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CONTEMPORARY LEGENDS AND CLAIMS OF CORPORATE MALFEASANCE: RACE, FRIED CHICKEN, AND THE MARKETPLACE

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Patricia Turner**

INTRODUCTION

Consider the innocent automotive air freshener. In the mid-1990s, widespread rumors targeted such a product. Crown automotive air fresheners are designed to resemble the ornate headpieces worn by royalty. Drivers were encouraged to put them in their rear windows where they would deodorize the car's interior. In one version of this literary cycle, white consumers claim that the presence of this air freshener symbolizes that the driver is a member of a gang. For instance, in New Haven, Connecticut, the presence of a crown in the car is claimed to reveal the driver's affiliation with the notorious Latin Kings street gang. The product revealed the identity of the purchaser. In turn, African Americans report that the company that produces Crown air fresheners is owned by white supremacists linked to the Ku Klux Klan (KKK). African Americans allege that the owners unashamedly thanked blacks for buying the air fresheners during an appearance on the *Jerry Springer Show*. In this situation, the secret nature of the corporation was at issue.¹

As the rumors surrounding Crown air fresheners indicate, Americans of all races and social classes find their lives dominated by the constant presence of consumerism and concerns about the dangers of frivolous purchases. Whether we wake up listening to a mainstream, top-forty station, or an R&B/Hip-Hop format station, an avalanche of commercial messages will soon follow. Messages to consume abound, and in many ways define us as persons. Throughout the day, we are bombarded by messages attempting to convince us that a given prod-

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1. Just as flannel shirts and Birkenstock sandals are said by some to indicate that the wearer is a lesbian, and various configurations of jewelry (or sharing certain color M&Ms) are said to indicate participation in a gay subculture, gang membership is said to be revealed through consumer purchases.

uct or service will improve our lives and will shape our identity. We live with corporations, and in some regards, they become our family.

Historians trace the origins of a market-dominated American culture to the decades prior to the turn of the Twentieth Century. The transformation of consumer goods from luxuries to necessities began with the emergence of mail order catalogues and department stores crammed with merchandise for those with available discretionary income. Lenient credit policies enabled a larger segment of the population to increase its purchasing power. In time, self-sufficiency became a badge of failure rather than an emblem of success. To buy is to be. In terms of public esteem, store-bought goods became infinitely more status enhancing than homemade goods.

Not all Americans entered the world of consumerism at the same historical moment. Late Nineteenth Century advertisers targeted their messages to appeal to individuals with money, and those who coveted the lifestyle of the monied classes. Enticing urbanites was easier than attracting rural dwellers. The constraints of city living prohibited the self-sufficiency still practiced in agricultural enclaves. Although mail order catalogues endeavored to make all manner of merchandise available to people distant from up-scale urban department stores, rural Americans had a greater capacity to remove themselves from the reach of zealous merchants.

For the most part, African-Americans remained outside of the commercial marketplace longer than most of their white counterparts. Access to cash was rare, particularly for those in the peonage-style work arrangements that were common in the South during the late Nineteenth and early Twentieth Centuries. These former slaves were often forced to limit their shopping to stores selected or run by the owner of the land that they worked.

In spite of the relentless campaigns urging them to purchase goods, white and black Americans have not surrendered to the commercial empire without resistance and ambivalence. Consumers possess few resources with which to fight the seductive appeals crafted by advertisers, other than personal decisions to refrain from purchasing and spreading rumors about the nature of the companies and the qualities of the goods. As a consequence, rumors and contemporary legends have assumed a prominent place in the anti-corporate arsenal and serve unconsciously as a form of resistance. Political scientist James Scott terms this resistance "a weapon of the weak."² These rumors

2. JAMES C. SCOTT, *DOMINATION AND THE ARTS OF RESISTANCE: HIDDEN TRANSCRIPTS* (1990).

serve as truth claims alleging that consumers properly mistrust those products they are ambivalent about purchasing.

In this analysis, we present several related case studies of corporate rumor/legend cycles that have enjoyed substantial popularity during the past decade. Contemporary legends are sometimes deemed "urban legends," as found in the series of popular books by folklorist Jan Harold Brunvand, for example, *The Vanishing Hitchhiker*.³ The term contemporary or urban legend refers to a traditional narrative, told as true, but without secure standards of evidence, that addresses issues of modern society.⁴ As part of this project, we focus on racial texts, although many contemporary legends do not deal with racial themes. Further, we address those stories that emphasize corporate malfeasance. Included among these stories are the following: Kentucky Fried Chicken served a rat as a piece of fried chicken, McDonalds' hamburgers are made with red worms, or Coors' beer supports the American Nazi party. In these stories, the corporations are depicted as careless (Kentucky Fried Rat), deceptive (red worms in hamburgers), or evil (corporations owned by an evil group, such as the Nazis, the Klan, or the Communist Party). These three classes of stories underline the considerable mistrust that consumers have toward "faceless" corporations.

