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Book Review, Sharon Hatfield, Never Seen the Moon: The Trials of Edith Maxwell

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Sharon Hatfield, Never Seen the Moon: The Trials of Edith Maxwell, Urbana and Chicago : University of Illinois Press, 2005. Pp. 286. \$21.95 (ISBN 0-252-03003-6).

In Never Seen the Moon, journalist Sharon Hatfield chronicles the story of school teacher Edith Maxwell accused of murdering her coal-miner father in depression-era Appalachia. Hatfield's detective work brings together the threads of this story to provide a mystery novel using the headlines and trial transcripts from real life. There are surprises to rival a John Grisham novel, though Hatfield often underwhelms the reader with these significant twists and turns. The legal tale begins one Saturday night in 1935 when Edith returned home late after a night on the town. She encountered her drunk, raging father and the two fought. According to Edith, she threw a shoe at her father to fend him off, and he later fell to the floor never regaining consciousness. The prosecution claimed Edith planned the murder of the domineering man who restricted her fun and independence. A jury of twelve men convicted Edith of murder, twice, and sentenced her to twenty years in prison. Never Seen the Moon claims to be an account of Edith's trials combined with a social commentary on Appalachia, a critique of the yellow journalism that conjured up an OJ-like frenzy, and an analysis of women's issues in the case. The book promises more than it delivers, yet the read is well worth the effort.

At its core, Hatfield's book is a persuasive defense of her native Wise County, Virginia against accusations of hillbilly justice. In this way, it distinguishes itself from Gary Dean Best's 1994 book, Witch Hunt in Wise County: The Persecution of Edith Maxwell, which attributes Edith's conviction to a corrupt legal system and feuding backwoods politics. Hatfield spends much of the book, indeed too much, deflecting these claims and attempting to establish the integrity of the cast of characters who played out this drama. The book is at its best in demonstrating the effective workings of the legal process and its protection of Edith's constitutional presumption of innocence. Hatfield details the suppression of Edith's coerced confession, the severing of the defendants' trials, the granting of a new trial, the battle of the medical experts, and the numerous appeals. This discussion alone provides sufficient evidence of Hatfield's defense of the integrity of the legal process in this case.

The book disappoints, however, in its claim to analyze the questions of women's rights during this era. The most prevalent "woman's issue" discussed in the book is the newspapers' hype of the case as a battle between a modern, educated woman, and the ignorant, backwoods mountain culture that kept women barefoot and pregnant. Hatfield's allegiances are clearly with the wrongly-indicted backwoods folks, and she omits potential discussion of the feminist issues raised by the case. She does faithfully record the involvement of the National Woman's Party in raising much-needed funds for Edith's defense and in providing an attorney to challenge the all-male jury. Hatfield criticizes Edith for terminating this relationship with the NWP and its agenda for the jury system, which she asserts could have reversed Edith's conviction in the U.S. Supreme Court and changed the legal status of thousands of women. However, that change would not come for forty years, as it was not until 1975 that the Court in Taylor v. Louisiana constitutionally invalidated the systematic exclusion of women from jury panels. For over a quarter of a century after Edith's trial, other female defendants before the Supreme Court, like Gwendolyn Hoyt in 1961, failed to win a jury of their peers.

Hatfield's focus on Edith's strategic failure to focus her legal appeals on the jury question misses the critical issue of what impact a jury with women might have had for Edith. Susan Glaspell's, "A Jury of Her Peers," written twenty years before the Edith Maxwell trials, evocatively portrays how women might perceive murder as a defensible option to a history of

mistreatment and violence by male family members. Hatfield alludes to the contextual overlay of domestic violence only in a few sentences hidden in the afterword of the book (251). Yet, her story provides ample evidence to suggest that a jury with women might have seen this case of claimed self-defense differently than the law's male-defined norm. Hatfield, however, dismisses these pieces of the story, blaming Edith's alleged cover-up of the crime scene as the pivotal reason for her conviction.

Hatfield's book offers an interesting foray into the newspapers of yesteryear bringing to light difficult questions of battered women's self-defense and media involvement in criminal trials that continue to plague the legal profession today. She refrains, however, from offering solutions to these problems or to the mystery of the Maxwell case, and thus may disappoint readers looking for something more.

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