely shared the belief that black men were obsessed with the desire to rape white women."⁷⁵ It is unfathomable to think that a white Southern woman would ever want anything sexual to do with a black man, as far as the white males are concerned. This means that any sexual relations between the two was always one-sided, and considered rape. "A white woman who made sexual advances to a man was socially unacceptable, masculine, shameless. And a man who had any type of physical contact – simply did not exist. Therefore any such relationship was seen to be initiated by the black man, a crime punishable by torture and death."⁷⁶ These characteristics of women fit Price and Bates, and thus show that when it comes down to it, the South would rather back up two women with questionable reputations than nice black males.

The punishments for rape by black men were not taken lightly in the South. Before lynch mobs, castration was used a main control method against future rapes. However, this soon converted to the execution of the man. "Rather than prescribing castration, southern states during the antebellum period called for the execution of black men convicted of rape or attempted rape of a white female."⁷⁷ Death was the only answer to this serious of a crime. Dan Carter explains this Southern mentality.

In the South it has been traditional...that its white womanhood shall be held inviolate by an 'inferior race.' And it mattered not whether the woman was a 'spotless virgin or a 'nymph de pave.' There could be no extenuating circumstances. If a white woman was willing to swear that a negro either

raped or attempted to rape her, 'we see to it that the Negro is executed,' declared Arkansas poet John Gould Fletcher. "For the rape of a white woman, however, there was only one punishment: Death."⁷⁸

Death was on the minds of all the townspeople in this case as well, however, hopes of a fair trial were made possible by the constant protection and insurance that they boys would not be touched by anyone other than the courts. Still, the mentality of the citizens would not change so easily. "As one old timer said without heat after Victoria Price stepped down from the witness stand, 'Anyone would have to [convict] after hearin' her say that a nigger raped her.'"⁷⁹

How The Case Was Affected

After examining how women are viewed in the south during this time, and by looking at the serious nature of rape, it is seen that both directly affect each other in the outcome of this case. Price and Bates were treated well by the court, while the actually innocent parties suffered. The court did not care that Price and Bates were not the "ideal" woman; to them they were on top of that pedestal and were true victims. No matter how hard the defense tried to break Price, she always gave answers that were accepted by the court, even though were as far from the truth as one could get. "Her testimony was contradictory, often evasive, and time and again she refused to answer pertinent questions... In addition to this the proof tends strongly to show that she knowingly testified falsely in many material aspects of the case."⁸⁰ Instances like these pushed the defense farther away from freeing the boys, and perpetuated the idea that no matter what, the court was not going to allow the women to be mistreated by questioning their integrity.

Even when evidence was contradictory the women were still not looked at as telling lies. A witness, Ory Dobbins, took the stand to incriminate the boys saying he watched a few of the boys take a woman by the waist and throw her into a car. He lives close to railroad and witnessed all of this while walking to his barn. The following is his statement regarding how he knew it was a woman that was taken by the black males. "His reason for stating it was a woman is as follows: 'Q. you know it was a woman don't you? A. She has on women's clothes. COURT: She had on women's clothes? Q. What kind of clothes, overalls? A. No, sir, dress.'"⁸¹ This goes against what the women were actually wearing, overalls, and therefore can not possibly be a reliable testimony. This shows just how ingrained the images of the ideal woman were in the minds of Southern men. Dobbins assumed that because Price and Bates were women, they would be wearing dresses. Regardless of dress, his testimony also shows that he in fact was making the story up since there was no one on the train in a dress, so he story shows the way in which he would rather lie and help the women versus not saying anything and letting the nine boys go free. However, the court still held this, as well as many other accounts like this one, in high regard.

Another aspect of the case that hurt the defense in light of the mentality of the court was that of how the lawyers were able to address Price and Bates. Samuel Leibowitz⁸², the defense attorney, paid very close attention to detail, and could usually

catch the women in their contradictions. During this instance he was trying to get across that Price was married and had been participating in an adulterous relationship which would show that she, a woman, was fallible. "He began his cross-examination gently, almost kindly: 'Miss Price...shall I call you Miss Price or Mrs. Price?' 'Mrs. Price,' answered the witness sullenly. She looked at her interrogator as though he were a poisonous snake circling her chair."⁸³ As much as Price and Bates might have been uncomfortable with his questioning, it was not nearly as uncomfortable as it made the rest of the court. "Once when Leibowitz asked Mrs. Price with a touch of sarcasm in his voice, if she had not removed the overalls she said were torn from her by the assailants, Callahan sternly warned him to 'treat the lady with more respect.'"⁸⁴ Leibowitz was also faced with criticism from those in the jury. "The 'brutal manner' in which Leibowitz cross examined Mrs. Price 'makes one feel like reaching for his gun while his blood boils to the nth degree.' Leibowitz made the fatal mistake of regarding Victoria Price as a cut rate prostitute. He was 'not accustomed to addressing Southern juries,' said Robert Eleazer."⁸⁵ No matter how hard he tried, he didn't realize the South would not stand for their woman to be discredited. This in turn made it hard for Leibowitz to complete his job or discrediting the accusers of the boys he was defending.

This same notion can be found in various mediums in culture as well as in the courtroom. One way it is shown in society is through song. A female country music artist made this clear when talking about what she could and could not sing about.

A Southern woman babies her man, she says, And men need to and like to be babied. Every man likes to be babied. But that's great, because when somebody comes and offends his woman, he'll fight the biggest man in the world to protect her! I feel very feminine, and I love being a woman, and I love being treated that way. One thing that still holds true is that the world just doesn't want to hear a women put down in a song. If a woman sings a song, she can sing about the man cheating on her. Or if she's done wrong herself, she can sing about wanting to make it up to him. But you don't want to sing a song that makes a women look bad or immoral. You still don't want a song that makes a woman look terrible, because men still like to uphold their women. And every women wants to feel she is a lady."⁸⁶

With ideas like this about what can and can't be said, it's no wonder that Leibowitz was silenced when trying to discredit the women. To the courts it looked like he was damage the reputation of the women, which was totally not acceptable in the South during this time.

The court would sometimes allow a certain line of questioning, but then there was the difficulty to get the women to cooperate. Many times, even if they were willing to answer questions, they did not understand, nor were willing to try.

Using a model of the freight train, Leibowitz tried to illustrate the sequence of events. Mrs. Price adamantly refused to agree that the model looked like the train she had ridden. What were the differences? Asked Leibowitz.

'That is not the train I was on,' she snapped. 'It was bigger, lots bigger, that is a toy.' No amount of cajoling from Leibowitz could force from her an admission that it was a suitable replica.⁸⁷

Even when the women, Bates in particular, helped the defense by taking the stand and saying that they both made up the whole rape, the court still would not see it as valid testimony. Bates decided that it was time she came forward and told the courts that it was all a lie. She had not been raped, and she hoped to get the boys free. "Ruby Bates, after the first trial in which she supported the tale, broke ranks and joined the defense side. She said no rape occurred, that the entire story was fabricated in the heat of the racial conflict. She worked arduously to free the Scottsboro defendants, all to no avail."⁸⁸ However, the courts couldn't believe her. The images of the males raping them had already permeated their minds, and they would not let anyone get away with such an awful crime. They therefore assumed Bates was paid off by the defense because a white Southern woman would never defend a black man. "Ruby Bates, testifying in the defense of the Scottsboro boys, was the first white woman in the history of the South to defend Negroes from the charge of rape."⁸⁹

It is quite ironic how the court handled Bates and her new testimony. Previous to her coming forward, Leibowitz was often silenced when trying to discredit the women, but in this case the court was much crueler with their words. It was as if they couldn't believe she was anything but a perfect woman until she opposed them, and even in that case it wasn't her fault, but the defense that corrupted her. This statement referring to Bates new testimony being bought shows this sediment. "Howls 'Are you going to let Alabama justice be bought by Jew money from New York?' Judge Horton overruled Leibowitz motion for new trial on basis of this prejudiced statement. Lynch mob organizers openly cry, 'Lester Carter and Ruby Bates ought to be sent to prison for what they said.'⁹⁰ Even the prosecutor in his closing remarks criticizes Bates and the defense. "In his summation Attorney General Knight said, 'Ruby Bates sold out lock, stock and barrel for a coat and a hat and God knows for what else.' This is a framed defense."⁹¹

With all of this resistance to her new testimony, Bates still stayed adamant about making things right, and clearing the boys' names. Here is a statement she made about the issue.

Because I told the truth, the Alabama bosses and officials threaten my life and the President's secretary shuts the door in my face. I see that the rich and the mighty don't care any more for us poor white workers than they do or the Negro people. My conscience drives me to do everything I can to help free these boys, I know are innocent. I will ask the white workers and the Negro people and all honest people who are against murder and oppression to unite in a still greater protest for the freedom of the Scottsboro boys and for the defense of all oppressed workers, white and black.⁹²

Because the court in this case is very much in favor of traditional Southern values, Bates' testimony has no weight, and is disregarded as can be seen by the boys still not being freed. There seems to be no place for a Southern woman to defend black men accused of raping her.