There is nothing about a contemporary legend that requires that it be false. This is particularly the case when we are talking about individual episodes. For instance, consider the well-known contemporary legend dealing with the mouse found in a bottle of Coca-Cola. An investigation conducted between 1914 to 1976 discovered that this legend is based upon fact.⁵ Gary Alan Fine was able to track down forty-five cases of damages resulting from such circumstances that reached the courts of appeals during this period.⁶ Since cases had reached the appellate level, issues of fact were no longer under dispute, only issues of law. Therefore, as a result of these forty-five cases from many jurisdictions, we must assume that the consumers' allegations of discovering mice in their Coca-Cola bottles were factually accurate.

Although both blacks and whites spread stories about corporations, these accounts are not identical. Black rumors play on a belief in racial animus by elites, whereas whites take the whiteness of corporate

3. JAN HAROLD BRUNVAND, *THE VANISHING HITCHHIKER: AMERICAN URBAN LEGENDS AND THEIR MEANINGS* 1-4 (1981).

4. GARY ALAN FINE, *MANUFACTURING TALES: SEX AND MONEY IN CONTEMPORARY LEGENDS* 1-2 (1992) (defining "legend" in general and "contemporary legend" specifically).

5. Gary Alan Fine, *Cokelore and Coke Law: Urban Belief Tales and the Problem of Multiple Origins*, 92 J. AM. FOLKLORE 477, 479 (1979).

6. *Id.*

ownership for granted. White stories address issues that are not directly connected to race, although the underlying concerns of African-American and white stories are similar. For whites, race is a taken-for-granted category, while for blacks, race is usually explicit. Thus, in talking about explicitly racial rumors about corporations, we examine rumors spread by blacks, although whites transmit many similar rumors that do not have race as a focus.

II. FAST-FOOD FANTASIES

In our hearts, the mothers of America remain responsible for preparing the family meal. As a reality, we have been persuaded that dual-career families or single parent households require prepared food. Yet, these traditional cultural images are hard to still. Advertising agencies work diligently in persuading us that we can gain all the benefits from mass-prepared foods with none of the psychic costs; however, their arguments are only partially effective. Fast-food restaurants are particularly at risk from what we call "Grandma's revenge." Those persons who betray the family dinner pay the price.

While hamburgers or tacos are sometimes served at dinner, no fast-food is more linked to family dinners than fried chicken. The mother who purchases fried chicken, rather than preparing it herself, has "betrayed" hearth and home. In fact, mass-produced fried chicken seems to provoke more consumer uncertainty and anxiety than any other food product. Virtually every fast-food chicken enterprise has had to confront a string of nasty and difficult rumors.

The best known and most hardy of these chicken rumors is "the Kentucky Fried Rat."⁷ In the early 1970s, as a high school student, long before she knew of the discipline of folklore, Patricia Turner heard and believed this story. The topic in her social studies class that day was consumer economics, and the teacher was explaining to the students that federal regulations assumed that food-processing plants could never be completely pristine environments. After the teacher stated that microscopic amounts of vermin and dirt were expected and tolerated in processed foods, an African-American female captivated the class with a story of what happened to friends of her family.⁸ On the road late at night, the family stopped at Kentucky Fried Chicken for a bucket of chicken. Eager to reach their destination, they opted to eat in the car, and all of the passengers grabbed a piece of chicken. A

7. Gary Alan Fine, *The Kentucky Fried Rat: Legends and Modern Society*, 17 J. FOLKLORE INST. 222, 229-238 (1980).

8. PATRICIA TURNER, I HEARD IT THROUGH THE GRAPEVINE: RUMOR IN AFRICAN-AMERICAN CULTURE 4 (1985) (explaining the gist of the Kentucky Fried Rat story).

woman in the backseat asked the driver to turn the interior light on because she thought she must have gotten a piece of chicken that didn't have all the hair singed off. After the light was turned on, the family discovered that the passenger was holding a hairy, fried rat. A talented storyteller, Turner's classmate emphasized the last three words. The student then repeated, "she had bitten into a Kentucky Fried Rat!" The rest of the class, including the teacher, was completely "grossed out."

