

Clio's Scroll



The Berkeley Undergraduate History Journal
Volume 27, No. 2

Spring 2024

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Clio's Scroll, the Berkeley Undergraduate History Journal, is published twice yearly by students of the Department of History at the University of California, Berkeley. The journal aims to provide undergraduates with the opportunity to publish historical works and to train staff members in the editorial process of an academic journal.

Clio's Scroll is produced by financial support from the Townsend Center for the Humanities, the Associated Students of the University of California (ASUC), and the Department of History. *Clio's Scroll* is not an official publication of the

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Note from the Editors

Dear Reader,

Thank you for picking up our latest issue of Clio's Scroll, UC Berkeley's undergraduate history journal. We apologize for the massive delays in publication and appreciate your patience as our staff works diligently to publish the Spring 2024 issue. Since our last issue, Clio's Scroll has undergone a major change in management and our new editors look forward to publishing new and exciting scholarship. For this issue, our journal's current theme focuses on the scholarship on oppressed social and marginalized groups as they and their allies fight for their freedom and liberation.

The first paper, "The Compassionate, The Just: The Few Catholic Poles Who Helped Rescue Jewish Poles," by Luke Horton takes place during the aftermath of Nazi occupation in Poland from 1939 to 1945 and centers on Polish civilians', particularly Catholic Poles, efforts to aid and liberate their Jewish Poles from imprisonment in concentration camps. Through Horton's article, readers learn about the extent and risks Catholic Poles took to save their Jewish compatriots from imprisonment, torture, and death thereby defying religious and cultural differences to help those in need.

Our second paper, "The Unruly Convicts: Black Women and the Convict Leasing System in Georgia, 1868-1908" by Hannah Jane Presnell examines the development of Georgia's convict leasing system following the Thirteenth Amendment and its role in perpetuating the exploitation and mistreatment of Black women. Presnell's articles use both historical records and media sources to expose the intersectional oppression faced by Black women within the criminal justice system, shedding light on the enduring legacy of racialized and gendered violence in post-Civil War America.

We would like to extend our utmost appreciation to our team of associate editors, both new and returning members, for working vigorously and determinedly in making publication possible. We also want to thank our readers, contributors, and everyone who has helped Clio's Scroll to continue and thrive.

Contributors

LUKAS (LUKE) HORTON was born and raised in the "Forest City" of London, Ontario Canada. He graduated with a Bachelor of History (Honours) at Trent University and a Bachelor of Education at the University of Western Ontario. During his undergrad, he had a love and passion to study the history of religion and its impact on societies big and small around the world. More specifically, Luke believes that religious faith is one of the greatest contributors to social, political, and economic change because of the inner reflection and outward call to change a person's individual faith requires. Luke is spending his days working for Thames Valley District School Board (TVDSB) and the Boys and Girls Club of London (BGC London) to help foster a passion for learning in the youth of today.

HANNAH PRESNELL, a proud native of Western North Carolina, graduated from the University of North Carolina at Charlotte with degrees in History and Communication Studies. During her academic journey she specialized in post-antebellum Southern history, particularly focusing on the Reconstruction era and its impact on marginalized communities. Her research culminated in a thesis highlighting the role of Black women in the Convict Leasing system. Currently, Hannah serves as the Media Director at the Center for Pioneer Life in Burnsville, NC, where she merges her expertise in history and communication studies to preserve and promote Appalachian heritage.

The Compassionate, The Just

The Few Catholic Poles Who Helped Rescue Jewish Poles

Luke Horton

Introduction

During the Nazi occupation of Poland from 1939 to 1945, Jewish Poles were amongst the portion of the population that was most heavily persecuted by Nazi forces such as the Einsatzgruppen, the Gestapo, and the Schutzstaffel (SS) and Polish civilians emerged as important actors and co-conspirators in the capture of Jewish Poles. Catholic Poles were one of those groups of civilians who'd engaged in active discourse through centuries of antisemitism, and often actively worked against the Jewish Poles who were simply trying to survive.¹ This is a reductive assumption because a few unsung heroes out of the Catholic Polish population sought to help the Jews. Some members of the Polish Catholic Church, both priests and congregants, were determined to save Polish Jews during the Nazi occupation of Poland. Upon the dissolution of thousands of Catholic churches in Poland, there were members of the congregations who abandoned pre-war antisemitism and decided that they would help to rescue Jews from a torturous existence, leading to almost certain death. These reasons ranged from an innate sense of compassion and justice, morals attained through their Christian faith, which allowed for the formation of a new sense of altruism and humanitarianism.

It is essential to note some background information concerning the topic and relationship between Jewish and Catholic Poles. To be

¹ Aleksander Smolar, “Jews as a Polish Problem.” *Daedalus* 116, no. 2 (1987): 45.
<http://www.jstor.org/stable/20025096>.

clear, this paper will not argue that all Catholic Poles helped Jewish Poles, or even that the vast majority did. As part of my research, I found sources from notable historians such as Jan Grabowski and Jan Gross, who argued against my hypothesis that many Polish civilians did not help their Jewish neighbours. Historians such as Grabowski and Gross argued that traditional Catholicism in Poland was a key reason for this antisemitism. For example, in Jan Grabowski's *Hunt for the Jews: Betrayal and Murder in German-Occupied Poland*, he noted that "once you step outside the church, [...] everything is allowed, and you can forget about your faith. God does not exist in the social, moral and intellectual sphere."² An argument that all, or even a majority, of Catholic Poles aided in the protection of Jewish Poles, cannot and will not be accurately and adequately sustained. However, this paper argues that a small, yet significant minority of the Catholic community in Nazi-occupied Poland aided in protecting Jewish Poles during the Holocaust. Omer Bartov, in his article "Wartime Lies and Other Testimonies: Jewish-Christian Relations in Buczacz, 1939-1944," noted that because the murder and persecution of Jewish Poles were so common, any action that purposefully helped Jewish Poles was significant.³ The helpful actions from a minority of the Catholic community in Poland towards the Jewish community was essential to remember, not only for the lives of those who were saved but also to highlight how pervasive and gross the atrocities of the Holocaust were. Though one arguably could not necessarily blame the average Catholic Pole from avoiding to aid Jewish Poles during this violent period, the support that only a few Catholic Poles provided towards the Jewish

² Jan Grabowski, *Hunt for the Jews: Betrayal and Murder in German-Occupied Poland* (Bloomington, MN: Indiana University Press, 2013), 84.

https://books.google.ca/books/about/Hunt_for_the_Jews.html?id=oVmSAAAAQBAJ&printsec=frontcover&source=kp_read_button&redir_esc=y#v=onepage&q&f=false.

³ Omer Bartov, "Wartime Lies and Other Testimonies: Jewish-Christian Relations in Buczacz, 1939-1944," *East European Politics and Societies* 25, no. 3 (August 2011): 502.

<https://doi.org/10.1177/0888325411398918>.

community in Poland is thus magnified and is deserving of more recognition.

As per the Oxford English Dictionary (OED), "compassion" was defined as the feeling an individual gets when they are moved by another's suffering and distress, to the point where they have a desire to relieve them from their pain.⁴ Furthermore, "justice" was defined as an ideology of punishing or rewarding someone appropriately to treat them in a just manner.⁵ Those terms are integral in describing the work of the few righteous Catholic Poles and will be revisited frequently throughout the paper.

As previously mentioned, the practical actions of a few Catholic Poles came because of the dissolution of thousands of Catholic churches in Poland. The men and women of the United States Holocaust Memorial Museum wrote a book titled *Poles* which addressed the dissolution that the Roman Catholic Church, the clergy, and the congregation underwent during the Nazi occupation of Poland. Priests deemed part of the Polish intelligentsia were killed, and churches, seminaries and covenants in annexed regions were closed.⁶ Specifically, from 1939-1945, roughly 3,000 Polish Roman Catholic clergy members were killed, and of those 3,000, 1,992 died in various concentration camps, with 787 killed at the Dachau concentration camp.⁷ With some necessary background information and the definitions of the key themes covered, one can begin to delve into the

⁴ "compassion, n." OED Online. March 2021. Oxford University Press. Accessed April 21, 2021.

<https://www-oed-com.proxy1.lib.trentu.ca/view/Entry/37475?rskey=4IDGcT&result=1&isAdvanced=false>

⁵ "justice, v." OED Online. March 2021. Oxford University Press. Accessed April 21, 2021.

<https://www-oed-com.proxy1.lib.trentu.ca/view/Entry/102199?rskey=Q5vuh3&result=2&isAdvanced=false>

⁶ *Poles* (Washington, DC: United States Holocaust Memorial Museum, 2012), 11.

<https://web.archive.org/web/20121011014249/http://www.ushmm.org/education/resource/poles/poles.pdf>

⁷ *Poles*, 11.

relationships between a minority of the Polish Catholic community and the Polish Jewish community.

Compassion for Their Fellow Neighbours

There were minority demographics of Catholic Poles with Jewish neighbours in rural communities whose experiences provide evidence for the fact that they did assist one another through the persecution of Jews. The first part of this paper focuses solely on the human citizens of Poland, not so much on their associated religion and ideologies. There was a strong sense of compassion that few Christian Poles acted out in how they helped their Jewish neighbours. The settings where we see such displays of compassion were largely rural neighbourhoods and often, prisoners from Auschwitz.

One such primary source titled "Narrative and Diary of Mr. Gabriel Mermall" which details the experiences of a Jewish citizen named Gabriel Mermall over an 8-month long period and includes accounts of his truffles to keep him and his son, Tommy alive, provides insights into this sense of compassion being played out. Mermall wrote about his neighbour Chief Astalos, a local police commander, who put a bounty on his head for his capture.⁸ In turn, Mermall's Catholic neighbour, Mrs. Petrusak, saved Mermall from capture by warning him of the bounty and additionally risked the lives of her husband⁹ and fifteen-year-old daughter, though Mermall was not specific if she had further living family members.¹⁰ When Astalos and his unnamed police force questioned the whereabouts of Mermall and his son, Mrs. Petrusak's daughter who was alone in the house at the time was beaten with the butt of Astalos' rifle until she was unconscious.¹¹

⁸ Narrative and Diary of Mr. Gabriel Mermall, United States Holocaust Memorial Museum, <https://collections.ushmm.org/search/catalog/irn502879#?rsc=150550&cv=0&c=0&m=0&s=0&xywh=-2281%2C-41%2C7418%2C3132>.

⁹ Narrative and Diary of Mermall, United States Holocaust Memorial Museum.

¹⁰ Narrative and Diary of Mermall, United States Holocaust Memorial Museum.

¹¹ Narrative and Diary of Mermall, United States Holocaust Memorial Museum.