Conclusion

Throughout this paper I have focused on two main ideas; The Scottsboro Case, and the ideas surrounding Southern women. Though not apparent when studying the case by itself, the notions of white Southernhood affected the case in many ways. When studying the two main women, Victoria Price and Ruby Bates, it is clear that they are not the ideal Southern ladies. However, society has placed women on top of a pedestal during this time, and it is very hard to knock them off, especially when they have accused nine black men of rape. Even attempts to show their uncertain integrity in the courtroom were not permitted, thus causing their "attackers" to be found guilty. "I'm not the President, Nor the Honorable So-and-So, But only one of the Scottsboro Boys, Doomed 'by law' to go."³ This poem that was used to open with means more than just showing that the Scottsboro Boys were doomed to go to jail. As mentioned earlier 'by law' suggests that the law in this case represents the loosest sense of the word law. Due to the views on white women, black men, and the idea of rape, the law changed into what the court wanted it to be. Justice was not served for the Scottsboro Boys and all because the 'law' was influenced more by upholding the ideals of womanhood rather than justice.

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ENDNOTES

- ¹ Langston Hughes, "August 19th...A Poem for Clarence Norris," in Arnold Rampersad, ed., *The Collected Poems of Langston Hughes* (New York: Knopf, 1994.)
- ² "Scottsboro, a Record of a Broken Promise," (New York: Scottsboro Defense Committee, 1938), 18.
- ³ "Scottsboro: The Shame of America," (New York: Scottsboro Defense Committee, 1936), 8-10.
- ⁴ Dan T. Carter, History Professor at the University of South Carolina, is the leading authority on the Scottsboro Case. While his major work deals with Scottsboro most of his recent works involve looking at the changing politics of the South.
- ⁵ Dan Carter, *Scottsboro: A Tragedy of the American South* (Lafayette: Louisiana State University Press, 1979).
- ⁶ James Goodman, *Stories of Scottsboro* (New York: Vintage, 1995).
- ⁷ Herbert Shapiro, *White Violence and Black Response: From Reconstruction to Montgomery* (Amherst, MA: The University of Massachusetts Press, 1988), 207.

- ⁸ Mark Grossman, *The Civil Rights Movement* (Santa Barbara, CA: ABC-CLIO, 1993), 178.
- ⁹ B.D. Amis, *They Shall Not Die! Stop the Legal Lynching! The Story of Scottsboro in Pictures* (New York: Workers' Library Publishers, 1932).
- ¹⁰ Dora Apel, *Imagery of Lynching: Black Men, White Women, and the Mob* (New Brunswick, NJ: Rutgers University Press, 2004).
- ¹¹ Lynn Barstis Williams, "Images of Scottsboro," *Southern Cultures* 6, no. 1 (2000): 50.
- ¹² Raymond Wolters, *Negroes and the Great Depression: The Problem of Economic Recovery* (Westport, CT: Greenwood Publishing Corporation, 1970), 337.
- ¹³ Jacquelyn Dowd Hall, professor at University of North Carolina Chapel Hill, has written many books and articles, besides the example of her work given, dealing directly with the implications of rape occurring between races, and the effect that it has in the Southern society. These include: "The Antilynching Movement," in *Black Women in America: An Historical Encyclopedia*, ed. Darlene Clark Hine (Brooklyn: Carlson Publishers, 1993), "The Mind that Burns in Each Body: Women, Rape, and Racial Violence," *Southern Exposure* 12, no. 6 (1984): 61-71, "Private Eyes, Public Women: Class and Sex in the Urban South," in *Work Engendered: Toward a New History of American Labor*, ed. Ava Baron (Ithaca: Cornell University Press, 1991), *Revolt Against Chivalry: Jessie Daniel Ames and the Women's Campaign Against Lynching* (New York: Columbia University Press, 1979).
- ¹⁴ Jacquelyn Dowd Hall, "The Mind that Burns in Each Body: Women, Rape, and Racial Violence," 64.
- ¹⁵ Ibid.
- ¹⁶ Peter W. Bardaglio, now the provost at Ithaca College, has written mostly on the role of Southern families and the relationships between gender and race throughout the social history of this time. Some of his works include: "Rape and Law in the Old South: 'Calculated to Excite Indignation in Every Heart,'" *The Journal of Southern History* 60, no. 4 (1994): 749-772, "Rape - Only as Men See it," *Baltimore Evening Sun*, June 16, 1993, "Shameful Matches: The Regulation of Interracial Sex and Marriages in the South before 1900," in *Sex, Love, Race: Crossing Boundaries in North American History*, ed. Martha Hodes (New York: New York University Press, 1999), 112-38, "The Transformation of Patriarchy: The Historic Role of the State," in *Families, Politics, and Public Policy: A Feminist Dialogue on Women and the State*, ed. Irene Diamond (New York: Longman, Inc., 1983), 70-93, and "White Girlhood, Rape, and the Courts in the Postbellum South," Speech at History of Childhood Conference, Benton Foundation, Washington, D.C., August 2000.
- ¹⁷ Peter W Bardaglio, "Rape and Law in the Old South: 'Calculated to Excite Indignation in Every Heart,'" 754.
- ¹⁸ Keith Burgess-Jackson, ed., *A Most Detestable Crime* (New York: Oxford University Press, 1999), 203.
- ¹⁹ Not to get confused, since the women in the case falsely accused the nine boys they are not in the same category as the women that have been neglected and miss-represented before the women's movement.
- ²⁰ Anne Firor Scott, W.K. Boyd Professor Emeritus at Duke University, has written many works that show the progression of the feminist movement in the South. These include: *Making the Invisible Woman Visible* (Urbana: University of Illinois Press, 1984), *One Half the People: The Fight For Woman Suffrage* (Philadelphia: Lippincott, 1975), *The Southern Lady, From Pedestal to Politics 1830-1930* (Chicago, University of Chicago Press, 1972), and *Unheard Voices, the First Historians of Southern Women* (Charlottesville: University of Virginia, 1993).
- ²¹ Scott, *The Southern Lady: From Pedestal to Politics 1830-1930*.

- ²² Gerda Lerner is an emeritus Professor of History and Women's Studies at the University of Wisconsin (Madison.) She is considered a feminist historian, but besides women, she also has a passion for class and race issues. Her works include: *The Female Experience: An American Documentary*, (Indianapolis: Bobbs-Merrill, 1976), *Feminist Thought of Sarah Grimke*, (New York: Oxford University Press, 1998), *The Grimke Sisters from South Carolina: Rebels Against Slavery*, (Boston: Houghton Mifflin Company, 1967), and *Why History Matters*, (New York: Oxford University Press, 1997.)
- ²³ Edwin Mims, *The Southern Woman: Past and Present* (Lynchburg, VA: Randolph-Macon Woman's College, 1915), 4.
- ²⁴ Sharon Mckern, *Redneck Mothers, Good Ol' Girls, and Other Southern Belles* (New York: Viking Press, 1979), 8.
- ²⁵ Shirley Abott, *Womenfolks: Growing Up Down South* (New York: Ticknor and Fields, 1983), 3.
- ²⁶ Kathryn Seidel, now Dean of Students for The University of Central Florida, has produced many works on women's history through literature. These include: "Gail Godwin and Gail Glasgow: Southern Mothers and Daughters," *Tulsa Studies in Women's Literature* 10, no. 2 (1991): 287-294, "The Separate Self: Identity and Tradition in the Fiction of Gail Godwin," in *Southern Mothers: Fact and Fictions in Southern Women's Writing*, eds. Nagueyalti Warren and Sally Wolff (Baton Rouge: Louisiana State University Press, 1999), 156-68, "The Southern Belle as an Antebellum Ideal," *Southern Quarterly* 15, no. 4 (1977): 387-401, "The Southern Belle in American Literature: The Necessary Fantasy," *Helicon Nine: The Journal of Women's Arts and Letters* (Spring 1987): 40-47, and *The Southern Belle in the American Novel* (Tampa: University of South Florida Press, 1985).
- ²⁷ Seidel, "The Southern Belle as an Antebellum Ideal."
- ²⁸ Margaret Mitchell, *Gone With the Wind* (New York: Warner Books, Inc., 1936).
- ²⁹ Shirley Abbott, "Southern Women and the Indispensable Myth," *American Heritage* 34, no. 1 (1982): 82-91.
- ³⁰ Francis Ludlow, "Her Infinite Variety," *The English Journal* 35, no. 1 (1946): 3.
- ³¹ Keith Burgess-Jackson, 200.
- ³² Warren Marr, "Justice, at Last, for 'Scottsboro Boys,'" *Crisis* 83, no. 9 (1976): 311-12.
- ³³ "Scottsboro: The Shame of America," 6.
- ³⁴ Amis, 7.
- ³⁵ *Ibid.*, 8.
- ³⁶ "Scottsboro: The Shame of America," 10.
- ³⁷ Amis, 9.
- ³⁸ "Scottsboro: The Shame of America," 10.
- ³⁹ Amis, 9.
- ⁴⁰ Burgess-Jackson, 202.
- ⁴¹ The fact that Ruby Bates recants her testimony and works with the defense will be explained in more detail later in the paper.
- ⁴² Burgess-Jackson, 202.