Nine years later, Turner, then a fledgling folklorist in graduate school, was assigned an article that Fine had written on the Kentucky Fried Rat. She realized that she was one of countless consumers who had accepted the story as gospel. Fine's wife was at that time working for a large property-casualty insurance company. A co-worker had assured her that company had once paid out on just such a claim. Race was not a significant variable in this field study; most informants were white and they believed the story. Turner's own experience confirms that blacks and whites alike find the story plausible. Her black classmate was comfortable sharing the narrative in a largely white class presided over by a white teacher. The Kentucky Fried Rat story has few racial overtones. Over the years, the story has remained remarkably hardy, a perennial contemporary legend.

Turner's classmate, Diane, was a high-achieving and popular student, respected by both her peers and teachers. That day's lecture on processed food regulation disturbed the class. On the one hand, their teacher, Mr. Peters, seemed to enjoy shattering the class' illusions about the purity of processed foods, but he also wanted to convince them that no real harm would come from the consumption of microscopic pieces of rat hair. An experienced and respected teacher, he no doubt wanted to avoid any phone calls from parents chastising him for scaring the students out of eating that evening. This social situation allowed Diane an opportunity to reinforce his message and demonstrate her knowledge and sophistication to her classmates and teacher. Diane used his commentary to shape the narrative content of the legend. She uttered the words "fried rat" with great emphasis. Mr. Peters had described minuscule pieces of rat hair and evoked shutters from the class; Diane said fried rat and the class, including Mr. Peters, groaned.

The basis of the tale and the conditions of the telling were a function of the social structure. We live in a corporate environment where fast-food restaurants compete for customers by providing quick food at relatively cheap prices, at the same time paying low wages. The belief that a corporation might, in fact, engage in such behavior is be-

lievable for many individuals, given the structure of the economic order and the way in which people respond to that order.

Turner never questioned the legend's truth. After all, she knew Diane and her teacher. She only knew of Kentucky Fried Chicken through its advertisements. There were no franchises located near her school. Her mother, older sisters, aunts, or female members of their church congregations prepared her chicken. Served at a table or picnic, the chicken was meant to be eaten after thanks had been offered to God, not in the dark backseat of a speeding car. Diane's story convinced Turner to avoid fast-food fried chicken and the hasty eating habits that follow, reinforcing an already well-established view of the world.

Through coincidence, Turner's first extended research on a contemporary legend cycle highlighted the alleged misdeeds of another, seemingly similar, fast-food fried chicken franchise. While teaching a black literature class in Boston, Turner recounted the Kentucky Fried Rat cycle and asked how many students had heard the story.⁹ Many students, both black and white, had heard such a story. However, one young African-American male shared a story he had heard from a co-worker about Church's Fried Chicken. In his story, the contamination was a mysterious ingredient intended to sterilize black males. This ingredient had allegedly been manufactured at the behest of the KKK, the alleged owners of the company. The student affirmed the truth of his story by claiming that an expose on the company had been broadcast on a television news magazine. Many black students in the class were familiar with the rumor. None of the white students were familiar with it.

In her subsequent fieldwork, Turner asked potential informants if they had ever heard anything peculiar about a fast-food fried chicken franchise. White informants usually responded with a version of the Kentucky Fried Rat story. Some black informants recited the Kentucky Fried Rat story, some told the Church's story, and some shared both.

Soon, we were collecting other examples of "pernicious poultry." In the early 1990s, a story circulated alleging that Al Copeland, the founder and CEO of Popeye's Famous Fried Chicken and Biscuits, had made a substantial campaign contribution to former KKK Grand Dragon David Duke's senate campaign in Louisiana. This belief may have been compelling due to Popeye's assumption of complete control over the beleaguered and financially troubled Church's corporation

9. *Id.* at 137, 139.

just a few months before this rumor surfaced.¹⁰ Rumor often follows the money trail.