Given their current climate under the Nazi occupation of Poland, some instances suggested that Catholic and Jewish Poles had to coexist to survive together. To begin, a sort of relationship was already established between Catholic and Jewish Poles. Concerning rural communities in Poland, Jozef Garlinski, in his text *Poland and the Second World War, conducted in 1939*, reported that roughly 65% of Poland's population were self-professed Catholics.¹² Academic Miranda Brethour additionally explained how during the Nazi occupation in Poland, there was no formal separation of Catholic and Jewish neighbours¹³ which was conducive to creating an environment of coexistence. Garlinski and Brethour's points bring to light how religiously diverse rural neighbourhoods through Poland already were with equal numbers of Catholics and Jews. Specifically, Wierzcholska described how many Jewish Poles could have had Catholic acquaintances during the first phase of the Nazi occupation of Poland.¹⁴

With the evidence presented, it brings us to question why Catholics such as Petrusak would risk their lives for their Jewish neighbours? In Robert F. In Drinan's article, "The Christian Response to the Holocaust," he noted that the overall population of Poland was subject to a very strict and severe occupation and monetization by the Einsatzgruppen, the Gestapo, and more.¹⁵ Although the occupation

¹² Jozef Garlinski, *Poland and the Second World War* (New York, NY: Macmillan Press, 1985), 60.

¹³ Miranda Brethour, "Jewish–Gentile Relations in Hiding during the Holocaust in Sokołów County, Poland (1942–1944)." *The Journal of Holocaust Research* 33, no. 4 (2019): 278. Accessed April 21, 2021. doi: 10.1080/25785648.2019.1677090.

¹⁴ Agnieszka Wierzcholska, "Helping, Denouncing, and Profiteering: A Process-Oriented Approach to Jewish–Gentile Relations in Occupied Poland from a Micro-Historical Perspective," *Holocaust Studies* 23, no. 1-2 (2017): 41. Accessed April 21, 2021. doi: 10.1080/17504902.2016.1209842.

¹⁵ Richard C. Lukas, *Forgotten Holocaust: The Poles under German Occupation, 1939-1944* (New York, NY: Hippocrene Books, 2001), 15.

<https://archive.org/details/forgottenholocaust00rich/mode/2up?view=theater&q=equal>. Robert F. Drinan, "The Christian Response to the Holocaust," *The Annals of the American Academy of Political and Social Science* 450 (1980): 185. Accessed April 21, 2021. <http://www.jstor.org/stable/1042567>.

focused on the capture and persecution of Jewish Poles, the effects of their presence were felt across all of Polish society. The Nazi occupation led to extreme militarisation of the country and a general invasion of privacy into Polish citizens' lives, with random searches of property being common. There were small police forces, search parties carried out by non-Jewish citizens, raids, and more. According to Mermall—Petrusak saw it all.¹⁶ and stated in his accounts, “it was Petrusak who had been so kind to us and later warned us that we had been betrayed by [our neighbour].”¹⁷ This quote has two crucial parts, the first of which revolved around the relationship between Petrusak and Mermall leading up to and during the Nazi occupation of Poland which was evidently cordial enough to warrant Petrusak's kindness and her warning of the bounty of Mermall's head. The misalignment between the Catholic Pole demographic is also displayed in the conflicting views of Astalos and Petrusak. Accounts such as this prove that there existed a sense of familiarity and kinship between Catholic and Jewish Poles that predated the Nazi occupation of Poland and allowed for the creation of individual humanitarianism in the form of neighbourly assistance and protection, allowing them to go against the grain of societal expectations and assist their Jewish neighbours in any way they could (i.e. informing them of hunting parties and police searches).

Administering Aid in Auschwitz

Along with the examples of a few Catholic Poles who had compassion for Jewish Poles in rural neighbourhoods, some Catholic Poles fought to treat Jewish Poles justly, even in Auschwitz. Maximilian Kolbe was one of those individuals. For context, before he was sent to Auschwitz in May 1941, Kolbe was an ordained Catholic priest and

¹⁶ Narrative and Diary of Mermall, United States Holocaust Memorial Museum.

¹⁷ Narrative and Diary of Mermall, United States Holocaust Memorial Museum.

founded the Niepokalanów monastery outside of Warsaw.¹⁸ During his time in Auschwitz, specifically Stammlager/ Auschwitz I, Kolbe dedicated any time he could to minister to Jewish Poles, to comfort them and their families.¹⁹ Even in his own suffering and distress as a prisoner of Auschwitz, Kolbe was able to dedicate his time and attention to comfort and be compassionate towards Jewish Poles at the cost of individual safety and comfort. Primary source accounts from and/or about Kolbe and his heroic work in Auschwitz are few and far between, but through the accounts of prisoners in Auschwitz, the reader can begin to understand how selfless Kolbe chose to be.

Leonard T. Zawacki was a Polish prisoner in Stammlager/ Auschwitz I from 1941-1944, which was the same camp and period where and when Kolbe was a prisoner.²⁰ During his three-year imprisonment, he described the supervision under the Schutzstaffel (SS) as "the strictest of discipline."²¹ For any minor infraction against SS officers, prisoners were taken away by the Punishment Company to the Death Block or the Death Wall, where they were tortured for days on end until they were most commonly executed or died of starvation.²² Every day Kolbe chose to spend his time ministering to Jewish Poles was another day he risked being taken away by the Punishment Company, never to be seen again. However, the thought of his own death evidently did not

¹⁸ Gene A. Plunka, "Staging Resistance from the Clergy During the Holocaust: Arthur Giron's Edith Stein and David Gooderson's Kolbe's Gift," *Religion & the Arts* 21 no. 3 (2017): 391. doi:10.1163/15685292-02103004; Christian Pletzing, "Legendary Martyr: Maximilian Kolbe," *Kirchliche Zeitgeschichte* 27, no. 2 (2014): 364. Accessed April 23, 2021. <http://www.jstor.org/stable/24329835>.

¹⁹ Plunka, "Staging Resistance from the Clergy During the Holocaust," 391.

²⁰ Leonard T. Zawacki, Auschwitz Prisoner No. 13390, United States Holocaust Memorial Museum, <https://collections.ushmm.org/search/catalog/irn503619#?rsc=170110&cv=19&c=0&m=0&s=0&xywh=407%2C1581%2C2803%2C2188>

²¹ Leonard T. Zawacki, Auschwitz Prisoner No. 13390, United States Holocaust Memorial Museum.

²² Leonard T. Zawacki, Auschwitz Prisoner No. 13390, United States Holocaust Memorial Museum.

concern Kolbe, as he continued to compassionately minister to Jewish Poles and treated them justly by consoling them.

Professor Gene A. Plunka, in his article "Staging Resistance from the Clergy During the Holocaust: Arthur Giron's Edith Stein and David Gooderson's Kolbe's Gift," noted that Kolbe looked to be compassionate towards "the most wretched of God's creatures."²³ In correlation with how "wretched" the state of Jewish Poles were, Kolbe sought to treat them justly and minister to them as best he could.²⁴ Though scholars had different reasonings as to why the prisoner Francisczek Gajowniczek was being sentenced to the gas chamber—either for a failed escape attempt or a routine gassing—Kolbe volunteered to take his place so that Gajowniczek could spend more time with his wife and children.²⁵ Kolbe was subsequently tortured in an underground starvation bunker before being killed via a phenol (lethal) injection in August 1944.²⁶ Likely knowing the outcome of what would happen should he take Gajowniczek's place for execution, Kolbe made the ultimate sacrifice just so that Gajowniczek could spend more time with his family. He saw his neighbour's distress and thought that he was not being treated justly by the SS, so he sacrificed himself to be tortured for days on end until the time of his death.

We see the Holocaust create conditions of extreme human compassion towards each other in direct opposition to the inhumane

²³ Plunka, "Staging Resistance from the Clergy During the Holocaust," 391.

²⁴ "wretched, adj." OED Online. March 2021. Oxford University Press. Accessed April 23, 2021.

<https://www-oed-com.proxy1.lib.trentu.ca/view/Entry/230658?rskey=3NXFCb&result=2&isAdvanced=false>.

²⁵ Pletzing, "Legendary Martyr," 364-365; Plunka, "Staging Resistance from the Clergy During the Holocaust," 391.

²⁶ Pletzing, "Legendary Martyr," 365; Plunka, "Staging Resistance from the Clergy During the Holocaust," 391.

conditions the Nazi regime was normalizing through concentration camps. Kolbe's sacrifice is the actualization of this dichotomy.

The Christian Faith Meant Compassion for All

A minority group of Catholic Poles believed their Christian faith meant that everyone deserved compassion. Specifically, it was the calling of the Catholic-Polish congregation and the clergy to assist those in distress. Unlike the relationship Catholic Poles had with Jewish Poles in their neighbourhoods, this sub-argument deals directly with an individual's Christian faith, without any contrast or contradictions to Judaism. Catholic clergy and congregation members carried out acts of compassion, via their Christian faith, to treat all peoples justly. This manifested in acts such as handing out false identification papers to Jews so they could avoid persecution.

There exist examples in primary-source material where Catholic church congregants used what resources they had to help hide and protect Jewish Poles. For example, the Litman family of Zalizhchyky survived and evaded capture in Tovste and Jarosław with false identification papers, like displaced person (DP) identification cards, baptismal certificates, and marriage certificates²⁷ which showed that they were raised in a Catholic Church and the Catholic denomination. In Bronka Harz Kurz's memoir, she explained that the value for Jewish Poles in obtaining false identification papers was so that they may pose as Catholics.²⁸ For Olga Litman, she changed her and her daughters' last names from Litman to Lityński, which "legally" disguised the Litman family as Poles raised in the Catholic denomination.²⁹ In the

²⁷ Litman Family Papers, United States Holocaust Memorial Museum, <https://collections.ushmm.org/search/catalog/irn511802#?rsc=173149&cv=0&c=0&m=0&s=0&xywh=-2174%2C-305%2C7792%2C6082>.

²⁸ Bronka Harz Kurz Memoir, United States Holocaust Memorial Museum, <https://collections.ushmm.org/search/catalog/irn517749#?rsc=146991&cv=1&c=0&m=0&s=0&xywh=-453%2C1520%2C4063%2C2124>.

²⁹ Litman Family Papers, United States Holocaust Memorial Museum.

present, this narrative is supported by secondary-source scholarship through Richard C. Lukas' book *Forgotten Holocaust: The Poles under German Occupation, 1939-1944*. In his book, the author described that Catholic Poles aided the Jewish Poles in ways of charitable humanitarian work and the resistance with what little resources they had left. Specific examples mentioned by Lukas included firsthand accounts of Covent houses becoming distribution centers for the underground press, priests in Cracow creating depositories for money sent in from abroad, and clergy members a part of Polish intelligentsia aiding those hunted by the Gestapo with false baptismal records.³⁰

So how does the evidence of Catholic priests helping to hide Jewish Poles demonstrate that their Christian faith meant that everyone deserves compassion? In Poland, the Roman Catholic Church had previously led Polish nationalist forces in the name of Poland's independence against Germany in 1933.³¹ Because of the church's involvement in those movements, they were a target for the Einsatzgruppen beginning in September 1939 when Nazi Germany invaded Poland. Priests were killed or imprisoned; churches, seminaries and covenants in annexed regions were closed.³² Also, as previously noted, from 1939-1945, roughly 3,000 members of the Polish Roman Catholic clergy were killed, and of those 3,000, 1,992 died in various concentration camps.³³ Needless to say, the Roman Catholic Church in Poland, and its congregants, were also heavily persecuted under the Nazi regime. These peoples were persecuted specifically because their faith posed not only a religious threat, but an ideological threat to the Nazi regime and their international expansion. Under

³⁰ Lukas, *Forgotten Holocaust*, 15.