- ⁴⁰ Daniel W. Pfaff, "The Press and the Scottsboro Rape Cases, 1931-32," *Journalism History* 1, no. 3 (1974): 75.
- ⁴¹ Arthur Garfield Hays, *Trial by Prejudice* (New York: Covici, Friede Publishers, 1933), 37.
- ⁴² Daniel W. Pfaff, 73.
- ⁴³ Arthur Garfield Hays, *Trial by Prejudice*, 38.
- ⁴⁴ *Ibid.*, 39.
- ⁴⁵ "4 Free, 5 In Prison," (New York: Scottsboro Defense Committee, 1937), 7.
- ⁴⁶ Lita Sorensen, *The Scottsboro Boys Trial: A Primary Source Account* (New York: The Rosen Publishing Group, Inc., 2004), 20.
- ⁴⁷ *Ibid.*, 51.
- ⁴⁸ These are the trials that this paper discusses the most. Leibowitz, the defense attorney is introduced during these trials, and also Bates makes her defense debut during these trials Judge James Horton is the presiding judge, which his opinion to the case is one of my sources.
- ⁴⁹ *Ibid.*, 52-53.
- ⁵⁰ *Ibid.*, 53.
- ⁵¹ Cherry Good, "The Southern Lady, or the Art of Dissembling," *Journal of American Studies* 23, no. 1 (1989): 73.
- ⁵² *Ibid.*
- ⁵³ *Ibid.*
- ⁵⁴ Shirley Abbott, *Womenfolks: Growing Up Down South*, 105.
- ⁵⁵ Scott, *Pedestal to Politics*, 4.
- ⁵⁶ *Ibid.*, 5.
- ⁵⁷ Mims, 3.
- ⁵⁸ Alexis Girardin Brown, "The Women Left Behind: Transformation of the Southern Belle," *Historian* 62, no. 4 (2000): 759.
- ⁵⁹ Scott, *Pedestal to Politics*, 4.
- ⁶⁰ Jean Friedman, *The Enclosed Garden: Women and Community in the Evangelical South* (Chapel Hill: University of North Carolina Press, 1985), 32-33.
- ⁶¹ *Ibid.*, 20-1.
- ⁶² Joan E. Cashin, *Our Common Affair: Texts From Women in the Old South* (Baltimore: Johns Hopkins University Press, 1996), 55.
- ⁶³ Carter, *Scottsboro: Tragedy of the South*, 134.
- ⁶⁴ *Ibid.*
- ⁶⁵ *Ibid.*

- ⁶⁶ Ibid., 14.
- ⁶⁷ Allan Knight Chalmers, *They Shall Be Free* (Garden City, NY: Doubleday and Company, Inc., 1951), 36.
- ⁶⁸ "Scottsboro, a Record of a Broken Promise," 18.
- ⁶⁹ Carter, *Scottsboro: A Tragedy of the American South*, 15-16.
- ⁷⁰ Hall, "The Mind that Burns in Each Body: Women, Rape, and Racial Violence," 64.
- ⁷¹ Hall, *Revolt Against Chivalry*, 145.
- ⁷² Bardaglio, *Rape and Law in the Old South*, 752.
- ⁷³ Cherry Good, 74.
- ⁷⁴ Bardaglio, *Rape and Law in the Old South*, 753.
- ⁷⁵ Carter, *Scottsboro: A Tragedy of the American South*, 105.
- ⁷⁶ Ibid., 241.
- ⁷⁷ "Scottsboro, a Record of a Broken Promise," 13.
- ⁷⁸ Judge James E. Horton, "Opinion of Judge James E Horton," (New York: The Scottsboro Defense Committee, 1936), 19.
- ⁷⁹ Samuel Leibowitz was brought into the case by the International Labor Defense. He was a very famous attorney in New York City, but many were skeptical of how he would perform in the South. Many resented the fact that he was brought in for the case, and often referred to him as a "Communist Jew."
- ⁸⁰ Carter, "A Reasonable Doubt," in *American Heritage* 19, no. 6 (1968): 43.
- ⁸¹ Carter, *Scottsboro: A Tragedy of the American South*, 286-7.
- ⁸² Ibid., 210.
- ⁸³ McKern, 116-117.
- ⁸⁴ Carter, "A Reasonable Doubt," in *American Heritage* 19, no. 6 (1968): 43.
- ⁸⁵ Marr, 312.
- ⁸⁶ Isidor Schneider, "The Story of Scottsboro" (New York: The International Labor Defense), 7.
- ⁸⁷ Ibid., 5-6.
- ⁸⁸ Ibid.
- ⁸⁹ Theodore Dreiser, "Mr. President: Free the Scottsboro Boys!" (New York: International Labor Defense, 1934), 8.
- ⁹⁰ Hughes.

Science Fiction of Fin De Siècle Europe

Dylan Baun

"If men were to create a new world they must have a picture of what it could be, and see clearly the evils of the one in which they lived. They must see the inadequacy of the type of man who now ruled them, and understand the scientific outlook and training of the type required."¹

-Arthur Salter speaking of science fiction at the turn of the twentieth century

Salter comes as close as he can to coining a definition for the extremely broad genre of science fiction that emerged in the late nineteenth century in Europe. He tries to embody characteristics of science fiction into this definition as he speaks of how writers at the turn of the century looked to the future of science and politics. Science fiction writers of this time wrote about what we as humans should expect and how society as a whole should and would react to the technological and political changes of the future. These future changes were not just brought up in the science fiction genre, but this idea of future progress was the prime characteristic of society in the decadent 1890s. The fathers of science fiction were H.G. Wells and Jules Verne, because they painted the most vivid pictures of what the future would look like in their popular novels. Science fiction novelists of late nineteenth-century Europe attempted to promote change through their writing, and in some cases, their views on reform had major political and technological effects on society.

The French author Jules Verne was the first to explore the future in terms of how technology would advance. Verne was an avid scientific researcher, and when he spoke of how technology would be in the future, he always spoke using specific scientific terms. His best example of this was *From the Earth to the Moon: and, Around the Moon*. In this story, the president of an American gun club comes up with an idea that uses the advances of American artillery to send a bullet to the moon. The president presents this most radical idea in front of the club when he says, "I have asked myself whether by means of a sufficient apparatus manufactured under given conditions of resistance, it would not be possible to send a shot to the moon."² Verne displays his vast scientific knowledge when he talks about the specifics of how to get to the moon. For the bullet to get to the moon, Verne suggests that the projectile would need to have an initial velocity of twelve thousand yards per second; it would take ninety-seven hours, thirteen minutes, and twenty seconds (given the decrease in velocity as the projectile ascends into space); it would need to be launched at 0 & 28 N & S latitude to actually land on it; and it must be discharged on December 1, thirteen minutes and twenty seconds to 11:00 p.m., so it could land on December 4 at midnight, when the moon crosses its zenith (Verne calculated that this would be the most favorable time to land on the moon).³ The scientific calculations that Verne

made for this fictional novel were very accurate and laid out a very plausible scientific experiment for reaching the moon. In *Around the World in Eighty Days*, Verne asks another scientific question: is it possible to travel around the world in eighty days using the technological advances of transportation?

"I will make the tour in eighty days or less," is the bet that the main character, Mr. Fogg, makes in *Around the World in Eighty Days*.⁴ This is supposedly the fastest trip one could make around the world. Verne, yet again, uses technological advances to make this fictional work seem possible. Verne plans out this very elaborate trip in terms of how long it would take to get from one place to another with different means of transportation:

London to Suez by rail & steamboats	7 days
Suez to Bombay by steamer	13 "
Bombay to Calcutta by rail	3 "
Calcutta to Hong Kong by steamer	13 "
Hong Kong to Japan by steamer	6 "
Japan to San Francisco by steamer	22 "
San Francisco to New York by rail	7 "
New York to London by steam and rail	9 "
	<hr/>
	80 days ⁵

Verne used present technology in this story to predict how many days it would take to get from place to place, and thus painted a very vivid picture of the capabilities of technology and its progress. Mr. Fogg completes his trip in the end, which essentially shows Verne's confidence in technology. The most innovative novel that Verne wrote was *Twenty Thousand Leagues under the Sea*, as it not only speaks of technological advances, but also of the main character Captain Nemo's inner struggle as he is trying to understand this apparently evil society, and the violence it will take to overcome it.

Verne's most talented characteristic as a writer is the vessels that he creates which, "...as Arthur Evans has remarked, are mobile utopias in miniature: cozy havens within which travelers venturing through dangerous environments experience a better life than they had at rest."⁶ Verne does have a great ability to write fantasy, but making these vessels realistic, as he does with the *Nautilus* in *Twenty Thousand Leagues under the Sea*, makes this technology believable. In this story "an enormous thing" is terrorizing warships in uncharted waters and no one can believe that this thing is actually a ship.⁷ This monster of the water is actually an extraordinary ship called the *Nautilus*, which uses both modern (at the time) and futuristic nautical technology, including thermometers, barometers, hygrometers, as well as a more futuristic way of actually powering the boat. Electricity, a new method for powering ships, was used to operate the *Nautilus*. Verne explains that sea water has two percent sodium in it, which Nemo extracts from the water to power the *Nautilus*. Nemo states that electricity "gives heat, light, motion, and in a word, life to the *Nautilus*."⁸ Not only is the technology in this story innovative, but the character of Captain Nemo is as well, as Verne introduces his first paradoxical, decadent main character.

Captain Nemo uses this ship to conduct underwater research, but also uses it maliciously to destroy other warships. Nemo believes that war is the corruption

of society, and with his vast knowledge of technology, he uses it against what he thinks is the evil of the world. Nemo is a very ambiguous character as he claims that he is ridding society of evil, but he also states that he is "...done with society entirely..."⁹ This paradox is very odd because Nemo is using war to combat war. Paul Alkon writes about the paradox of Nemo, claiming, "Nemo's moral sensitivity is as conspicuous as his ability to act ruthlessly when he deems it necessary."¹⁰ Verne's character of Nemo dwells on societal questions of life, death, peace, war, and destruction, and even though he stands strong in his cause to kill those he deems evil, it seems clear that his views overlap and contradict themselves.

Verne creates Nemo as both a symbol of decadence and the rejection of it, as people at the time were not sure whether to embrace the ideas of decadence or turn them away completely. With so many new ideologies, ideas, and conceptions at this time, it was hard for people to find something strictly to believe in, just like the character of Nemo. As stated, Verne and Wells were the fathers of science fiction, but Verne wrote more about technology and Wells wrote more about science. Wells was not a denouncer of scientific exploration, but in the novels of *The Invisible Man* and *The Island of Dr. Moreau*, he wrote about the negative effects of scientific experimentation in the imminent future.