Related stories developed around “secret” recipes used to prepare fried chicken. Each company takes pride in the recipes that they use to prepare their distinctive chicken. Some informants claimed that they had heard that Colonel Sanders, founder of Kentucky Fried Chicken, had stolen his special recipe from a black domestic. Other informants maintained that George Church stole the recipe from an African-American cook. Still others claimed that Al Copeland, owner of Popeye’s, had stolen the recipe from a black maid. We refer to this as the “Imitation of Life Cycle,”¹¹ after a popular movie based on the Fannie Hurst novel in which a white businesswoman is depicted as profiting from her cook’s prized pancake recipe.¹²

As noted, rumors about fast-food establishments can be divided into three broad categories: those where the corporation is careless, those where the corporation is deceptive, and those where the corporation is malicious. These fried chicken rumor cycles fall into all three categories.¹³

In most versions of the Kentucky Fried Rat legend, the contamination is accidental and is a one-time event. The corporation was not deliberately deceptive, rather it was careless or sloppy. The unfortunate customer who takes a bite of the rat is a random victim. The rat has been deep-fried because the owner of a particular franchise has allowed the store to become infested with rodents. Some informants do report that malicious young employees intentionally fried that rat to fulfill a dare or as a practical joke. This version targets employees, and the uncaring corporation that fails to supervise those employees adequately. No one claims that the corporation is intentionally serving rats to its customers as a matter of policy, but only that the corporation does not care as much as home cooks. In many versions of the Kentucky Fried Rat, the innocent customer who ingests the rat has his or her stomach pumped. In a few versions, the eater goes mad and must be institutionalized. However, in all cases, the contamination is limited to a particular time and place, and the unfortunate store is often singled out.

To analyze these stories we ask who had heard and found these stories credible. For whom did the stories make “cultural sense?” Both

10. *Id.* at 87-92.

11. *Id.* at 91.

12. *Id.* at 87-92.

13. Gary Alan Fine, *The Goliath Effect: Corporate Dominance and Mercantile Legends*, 98 J. AM. FOLKLORE 63, 64-71 (1985).

whites and blacks are familiar with, and claim to believe, the Kentucky Fried Rat legend. The stories about Church's, Popeye's, and the "Imitation of Life Cycle" circulate almost exclusively within African-American populations. The legends make sense within the black community, however, whites typically find the claims ridiculous or paranoid.

Most informants repeat the Kentucky Fried Rat story in the form of a contemporary legend. The story is often transmitted as a narrative with a beginning, middle, and end. In many versions, the incident took place in the recent past and the story ends with a claim that the corporation provided the victim with a generous financial settlement. The company has been punished and the victim has received significant financial compensation. If not quite a happy ending, such stories suggest that justice was done, and the threat to community was, at least temporarily, made right. One version collected in Michigan reports as follows:

There was this lady and she went to Kentucky Fried Chicken and she went in there and she came out in the dark and it was raining, and she sat in her car eating a bucket of chicken and one of the pieces tasted funny. And she turned on the light in the car and saw a rat. She took it back in there and sued them.¹⁴

In this legend, the one best known to whites, the hapless consumer (or the family if the consumer dies) obtains some measure of relief, recognizing that whites have the power to control the social structure. In this version of the story, it is made clear that this was a one time contamination, perhaps linking the contamination to poorly trained, low-paid, alienated employees.

The stories that are widely known within the African-American community have a different texture. The Church's and KKK sterilization cycle foregrounds intentional conspiracy and contamination. The owners of the corporation add the mysterious ingredient to destroy the fertility of black males. Most versions of this cycle are more rumor-like than legend-like, brief accounts with few supporting details. The contamination is presented as an on-going threat. Whereas a customer of Kentucky Fried Chicken is unlikely to receive a fried rat, unwanted sterilization threatens all black males at Church's. In these rumors, the corporation is perceived as having successfully masked evil intention.

What is it about fast-food fried chicken that stimulates both black and white consumers to speculate about its safety? Fried chicken is a

14. Fine, *supra* note 7, at 234.

personally prepared food that has been taken over by corporate capitalism. Studying the Kentucky Fried Rat cycle, Fine describes the ambivalent attitudes many consumers have toward the growth of the fast-food industry, as restaurant meals weaken the bonds of hearth and home.¹⁵ While nutritionists have never seen fried foods as nutritionally adequate, the attacks on oil and fat have recently swelled, increasing consumer ambivalence about fried chicken. Similar to all foods prepared in boiling oil, fried chicken holds a prominent place on the taboo list of most nutritionists. Yet, while fried chicken may be a forbidden food, it is also a familiar favorite with deep roots in American foodways.¹⁶ Many informants can name a relative or friend whose fried chicken recipe is tasty and special. At her twentieth high school reunion, Turner's white and black classmates reminisced about the terrific fried chicken prepared by her Aunt Doll, and sold at high school fund-raisers and basketball games. Fried chicken is "good to think" for whites and blacks alike.

