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## DECLARATION

I, TONI MORRISON, SUBMIT THESE COMMENTS IN SUPPORT OF THE DEFENDANT, HOUGHTON MIFFLIN COMPANY, IN CASE NO. 1:01 CV-701-CAP NOW BEFORE THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF GEORGIA, ATLANTA DIVISION.

AMONG THE REASONS I FEEL QUALIFIED TO ADDRESS THE COURT IN THE MATTER OF SUN BANK VS. HOUGHTON MIFFLIN COMPANY ARE THE FOLLOWING:

1. I am a published author of seven novels: *The Bluest Eye*, *Sula*, *Song of Solomon*, *Tar Baby*, *Beloved*, *Jazz*, *Paradise*. My work has won the Pulitzer Prize, the National Book Critic's Circle Award, The National Book Foundation Medal for Distinguished Contribution to American Letters and the Nobel Prize for Literature. I have published essays of literary criticism and a book *Playing in the Dark: Whiteness and the Literary Imagination*,

2. I worked for eighteen years as a trade book editor at a preeminent publishing house, Random House Inc.

3. I have taught literature since 1958 at various universities including Howard, Yale and the University of Chicago. I have held the Schweitzer Chair at Albany, New York, the Condorcet Chair in Paris. Have lectured at Cambridge (U.K.), Harvard and other universities on literary criticism. Since 1989 I have been Robert Goheen Professor at Princeton University where I also teach literature courses.

4. I have lectured on the literature of Southern women writers including Margaret Mitchell's *Gone With the Wind*.

5. I have read uncorrected proof of Alice Randall's *The Wind Done Gone*.

I offer the comments below to urge the court not to enjoin the publication of the above title and to avoid the toxic effect such a prohibition will have on the writing community.

No legal body or entity interfered with the publication of *Gone With the Wind* because no one believed then or believes now that the motives for writing the book were anything other than the consequence of Mrs. Mitchell's creative urges and abilities. No lawyer has claimed that her First Amendment rights should have been curtailed on her work banned because a fictional character equated slaves with animals and "cartoonized", or parodied other characters in her work. No publisher was forced to defend her novel against charges that *Gone With the Wind* was responding to and critiquing earlier novels, although Mrs. Mitchell is on record as regarding her own work as a radical revision of the "lavender-and-lace-moonlight-on-the-magnolias people" of earlier novels, and blasted "the sweet, sentimental novel of the Thomas Nelson Page type." Although she "took pains to describe North Georgia as it was...people believe what they like to believe and the mythical Old South has too strong a hold on their imagination to be altered by the mere reading of a 1,037 page book"; although she admitted to being "embarrassed on many occasions by finding [herself] included among writers who pictured the South as a land of white-columned mansions whose wealthy owners had thousand of slaves and drank thousands of juleps" her absolute right to re-write and re-imagine earlier narratives of pre and post Reconstruction is sacrosanct. That she virtually invented the Southern white woman as strong and independent rather than weak and needy is one of the major contributions her novel makes—but there was no objection to that leap of imagination. None of that has happened nor should it have because Mrs. Mitchell was free to create and view the world of her text precisely as she saw it—without securing permission or approval from the men, women, or African Americans who might read her work. One is at a loss, therefore, to understand why similar artistic freedoms are not to be afforded Miss. Randall.

*The Wind Done Gone* neither "follows" nor copies, nor exploits *Gone With the Wind*. What Miss. Randall's book does is imagine and occupy narrative spaces and silences never once touched upon nor conceived of in Mrs. Mitchell's novel: that is the interior lives of slaves and ex slaves, their alternate views; their different journey. This process of being stimulated by one narrative into a writer's own literary invention and creativity is virtually the history of literature. There would be no *Ulysses* by James Joyce without Homer; no *Pygmalion* by George Bernard Shaw without Ovid's *Metamorphosis*; no *My Fair Lady* without *Pygmalion*. More recent examples include John Updike's *Gertrude and Claudius*, a wholly re-imagined tale of two characters in *Hamlet*. A list of such responses to earlier stories is very long indeed, and the subject of masses of literary scholarship. The fact that Miss Randall has chosen satire and parody as her strategy puts her project among a long line of writers, both classic and contemporary.

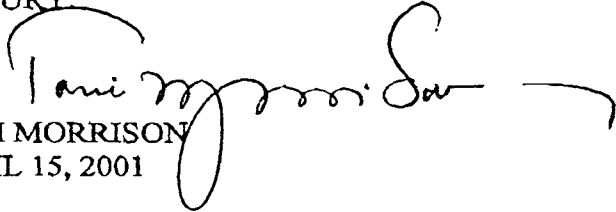
As to the form and quality of Miss Randall's novel (as it relates to charges of "theft" and "subliteracy") her book is written in the form of a diary discovered among the papers of a deceased woman—a form with precedents far older than the novel genre. The diary form demands the first person point of view completely unlike the narrative voice and point of view of *Gone With the Wind*. Miss Randall's prose is by turns evocative, wry, plangent. Her wit is sharp but free of malice. Her gift for lyrical economy is rare. For example, as opposed to two hundred words of description about getting ready for a ball, Miss Randall writes "I pressed crushed flowers into the hem of my dress and into its creases. Scent rises in waves from my garment as I move."

Considering the First Amendment rights properly accorded *Gone With the Wind*, in spite of the pain, humiliation and outrage its a-historical representation has caused African Americans, it seems particularly odd for the Mitchell estate to deny this clever but gentle effort to assuage the damage *Gone With the Wind* has caused. That it has asked legal redress does not seem to have embarrassed it.

Considering the lampooning *Gone With the Wind* has received and survived in many genres (the stuff of vicious comedy as well as benign: cf. Carole Burnett's skit re: Scarlett's gown made of draperies), it is difficult not to believe that the question of harm to *Gone With the Wind*'s literary integrity is not at all the point. The action seems excessive. The real point of the request to enjoin, the question that seems to me to underlie the debate is "Who controls how history is imagined?" "Who gets to say what slavery was like for the slaves?" The implication of the claims suggests a kind of "ownership" of its slaves unto all future generations and keeps in place the racial structures *Gone With the Wind* describes, depends upon, and about which a war was fought. And can be thought of as an unworthy response to an author who saw her own work as revisionist.

To crush the artistic rights of an African American writer seems to me not only reckless, but arrogant and pathetic.

THESE COMMENTS ARE MY OWN OPINIONS BASED ON MY READINGS OF BOTH NOVELS AND I UNDERSTAND THAT MY COMMENTS ARE SUBJECT TO LAWS OF PERJURY

  
TONI MORRISON  
APRIL 15, 2001