In the story *The Invisible Man*, Wells lays out a very dark portrait of how scientific experimentation can go too far. The main character in Wells' story, Griffin, created a potion that can make him invisible, but he is unable to reverse the effects, making him invisible for his entire life. The story speaks negatively about the idea of invisibility, and Wells refers to the invisibility as "...the burden he carried," noting that it only made the main character more alone and depressed.¹¹ An interesting theme of the novel is the invisible man's kleptomaniac instinct. The first thing that Griffin does once he realizes that this invisibility is permanent is steal money, so Wells is portraying the invisible man as a character who has been affected by the woes of science, which has led to his evil nature.

Another point to speak of is how this scientific blunder causes the main character to have no conscience. In being invisible, Griffin loses all social and personal responsibility, which leads him to be a rather wicked character. The seclusion brought on by this scientific experiment leads to pure evil, for example, "The Invisible Man amused himself for a little while by breaking all the windows in the Coach and Horses, and then he thrust a street lamp through the parlour window of Mrs. Gribble."¹² Evil caused by science was a theme that Wells portrayed frequently, as he used it in *The Island of Dr. Moreau* as well.

In *The Island of Dr. Moreau* the main character Prendick finds himself on an island that is a haven for horrible scientific experimentation. On this island, Prendick runs into abominable creatures that were "...misshapen men, short, broad, and clumsy, with a crooked back, a hairy neck and a head sunk between his shoulders."¹³ Prendick cannot figure out whether these creatures are humans or animals until the mad Dr. Moreau tells him of his experimentation. Dr. Moreau employs the basic idea of vivisection in creating super animals by using skin grafting techniques. This is not only a physical process, but he uses the popularized idea of hypnosis to educate these animals with language and moral education.

Dr. Moreau explains these animals as, "Complex, like everything else alive. There is a kind of upward striving in them, part vanity, part waste sexual emotion..."¹⁴ Moreau is trying to play God and evolve these animals into humans, showing that Wells recognized the extreme complexity and evil that science could embody in the future. Moreau is trying to reverse degeneration in evolving these monstrous creatures, as he is using vivisection to create these evolved creatures. In the end, though, Wells is commenting on this complex idea of degeneration, in which scientific experimentation can not reverse the societal theory of degeneration and might, in fact be dangerous to society itself. Wells and Verne did not only write about science and technology, but like other popular writers, they wrote about different notions of political reform and what governmental systems would carry it out.

Wells was considered the greatest writer of his time when it came to writing about the future, as he loved to put his thoughts about government and political reform in his novels. His greatest example of this is *The Invisible Man*, as it was not only a story of the woes of science in the future, but a very descriptive critique of capitalism. At this time in history, the rise of capitalism had hit its peak and Wells was an advocate of socialism. He was upset about the popularity of capitalism and wrote about it. Wells would have agreed with scholar Philippe Willems as he describes the late Nineteenth Century as a society "with its consolidation & consecration of capitalist values..."¹⁵ Paul Cantor describes Wells in his piece, *The Invisible Man & the Invisible Hand: H.G. Wells's Critique of Capitalism*, saying: "He upheld a socialist idea of community, yet at the same time he saw a form of heroic individualism as the only way of bringing about socialism."¹⁶

In the story *The Invisible Man*, Wells sets up an economic experiment, as the main character of this novel lives in two societies: rural Iping, which fits the main character's desire for solitude, and the metropolis of London. In these two settings, the invisible man comes to one concrete conclusion: money governs each and every society, regardless of wealth. However, in the tight-knit community of Iping, it is a personal transaction and regulation of money, which he likes more than London, where strangers to the community can live powerfully by corruption in an impersonal working market. Hence, Iping symbolizes the personal market inherent in socialism brings and London symbolizes the woes of impersonal capitalism. Paul Cantor explains this underlying theme of capitalism: he says "Griffin's invisibility symbolizes the working of an impersonal, decentralized, and--in Well's view--dangerously chaotic market economy..."¹⁷ Wells did not just lay out an explanation of the evils of capitalism, but was also advocating change through the values and practices of socialism in *Socialism & The Great State* and, *The Fate of Man*.

Wells' belief in a command economy, which kept "...entrepreneurs from pursuing their individual interests" was so important to him that in the following cases, he did not write fictional works, but about the ideas of socialism as non-fiction in both *Socialism and The Great State* and *The Fate of Man*.¹⁸ Wells believed that socialists have a more intellectual understanding of the future than most political minds. As he said in *Socialism and The Great State*, he thought that socialists "believe in secular change, in Progress in a future for our species differing continually more from its past."¹⁹ He also said that "...they look for new ways of living and new methods of human association with a certain adventurous hopefulness," which Wells stated was

the only way to progress equally into the future, which he also explains in *The Fate of Man*.²⁰

In this study of present and future, Wells speaks of how society may be doomed unless the powers to be make large scale changes in government. He says, "And it is also being forced upon our reluctant attention that that the species of *Homo sapiens* is no privileged exception to the general conditions that determine the destinies of other living species."²¹ What Wells is stating is that great species have risen to power and have declined as well, so it is destined that a more evolved species will take control eventually, unless the governing forces exert their power justly. Wells believes that the only thing that can reverse this scientific fact is a morally just government, and the government system has to be socialism. Wells says, "Either life is just beginning for him [mankind] or it is drawing very rapidly close."²² Wells believes that if society adopts universal socialism, then life is just beginning; but if society clings to the evils of capitalism, then life as one knew it will be susceptible to the laws of scientific evolution. Wells also spoke explicitly about how corrupt systems of government affect the working class in *The Time Machine*.

In Well's *Time Machine*, a scientist travels through time to the year 182,701 A.D., and finds himself in what he hopes to be a utopian society. The scientist reports on how beautiful the future looks as he says, "The air was free from gnats, the earth from weeds or fungi...the ideal of preventive medicine was attained. Diseases had been stamped out."²³ The scientist believes this place to be a perfect society rid of social toil, but he comes to a rude awakening when he finds what dwells below the upper-world. In the story, there are two groups of people: the Eloi, who are the wealthy upper-worlders, and the Morlocks, the working class who receive nothing but a living space from the Eloi. The Morlocks live in complete misery as all they do is work all day, only to see the Eloi benefit from their hard labor. Wells is commenting on how the workers will receive less and less power as the future comes upon society, unless the powers to be change their ways. This is an idea stated in both *Socialism: the Great State* and *The Fate of Man*, as Wells believed that individuals in society will have no power in the future unless the governing body makes great strides to convert to a socialist government. Wells was not the only science fiction writer to rage against capitalism, as Jules Verne also laid out the ongoing corruption of American capitalism in *Propeller Island*.

Jules Verne's main theme in writing was usually futuristic technology, but this was not entirely the case in his novel *Propeller Island*. Verne showed his readers his versatility as he spoke of how capitalism ruined the society in his novel. In this story, a group of musicians from France are asked to tour around the west coast of a futuristic America, and these musicians learn about what has become of American capitalism. The entire west coast of the United States is greater islands, and the largest and most powerful island is Standard Island. This island has all the wealth of the Pacific coast of America and the power lays in the Island Company, which receives all economic revenue. Verne shows what has become of capitalism: one large scale corporation owns everything and its workers and citizens receive little to nothing, as they live in small, poor tenant islands.

In the end, Standard Island is destroyed as Verne says, "Yet how long that wonderful invention might have lasted had not human passion, more powerful than

wind or sea, set themselves to destroy it!"²⁴ The immense invention that was Standard Island was destroyed because of greed and the lust for power by certain individuals, and Verne believes that this could happen in a capitalistic system like America. Verne really did have a fascination with American society in general, as he wrote about America in almost all of his novels. Jean Chesneaux writes about Verne's future predictions on America in his article *Jules Verne's Image of the United States*, as he says, "Without misusing clichés, is it not possible to say that Jules Verne makes capitalistic society perish as a result of its own inherent contradictions?"²⁵ Another science fiction writer who advocated political reform was Edward Bulwer Lytton, as he wrote about how current society was morally corrupt, and how a "coming race" would take over crooked government with good religious morals and values.

Historian Matthew Beaumont claimed in a recent article that, "Utopian novels of the 1880s and 1890s... presents an ideal socialist society that repudiates or negates the empty present of capitalism," and Lytton presents a utopian socialist society in his *The Coming Race*, but he also speaks of how a government ruled by utopian religious values will take over our present society.²⁶ In this book, Lytton's main character is an Englishman who goes to the United States to stay with an American engineer. The engineer and the Englishman study a mine, and the Englishman finds that at its bottom, there is a race of people inhabiting it. The creatures that dwell in this land underneath the surface of the earth are very grotesque, as the Englishman says, "...I could scarcely bring myself to call him a man..." but in the end, he learns of their sophisticated nature.²⁷ In this land, the people live in a utopia, because everyone is equal and abides by the same rules of government. One of the citizens of the community of Vril-ya says "...this predominance of the few over the many is the surest and most fatal sign of a race incorrigibly savage," as he speaks of how their community is more evolved than the citizens that inhabit the earth.²⁸ One citizen of Vril-ya named Zee speaks of how they live a life of tranquility in which they praise the spirits and gods of their religion at all times. The Vril-ya do not fear death, because they all have faith in their spirits. Lytton is presenting the idea that a culture which truly gives itself to the divine will be more virtuous than the current society, because the world is ridden by violence, lust for power and fear. Lytton believes that religion should have its place in government and despises English society because he believes it is morally corrupt, and this current society could be changed by good, moral, and religious values.