³¹ Jerzy Gorzelik, "National, Regional, or Just Catholic?—Dilemmas of Church Art in a German–Polish Borderland, Upper Silesia, 1903–1953," *Arts* 10, no. 1 (2021): 6. <https://doi.org/10.3390/arts10010018>; *Poles*, 11.

³² Anna M. Cienciala, "Poles and Jews Under German and Soviet Occupation, September 1, 1939 - June 22, 1941," *The Polish Review* 46, no. 4 (2001): 391-402. Accessed April 22, 2021. <http://www.jstor.org/stable/25779290>; *Poles*, 11.

³³ *Poles*, 11.

those circumstances, one could even say that, on some minute level, the Catholic priests understood the physical conditions and the mentality of the Jewish Poles in terms of the persecution they were experiencing. Besides faith-based persecution, numerous priests were denied access to religious funds such as tithes and offerings they'd typically access from their congregations. The removal of clergy to concentration camps also took away access to places of worship and ultimately, places where they could hide from Nazi authorities. Despite these conditions, there were numerous moments of compassion recorded on part of Catholic Polish clergy towards Jewish Poles.

Not only did priests like the unnamed heroes who aided Kurz and the Litman family help Jewish Poles to evade capture, but they also did so knowing that they too could be captured as well. As Lukas noted, many Jewish Poles who sought out Catholic priests did so because the Gestapo was hunting them.³⁴ If the Jewish Poles were not cautious enough to avoid detection, they could have unintentionally led the Gestapo to Catholic priests who were also being hunted down, leading to further loss of life and a breakdown in unofficial aid channels for fellow Catholics and Jews. The priests ultimately provided a space for understanding in terms of Jewish insecurity under the Nazis. It was through acts such as the provision of fake identification papers that selected Catholic priests were able to practice their belief in the Christian faith which asserted that compassion was a universal right and extended this to Jewish Poles.

Altruism VS. Anti Semitism

A minority group of Catholic Poles saw traditional antisemitism as repulsive and wrong, and abandoned the ideology for a more altruistic approach, which motivated some to help the Jewish Poles. For context, according to the OED, altruism is a form of selfless and

³⁴ Lukas, *Forgotten Holocaust*, 15.

unabashed concern for the physical and mental well-being of others, which manifests itself into practical actions and good deeds.³⁵ More importantly, in context to the relationship between Catholic and Jewish Poles, altruistic behaviours were actions that benefited Jewish Poles at the expense of Catholic Poles. With altruism defined, one can now begin an ideological argument as to why a small minority of Catholic Poles saw traditional antisemitism as repulsive and wrong, and how they opted for a more altruistic ideology that invoked a mindset of compassion and justice.

There were few Catholic Poles that saw traditional antisemitism as repulsive and wrong. Authors such as Wierzcholska noted that some Catholic Poles have "altruistic motivations, a great deal of empathy, and willingness to sacrifice themselves for the sake of helping others. Available scholarship has emphasized this aspect."³⁶ The scholarship she and other scholars referred to was, primarily, *The Altruistic Personality* by Samuel P. Oliner. The book was the product of a project conducted during the late-twentieth century, named The Altruistic Personality Project, and consisted of interviews with rescuers and non-rescuers of Jewish peoples across Europe.³⁷ The findings from this project was republished in an article co-authored by Oliner, titled "The Roots of Altruism." One of the questions posed by Oliner was: was the rescue of Jewish peoples a matter of values?³⁸ According to Oliner, 87% of the rescuers he interviewed, many of whom were Polish, noted one ethical reason as to why they chose to help Jewish civilians was equity.³⁹ In terms of equity, Oliner said this particular branch of ethics "depended on fairness, reciprocity, and justice. Justice demanded that

³⁵ "altruism, n." OED Online. March 2021. Oxford University Press. Accessed April 22, 2021. <https://www-oed-com.proxy1.lib.trentu.ca/view/Entry/5857?redirectedFrom=altruism>.

³⁶ Wierzcholska, "Helping, Denouncing, and Profiteering," 45.

³⁷ Pearl M. Oliner and Samuel P. Oliner, "The Roots of Altruism," *Shofar* 8, no. 2 (1990): 16-17. Accessed April 23, 2021. <http://www.jstor.org/stable/42941396>.

³⁸ P. Oliner and S. Oliner, "The Roots of Altruism," 20.

³⁹ P. Oliner and S. Oliner, "The Roots of Altruism," 18, 20.

only the guilty be punished; persecution of the innocent could not be justified. The ethnic or religious identity of the persecuted was irrelevant; what mattered was their innocence."⁴⁰ This quote manifested the connection between compassion and altruism, and justice and antisemitism that was previously mentioned.

It would be sufficient to find altruism in primary texts to analyze a firsthand account of why a Catholic chose to abandon antisemitism to help a Jewish civilian. Here, we can once again refer to the diaries of Mermall. Mermall and his son were offered by Ivan Gartner, a mayor of a small village, to stay with him in his barn. Mermall accepted and resided with Gartner from July 7, 1944 – October 26, 1944.⁴¹ However, Gartner did not make that offer to Mermall without hesitation, as he admitted that "he was terribly worried about the possible consequences to his family."⁴² Even though Gartner was anxious about the danger that he would be putting his family in, such as being caught by the Einsatzgruppen or the Gestapo for hiding a Jewish family, Gartner chose to let Mermall and his son stay at his residence.⁴³ Gartner's actions were altruistic because the very definition of the term included the "willingness [of an individual] to sacrifice themselves for the sake of helping others."⁴⁴ In Gartner's case, not only was he willing to sacrifice himself from being captured and/or killed for hiding a Jewish family, but he was willing to risk his family's lives as well. When Gartner had initially met Mermall and his six-year-old son, they had been running from search teams, living in the forest, without any food or drink with them, and very few supplies to keep them sheltered from the elements.⁴⁵ Gartner, a Catholic with barely enough food and clothes to supply his wife and children, traveled out of his way every week to

⁴⁰ P. Oliner and S. Oliner, "The Roots of Altruism," 20.

⁴¹ Narrative and Diary of Mermall, United States Holocaust Memorial Museum.

⁴² Narrative and Diary of Mermall, United States Holocaust Memorial Museum.

⁴³ Narrative and Diary of Mermall, United States Holocaust Memorial Museum.

⁴⁴ "altruism, n."

⁴⁵ Narrative and Diary of Mermall, United States Holocaust Memorial Museum.

deliver whatever supplies he could to Mermall and his son before it was safe enough for the Jewish family to stay at Gartner's residence.⁴⁶ Gartner saw Mermall and his son in the physical and emotional state they were in and chose not to be prejudiced towards them. Instead, he was concerned for their well-being and did everything in his power not only to supply food and materials for the Jewish family but to house them at the risk of his family's lives, as well as his own.

Conclusion

Although, in the case of altruism, for a few Catholic Poles to have embraced the ideology entirely meant that they had to reject antisemitism. So why did they abandon their traditional anti-Semitic beliefs in exchange for a more altruistic mindset? As previously mentioned, Oliner said that "justice demanded that only the guilty be punished; persecution of the innocent could not be justified."⁴⁷ Oliner's statement was founded on the basis that antisemitism targeted Jewish peoples simply for being Jewish. There was and is no justice in targeting a group of people who are not guilty, for how should Jewish Poles be persecuted if they are innocent? Where is the justification for their supposed inferiority? This was the mindset of a few Catholic Poles like the Zyzniewski family, a Catholic family who fought in the Polish resistance against the persecution of Jewish Poles.⁴⁸ Though the details concerning their specific contributions to the Polish resistance are sparse, there are a few details concerning the outcome of their abandonment of antisemitism. Wieslaw, the son of Zygmunt and Janina Zyzniewski, was subject to brief periods of imprisonment in 1941 and 1942, the latter of which was for suspicious underground political

⁴⁶ Narrative and Diary of Mermall, United States Holocaust Memorial Museum.

⁴⁷ P. Oliner and S. Oliner, "The Roots of Altruism," 20.

⁴⁸ Zyzniewski Family Papers, United States Holocaust Memorial Museum, <https://collections.ushmm.org/search/catalog/irn106730#?rsc=194500&cv=1&c=0&m=0&s=0&xywh=-498%2C202%2C2857%2C2230>.

activities.⁴⁹ For the majority of 1942, he was subjugated to bouts of torture and interrogation by the Gestapo.⁵⁰ Furthermore, his brother and sister were captured and executed, and his mother was arrested because of her political campaigns against the persecution of Jewish Poles.⁵¹ The Zyzniewski family was just one example of how a few Catholic Poles abandoned antisemitism. Authors such as Oliner made it evident how the persecution of Jewish peoples was repulsive and wrong, so a few Catholic Poles fought for the downfall of not only the Nazi regime but antisemitism so that Jewish Poles could be treated justly.

In conclusion, some members of the Polish Catholic Church, both priests and congregants, were determined to save Polish Jews during the Nazi occupation of Poland. Upon the dissolution of thousands of Catholic churches in Poland, there were members of the congregations who abandoned pre-war antisemitism and decided that they would help to rescue Jews. It can be said they forged new avenues through which to practice their Catholic faith that laid greater emphasis on altruistic practice and compassion, acts that were further exacerbated in a time of crisis that was the holocaust. Neighbours like Mrs. Petrusak and Maximilian Kolbe saw Gabriel Mermall and Francisczek Gajowniczek in their suffering and distress and were compassionate towards them because their personal relationships as fellow humans, neighbours and Poles outweighed the discriminatory ideology being imposed on them by the wider Nazi regime.

⁴⁹ Zyzniewski Family Papers, United States Holocaust Memorial Museum.

⁵⁰ Zyzniewski Family Papers, United States Holocaust Memorial Museum.

⁵¹ Zyzniewski Family Papers, United States Holocaust Memorial Museum.

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The Unruly Convicts

Black Women and the Convict Leasing System in Georgia, 1868-1908

Hannah Jane Presnell

Abstract

This thesis examines the evolution of Georgia's convict leasing system following the Thirteenth Amendment, revealing its role in perpetuating a form of slavery under the guise of punishment. By exploiting legal loopholes, predominantly white southern authorities disproportionately incarcerated and leased Black men and women to private companies. This study argues that the system's economic motivations and racial biases created a narrative portraying Black women convicts as inherently unruly, justifying their mistreatment and exploitation. Analyzing historical records and media sources, it exposes the intersectional oppression faced by Black women within the criminal justice system, shedding light on the enduring legacy of racialized and gendered violence in post-Civil War America.

