Rape Prosecutions and the Civil Rights Movement

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Danielle L. McGuire, At the Dark End of the Street: Black Women, Rape, and Resistance—A New History of the Civil Rights Movement from Rosa Parks to the Rise of Black Power (Knopf Publishers, 2010).

In her groundbreaking book, Danielle McGuire chronicles an untold story of how criminal investigations and prosecutions in rape cases helped to ignite and shape the civil rights movement. Contrary to the now familiar stories of cases like the Scottsboro boys or Emmet Till—cases in which the law failed to protect the lives of black men in courts and in their communities, McGuire writes about the prosecution of rape and sexual assault committed against black women. As a historian, McGuire focuses on two important aspects of these criminal cases. First, the cases served as bellwethers for the social and political rights of black women. Second, they involved some of the earliest attempts to organize and mobilize churches and political groups in the fight for civil rights.

These cases are valuable to criminal law scholars as well. They expose the deep connection between civil and human rights for women, on the one hand, and for the criminal law's capacity to protect their bodily integrity, on the other. In other words, one important test of freedom for women everywhere—and in this case for black women—is the ability to walk "at the dark of end of the street" under protection of law. The notion that civil rights for women were connected to the criminal law's protection of women's bodies was understood early by black women activists. McGuire makes the point that the struggle to bring rape and sexual assault cases to justice has been an important, if underexplored, aspect of the civil rights movement.

Consider, for example, the 1944 rape and kidnapping case of Recy Taylor in Abbeville, Texas. Ms. Taylor, then a young married mother and sharecropper, was walking home from church accompanied by two other church members. Seven armed white men ordered her to get into a green Chevy alleging that they were deputized by the local sheriff to find her. They drove her into the woods where six of the men serially gang raped the sobbing Taylor. They then blindfolded her and abandoned her on the side of the highway where they left her to walk the long walk home. The twenty-four year old Taylor removed her blindfold and began toward home where she immediately reported the crime to her family and to the local sheriff. The men, some of whom were neighbors, were quickly identified. They confessed to having had sex with the disheveled and battered Taylor but said it was consensual.

As historian McGuire attests, the sexual abuse and exploitation of black women like Taylor by white men between Reconstruction and the civil rights movement was neither unusual nor undocumented. Black women did not keep secret their stories of victimization, and these stories soon became an important part of the politicization of black women activists and clubwomen. McGuire cites to activists like Ida B. Wells (noting in 1892 that the "rape of helpless Negro girls, which began in slavery days, still continues without reproof from church, state or press"); and Fannie Barrier Williams (lamenting the "shameful fact" that southern women remain "still unprotected"); and Anna Julia Cooper (describing black women's "painful, patient, and silent toil… to gain title of the bodies of their daughters").

What is new about McGuire's book is the extent to which she shows how the struggle for the rule of law in criminal cases involving black female victims was an important and little know precursor of the civil rights movement. Recy Taylor's case is once again instructive. A few days after Taylor's abduction and

rape, her family received a call from the then-president of the Montgomery chapter of the NAACP. He promised to send his best investigator to Abbeville, Alabama to investigate and champion the prosecution of Taylor's assault. That investigator was Rosa Parks—an anti-rape activist later simplistically portrayed by civil rights historians as a tired old woman who spontaneously declined to relinquish her seat on a public bus.

As branch secretary of the NAACP, Rosa Parks was tasked with traveling throughout Alabama to document acts of brutality, intimidation and other incidents. Following her close involvement in the defense of the Scottsboro case, Parks became especially interested in interracial rape cases. Not only did she investigate and publicize the Recy Taylor case but she also garnered national support from labor unions, women's groups and African American groups into what was called "the strongest campaign for equal rights to be seen in a decade." (P. 13.)

McGuire's book relies heavily on news articles, interviews and the investigative notes of lay criminal investigators like Rosa Parks. The stories McGuire gathers reveal a common pattern. White men (often claiming to act with the authority of law enforcement or as an employer offering a job) lured or forcibly abducted these women as they traveled or waited in public places. In addition to Recy Taylor, McGuire tells the stories of black women from all walks of life—young, old, married, single, maids, school teachers. She brings to life the tragic rape stories of black southern women like Mary Poole in North Carolina, Sadie Mae Gibson in Alabama, Rosa Lee Cherry in Arkansas, Lila Belle Carter in South Carolina, Nannie Strayhorn in Virginia, Ruby Atee Pigford in Mississippi. McGuire tells too of how each struggle for prosecution helped to ignite the civil rights movement throughout the South.

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