The most radical science fiction novelist of this time was George Griffith: he wrote about how only anarchy would lead to peace and the disappearance of war in his epic novel, *The Angel of the Revolution*. In Griffith's highly controversial novel, he writes about Robert Arnold, a man who invents a design for an airplane that could be used as a warship, and the Russian Tsar wants this warship so he can take over the world. Arnold has problems with current society as it is, as he says "It is based on fraud, and sustained by force..." and "I am the enemy of a society that does not permit a man to be honest and live, unless he has money and can defy it."²⁹ When the Tsar presents this idea to the Arnold, he is outraged and gathers a group of terrorists who will resort to anarchy to bring peace to the world, and uses his warship as their main force. Arnold believes that because his society is "...neither truly civilized nor

Christian,²⁹ his duty is for him and his terrorist group to kill as many people as it takes for international peace.³⁰

Even though anarchy was a movement that gained adherents at the turn of the century, this novel was still considered very controversial. What popularized this novel is how Griffith makes this story of anarchy very believable. Griffith believed that war or violence for a cause or change of government is justified, but war based on "...the transfer of territory or the payment of money" is evil.³¹ In the end, Arnold and his terrorists bring peace to the world through anarchy, as Arnold's native country of England and America rally behind him and cause the Tsar of Russia to abdicate, which dissolves Russia's corrupt government. Griffith displays how anarchy can truly bring peace when a government system is corrupt in every level. *The Angel of the Revolution* was an entire work of fiction, but among other novels like *From the Earth to the Moon: and, Around the Moon*, and Wells's novels about socialism, brought large-scale technological and political effects on society.

Jules Verne's novel *From the Earth to the Moon: and, Around the Moon* was a fictional work, but it had significant effects on space travel. This fictional book was very realistic in essence, and had a scientific foundation that helped space travel in the future. The idea presented in *From the Earth to the Moon: and, Around the Moon* that a vessel would have to be launched from a certain longitude and latitude, is used in current space travel, as that is the reason that spaceships are launched from the pleasant longitude and latitude of Cape Canaveral. Verne also made an excellent prediction in this novel, as he believed that the American's would have the technology to launch a vessel to the moon, as the American's were the first to land on the moon. It is rather scary how Verne's predictions about America's triumphs in space exploration were so accurate.

Likewise, Wells works on socialism had major effects on society, along with Wells's political activism in England. Wells participated in many political rallies for socialist groups and these helped spread socialism in England. A century before Wells wrote, the socialist movement was not very prevalent in England, but through the works of Wells and other socialists (William Morris), socialism became more widely accepted and has also been a basis for political reform in the Scandinavian countries and other countries throughout the world.

George Griffith did not popularize the idea of anarchy through his novel, but his novel made some rather surprisingly accurate predictions of how the Tsar would abdicate from Russia, and there would be a revolution. Griffith's novel was published almost a century before the Russian revolution, but still he had a premonition that revolution would occur in Russia, and his prediction was correct. Griffith's novel, although fictional, was used by Russian revolutionaries as a text to show how the Russia's Tsar was treating his people unjustly, and a change had to be made.

These authors of late nineteenth century Europe and their texts of science fiction were widely accepted throughout society, and people read and used their texts as a basis for what humans should expect of the future. These novels had widespread appeal throughout Europe, as at this time in history, people of the decadent society were really interested in what would happen to society in the future. They did not see these novels as merely works of fiction, but as guidebooks for what to expect of humanity. All in all, science fiction writers of this time wrote fictional plots and

characters, but the essences of their stories were absolutely true, and these works had immense effects on society, as these writers of the nineteenth century infused society with ideas for possible changes in the future.

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The Birth of Fingerprinting in Modern Society

Lori Sundberg

CSI (Crime Scene Investigation) is one of the top rated shows on cable television today. This popular show demonstrates the most advanced techniques for hunting down and convicting a suspect in 2005. But how were crime scenes investigated before the breakthrough of modern technology? Interestingly, many of the crime scene methods practiced today were also popular methods in the 1890s. The 1890s represent a period when the foundations of modern investigation methods began. One monumental breakthrough in criminal investigation was the discovery of fingerprinting. Fingerprinting changed English investigation units and a fingerprint bureau was fully implemented in Scotland Yard in 1901. Prior to the revolutionary discovery of fingerprinting, detectives and other criminal investigators relied on mainly circumstantial evidence and witness testimonies. However, the Jack the Ripper murders in East London and cases of misidentification encouraged British authorities to research new methods of criminal investigation. Fingerprinting challenged previous notions of human identification and spurred new scientific technology in crime investigation, allowing police authorities to accurately identify and categorize previous criminals, lessening the number of misidentifications, and directly linking a suspect to a crime scene.

Many civilizations prior to the 1890s recognized the uniqueness of a fingerprint and its beneficial use in personal identification. The Babylonians fingerprinted on clay tablets as a form of identification on receipts and important documents to protect themselves against forgery. Also, the Chinese Tang Dynasty (618 to 906 A.D.) evidently utilized their fingerprints to seal letters and documents, and they came up with their own system of fingerprint characteristics including swirls and loops.¹ Centuries after the Tang Dynasty, the modern practice of fingerprinting can be attributed to two intellectuals, Dr. Henry Faulds and Sir William Herschel, who both came across the usefulness of a fingerprint as a means of identification around the same time, but in two different areas of the world. Studying in Japan, Faulds first became interested in fingerprints while working with a piece of pre-historic pottery that still showed a visible fingerprint. In October 1880, Faulds published the first known article in *Nature* regarding fingerprinting as a means of identification in criminal investigations.² Sir William Herschel read Faulds' article and responded to it in the next issue of *Nature*.

In the article, Herschel, a British magistrate, criticized Faulds' work as a compilation of general speculations. Because India, in 1858, had an obvious problem with "pensions from being paid out to imposters," Herschel claimed that he had been practicing fingerprinting as a practical way to secure signatures on public documents for at least twenty years prior to 1880.³ Harry Soderman, Head of the Institute of Police Science, and John O'Connell, Deputy Chief Inspector in 1936 comment: "If we

compare Hershel's work of twenty years during which he established the usefulness of fingerprints as a means of identification, and Faulds' brief work resulting only in general speculation, we must certainly regard Hershel as the pioneer of modern fingerprinting.⁴ The scholar who first developed the modern fingerprinting techniques is a matter of opinion to many investigators. While the debate rages over who deserves more recognition for their intellectual scholarship on fingerprinting, both men are acknowledged for their pivotal roles in the introduction of fingerprinting.

Faulds and Hershel's ideas on fingerprinting were ignored in Britain until 1888, when scientist Sir Francis Galton gave their work credibility. Galton, a cousin of Charles Darwin, was interested in using the ridge patterns in a fingerprint to reveal a person's mental and physical attributes.⁵ He hoped that his study of fingerprint ridges would lead him to the discovery of the best breeding characteristics in Britain.⁶ The study of eugenics was a popular topic in the late nineteenth-century, as many scholars looked for ways to reverse the process of degeneration in Victorian society. Edwin Ray Lankester, author of *Degeneration: A Chapter in Darwinism*, stated, "To us has been given the power to *know the causes of things*, and by the use of this power it is possible for us to control our destinies."⁷

However, Galton's published work inspired Sir Edward Henry, who was the Inspector-General of Police in Bengal, India, to develop a classification system for different kinds of fingerprints. Based on ridge patterns, this system made it easier for someone to sort through fingerprint collections. Once he developed a classification system, Henry was able to make Galton's theories applicable to police work.⁸ Furthermore, Henry was not the only one who recognized Galton's work, as the *New York Times* stated that "it would, no doubt, be a gain to civilization to have an infallible means of identification."⁹ Galton and Henry fulfilled society's urgency for a reliable identification system, and the combination of both these men's work became known as the Galton-Henry classification system in 1905. This classification system simplified the method of fingerprinting to be easy enough for police to use in crime investigations.

While fingerprints were emerging as a reliable method of identification, the *bertillonage* system was increasingly viewed as a time consuming and unreliable method of investigation. In 1879, Alphonse Bertillon, a clerk in the Police Department in Paris, invented the *bertillonage* system which was routinely used in crime scene investigations for two decades prior to fingerprinting. Bertillon founded his system on the works of a Belgian prison warden named Stevens in 1860, who first attempted to identify criminals by the measurements of their features and appendages. The study of anthropometry, the science of measuring the body, provided the main focus of the *bertillonage* system. Bertillon's system mainly included the tallying of "height, sitting height, length of outstretched arms, length and breadth of head, length of right ear, and other measurements."¹⁰ In its first year of practice in 1882, the *bertillonage* system helped police identify forty-nine false identities.¹¹

However, the system presented more complications than benefits. One common complication was inaccurate measurements. Also, many people were sometimes arrested only because they fit the measurements of an already registered criminal. Even with the incorporation of photography, detectives found this system too complicated to be considered efficient.¹² Investigators would photograph a crime scene

hoping to be able to come up with accurate measurements using specific geometric scales.¹³ Photographs simply served as a convenience to crime scene sketchers and served as a "permanent reconstruction" of a crime scene.¹⁴ In addition to its inefficiency, since the system was based on measurement, it could only be applied to adults twenty years or older because that was when men and women typically stopped growing. With its many faults, Bertillon found himself struggling to defend his system against the new idea of fingerprint identification.