Key Words

Convict Leasing, Reconstruction, Georgia, Black Women, Thirteenth Amendment

Introduction

In July of 1884 the Superior Court of Georgia sentenced Leila Burgess, 14 years old at the time, to life imprisonment for the murder of her father.⁵² The Superior Court sent Burgess to the Chattahoochee

⁵² "Georgia and Florida: The News of the Two States Told in Paragraphs," *The Savannah Morning News*, July 1, 1884.

Brickyard where Captain James T. Casey oversaw her duties.⁵³ Casey was a reviled whipping boss who kept the women convicts in line by imposing physical violence upon them.⁵⁴ Burgess was not exempt to Casey's brutality and after one month into her sentence she received thirteen lashes for refusal to work.⁵⁵ This was the first of many punishments that Burgess endured before Governor Joseph M. Terrell pardoned her in 1903.⁵⁶ Captain Casey's whipping of Burgess and other Black women convicts stemmed from perceptions of female convicts being more unruly than male convicts, thus the women needed physical punishment to correct their behavior. Thousands of Black women convicts faced the same fate as Burgess in what is known as the convict leasing system. The system was created after the Thirteenth Amendment, and its repercussions still affect Black women today.

The Thirteenth Amendment of January 1865 declared "neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."⁵⁷ Following the Emancipation Proclamation of 1863 that abolished slavery within the Confederate States of America, the Thirteenth Amendment seemingly finalized the abolition of slavery in the United States. However, white southerners used the loophole within the Thirteenth Amendment that permitted slavery as a form of punishment to defend the racial hierarchy of the time and maintain an economic system built on free labor. The convict leasing system emerged in lieu of the abolition of slavery. This system began and was most prevalent in the state of Georgia, which is the subject of this thesis.

⁵³ Talitha L. LeFlouria, *Chained in Silence: Black Women and Convict Labor in the New South* (Chapel Hill, University Press, 2015), 88.

⁵⁴ *Ibid.*, 85.

⁵⁵ *Ibid.*, 94.

⁵⁶ "Pardons Were Granted," *The Savannah Morning News*, May 14, 1903.

⁵⁷ US Constitution, amend.13, sec. 1.

Under the convict leasing system in Georgia, men arrested after 1868 worked in factories, in mills, on roads in chain gangs, and in other work facilities that required manual labor as authorized by the state penal system. Chain gangs and convict leasing were different although both were a part of the same system. Chain gangs appeared directly after the Civil War until the state of Georgia swiftly switched to convict leasing in 1868, which gave companies the power to oversee the convict camps rather than the penitentiaries. The shift from the chain gang to convict leasing came out of a desire for more money. Both the state penitentiary and new industrialized companies sought a way to increase their profitability. In the chain gang system, the penitentiary itself oversaw the work done by prisoners in the chain gangs and provided food and shelter for the inmates. In the convict leasing system, the companies paid for a certain number of convicts for a certain amount of time. The companies lifted the state's burden of providing food and shelter, and the companies gained laborers they did not have to pay.⁵⁸ In 1908 when convict leasing ended in Georgia, the chain gang re-emerged when public outcry for better treatment of convicts and anti-lease legislation appeared.⁵⁹

The convict leasing system caused the disproportionate arrest and leasing of southern Black men and women to private companies for work and recreated a system matching slavery that maintained a state of white supremacy. The development of vagrancy laws and Black codes by state officials made it easy to arrest Black Americans by criminalizing aspects of Black life such as vagrancy, contract violations with employers, alleged theft, suspicion, cursing or being generally disorderly.⁶⁰ By creating laws that specifically targeted freed Blacks,

⁵⁸ Elizabeth A. Taylor, "The Origin and Development of the Convict Lease System in Georgia," *The Georgia Historical Quarterly* 26, no. 2 (June 1942): 115.

⁵⁹ Milfred C. Fierce, *Slavery Revisited: Blacks and the Southern Convict Lease System, 1865-1993* (Brooklyn: Brooklyn College City University of New York, 1994), 139.

⁶⁰ Douglas A. Blackmon, *Slavery by Another Name: The Re-Enslavement of African Americans the Civil War to World War II* (New York: Anchor Books, 2008), 99.

white southerners maintained the racial hierarchy and gained cheap labor to rebuild the South after the Civil War. Once convicts began working in camps, they had minimal contact with their family or friends except through letters that often did not reach them. For Black women at the time, this meant being arrested for things such as cursing, being disorderly, being jobless, talking back or anything deemed disruptive.⁶¹ The convict leasing system's deliberate attack on freed Blacks as well as its economic motivations are the reasons why historians have deemed the convict leasing system a replacement of the institution of slavery.

Women did not begin laboring in the convict leasing system until 1869. Once the state penitentiary began leasing out female convicts to companies, perceptions of the women as harder to manage arose through documents from Principal Keepers of the Penitentiary and public newspapers. The entrance of Black women into the convict leasing came from assumptions by prison officials that the camps needed women's presence to oversee womanly duties such as cleaning and cooking which would help the camp run more smoothly.⁶²

Black women made up only a small portion of the prison population during the convict leasing system, but their presence was much greater than white women's. From 1868 to 1908, Black males always dominated the prison population, with white males in a distant second place, Black women following, and white women rarely present in the system. In 1888 for example, Georgia witnessed the leasing of 1,526 convicts. Out of those, 1,336 were Black males, and 52 were Black females, leaving 149 white citizens to make up the rest of the prison population. Those 149 were all white males. No companies in 1888 had a white female working for them while 52 Black women worked alongside white and Black men alike reconstructing the state of

⁶¹ Blackmon, *Slavery by Another Name*, 99.

⁶² LeFlouria, *Chained in Silence*, 68.

Georgia.⁶³ Black women convicts labored beside the male convicts while white women were not even present in years that the convict leasing system reigned. The system's ability to defeminize Black women through labor and dress was emphasized by the lack of white women convicts in the camps, but because the Black women were female, the camp authorities inflicted gendered punishment and violence on them. Even though there were significantly fewer Black women convicts than male convicts, the Principal Keepers, the camp guards, and the public, viewed Black women as far more unmanageable than their male counterparts. Principal Keeper John R. Towers stated in the annual report of 1888 that "the women are the worst criminals we have, and the hardest to control. The ordinary camp boss would rather have ten bad men than one woman."⁶⁴ This was a common consensus in various Principal Reports and newspapers that highlighted the minority women convicts as much harder to deal with.

This thesis argues that newspaper editors as well as camp authorities used white supremacy and sexism to create the perception that Black women convicts were more difficult and less manageable than the men they worked alongside. This perception made it easier for whipping bosses and camp guards to use physical and emotional violence to deter their behavior and gave the public the opportunity to scrutinize Black women through newspaper articles and other forms of media. The worst consequence that developed from this stereotype was the physical violence at the hands of whipping bosses and other camp authorities. The use of Georgia newspapers and Principal Keeper Reports highlight this perception from an insider and an outsider view.

The *Savannah Morning News*, the *Atlanta Constitution*, and Principal Reports of the Keeper of the State of Georgia Penitentiary demonstrate the public and private perception of Black women convicts

⁶³ Ibid., 11.

⁶⁴ "The Female Convicts: Have Increased Twenty Percent in Two Years. While The Number of Male Convicts Remains the Same-Some Facts from the Keeper's Report," *The Atlanta Constitution*, Oct 17, 1888.

within various convict camps throughout Georgia. The Savannah and Atlanta papers both reported on daily life in Georgia as well conditions of camps, arrest reports, and the creation of new convict camps. The Principal Reports were yearly records that the Principal Keeper of the penitentiary sent to the governor of Georgia. The governor selected the Principal Keeper to oversee the main lease camps and report on numbers and conditions. Some of the items in the report are statistics of men and women convicts, number of convicts from each county, food supplies, cleanliness conditions of camps and anything else the Principal Keeper deemed important for the Governor to know. The reports also included documents from the Principal Physician that reported on injuries, deaths, and illnesses in each camp throughout the State. The Principal Reports and the newspapers offer two different views of the convict leasing system. The newspapers reflected and influenced public opinion and had a distant view of what the camps were like, while the Principal Reports were confidentially sent to the governor of Georgia and had much better insight on what truly went on in the convict camps. This thesis will use the following primary sources and the historical scholarship written about Black women in the convict leasing system to prove how the perceptions demonstrated in these primary sources perpetuate harmful stereotypes of Black women.

Historiography

Historical scholarship focusing on the convict leasing system started in the late twentieth century. Pete Daniel pioneered scholarship on peonage, forced servitude due to debts, in the South in 1972. Daniel argues that the systems of convict leasing and peonage are still apparent in the twentieth century due to racist motivations and economic advantages.⁶⁵ Authors Milfred Fierce, Matthew Mancini, Alex Lichtenstein, David Oshinsky and Martha Myers, define convict leasing

⁶⁵ Pete Daniel, *The Shadow of Slavery: Peonage in the South 1901-1969* (Urbana: University of Illinois Press, 1972), 29.

as a replacement for the institution of slavery. Most of the research in the 1990s examines the South as a whole. Lichtenstein focuses on the state of Georgia, while Oshinsky's case study focuses on the state penitentiary of Mississippi, Parchman Farm. These works use economic and political lenses to guide their research and look at the Black male experience, entirely excluding women convicts in their studies.

Twenty-first century scholarship continues the trend of researching convict leasing in relation to the entire South, with more historians applying geographical boundaries, looking at one state or a certain prison camp. The major shift in the scholarship began in the 2010s and places Black women at the focal point of the research, creating a more holistic narrative of the convict leasing system in the American South.

In the twenty-first century, two of the most prominent historians were Mary Ellen Curtin, author of *Black Prisoners and Their World, Alabama, 1865-1900*, and Douglas Blackmon, author of *Slavery by Another Name: The Re-Enslavement of African Americans the Civil War to World War II*. One distinction of Curtin's work is that unlike her peers she chooses to include a chapter describing women in the convict leasing system. This small but engaging chapter discusses women's experiences of sexual abuse, motherhood, and labor. Curtin is one of the first historians to discuss the role of women convicts in the convict leasing system which opened doors for later historians.

Starting in 2010, there was a shift in the historical scholarship about convict leasing. While previous historians all had Black male convicts as the focal point of their work, that changed with Cheryl Hicks' *Talk with You Like a Woman: African American Women, Justice, and Reform in New York, 1890-1935*, that focuses on Black women in the penal institution in New York.⁶⁶ Hicks' work is not specifically on convict leasing or the American South, but it inserts Black women into the historical narrative of prison systems. While Hicks' work examines

⁶⁶ Cheryl Hicks, *Talk with You Like a Woman: African American Women, Justice, and Reform in New York, 1890-1935* (Chapel Hill: University of North Carolina Press, 2010), 19.

