Due to copyright law, I am unable to offer a full-text version of The New York Times article here. You have purchased my lesson materials to use with the article, not the article itself. If you enter “New York Times Only the Accused Were Innocent” into any search engine, you will find a copy of the article available for you to print and use in class. During my last product update, this website was hosting a full-text version of the David Oshinsky article. Just copy-and-paste the address below to access a copy of the story to print and use in class:

http://www.nytimes.com/1994/04/03/books/only-the-accused-were-innocent.html
Only the Accused Were Innocent

A Case of Social Injustice

Record your answers on a separate sheet of paper. Be sure to answer in thoughtful, complete sentences.

1. In the third paragraph, the reader discovers that the details of the rapes reported by Victoria Price and Ruby Bates were “so shocking that women of all ages and men under 21 were barred from the courtroom.” Explain how this move by the court may have actually increased public attention on the case.

2. In the sixth paragraph, what small detail does writer David Oshinsky include about the book’s author, James Goodman, that helps build Goodman’s ethos?

3. In the seventh paragraph, Oshinsky brings to the reader’s attention the hypocrisy of the United States. Find and write down the full sentence from that paragraph that shows Oshinsky’s frustration with this nation’s unequal treatment of its citizens.

4. Before representing the young men in the Scottsboro Trials, what was Samuel Leibowitz’s record of legal wins and losses? What does this show the reader?

5. The article compares powerful white Southern racists to Hitler and his Nazi party during World War 2. Explain how the two groups were similar. Is this a fair comparison? Explain your thoughts.

6. Writer Oshinsky makes the point that the defenders of the Scottsboro Boys weren’t without their own flaws. What evidence do we have that both Leibowitz and famed African-American writer Langston Hughes were sexist?

7. In following up on the fates of the Scottsboro Boys, Goodman discovers many unhappy tales. Do you think the false accusations and prison time ruined these young men’s lives or were their lives already doomed before the night they were first arrested? Explain your thoughts.

8. List four similarities between the Scottsboro Boys case and the case against Tom Robinson in To Kill a Mockingbird.

9. The title of this article is, “Only the Accused Were Innocent,” which implies that everyone else involved in the trials was guilty. How is this true?

10. Oshinsky’s article is a book review. Did this article make you want to read Goodman’s full book or learn more about the trials of the Scottsboro Boys? Why or why not? Explain your answer.
Only the Accused Were Innocent – Answer Key

1. In the third paragraph, the reader discovers that the details of the rapes reported by Victoria Price and Ruby Bates were “so shocking that women of all ages and men under 21 were barred from the courtroom.” Explain how this move by the court may have actually increased public attention on the case. By closing the court to women and young men, people’s curiosity certainly increased; now, everyone wanted to be there to hear about the depraved acts. This is sort of like those “viewer discretion” warnings at the beginning of some T.V. shows. The warning makes people want to see the show even more because we’re drawn to things that are grotesque, lurid, and/or violent.

2. In the sixth paragraph, what small detail does writer David Oshinsky include about the book’s author, James Goodman, that helps build Goodman’s ethos? Oshinsky mentions that Goodman is a history professor at Harvard; this is an example of ethos because it builds a huge amount of credibility with the reader. A history professor at Harvard would certainly qualify as an expert.

3. In the seventh paragraph, Oshinsky brings to the reader’s attention the hypocrisy of the United States. Find and write down the full sentence from that paragraph that shows Oshinsky’s frustration with this nation’s unequal treatment of its citizens. The line is: “As blacks, they faced crippling race prejudice in a nation that preached equality for all...”

4. Before representing the young men in the Scottsboro Trials, what was Samuel Leibowitz’s record of legal wins and losses? What does this show the reader? In his 15 years of working as an attorney, he had represented 78 people accused of first-degree murder and won 77 of those cases. The remaining case resulted in a hung jury, which is similar to a win if the district attorney decides not to re-try the case. This impressive record shows us that Leibowitz was a talented attorney. He had a great deal of experience in such cases and clearly knew how to sway a jury.

5. The article compares powerful white Southern racists to Hitler and his Nazi party during World War 2. Explain how the two groups were similar. Is this a fair comparison? Explain your thoughts. Both Hitler and the Southern racists blamed select groups of people as the source of discord in their societies. Hitler focused on the Jews, disabled people, and homosexuals, while the Southern racists focused on blacks and “busy-body” Northerners, such as liberal Communists and Jews. In both cases, the people in authority roles viewed the marginalized groups as less than human and undeserving of equal rights/respect. Students’ responses to the last question will vary and usually make for a compelling class discussion.

6. Writer Oshinsky makes the point that the defenders of the Scottsboro Boys weren’t without their own flaws. What evidence do we have that both Leibowitz and famed African-American writer Langston Hughes were sexist? In his case, Leibowitz argued that a prostitute did not deserve the full protection of the law, an outrageous suggestion. Also, Hughes is quoted in the piece as doubting that a prostitute could ever be raped. Both men seem to hold no value for a woman who is a prostitute, as though she has thrown away all of her basic human rights because of her immoral actions.

7. In following up on the fates of the Scottsboro Boys, Goodman discovers many unhappy tales. Do you think the false accusations and prison time ruined these young men’s lives or were their lives already doomed before the night they were first arrested? Explain your thoughts. Students’ answers will vary. Any reasonable response should be given credit.
8. List four similarities between the Scottsboro Boys case and the case against Tom Robinson in *To Kill a Mockingbird*. There are many similarities that students will note, including that both cases occurred in the 1930s, both were in Alabama, both featured a poor white woman/women falsely accusing a black man/men of rape, both defendants were represented by talented attorneys, both of those attorneys decided to take the cases to fight against the injustice at hand, and both men failed to win cases that seemed to outside observers to be clear cases for acquittal. During a full class discussion of this question, I like to have a student volunteer stand at the board to record the incredibly high number of similarities for the class. We’re always able to fill the board.

9. The title of this article is, “Only the Accused Were Innocent,” which implies that everyone else involved in the trials was guilty. How is this true? Students’ answers will vary and generally make for a good class discussion. It could be argued that different people involved in the trials, from the lying victims to the closed-minded jurors, bear varying degrees of guilt for the injustice that was committed against these young men. Judge Horton and the unnamed doctor are also culpable, as they knew an injustice was occurring yet were not willing or able to stop it. During the class discussion of this question, I like to challenge my students about the degree of guilt that belongs to people who observe an injustice but do nothing to stop it. They are to blame, too. A discussion of school bullying often arises from this discussion, as students begin to reflect on times when they’ve witnessed a peer being harassed but said/did nothing to stop it.

10. Oshinsky’s article is a book review. Did this article make you want to read Goodman’s full book or learn more about the trials of the Scottsboro Boys? Why or why not? Explain your answer. Students’ answers will vary. Any reasonable response should be given credit.