Although the *bertillonage* system was seen as inefficient as fingerprinting emerged, not all of Bertillon's contributions to crime investigation were completely discredited. The method which Bertillon called the *portrait parle* provided the language for a witness to accurately describe and categorize a criminal. Soderman and O'Connell note that the *portrait parle* can be divided into four categories: "determination of color, morphological determinations, general determinations, [and]... descriptions of indelible marks."¹⁵ In addition to these four broad categories, there were specified sub-categories, such as peculiarities of the helix.¹⁶ However, these tedious descriptions still relied on the memory of witnesses and victims. While witnesses' memories could not always be reliable, the distinctive marks category often helped individualize suspects. These distinctive marks included moles, scars, and tattoos.¹⁷ Moles, scars, and tattoos presented individualized characteristics to witness testimonies, but the fact that these markings were oftentimes very small meant they could also be easily overlooked. Although Bertillon's methods of investigation proved to be unsuccessful, his work demonstrated the first attempts to apply scientific reasoning and thought in a crime scene.

Because of the consistent inaccuracies with the *bertillonage* system, Britain decided to investigate a new method of crime investigation, especially after the brutal Jack the Ripper murders in Whitechapel in 1888. The Whitechapel murders spurred a drastic increase in awareness toward crime. *The Times* mentioned: "Many murderous or burglarious mysteries have never been cleared up, though, like the Whitechapel murders, they created profound sensation and set the whole community on the alert."¹⁸ After hearing about its acclaimed success in India, the British government wanted to further investigate fingerprinting. The formation of the Troup Committee in 1893 included Charles Edward Troup, "an official of the Home Office" in London, Major Arthur Griffith, and Melville Macnaghten.¹⁹

The Committee had four main objectives: to learn about the common practices of identification, to study Bertillon's system and its reliability, to inquire about the new system using "finger marks", and to record the advantages of each method and how they could be implemented or substituted in crime investigation.²⁰ Over the course of a year, the Committee researched and studied every type of investigation method, but they found Galton's method the most interesting. The Committee read over Galton's book and was even sent to Galton's laboratory in South Kensington Museum to witness the system firsthand.²¹ In July 1893, *The London Times* wrote: "There seems to be thus put within our reach an almost perfect criterion of personal identity."²² Galton knew himself that the system was not yet perfected, but the Troup Committee still believed his identification system to be the most beneficial and saw great potential for it.

As a result of the multiple inquiries on identification systems, the Troup Committee concluded that *bertillonage* was too time-consuming and often resulted in

unreliable measurements. But, it did not discard the system entirely yet. The Troup Committee instead proposed that all suspects should have prints taken of all ten fingers to be kept on file; however, the classification of criminals would still be by the *bertillonage* system. The committee wanted to make sure that if it started to use the fingerprinting system that it would have fingerprints already on file, but the committee was still skeptical of the system, so it still relied on the *bertillonage* system for criminal identification.

Though fingerprinting slowly gained recognition, police and detectives still relied on their common crime investigation techniques. Including the *bertillonage* system, they mainly arrested criminals based on witness testimonies. However, this technique often resulted in misidentification, as for example in the case of Adolf Beck and William Thomas in 1896. Adolf Beck was falsely accused as a man who befriended women only to rob them their jewelry. Ten women recognized Beck as their perpetrator in a line up.²³ Charged as guilty, Beck served seven years in prison. Three years after his release, Beck was again accused of the same crime, but these crimes took place when Beck was in prison, ruling Beck out as a possible suspect. A week later, police arrested a man named William Thomas who was caught swindling two women for their jewelry.²⁴ The women admitted their mistake in identifying their perpetrator once they saw Thomas at the police station. Although Thomas eventually confessed to the crimes, this case demonstrates the unfortunate consequences of relying solely on witness testimonies and descriptions.²⁵ Beck's situation convinced police authorities of the immediate need to implement fingerprinting into their investigations to eliminate the possibility of this circumstance happening again. The police's immediate action to solve the problem of false identifications could be viewed as a dramatic shift in the fairness of the judicial system in comparison to the Dreyfus Case earlier in the decade.

Scotland Yard hesitated to implement fingerprinting prior to Beck's case in 1896 due to some classification problems that still had to be figured out. Sir Edward Henry fixed this problem by developing thirty-two classifications for fingerprints.²⁶ While the system was based on a mathematical formula, "the comparison was made by noting the characteristics...whether the general pattern is a whorl, a loop, an arch or a composite, and then by taking into consideration the number of ridges and breaks and the 'lakes' formed between the ridges."²⁷ Scotland Yard formed the Fingerprint Bureau in the Criminal Investigation Department in 1901 which used Henry's thirty-two classification system. Within a period of four years until 1905, the Bureau had accumulated ninety thousand fingerprints of former criminals. However, none of these prints were ever used in court as evidence against a criminal until 1905 because of the authorities were hesitant to use a fingerprint as a reliable source of evidence in a courtroom.²⁸

The first case in which Scotland Yard brought fingerprints into a courtroom as an influential piece of evidence was the Stratton Trial in 1905.²⁹ This murder case involved an older couple, Mr. and Mrs. Farrow, who were found by their apprentice one morning brutally murdered in their paint shop.³⁰ At the scene of the crime, Detective Collins, who was second in command of the new fingerprint branch, discovered an open, empty cash box on the floor. In addition, he found three black nylon masks left in Mr. and Mrs. Farrow's room. While there were no witnesses at

the crime scene, detectives ventured to talk to the owners of neighboring shops and collected as much information as they could about the activity around the shop that morning. They found out three young men had been lingering around the shop earlier that day, two of the men brothers. Assistant Commissioner of Scotland Yard, Melville Macnaghten arrested Alfred and Albert Stratton, while the third suspect was never found.³¹

Their primary piece of evidence to link the Stratton brothers to the scene of the crime was a thumbprint Macnaghten discovered on the cash box. Detective Collins knew enough about fingerprints to determine that the print on the cash box was a thumbprint due to its size, and that it was the right thumb by the slope of the ridges, because the right hand has a steeper slope. Sir Edward Henry and Macnaghten, who "had managed to win and keep the respect and devotion of all kinds of men in the service"³², thought this case would be the perfect opportunity to prove the reliability of fingerprinting in crime investigation.³³ However, they first had to prove that the thumbprint belonged to one of the Stratton brothers. The thumbprint did not match prints already on file, and did not match Sergeant Atkinson's print, who accidentally touched the cash box at the crime scene. Mr. and Mrs. Farrow also had their fingerprints taken, which was the first time corpses were fingerprinted.³⁴ Comparing a photograph of the fingerprint on the cash box to an imprint of Alfred Stratton's thumb, the detectives of Scotland Yard knew they had their suspects.

Although the prosecution believed in the accuracy of their main piece of evidence, they knew they faced a challenge to convince the rest of the courtroom of the validity of the thumbprint. Before the Stratton brothers were brought to trial, their "lawyer let it be known that if the case were brought to trial, he would call in two experts to the witness stand to prove that Henry's fingerprint system was undependable."³⁵ In previous trials, physical evidence was seen as too easy to manipulate.³⁶ However, Judge Channell regarded the thumb print as valid evidence in the case.³⁷ Collins convinced the Judge by presenting side by side displays of both prints, and showing their identical eleven points. While Judge Channell agreed to the validity of the thumbprint, he advised the jury to not act upon that piece of evidence alone.³⁸ The defense did not believe that one fingerprint was sufficient enough to prove the brothers' guilt. A number of doctors and scientists, including Henry Faulds, did not trust the print of one finger; rather, they believed that all ten fingers should be looked at, especially when the suspect could be hanged.³⁹ The Scotland Yard's decision to put forth the thumbprint on the cash box as a piece of evidence, and the Judge's acceptance of the print to be a part of the prosecution illustrated the growing recognition of fingerprinting at the beginning of the twentieth-century.

The final obstacle the prosecutor for the Stratton trial, Prosecutor Muir, faced was to persuade the jury of the reliability of the thumbprint. Muir had a special interest in fingerprinting, so he presented a sufficient amount of information on the uniqueness of a print. Because the print on the cash box smudged, Muir had to demonstrate in the court room that the clarity of a print depended on the amount of pressure a person applied to the object.⁴⁰ Muir's example provided the jury with the valid information that a fingerprint retains the same classification no matter how much pressure is applied. The defense tried to disprove Muir's claim that "no two fingers had identical markings" by bringing in another fingerprint expert who emphasized

the theoretical basis of fingerprint identification at Scotland Yard.⁴¹ The jury did not find the defense's argument to be stronger than Muir's and the Stratton brothers were sentenced to death. The verdict of this trial and the evidence presented forever changed the methods of crime investigation and prosecution in the court of law. The Stratton Trial represented a critical point in criminal investigation. It allowed fingerprints to be a source of valuable evidence, but more importantly, it symbolized the growing urgency to correctly identify criminals and eliminate false identities.

While Europe was enraptured with the notion of degeneration in society, fingerprinting emerged as a modern advancement in criminal investigation illustrating the positive effects of a "degenerate" society. The late nineteenth-century in Europe was looked upon as a period of decadent behavior, including a rise in drinking, drug usage, and crime. Many scholars in this period were constantly looking for an explanation to attribute to this behavior, including Francis Galton. However, instead of finding a reason behind this degeneration, the method of fingerprinting emerged, fascinating criminal investigators. Fingerprinting was welcomed by Victorian society, which was ready for a reliable and accurate method to catch criminals in response to the Whitechapel murders and other misidentification methods. Although the decade of decadence saw a drastic rise in sensual pleasure, one should not overlook the monumental advances in crime scene investigation methods that are still used today. Fingerprinting represented a significant reaction and solution to a decadent society which appeared to be spiraling out of control in the 1890s.