Black women and prison reform in New York during the early twentieth century, her research leads the way for other historians to shed light on Black women in penal institutions after the Civil War. Hicks believes that putting ordinary Black women's stories in the limelight of historical scholarship offers a new narrative that was contrary to a long list of historical work that is dominated by discussions of white society and middle-class urban life.⁶⁷

Following Hicks' work, Talitha LeFlouria wrote *Chained in Silence: Black Women and Convict Labor in the New South*, a groundbreaking book that is the first to examine Black women in convict labor systems in Georgia. LeFlouria's work uses case studies in each chapter to reveal the life of Black women in the convict labor system after the Civil War. Her work highlights comparisons between male and female labor at this time while arguing that women's experiences in the convict labor system have been left out of historical scholarship.⁶⁸ LeFlouria primarily argues that without the presence of Black women in the convict leasing system, rebuilding Georgia as well as reforming the penal systems of the time would not have been possible, and in her own words, "without the female perspective, it is difficult to fully grasp the complexities of this history."⁶⁹ LeFlouria's argument is that Black women's labor during the convict leasing system was integral in the creation of Georgia after the Civil War. Sarah Haley follows LeFlouria's work with *No Mercy Here: Gender Punishment, and the Making of Jim Crow Modernity* which also highlights Georgia's penal system and offers case studies on Black women subjected to convict labor. Her research uses race and gender as a lens to examine the carceral system in Georgia following the Civil War and highlights the specific perception of Black women by the penal systems which

⁶⁷ Ibid., 3.

⁶⁸ LeFlouria, *Chained in Silence*, 18.

⁶⁹ Ibid., 190.

viewed them as primitive and violent.⁷⁰ These works have brought to life the stories of Black women in the convict leasing system, and they challenge the previous scholars who excluded them from the conversation, creating a historiographical shift of the narrative about convict leasing.

A crucial fact about the new scholarship is that the women who created the discussion on convict leasing with Black women as the focal point, were Black women themselves. This trend is intertwined with a larger history of women feeling obligated to write women's history. Starting in the 1960s, as women's liberation movements exploded across the United States, many women scholars began to question women's place in historical scholarship. The writing of history up to this point significantly favored the stories of "great" men. In 1969 the American Historical Association created the Committee of Women Historians to get the discussion about women in history started and advocate for more women historians which is now known as the Rose Report.⁷¹ The introduction of Haley, Hicks, and LeFlouria into the historical scholarship of convict leasing is significant because many minority feminist leaders argue that feminism was and is built for white women exclusively. This is a highly debated topic within feminist scholarship. The new form of minority feminism that focuses heavily on the intersectionality of its members is an ongoing phenomenon among feminist theory.⁷² The new wave has allowed Black female scholars to pioneer new works about Black women.

⁷⁰ Sarah Haley, *No Mercy Here: Gender, Punishment, and the Making of Jim Crow Modernity* (Chapel Hill: University of North Carolina Press, 2016), 7.

⁷¹ Arnita Jones, "Women Historians and Women's History: An Organizational Guide," *Women's Studies Newsletter* 5, no. 1/2 (1977): 11–13. The American Historical Association has since developed strategies to integrate more women historians into the profession. These developments include but are not limited to the approval of the Statement on Affirmative Action in 1997, the creation of standards for ensuring gender equity in the workplace in 2006 and creating reports of statistics on things such as tenure, promotions, and salary of the women in the history field to get a clear idea of how the development of women historians is going.

⁷² Kimberly Springer, "Third Wave Black Feminism?" *Signs* 27, no. 4 (2002): 5-7.

The scholarship on convict leasing focused solely on the male convicts until Hicks, LeFlouria and Haley developed new research that centered on the Black female experience. In addition to including research by previous scholars that discusses gender distinctions, motherhood and sexual violence, this thesis will also address the separation of men and women convicts due to the perception of Black women as harder to manage. Black women were the minority population in the camps, but primary sources portray them as being more difficult to handle than men, which is something that LeFlouria, Hicks and Haley do not closely examine in their research. This thesis will examine this idea and look deeper into the consequences of the stereotype that the Black women convicts were more ungovernable than the male convicts. To understand the development of convict leasing, it is important to understand its predecessor in terms of the police force in the South.

From Slave Patrols to Convict Leasing

The earliest form of police presence in the American South was slave patrols that captured runaway slaves. Due to the vast number of enslaved people across the South, white southerners feared uprisings, rebellions, and violence from their slaves, and therefore created slave patrols to diffuse any possible slave meetings and apprehend slaves attempting to escape. Southern states like South Carolina looked to Caribbean slave control methods, which included the system of slave patrols, as a blueprint for how they wanted to conduct their methods of slave patrolling. South Carolina passed the first slave patrol law in 1702. Other southern states soon followed, and Georgia instituted slave patrols starting in 1757. The "paddy rollers" caught runaway slaves by scouring plantations, roads, and woods mostly at night to catch anyone suspicious. They also had the authority to search and raid slave quarters without a warrant. If a slave was caught attempting to escape or break curfew, the patrols used physical violence and led the slaves back to their plantation. These attributes carried on in the convict

leasing system in the form of the vagrancy laws and Black codes that made it easy for law officers to arrest freed Blacks.⁷³

Black men and women slaves risked capture, physical punishment, and even death, in hopes of gaining a new life. During slavery, sexual punishment against Black women was common. Before the Emancipation Proclamation abolished slavery, raping a Black woman was not considered a crime because the Black women did not have the rights of an American citizen.⁷⁴ The legacy of raping Black women continued into the convict leasing system as convict camp guards inflicted sexual violence on Black female convicts. Slave owners and convict camp authorities used rape as an instrument of punishment against Black women during slavery and the convict leasing system.⁷⁵

Slave owners used passes as a way for slaves to travel between plantations. Slave owners split many slaves up from their children and families, so slave passes were given out to allow slaves to visit their loved ones at other plantations. These passes noted the date, plantation owner and when the slave could be out. If a member of the slave patrol caught a slave without a pass, forging a pass, or being out after the allotted time stated on the pass, violent retribution took place. While plantation owners and volunteers patrolled rural areas, in southern cities poorer white males who were already a part of local militias established urban patrols that were the predecessor of local police forces.⁷⁶ Slave patrols acted on their own will, and the only real authority they listened to were the slave owners.

To combat slave patrols and slavery itself, Black women across the South began creating spaces for freed slaves to escape. Led by escaped slave Harriet Tubman, the Underground Railroad was created.

⁷³ Sally E. Hadden, *Slave Patrols: Law and Violence in Virginia and the Carolinas*, (Cambridge: Harvard University Press, 2001), 129.

⁷⁴ Jeffrey J. Pokorak, "Rape as a Badge of Slavery: The Legal History of, And Remedies for, Prosecutorial Race-of-Victim Charging Disparities," *The Nevada Law Journal* 7, no 1 (2006): 8.

⁷⁵ Pokorak, "Rape as a Badge of Slavery," 10.

⁷⁶ Hadden, *Slave Patrols*, 130.

The Underground Railroad was not one specific structure or geographical location, but instead it was houses, churches, and classrooms across the South that members of the Underground Railroad turned into spaces of refuge. Escaped Black women acted as cooks, cleaning ladies, nurses, and seamstresses, all for the cause of helping escaped slaves.⁷⁷ The womanly duties that escaped women slaves took on match the womanly duties that the convict camps assigned to Black women during the convict leasing system such as cleaning, sewing, and cooking on top of their other duties.

Following the abolition of slavery in 1865, slave patrols in their current form began to diminish, but their vigilante-style tactics remained. The creation of the Ku Klux Klan in 1865 carried the torch of the old slave patrols by banding together to police newly freed Black slaves throughout the South with little authoritative intervention. The Klan used the same violent, racist tactics against freed Blacks who they chose to terrorize. Remnants of these violent tactics did not disappear as the convict leasing and chain gang systems emerged. Whipping bosses and guards in the convict camps replaced the role of the KKK by enforcing strict physical punishment on the convicts.⁷⁸

Slave patrols preceded the penitentiary period in the South that developed in the early 1800s. Penitentiaries developed in the 1800s after the slave patrols. Behind Kentucky, Maryland and Virginia, Georgia developed the concept of the penitentiary by looking at states who had already developed one. Prior to the convict leasing system, the penitentiaries in Georgia had only been in place since 1817. To develop a system to uphold a penitentiary, legislatures revised Georgia's penal code in 1816 which strayed away from the harsh corporal punishments that were in place before. While harsh punishments such as death were uncommon, severe crimes such as arson or murder could warrant a

⁷⁷ Jazma Sutton, "Beyond Harriet: African American Women's Work in the Underground Railroad," *A Blog for American History, Organization of American Historians*, October 31, 2019. http://www.processhistory.org/sutton-beyond-harriet/#_ftnref7.

⁷⁸ Hadden, *Slave Patrols*, 130.

death sentence. Another unique creation of the penitentiary period was the idea of life imprisonment, which was the maximum sentence and was the punishment of severe crimes.⁷⁹

The penitentiary period in Georgia spanned from 1817 to the start of the convict leasing system in 1868. This system meant that for the very first time, judges sentenced convicts for an allotted amount of time rather than punishing them with fines, whipping or the death penalty. This marked a shift away from local, vigilante-style policing.⁸⁰ During the penitentiary period the prisoners were almost all white males and there were never more than 245 prisoners at the Milledgeville State Prison Farm at a time.⁸¹ One major problem with the penitentiary period was the lack of money that the state was able to make off of the prisoners as well as the money they were losing by providing shelter, food, and protection to the inmates themselves. This was why the shift to convict leasing took place. During the fifty-year period that the penitentiaries existed, scrutiny on whether it was beneficial or not was prevalent. Supporters of the penitentiary felt that it deterred citizens from wanting to commit any crimes while many critics of the system believed that there were no benefits to penitentiaries and the system did not reform the convicts. Critics proposed that the State of Georgia should revert to corporal punishment and abolish the statewide prison facilities altogether. Between 1817 and 1868, officials offered many alternatives to the penitentiary, including the concept of farming, or leasing out convicts to labor camps, but local officials blocked this idea. In 1843 critics began to seriously discuss leasing out convicts rather than abolishing the penitentiary.⁸² Penitentiaries were not fully abandoned during or after the Civil War. The South instead utilized the inmates, allowing all convicts except those who were disabled or were in jail for severe

⁷⁹ Ibid.

⁸⁰ Meyers, *Race, Labor, and Punishment*, 13.

⁸¹ Lichtenstein, *Twice the Work of Free Labor*, 23.

⁸² Ibid., 14.

crimes, to fight for the Confederate Army to receive a full pardon after their service was complete.⁸³ After the Civil War, the penitentiary reemerged but not in its previous form. Georgia's leaders needed a system that could create revenue for businesses and could maintain white supremacist principles, and the convict leasing met those needs.

