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The Martinsville Seven: Race, Rape, and Capital Punishment

By Eric W. Rise. Charlottesville, VA: University of Virginia Press, 1995. ISBN-13: 978-0813918303

In early 1951, the Commonwealth of Virginia executed seven young black men accused of raping a white woman. The case of the “Martinsville seven” exposed issues of racism, community stability, due process, crime, and equality and fairness inherent in Virginia’s judicial system. Before long, it had become a struggle between social class, racial politics, and the nature of due process. Author Eric W. Rise’s title *The Martinsville Seven: Race, Rape, and Capital Punishment* attempts to summarize and encapsulate the rape, the trials of the seven men, and the larger issues this case brought to light. Rise, an expert in criminology from the University of Delaware with two other criminal justice-oriented titles to his name, presents the trial in a chronical timeline, beginning with the initial events of January 8th, 1949, the night of the rape. To his credit, he states in the introduction that “the Martinsville Seven case challenged the traditional view that southern African-American defendants entered a criminal justice system dedicated to preserving a society based on racial inequality” (1). However, the author leaves out a biography of either the seven men, or the victim, Mrs. Ruby Floyd. He does provide a synopsis of Martinsville in the late 1940s, and it is helpful for the author to discuss the impact of segregation, race relations, poverty, and the beginnings of the civil rights movement in southside Virginia.

In *The Martinsville Seven*, Rise argues that the application of violence was not necessary to “preserve the racial order” as the prosecution was able to get confessions and death sentences

from the men without the need for mob violence (4). It is easy to assume that the legal system was bound to enforce the racial status quo, but in this case, according to Rise, race was not a factor until the appeals process. There is, however, more to the story. The verdict issued was a rare instance of capital punishment for a nonlethal crime. After the seven men had confessed and were found guilty, progressive organizations such as the National Association for the Advancement of Colored People, and the Civil Rights Congress, a communist organization took an interest in the case and offered to help the convicted, ostensibly because of the severity of the sentences but also to advance their own goals. As the case wound its way through the appellate courts, the two organizations clashed with each other over how to handle the case as well as ideology.

The goals of the CRC and NAACP differed markedly according to Rice. The latter sought to help the seven defendants and to inspire grassroots changes to the legal system, whereas the former challenged and criticized it. Invoking due process issues, the NAACP argued for a change of venue, claiming that it would be impossible for the accused to get fair trials, and that, since the trials were held within days of each other a mere four months after the rape, they were more likely to result in seven unwarranted guilty verdicts.

The prosecution served a tool for a system that was working against African-Americans in many ways in the late 1940s. The accused were arrested and confessed the night of the rape, and the trials were short and swift, thus eliminating the need for violence in a community that valued law and order. But there is still injustice: since the introduction of the electric chair in 1908, no white men had been executed for rape, while the penalty for black men who raped white women was electrocution. The author quotes Judge Whittle, who presided over the trials, “[the prosecution] have held high the great traditions of the legal profession. You have fairly,

fearlessly, and ably represented your respective sides, for which I am deeply grateful” (48). In an age in which segregation was the law of the land, and black Americans were not allowed civil liberties or education, the guilty verdict and death sentence was similar to a lynching, but allowed the state to preserve racial harmony.

Historian David L. Salvaterra agrees with this assessment to an extent. In his review of *The Martinsville Seven*, published in the *The Mississippi Quarterly*, he writes:

“[Rise] establishes that Southern justice in the early Cold War years could be more complex than heretofore known. The case provides a splendid vehicle for examining the inner workings of early civil rights organizations and reactions to them by white Southerners. Finally, it demonstrates the emergence of a new legal strategy which was to become more important and effective after this case, and in all probability because of it.”¹

Rise’s writing style is not friendly to those who are less familiar with legal procedures, and the book appears to be intended for those who are in that career path. He relies on many newspaper accounts, press releases, interview transcripts, and secondary sources. Rice refers to other cases frequently, but it is not clear for what purpose. Among the essential issues the defendants raised during the appeals process was, according to Rise, “that the trials should have been spaced at longer intervals to avoid creating a cumulative effect of guilt on the later defendants” (82). It is also not clear initially what this statement and similar statements mean. *The Martinsville Seven* can be difficult to understand for the uninitiated, but, if one is familiar with the legal system, it provides a thorough account of an unjust, racially motivated incident.

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¹ David L. Salvaterra, Review of *The Martinsville Seven: Race, Crime, and Capital Punishment*, *The Mississippi Quarterly*, Vol 50 No. 1 (Winter, 1996-1997): 213.

About the author

Richard Elliott Martin is a Senior history major, research fellow, and creative writing minor at Virginia Commonwealth University in Richmond, VA. He is a Civil War nerd, actor, poet, essayist, historian, blogger, and musician who aspires to become a full-time writer someday. He works at the Virginia Museum of History and Culture, and lives in Richmond.