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The Resignation of Clarendon: The Power of Personal Relationships in Politics in Early Modern England

Eric Rey

The English Civil War separated the reigns of King Charles I and King Charles II in seventeenth century England and it was the political career of Edward Hyde the First Earl of Clarendon that epitomized the political changes between the two reigns. According to Clarendon, he "had been employed by [Charles I] in all affairs of the greatest Trust and Secrecy; had been made Privy Councillor and Chancellor of the Exchequer."¹ Once Charles I fled England, "the King gave him to the Prince" and from that time on Clarendon assisted Charles II.² After Charles II's Restoration "the Chancellor was generally thought to have more Credit with his Master, and most Power in the Counsels, because the King referred all Matters of what Kind forever to him."³ Thus, Clarendon enjoyed a position of prestige within the English government and as such he was afforded the disdain from aspiring politicians. As a result, in 1667 Articles of Impeachment were drawn up against Clarendon and soon after Charles II demanded his resignation from his post of Lord Chancellor. Although the impeachment and banishment of Clarendon from England was in part the result of the political ambitions of his adversaries, ultimately it was King Charles II's personal animosity towards Clarendon which finally motivated him to ask for Clarendon's resignation.

Fortunately for historians, there is an extensive history of Clarendon's impeachment through his own eyes. Clarendon recorded his observations in his autobiography entitled *The Life of Edward Earl of Clarendon, Lord High Chancellor of England, and Chancellor of the University of Oxford*, in which the growing animosity between the Chancellor and Charles II, that precipitated Clarendon's resignation, is readily evident. Early in Charles II's reign, Clarendon criticizes that "the King's House quickly appeared in its full Lustre...the Charge and Expence of it much exceeding the Precedents of the most luxurious Times; and all this before there was any Provision of ready Money."⁴ This is especially poignant in the early years of the Restoration, for it was this excessive luxury which had spawned animosity to Charles' father in the first place. To continue to flaunt the wealth of the Monarchy so imprudently with a total disregard could destroy Clarendon's most prize creation, the Restoration of the Monarchy. The animosity between the two, however, was not limited to being strictly Clarendon's disdain of Charles, but anyone "who stood at any near Distance could not but discern, that the Chancellor's Interest and Credit with the King manifestly declined."⁵ Thus, Clarendon's influence over Charles II decreased to such a point where Clarendon believed that in his place courtiers were promoted "for what Reason no Man knew nor could imagine."⁶ These courtiers, Clarendon believed, then

initiated and pushed Charles II for his resignation, and thus he blames them for his downfall.

Sir Henry Craik was one of the historians to first analyze Clarendon's life and his impeachment and he basically agreed with Clarendon that he was a victim of ambitious courtiers. Craik cites that the impetus of this conflict was that Clarendon "was too little known by the new generations to be cordially trusted."⁷⁷ This lack of trust translated into overt actions against Clarendon. In order to prove that these same distrusting courtiers caused Clarendon's impeachment, Craik draws a parallel, albeit a suggested one, to a previous attempt. In 1663 the Earl of Bristol acted as an informant in the drawing up articles of treason against Clarendon in the House of Lords along the grounds that Clarendon "had arrogated himself a superior direction in all his Majesty's affairs."⁷⁸ However, Bristol's actions failed and were an isolated incident, not repeated by other courtiers till 1667. In addition, they are not enough to prove that the actions of courtiers alone directly led to Clarendon's resignation, as Craik attempts, for it was not the courtiers whom asked for Clarendon's resignation, but rather Charles himself.

Clayton Roberts clarifies that in all actuality the actions taken by Parliament, through the courtiers, demonstrate a lack of unilateral power in the impeachment of Clarendon. Roberts, rather, proves how "determined were the King's ministers and the House of Lords to prevent [judicial] abuses", thereby leaving the ultimate power, in Robert's opinion, to the House of Lords, not the Commons, for they "possessed the power to decide what offenses were rightfully grounds for finding a person guilty."⁷⁹ The House of Lords was composed not of Charles' courtiers, but rather long standing English aristocracy, and thus with the ultimate power being theirs and they are not courtiers, it is illogical to assume that the courtiers had the ability to directly cause Clarendon's impeachment. However, Roberts, despite his insight, does not adequately address the effects of the personal relationship between Charles II and Clarendon as a cause of Clarendon's impeachment. He fails in that he presumes that Clarendon's impeachment was a forgone conclusion and that the Charles' demand for his resignation was but a step on that inevitable path. Instead one should examine how Clarendon's resignation and his subsequent fall from power made it possible for his impeachment to occur, a more of a cause and effect relationship.

The pitfalls of Roberts' argument, as are the pitfalls of the other historians is the result the limitations which they place on themselves. Craik suffers from a desire to "vindicate [Clarendon's] place in history."⁸⁰ Roberts, on the other hand, is guilty of a Whig philosophy, evident in his conclusion:

Charles, by inviting [Parliament] to impeach Clarendon, paved the way for the factious political warfare of the next century and a half and for the eventual attainment of ministerial responsibility to Parliament. This is the true significance of Clarendon's fall from power.⁸¹

The impeachment of Clarendon needs to be examined from a historicist approach, thus eliminating the tendency to fit all historical actions on a line of progression, which misrepresents the significance of an act at the time it took place, as Roberts does. It is far better to examine how Clarendon's impeachment proves the influence of personal relationships on seventeenth century English court politics.

Despite Charles' confidence in Clarendon's desire to govern England to the best of his ability, shortly after Charles' restoration, Clarendon's fierce defense of the status quo formed the beginning of overt arguments between Clarendon and the King. Initially, these arguments were but mere scuffles between peers, as he and Clarendon were still friendly towards each other, exemplified by their joking around during the Privy Council Meetings.¹³ In addition, Clarendon still enjoyed the private company of Charles II, as he did while the Monarchy was in exile, thus giving him increased influence over Charles II.¹⁴ However, in an attempt to prevent against accusations of manipulating Charles, Clarendon refused "to monopolize access to the king."¹⁴ Clarendon again tried to preserve public legitimacy by refusing to be Prime Minister, a promotion from Lord Chancellor.¹⁵ Clarendon scolded the Duke of Ormonde, who suggested this promotion by stating that "England would not bear a favourite, nor any one man who should out of his ambition engross himself in the disposal of the public affairs."¹⁶ Despite his attempts to appear as legitimate an advisor as possible, Clarendon actually distanced himself from the King and was beginning to gradually lose his personal appeal.

The fact that Charles II began to confide in men other than Clarendon was an exemplification of this loss of favor. For example, Clarendon was fervently against the knighting of one of his enemies, William Coventry, and the inclusion of him onto the Privy Council, to which "Clarendon [complained] that [Coventry's] influence was employed to diminish his own credit with the king."¹⁷ Also, the favor of Sir Charles Berkeley, the Earl of Bristol, and the Earl of Arlington with Charles II was the symbolic gesture of Charles II disfavor with Clarendon.¹⁸ For not only were "Sir Charles Berkeley and [Clarendon]...enemies during the exile" but these new favorites of Charles II "endeavored to monopolize access to the monarch for political ends."¹⁹ As a result, as Samuel Pepys, an observer of the Court, describes they were able to "cast my Lord Chancellor upon his back...there is little for him to do, and [he] waits at court attending to speak with the King as others do."²⁰ However, the impact of Charles' loss of Clarendon's direct council was eased by Charles' inclusion of these new courtiers in his stead. It was not these courtiers which caused this loss, for Clarendon at his peak had the ability to control access to the King and consequently the King's access to potential substitutes for Clarendon. In order for the courtiers to infiltrate and gain access to Charles, Clarendon must have already been losing favor, thus the personal animosity between the two predates the introduction of the courtiers into the trust of Charles.

The schism between Charles and Clarendon was facilitated by younger ministers, like Coventry and the Earl of Arlington, who suggested that there should be "a definite party in the commons to act in the king's interest", which Clarendon opposed.²¹ Logically, he did so in order to maintain his control over Charles. But unfortunately when Charles II gave his assent to the creation of this body, Clarendon's fears were materialized, for "the persons who eventually succeeded Clarendon in the direction of the administration first made their influence in the commons."²² Thus, the only body in the Commons whose expressed purpose was to represent the King and his Councilors was from its inception against Clarendon. The fact that Charles would override Clarendon's staunch opinion against such a body exemplifies the digression of their relationship. This, coupled with the rather obvious fact that creating such a body

would erode Clarendon's power, proves that Clarendon no longer enjoyed the luxury of the Monarch's protection.

Clarendon's previous position on the creation of the body in the Commons made Clarendon's contention in the summer of 1667 that Parliament should not be preemptively called in order to obtain funds for the impending war with the Dutch extremely damaging to his prestige in the Commons.²³ Clarendon suggested the use of loans to raise the money necessary, an obvious attempt to circumvent Parliament's powers and with the King's committee unwilling to defend Clarendon, his proposition "was soon to form a good handle of attack to his enemies."²⁴ It was this anti-Clarendon House of Commons which then soon demanded from the King a reason for the failures of the Dutch War. This demand from the Commons gave Charles the excuse he needed in order to officially rid himself of his once trusted advisor, Lord Clarendon.