Convict Leasing in Georgia

After the Civil War, Georgia became the "Empire State of the New South" because of the state's success in rebuilding its infrastructure during the Reconstruction era.⁸⁴ Not only did Georgia lead the South in their Reconstruction efforts, but they also led the South in their rebuilding efforts with convict labor. The Civil War left the southern states wrought with economic and social issues, and convict leasing solved those problems. To build back their state, Georgia needed a cheap labor source, and that source was found in convict leasing. Convict leasing also created a system of social control for freed Blacks across the South by imposing vagrancy laws and Black codes that led to the arrest and convictions of an inordinate number of Black Americans.

Convict leasing officially began in Georgia on May 11, 1868, when General Thomas H. Ruger leased out 100 convicts to William A. Fort who oversaw the development of the Georgia and Alabama railroad.⁸⁵ Although this first lease specified Black male convicts, white males and Black females soon entered the system as well. Prior to June of 1869, Black female prisoners resided in the Milledgeville State Penitentiary where they washed and sewed clothes.⁸⁶ In 1869 all thirteen of the Black women convicts arrived to work for the Georgia railroad system.⁸⁷ In the beginnings of the lease system the Georgia and

⁸³ Ibid., 15.

⁸⁴ Alexander, *The New Jim Crow*, 39.

⁸⁵ Taylor, "The Origin and Development," 116.

⁸⁶ LeFlouria, *Chained in Silence*, 68.

⁸⁷ Ibid. 69.

Alabama railroad monopolized the benefits of the system by being one of the first companies to agree to employ and provide necessities for convicts. After this, companies that required laborers gained leases to entire penitentiaries instead of a quota of convicts. Railroad companies like Grant, Alexander and Company seized the opportunity to receive convict leases. These companies who gained access to convict laborers would take on the task of providing them with food, clothing, and shelter, taking away the state's need to pay for any expenses for the convicts, which made the system extremely profitable and favorable for the state. The Prison Commission assigned their employees to the Principal Keeper, whose duties were to oversee the camps, his assistant, the principal physician, and the prison as a whole. Convict leasing proved to be the more profitable of the two systems for both the state and the companies. The companies that received leases made thousands of dollars of revenue each year, which in turn led to the state granting longer leases and more profitable contracts.⁸⁸

Not only were railroad companies seizing the opportunities convict leasing offered, but so were many other companies in Georgia. The Dade Coal Company, Bartow Iron Works, Chattahoochee Brick Company, Durham Coal and Coke and Iron Belt Railroad and Mining were just a few of the most prominent and profitable convict leasing companies. All the companies listed did not discriminate when it came to the labor the women convicts did. In efforts to build back Georgia, the state put specific emphasis on the reconstruction of its most important city, Atlanta. The companies listed above were all integral in pushing Georgia, and specifically Atlanta, into modernity and creating a prosperous hub of the South. Life in the camps created by these companies, however, lacked a sense of modernity. Nutritious food was scarce, sickness ran rampant, decent clothing or a comfortable place to rest was nonexistent and overall living conditions were nothing short of unlivable. As stated by the Prisoner Commission, camp authorities

⁸⁸ Meyers, *Race, Labor, and Punishment*, 16.

were supposed to give small amounts of meat, bread syrup, vegetables, and milk throughout the week, but this was not always the case. Along with their allotted amount of food per day, the camp provided two cotton work outfits which the convicts had to change after their weekly bath.⁸⁹

Convict leasing solved two problems for the state of Georgia. One, leasing solved the issue of continuing the racial hierarchy in the South through vagrancy laws and Black codes that allowed for the disproportionate arrests of freed Blacks throughout the South. Two, it solved the issue of reconstructing the South by using the convicts as laborers. The leasing system attracted negative publicity in the 1890s with the rise of the Populist Party that was increasingly against the leasing system due to cruelty against inmates, especially cruelty against white women inmates. As authorities arrested more and more white men and women, reformers began closely looking at the treatment of the prisoners. Critics proposed that the Prison Commission, which replaced the Principal Keepers in the penitentiary, do a better job regulating the workplaces of the convicts and monitoring from overseers as well. Criticism continued until the Senate passed a bill that abolished the lease starting on September 19, 1908.⁹⁰ The penal system in Georgia retreated to the chain gang, which meant the state or county oversaw the inmates in the penitentiaries and subsequently used them for labor in chain gangs on various infrastructure projects throughout the state. The chain gang put the Prison Commission in the public eye, which deterred them from any public abuse of the inmates. Hoke Smith, Governor of Georgia from 1907-1909, ultimately supported the abolition of the convict leasing system because of his doubts regarding

⁸⁹ Matthew J. Mancini, *One Dies, Get Another: Convict Leasing in the American South, 1866-1928* (Columbia: University of South Carolina Press, 1996), 84.

⁹⁰ Meyers, *Race, Labor, and Punishment*, 20.

the leasing system's legality and the treatment of the women convicts.⁹¹ Tom Watson, who was a Populist Party leader, agreed with Governor Smith's opposition to the lease. Watson advocated for the elimination of the lease system to gain Black votes in his election for the state legislature.⁹²

When the General Assembly of Georgia passed the law to abolish convict leasing, they gave the men and women convicts different work roles. The male convicts worked on infrastructure projects such as building roads and bridges, and the female convicts worked at the state prison farm. Judges could still sentence women to hard labor on the chain gang if they wished.⁹³ Although the convict leasing system officially ended in Georgia in September of 1908, the lasting effects on the convicts, specifically the Black convicts, was long-lasting and hard to escape. Georgia since the Civil War led the South in the penal system, and in the twenty-first century that is no different. Since the penitentiary period in Georgia during the late 1800s to America's current system of mass incarceration, Georgia continues to maintain its place in the top five states with the most inmates per capita. Georgia comes in third in the country in highest prison population just behind Mississippi and Alabama. This lead is specifically linked to the convict leasing system that began in 1868, which set the precedent of arresting Black citizens far more than any other race.

Black Women in the Convict Leasing System

⁹¹ Dewey W. Grantham, "Hoke Smith: Progressive Governor of Georgia, 1907-1909," *The Journal of Southern History* 15, no. 4 (1949): 435.

⁹² Vann C. Woodward, "Tom Watson and the Negro in Agrarian Politics," *The Journal of Southern History* 4, no. 1 (1938): 22.

⁹³ LeFlouria, *Chained in Silence*, 172.

Female convicts occupied almost every labor camp in Georgia, and this was for a specific reason. White male prison officials assumed that the labor camps could not run without the female convicts carrying out the domestic duties that were necessary. Such duties included cooking, cleaning, and washing the clothes of the other inmates. This section on Black women in the convict leasing system focuses on everyday life, roles and treatment of women in the camps.

After the Civil War and the creation of the convict leasing system, Black women across America found themselves being arrested and convicted from everything from minor infractions like theft to seventy-five-year long sentences due to murder convictions. The influx of arrests of Black women and men after the Civil War was an effort by white supremacists to maintain a racial hierarchy throughout the South. On August 24, 1900, an article in *the Savannah Morning News* described the arrest of Mabel Osborn and Bessie Jones. Authorities arrested Osborn and Jones for "keeping a disorderly house" as well as "enticing [sic] young women to enter the house." Viola Ball and Adelaide Well were the two white women who claimed that Osborn and Jones coerced them into coming to Savannah from South Carolina.⁹⁴ In the same article, police arrested Sarah Gay, Ciara Walker, and Emmaline Martin for "cursing and being disorderly."⁹⁵ This article shows how even prior to being in convict leasing camps, newspaper editors already viewed Black women as disorderly. The problems that Osborn and Jones experienced represent the minor infractions that Black women were arrested for. Authorities could arrest Black women and men for anything that they deemed disorderly or offensive. Infanticide and murder or conspiracy to murder were the most common crimes that authorities arrested Black women for, but other crimes such as vagrancy and stealing were common as well. Susan Jenkins was

⁹⁴ "Alleged Disorderly House Had White and Colored Inmates," *The Savannah Morning News*, August 24, 1900.

⁹⁵ "Alleged Disorderly House."

arrested on March 8, 1899, for lunacy as reported by the *Savannah Morning News*.⁹⁶ Lunacy, being disorderly, and cursing represent how authorities targeted freed Black women through minor and insignificant charges in order to prove their dominance over them. Both of these news articles also show the perceptions of "disorderly" Black women, a stereotype which would follow Black women during their sentences in convict camps.

Once judges handed down sentences to these Black women in the penitentiaries or in convict labor camps, camp officials subjected many of the women to sexual abuse such as rape and sexual assault. In Georgia, fellow male convicts and camp guards viewed the woman convicts as sexually available even though their work and dress over-masculinized them.⁹⁷ There is a strange irony that the prison system almost always required women to wear the same attire as males, and subjected them to labor that equaled males, but the men still viewed the women as objects of sexual pleasure. White male authorities in the camps used sexual abuse such as rape, sexual torture, genital mutilation, and naked whippings that caused sexual trauma for the Black women convicts.⁹⁸ The whipping boss of the Griffin Camp Farm, a Mr. Cannon, forced eighteen-year-old Black convict Lizzie Boatwright and one other unnamed Black woman convict to strip down in front of the male convicts and whipped them. Boatwright told Special Inspector Phill G. Byrd when he was on his visit to the camp that Cannon forced her to undress even though she protested that she was menstruating.⁹⁹ Cannon admitted to whipping the women convicts without discrimination when asked by Byrd.¹⁰⁰ LeFlouria believes that the camp guards and prison authorities used rape against the women convicts to

⁹⁶ "Mayor Myers Presided in the Recorder's Place," *The Savannah Morning News*, March 08, 1899.

⁹⁷ LeFlouria, *Chained in Silence*, 103.

⁹⁸ *Ibid.*, 29.

⁹⁹ Phill G. Byrd, *Report of Special Inspector of Misdemeanor Convict Camps of Georgia*, Atlanta, Georgia, September 10, 1897, 14.

¹⁰⁰ *Ibid.*, 23.

further punish and embarrass them within the compound.¹⁰¹ Company officials and guards stripped away the femininity of the Black women prisoners, but still forced them to engage in sexual acts because their bodies remained feminine. Like slavery, white males in positions of authority commodified Black women's bodies as a sort of reproductive powerhouse; this image remained the same in convict leasing camps. The psychological effects of emotional and physical violence against the Black women would no doubt be severe, but inescapable.

Clothing was also a way that authorities emotionally abused the women convicts within the camps. The prison commission provided convict laborers with two cotton work outfits that included pants and a shirt. The Prison Commission forced the women convicts to wear the same clothes as the male convicts, and this stripped away the women's femininity. In one instance, woman convict Mattie Crawford, who was the only woman Blacksmith at the time, used wearing a skirt as a form of resistance against authorities. Although she gave up the protest against wearing pants after multiple lashings, her act of maintaining her femininity while performing a male dominated task was still prevalent.¹⁰²

Another form of violence against these Black women was related to their motherhood. The convict leasing system used Black women's bodies for both work and pleasure. The system forced pregnant women convicts to bring into the world and raise children who often became convict laborers. The plight of motherhood was used by these women as a form of resistance and survival in which they relied on taking care of their children as a way to cope and deal with their awful circumstances. Their reproduction remained an important key to unlock the economic success of the work camps, and the camp's guard forced them to labor in more feminine jobs such as cooking and cleaning on top of their manual labor. Women convicts with children

¹⁰¹ LeFlouria, *Chained in Silence*, 28.