The failures of the Dutch War extended beyond simply military losses, but also extended to fiscal irresponsibility. Clarendon believed that it was the right of the Privy Council to freely distribute the funds from Parliament's grants; however, Parliament included a clause in the grant for the Dutch War that stated that the money had to be used by Charles strictly for the Dutch War.²⁵ Despite Clarendon's objection to this revolutionary clause, Charles II assented to the bill, but he did not adhere to this clause, so Parliament began to scrutinize the King's treasury.²⁶ Faced with this scrutiny, Coventry and Arlington urged Charles to force Clarendon to resign "in part at least, in order to protect themselves from the nation's anger at the loss of the Dutch War."²⁷ Thus, Charles made the executive decision to capitulate to the demands of the Commons for as he stated "I could not retain the Chancellor and do those things in Parliament that I desired."²⁸ Although in reality, Charles could still deal with the Parliament, for as was proven above, only a minority were against Clarendon, with the country gentlemen and gentry, as well as the House of Lords on his side.

Thus far the focus of Clarendon and Charles' relationship has been largely in the political realm; however, their relationship extended into the social, where one of the most volatile misunderstandings between the two took place. It was over the marriage of Frances Stuart to the Duke of Richmond, in the spring of 1667 and "the King's fury at Frances Stuart's marriage was a God-send to the Chancellor's enemies."²⁹ In order to understand how the marriage of Frances Stuart enraged Charles so much, it is necessary to examine his complex and unique relationship with her.

Frances Stuart came from the Portuguese House of Braganca at the age of fifteen in order to serve the Queen of England in 1661.³⁰ Almost immediately Charles became infatuated with her and he told her mother that he "loved [Frances] not as a mistress, but as one that he could marry as well as any lady in France."³¹ In response, as would be her typical response, Frances rebuked Charles' advances, which seemed to only ignite his passion even more.³² Charles was so infatuated with her that, even in the most historical and precarious moment of his reign, he "spent with [Frances] the night of his return to his capital."³³ For the six years that followed Frances and Charles entered into what can be best described as an elaborate dance of rebuked advances. Frances "herself always maintained that she had never surrendered to the King's importunities..." and thus by the very nature of the word she was not Charles

II's mistress.³⁴ However, Frances enjoyed privileges above and beyond a mistress, she was not only extremely beautiful, "but Frances possessed a gift more dangerous than her beauty in a sense of humor."³⁵ With her stunning beauty and cunning wit, Frances commanded the heart and mind of Charles II for close to six years.

In 1667 Francis Stuart finally avoided Charles II's advances permanently by eloping with a courtier and cousin of Charles II, the Duke of Richmond. After about six years of unrequited love it is understandable that Charles would be distraught at the marriage of Frances and the consequential removal of her from daily court life. This emotional burden was fueled by anonymous court rumors that Clarendon actually coordinated the marriage in order to further cement his power, for by marrying off Frances and making Charles remain with his infertile Queen, he would enable his daughter, married to the Duke of York, to be Queen when Charles died.³⁶ The impact of these rumors on Charles' future decision to ask Clarendon to resign is evident, for it is the proximate cause of Clarendon's resignation. In other words, it was closer in proximity to the actual event than any other aggravation. Logically, these rumors would have more significance on Charles' personal decision to ask Clarendon to resign.

In November 1667, with Charles still upset about the marriage of Frances Stuart, the political rivals of Clarendon saw their chance to eliminate him and drafted articles of treason in the House of Commons against him. There were seventeen articles of treason passed by the House of Commons to the House of Lords for their judgment on November 14 1667.³⁷ The charges stated "that the Earl of Clarendon hath designed a standing Army to be Raised, and to govern the Kingdom thereby...he hath...said, the King was in his Heart a Papist...he advised the effected the Sale of *Dunkirk* to the *French King*."³⁸ The other charges centered on Clarendon's financial status and how he "gained to himself a far greater Estate then can be imagined to be lawfully gained", as well as "that he hath Deluded and Betrayed his Majesty, and the Nation."³⁹ To the public it would seem that because these charges were so numerous and straight forward, Clarendon must have been guilty. Even the House of Commons could not possibly conceive why "the Lords have not Complied with the Desires of the House of Commons, concerning the commitment of the *Earl of Clarendon*."⁴⁰ What the Commons failed to understand was the lack of credibility of the accusations against Clarendon, which forced the House of Lords to acquit Clarendon. Yet, Charles based his decision to ask Clarendon to resign off of these unsupported asinine accusations, demonstrating that Charles simply wanted the avenue by which to formally remove Clarendon from power. If the King and Clarendon's relationship was not so strained, Charles would have no motive to believe the farcical accusations, as the House of Lords did.

In reference to the first article of impeachment the evidence presented to the House of Commons before they voted was that Sir Robert Howard and Lord Vaugh, both Members of Parliament, "Heard from persons of Quality, That it would be proved."⁴¹ This practice of not presenting evidence to the Commons was the norm during the debate on the articles of treason. For example, article seven about his Estate was proven by Mr. Edward Seymour's comment "I suppose you need no proof the Sun shines at Noon-day."⁴² In this manner, without any substantiated proof, the House of

Commons passed the Articles of Treason against Clarendon; however the House of Lords did not convict Clarendon.⁴³

Clarendon in response to the House's accusations fervently defended his innocence in a two column broadside, addressed to the House of Lords.⁴⁴ In which, he "cannot express the insupportable trouble and grief of mind I sustain[ed] under the apprehension of being mis-represented to your Lordships."⁴⁵ What follows in the broadside is a systematic refutation of the articles, yet despite this and the simple fact that Clarendon was never proven guilty of these charges, Charles in 1667 asked for Clarendon's resignation.⁴⁶ It is possible that Charles II thought "that a timely surrender would have saved his Minister from anything more than a loss of office"; however, the "history had not yet many instances to show of a Minister who had fallen from high place, and yet was suffered to lead a private life."⁴⁷ Rather the precedent, as in Lord Strafford's case, was for the Minister to be executed after being removed from office.⁴⁸ It is therefore impractical to assume that Charles II's intentions were benign in his request for Clarendon to resign.

Testifying to the fact that Charles acted on a personal vendetta, was that he never corroborated the articles of treason drafted against Clarendon. As a matter of fact when the Duke of York asked "had the Chancellor...ever proposed to govern by an army?" "Never" answered the King; "on the contrary, his fault was that he always insisted too much upon the law."⁴⁹ This reasoning of Charles for asking for Clarendon's resignation is oxymoronic, for it was Clarendon's duty as Lord Chancellor to function as the King's supreme advisor. To turn his responsibilities then against Clarendon demonstrated that Charles was basing his decision on capricious sentiments and not on the truthfulness of the allegations.

In addition, the licentious manner in which Charles II dealt with Clarendon's written plea to Charles that "God knows I am innocent in every particular as I ought to be", verifies Charles's demand for resignation as a personal attack.⁵⁰ In response to the letter "Charles was free to accept the letter as a passionate appeal from a loyal servant", however he did not and rather "he read the letter, held it over a candle until it was consumed."⁵¹ Such are not the actions of an unbiased King, or even a strictly politically motivated King, but rather a King motivated by personal animosity.

It was through the coaxing of his peers, Clarendon soon realized the precarious nature of his political future and physical wellbeing and "it was only Clarendon's flight to France on 27 November that ended this irreconcilable conflict" with Charles.⁵² With his flight, Clarendon was effectively considered guilty in the court of public opinion. This sentiment only fueled Parliament's desire to impeach him and without an ample defense, being as Clarendon fled, "three weeks later Parliament passed and the King signed a bill permanently banishing him from the kingdom."⁵³ Permanently banished, Clarendon was destined to live out the rest of his years in his new estate in Calais, France. It was from here that Clarendon was able to transcribe his words and thoughts by writing *History of the Rebellion and Life of Edward, Earl of Clarendon*, so that, in his own words, "posterity may not be deceived, the prosperous wickedness of these times."⁵⁴

In order to understand the importance of Charles II decision to ask for Clarendon's resignation, it is necessary to realize that Clarendon was not actually impeached by Parliament; therefore, there was no constitutional reason for Charles

to force for Clarendon's resignation. However, there was the fact that Clarendon had lost favor with Charles and was replaced by younger courtiers needed someone to take be publicly responsible for the failures of the Dutch War. Yet, this was not what ultimately influenced Charles to ask for Clarendon's resignation, for Clarendon was still in office throughout the courtiers conspiracies. It was not till the rumor surfaced that Clarendon arranged the marriage of Frances Stuart with the Duke of Richmond that Charles asked for Clarendon's resignation. Thus, the personal animosity between the two resulting from the marriage of Stuart was the proximate and the ultimate determining factor in Charles' decision to ask for Clarendon's resignation. It was this decision, inundated with personal animosity, which in turn led to Clarendon's fleeing to France and his subsequent impeachment. Therefore, "the true significance of Clarendon's fall from power" was in proving how the personal relationship asserted itself as the most potent and influential agent in 17th century English politics.³⁵

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- ¹⁴ Ibid., 57.
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- ¹⁶ Craik, *The Life of Edward Earl of Clarendon*, 82.
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- ³⁰ *Ibid.*, 9-10.
- ³¹ *Ibid.*, 10.
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- ³⁷ *Articles of Treason Exhibitted in Parliament Against Edward Earl of Clarendon*. London: 1667.
- ³⁸ *Articles of Treason Exhibitted in Parliament Against Edward Earl of Clarendon*.
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- ⁴⁰ *Articles of Treason Exhibitted in Parliament Against Edward Earl of Clarendon*.
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- ⁴⁴ Edward Earl of Clarendon, *Clarendon's Farewell to England* (London: December 3, 1667).
- ⁴⁵ *Ibid.*
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