¹⁰² *Ibid.*, 2.

had their motherhood used against them to break down their moral character.¹⁰³

Although some Black women prisoners went into the camps pregnant, or became pregnant once inside, leniency was not often handed out to them by the prison commission or the camp guards. Disease due to unclean conditions as well as premature birth due to the strain from labor on these women's bodies was extremely common and for the most part overlooked.¹⁰⁴ While some women did make it through childbirth, many died from sepsis or "childbed fever" due to the uncleanliness of the camp as well as improper medical care.¹⁰⁵ Many of the camps did not have a camp doctor so the officers took care of the convicts unless they absolutely needed a doctor.¹⁰⁶ The lack of medical presence in the camps made it hard for the women to have appropriate medical care when they delivered children. Some women requested time off during their pregnancies to raise their children as well as have a safe delivery. If the Principal Keeper felt that their bodies were not performing enough useful labor, he would lower their sentences or expect them to come back after they had given birth.¹⁰⁷ The Principal Keeper's decision to grant time off to give birth did not come because he wanted to provide the mother with a safe and healthy birth but because he saw the pregnant woman as useless to their camp due to the women convict not being able to complete the same amount of work that they could prior to conception. This is just another way that authority figures saw Black women's bodies as places of reproduction and labor.

The guards at the Sumter Convict Camp in 1908 granted no leniency to Pearl Black, a Black women convict sentenced to 12 months

¹⁰³ Ibid., 35.

¹⁰⁴ Ibid., 70.

¹⁰⁵ Ibid., 103.

¹⁰⁶ Phill G. Byrd, *Report of Special Inspector of Misdemeanor Convict Camps of Georgia*, Atlanta, Georgia, September 10, 1897, 14.

¹⁰⁷ Haley, *No Mercy Here*, 73.

on the chain gang. Black was pregnant when she arrived at Sumter Convict Camp and was one of only a handful of women to be at the camp. Upon arrival, the camp guards put her in charge of cooking, cleaning, and washing the clothes for the entire chain gang, which she did throughout her entire pregnancy.¹⁰⁸ The process of being pregnant and delivering that child in the labor camp was extremely dangerous due to the amount of disease. Although the women convicts tried to maintain cleanliness and health throughout the camps as part of their duties, it was almost impossible with the lack of viable cleaning supplies and resources.¹⁰⁹

One Black woman convict who got pregnant and gave birth in the Du Bois sawmill camp was Eliza Cobb. Cobb arrived at the camp in 1889 after being convicted of infanticide.¹¹⁰ Cobb claimed that her child was still born, but she was found guilty of intentionally ending her child's life. On December 5th, 1890, Cobb was hospitalized and gave birth to her second child. It was not documented how she became pregnant or who impregnated her, but Haley believes that rape by a prison guard is the most logical explanation.¹¹¹ Even if Cobb had consented to having sex with a male prisoner within the camp, the responsibility of giving birth to the child was all on her. Cobb's story ended when her sentence was commuted in 1910. No records of her second child or what she did after her stay at Du Bois sawmill camp are recorded. Cobb's story was that of many of the Black women in the convict leasing system. Her story must be inferred through physicians reports and prison and legal documents because Cobb herself was not interviewed or able to write her story since she could not read or write. Prison officials as well as her advocates on her legal team did what they could to expunge any record of a child being born within the camp, and

¹⁰⁸ Ibid., 72.

¹⁰⁹ Ibid., 75.

¹¹⁰ Haley, *No Mercy Here*, 24.

¹¹¹ Ibid., 25.

once she was commuted in 1910, Cobb's story seemingly ends.¹¹² Like many Black women convicts, Cobb's story ends abruptly and reveals more questions than answers.

Gendered distinctions were prevalent in the labor camps. Camp officials expected the women to wake up earlier than the men to get the camp prepared for the women and also oversaw the cooking and cleaning duties.¹¹³ Even though the women oversaw the more feminine jobs, when it came to hard manual labor, work without discrimination of gender was common in the labor camps and in chain gangs. The Black women convicts completed womanly tasks, but they were ultimately defeminized by camp authorities through the clothes they wore and the more strenuous labor they did.

A news article published on July 22, 1893, in the *Atlanta Constitution* discussed just how well the Black women worked in the camps stating, "Many of the negro women are as strong as men. They can dig a well or quarry rocks and handle a flatboat skillfully."¹¹⁴ The article continued about an especially tough Black woman who fought off a guard when another guard was about to whip her. Stereotypes of the Black women being as strong and tough as the men are ways that newspapers masculinized the Black women convicts. This public perception of Black women, and it easy for readers of this article to view all women as masculine beings, and in a way dehumanize them. The women did the same types of labor whether it be in digging ditches, working on a railroad, busting rocks, or laying bricks. This took a major toll on the women's reproductive organs, and the hard labor often left them infertile.¹¹⁵

¹¹² Ibid., 25.

¹¹³ Ibid., 63.

¹¹⁴ "Women In Stripes: Georgia's Female Convicts Work in the Fields Just Like Free Labor," *The Atlanta Constitution*, July 22, 1893.

¹¹⁵ Haley, *No Mercy Here*, 62.

Not only did the women do their share of hard labor, but they also assumed womanly duties as well such as cleaning and cooking. Hygiene was another gendered distinction. While men's hygiene went unnoticed, the hygiene of the women convicts was overseen by the Principal Keeper and other authorities at the labor camps to ensure that the woman convicts were up to the camp official's standards so that the women could perform sexual duties.¹¹⁶ Daily bathing, or lack thereof, became a form of resistance for the women convicts as they knew that their rejection of partaking in daily hygienic activities would give them a better chance at not having to participate in sexual acts with their authorities. As Haley describes, "Black female labor continued to be conscripted for both production and reproduction, and their bodies were terrain for the consolidation of white supremacist ideology."¹¹⁷

The Perception of Black Women Prisoners

Society has often commodified, demonized, and belittled Black women, especially during the convict leasing system. Even though Black women prisoners made up a small portion of the prison population, the public as well those who oversaw the camps saw the Black women prisoners as much harder to handle than the imprisoned men. This perception had major consequences for the Black women convicts including subjection to hard labor, long-lasting stereotypes and the worst, physical violence.

One of the most significant stereotypes that society created about the Black women convicts was that they were the least well behaved out of the entire prison population. The *Atlanta Constitution* quoted assistant Principal Keeper Edward T. Shubrick in 1888 with the following words: "The women are the worst criminals we have, and the hardest to control. The ordinary camp boss would rather have ten bad

¹¹⁶Ibid., 64.

¹¹⁷ Ibid., 68.

men than one woman."¹¹⁸ The author of this article did not include how or why the women convicts were so poorly behaved or what penitentiary authorities were doing to address their behavior, but it simply concluded that the women convicts were the worst. What the author did emphasize was the recent increase in arrests of women since 1886 that rose by twenty percent.¹¹⁹ The author's purpose in using this statistic was to provide evidence that the Black women were participating in more criminal activity therefore they were a rowdier group than the men.

The perception of Black female convicts as more difficult led to the construction of all female convict camps such as the Bolton Broom Factory. The factory was one of the first camps to separate the men and women convicts. The separation came not from anything the Black women did but because of their position as females. An article in the *Atlanta Constitution* from June 1890 states,

They never plan bloodshed or daring escapes, and are, as a usual thing, as quiet and obedient as could be wished. But with all that they have been more trouble to the lessees than a half a dozen times their number of the most hardened and desperate male criminals. Because they are women.¹²⁰

This quote reveals the gendered and racial stereotypes the public laid upon Black women convicts. Another reason for the separation of the convicts came from an increased birth rate when the women and men convicts worked together and the actions of the women when authorities placed them in solitary confinement. This phenomenon is highlighted as well in the June 1890 article in the *Atlanta Constitution* that discussed how when

¹¹⁸ "The Female Convicts: Have Increased Twenty Percent in Two Years."

¹¹⁹ Ibid.

¹²⁰ "The Female Convicts: To be Put All in Once Place and Apart from the Men. In a New Broom Factory to be Established by the Penitentiary Lessees Near Bolton, in Fulton County," *The Atlanta Constitution*, June 5, 1890.

the women were kept in confined spaces of the camp they became "idiots," but if they were put to work with the men the birth rate increased suggesting that the women got pregnant on purpose or couldn't resist having sex with the men. It would have been illogical for Black women to purposely get pregnant as it was uncommon for camp authorities to grant pregnant women leave. The article suggested that the women in the camps must be separated from the men, or they would become pregnant or idiotic. The article put the blame for the female convicts being pregnant entirely on the woman instead of analyzing this as a problem with both the men and women, revealing the sexist ideology of the time. The Bolton Broom Factory was a plausible solution to these issues because it provided the women with "suitable" work and "instead of a burden, the female convicts actually become a source of some revenue."¹²¹ This clarified that the women convicts were only good when they were producing money for leasing companies. The dual usage of Black women as useful laborers and procreators was a principle that dates to slavery. The state of Georgia relied on Black women to give birth to new generations of Black convicts so that the convict leasing companies could continue rebuilding Georgia through convict labor.¹²² Control in terms of Black men during slavery consisted of physical violence such as whippings or executions. For Black women slaves, control was based on sexual violence, and in the convict leasing system this was no different.¹²³

The Bolton Broom Factory was a last-ditch effort for the Prison Commission and convict leasing companies to control the female convict's behavior. The *Atlanta Constitution* highlights the

¹²¹ Ibid.

¹²² Haley, *No Mercy Here*, 68.

¹²³ Pokorak, "Rape as a Badge of Slavery," 10.

struggle prison authorities faced in keeping the women in an article that states

In spite of considerable pains taken to keep the female convicts on good behavior, there has always been more trouble with them than with the men, and a good many scandalous things have happened, in spite of all precautions.¹²⁴

Here again the separation of the convicts was put entirely on the shoulders of the women's inability to behave well. Unlike the article published in June of 1890, this one did not mention birth rate or idiocy as conditions that the women convicts were victims of. Instead, the author simply alluded to "scandalous" actions and apparent "precautions" that have been put in place but failed. The blame that was put on the women convicts in both articles can be attributed to both sexism and racism. The vast majority of women convicts during the leasing period were Black women. There were many years that there were no white women in convict camps at all, therefore these articles are specifically discussing Black female convicts when they referred to the women causing problems. These articles contain both racist and sexist undertones when they discuss their perceptions of female convicts. The troubled or badly behaved stereotype was one often associated with Black women, while discussing suitable work was sexist jargon that was pushed on white and Black women alike. The patriarchy's sexism toward white women carried notions of docility and weakness, while the sexism towards Black women carried perceptions of savagery and disobedience.¹²⁵ Dr. Deborah Gray White asserts that Black womanhood and white womanhood were interconnected during slavery because white women's esteem and supremacy was based solely on the racism that society inflicted upon Black women.¹²⁶ The juxtaposition of sexism against white women and

¹²⁴ "A Female Convict Camp: The Women Will be Employed in Making Brooms at Bolton," *The Atlanta Constitution*, February 18, 1890.

¹²⁵ Deborah G. White, *Ar 'n't I a Woman?: Female Slaves in the Plantation South*, (New York, W.W. Norton, 1999), 6.

¹²⁶ *Ibid.*, 7.

Black women created space for racist and sexist stereotypes about Black women to develop during slavery and after. In other words, the only way for the stereotypes about Black women to exist was through the comparison of their womanhood to white women.

The separation of men and women convicts was rewarding for the leasing companies. In March of 1891, the prison commission chose to separate all female and male convicts in Georgia convict camps. In March 1891 the *Atlanta Constitution* again reported on the separation of the genders within the penal system. The article declared that penitentiary authorities have decided that "the female convicts all over the state will be separated from the males."¹²⁷ This is quoted not because of its importance, but because of the word choice of the author. Notice that it is not that "the men and women are separated" or the "men are separated from the women" but instead the author concluded that the women will be separated from the males, again putting sole blame on the women convicts for their behavior. This article did not give much more information on why there was a need for the two genders to be separated but based on the article the problem lied with the women convicts.

All these articles imposed the idea that women convicts were manageable than the male convicts and thus there was a need for separation. LeFlouria attributes the creation of Bolton Broom Factory and other camps that intentionally separated the women from the men to an increase in criticism about mixing the men and women together, forcing women to do the same labor as men, and a more widespread call to action regarding the overall condition of the camps.¹²⁸ Out of all the reasons for separations that she lists, unruly women are not one of them. LeFlouria's analysis on why the convict camps began separating the female and male prisoners creates new questions about why the

¹²⁷ "About the Capitol: The Penitentiary Authorities Have Decided that Female Convicts Must be Separated from the Males and Suggest that All be Located in One Camp," *The Atlanta Constitution*, Mar 05, 1891.

¹²⁸ LeFlouria, *Chained in Silence*, 105.

public seemed to think it was due to behavior and other source's view as an issue with specific working roles. It seems likely that working conditions of women convicts was a deciding factor in separating the men from the women, but the news articles above solely attributed the separation to the women's behavior. The article from June 5, 1890, even chose to include an excerpt at the end of the article titled "A Remarkable Fact" which declares that only one woman has ever died in the Georgia penitentiary, a statistic that was meant to show the good and healthy conditions the women convicts lived in.¹²⁹ The author's purpose in including this piece of information was to emphasize to readers that the camp was up to health codes, therefore the women had no reason to be unruly.

The perception of white female convicts and Black female convicts was vastly different. Society viewed white women convicts as victims, but also viewed the Black women convicts as monstrous and difficult. On June 9, 1886, Clay County Superior Court sentenced Isabella Rooney, a white woman, to life imprisonment for being an accomplice to murder.¹³⁰ In the following year legislators, county officials, and even jury members who served on Rooney's case signed petitions to have her pardoned. On November 24, 1887, the Clay County Superior Court officially pardoned Rooney on the grounds that she was "harmless" and "helpless" in the crime that she committed.¹³¹ The article in the *Savannah Morning News* from November 1887 highlighted Rooney's pardon by emphasizing that she was the only white women convict in the penitentiary and that while she was imprisoned guards carefully surveilled her in order to protect her from "the damages of association with the white and colored convicts."¹³²

¹²⁹ "The Female Convicts: To be Put All in Once Place and Apart from the Men."

¹³⁰ "Sentenced for Murder: Willis Hudson to Hand and Isabella Rooney a Convict for Life," *The Savannah Morning News*, June 9, 1886.

¹³¹ "Georgia's Capital City: Isabella Rooney Released from Serving a Life Sentence," *The Savannah Morning News*, November 24, 1887.

¹³² "Georgia's Capital City."

This article accentuated the vulnerability of Rooney as a white woman convict in a system not built for Black people. Even in Rooney's arrest warrant her involvement in the murder was chalked up to a natural inclination to follow her mother and brother who actually did the killing.¹³³

Many of the negative characteristics society imposed on Black women deemphasized their femininity and separated them from the other convicts. A newspaper article from July 1893 reported on the Captain Maddox Plantation. The author mentioned that on Sundays when the convicts rested, many of the women convicts choose not to go to the preaching services, but the men care a lot more about religion and almost always choose to go.¹³⁴ While a small distinction such as religious conviction may not seem important, the fact that the Black women convicts were portrayed as heathens further supports ideas about Black women during this time. When articles attacked the women for lack of religious conviction, they were creating a means for justifying bad treatment of Black women convicts because they had godless tendencies.

The convict leasing system inflicted horrible abuse upon Black men and women alike since its beginnings, but the abolition of the system would not come until public outcry about the treatment of white convicts became too loud to drown out. Comparing the treatment of white women convicts to Black women convicts is because there was such a small number of white women arrested, convicted, and then sent to work in convict leasing camps or the chain gang. Even though white women made up the smallest group of prisoners, their experience within the convict leasing system ultimately led to its abolition. Mamie DeCris was a perfect example of how the public listened and heard white women convict's stories and petitioned for real changes in the system, while ignoring the treatment of Black women convicts. Police

¹³³ Ibid.

¹³⁴ "Women in Stripes."

arrested DeCris, also known as the "Diamond Queen" by Savannah locals, in 1902, for stealing various jewels during her time as a store clerk at a pawn shop. From the time of her arrest until her release, DeCris gained a lot of media coverage, specifically in the *Savannah Morning News*. After being sent to the Milledgeville State Prison Farm in December of 1902, DeCris reported in early August of 1903 that a Warden Allgood whipped her thirty times after he made sexual advances and she refused them.¹³⁵ For the next several weeks the *Savannah Morning News* wrote about twenty articles about DeCris and the steps that were being taken to ensure this treatment did not happen again. In August of 1903 another article reported that DeCris was not the only white woman that had been whipped in the Milledgeville State Prison Farm. No mention of the camp authorities whipping or flogging Black women convicts appeared even though they faced beatings on more occasions than the white women convicts who were such a small number. The Prison Commission asserted that they did not stand for cruel punishment against white women but remained unfazed on the physical violence camp guards perpetuated on the Black women convicts. DeCris' story gained national notoriety and would ultimately lead to the Prison Commission looking deeper into the punishments that were being inflicted on the white convicts.

The combination of appalling treatment of white convicts, especially white women convicts, and the demise of economic interests in leasing out convicts, were the reasons the convict leasing system was officially abandoned in Georgia in 1908.¹³⁶ As chain gangs made their reemergence as a more profitable system of convict labor and social outrage regarding treatment of convicts began to increase, the perfect storm of indignation formed to abandon convict leasing altogether. Even though whipping bosses and camp guards made life unbearable

¹³⁵ "Mamie DeCris' Story Told to Warden Moore, House Passed Resolution that Full Inquiry be Made," *The Savannah Morning News*, August 12, 1903.

¹³⁶ Mancini, "The Abandonment of Convict Leasing," 349.

for the Black men and women convicts alike, their poor treatment was overlooked while white women convicts such as Mamie DeCris began receiving notoriety for their horror stories. Overlooked treatment of Black women convicts can be attributed to public perceptions of Black women as untamable, troublesome savages who needed discipline in the form of emotional and physical violence. Therefore, the horrendous treatment that they received was justified because of their misfit actions.

Georgia created the convict leasing system to maintain a social hierarchy with white citizens on the top and to profit off convict labor. The creation of the system led to the arrests of thousands of freed Black women throughout Georgia and provided laborers for industrialized companies. Authorities in the camps imposed sexual and emotional violence on the Black female convicts, stripped away their femininity and at the same time forced them to rebuild Georgia through convict labor. The Prison commission, the Principal Keepers, and the camp authorities not only imposed racist stereotypes, but also sexist perceptions of Black women as the more difficult convicts. These perceptions made it easier for camp guards to inflict physical and sexual violence upon Black women they deemed unmanageable. The stereotypes continue into the twenty-first century as Black women remain prevalent in America's current penal system.

Epilogue

When Governor Smith helped abolish the convict leasing system in 1908, the chain gang re-emerged. The chain gang continued into the twentieth century once convict leasing was seemingly abolished throughout the South. In the way that convict leasing echoed slavery, the chain gang echoed convict leasing. From the slave patrols to penitentiaries, to convict leasing and then to the chain gang, each process of the Georgia penal system was moving towards a revamped version of the same old policing system in the South. The current

system of mass incarceration in the United States was built on the foundations of the systems that came before it. The profitability of convicts and the blatant racism within the system continues today on the basis that the penal system is following in the footsteps of its predecessors. Civil rights lawyer and commentator Michelle Alexander highlights how white southerners used the Thirteenth Amendment to justify the replacement of slavery through the convict leasing system. While Alexander does not specifically analyze Black women, she emphasizes the long-lasting effects the convict leasing system has had on the current American prison structure in the age of mass incarceration, which she calls the "New Jim Crow."¹³⁷

The system of mass incarceration did not appear suddenly or without the help of presidential administrations. The War on Drugs in the 1980s is reminiscent of the vagrancy laws imposed after the Civil War that made it easy for authorities to arrest and convict Black Americans throughout the entire U.S., not just the South.¹³⁸ With the help of Presidents Richard Nixon and Ronald Reagan who launched the war on drugs campaign, and their predecessors, the United States has become a leader in the total number of people incarcerated.¹³⁹

Black women's place in the current system of mass incarceration in the United States was made possible through long lasting racist stereotypes about them as Black people as well as the description of them as being difficult to deal with as women. These stereotypes continue in today's justice system and leave Black women in vulnerable positions. The work of this thesis is meant to add to the discussion of Black women in penal systems throughout America and make connections to the current system and the foundations upon which it

¹³⁷ Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: The New Press, 2010), 34.

¹³⁸ Alexander, *The New Jim Crow*, 76.

¹³⁹ Highest to Lowest - Prison Population Total," World Prison Brief, October 2021.

https://www.prisonstudies.org/highest-to-lowest/prison-population-total?field_region_taxonomy_tid=All.

was built. Understanding the perceptions of Black women, the violence and abuse they faced, and their continued fight against society to prove their femininity, is paramount in challenging racist and sexist systems throughout America.

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Clio's Scroll is produced by financial support from the Townsend Center for the Humanities, the Associated Students of the University of California (ASUC), and the Department of History. *Clio's Scroll* is not an official publication of the ASUC or UC Berkeley. The views expressed herein are solely those of the authors and do not necessarily represent those of the journal, the editors, the university, or sponsors.

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Front cover: Marizavarzina

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