For black Americans, additional associations are evident. The nostalgia evoked by a family's fried chicken recipe is balanced by the media's insistence on perpetuating negative stereotypes of blacks as unscrupulous chicken thieves and rapacious consumers of fried chicken. If we consider the major meat groups in America as chicken, pork, and beef, chicken is generally considered to be the least expensive. Chickens are easier to raise on poor "dirt farms," making them an inexpensive source of high quality protein. Throughout history, African Americans have had more access to chickens than to other meat sources. Further, if one intended to steal an animal for its meat, a chicken would certainly be most available. During and after slavery, blacks had limited access to food. In order to feed their families, some African Americans stole chickens.

The image of the African American as a shameless chicken thief is sharpened by depictions of unkempt blacks devouring fried chicken, permeating American popular culture. In D. W. Griffith's classic depiction of the reconstruction era, *Birth of a Nation*, blacks elected to the state legislature sit in the chambers, eating chicken and casually tossing the bones across the aisles. African Americans are understandably disturbed by the persistent coupling of blacks with sloppy foods eaten by hand (e.g., fried chicken, ribs, corn on the cob, watermelon).

15. *Id.* at 237.

16. Turner notes that when she was growing up in the African-American community, fried food was considered healthy. These attitudes have changed over the decades.

In fact, fried chicken is as American as apple pie. The popularity of the Kentucky Fried Rat cycle reinforces age and class biases aimed at fast-food workers who have been given the responsibility previously reserved to mothers and grandmothers. As in accounts of irresponsible and malicious baby-sitters and nannies, American mothers have abdicated the responsibility for their families' welfare to "strangers." Great care must be taken in granting that responsibility.

The stories that are transmitted by blacks have a different focus. These rumors emphasize the moral culpability of the corporation. Not only is the allegedly racist corporation profiting from the black community, it is also attempting to decimate African Americans. Perhaps the poisons that lead to sterility can be symbolically equated to cholesterol, both can lead to the death of the race. This threat is just as robust as routine prejudice. Allegations that special recipes were "stolen" from black cooks without compensation, further speak to the racial rapacity of white-dominated corporations. Why do these black cooks not start their own franchises? In this way, the content of rumors mirrors the social structure.

III. PURCHASES R US

By now a few themes should be evident in the examination of legends of corporate malfeasance. These legends reveal blacks condemning corporations for their racial maliciousness, while whites hold that the malfeasance of the corporation is linked to a culture of carelessness, to political extremism, or to religious cultism. In both cases, these "economic" legends address core concerns and values of consumers. Those legends that continue over time have themes that resonate with social and cultural traditions.

For black consumers, the KKK emerges in most corporate legends as their consummate enemy. Given the white supremacist organization's long history of anti-black violence and their attempts to magnify their numbers through the mass media, it should not be surprising that the group triggers deep fears on the part of African Americans,¹⁷ despite beliefs among many whites that the organization is marginal and nearly moribund. We cannot be certain where the Klan will appear next in popular belief, but we can be certain that it will rise again. If an individual lives in a world with the feeling that he or she has been treated unfairly and a world where offense is just below the surface, can we be surprised that stories about the malicious stance of businesses continue to emerge?

17. TURNER, *supra* note 8.

Although the media continue to play a significant role in the narrations of many informants, the preferred media have changed. Today, television talk shows are most frequently cited as proof of these narrations. Discussions of satanic ritual abuse and white supremacist activity abounds on talk shows. Often a villainous corporate guest might appear as well. A few decades ago, informants verified their commentary by saying, "I know its true, I read it in the paper." With the growth and popularity of the television talk show, newspapers have faded as a means of confirmation. By the time of the rumor linking Procter and Gamble to Satanism in the late 1970s and early 1980s,¹⁸ many individuals claimed that the CEO of Procter and Gamble announced that fact on *Donahue* or *60 Minutes*. During that rumor's heyday, the *Donahue* show was the only major nationally televised talk show. CBS's *60 Minutes* has been a popular newsmagazine since the late 1960s. By the time that Turner began collecting the rumor about Church's Fried Chicken and the KKK in the mid-1980s, the *Oprah Winfrey Show* was frequently named, particularly by black viewers. In the case of rumors about Liz Claiborne being satanic or racist, white informants usually named *Donahue*, and African-American informants usually named *Oprah*, emphasizing the linkage between race and audience.

By the mid-1990s these sources began to change once again with the prominence of the Internet in the lives of many middle class Americans. The Internet has become America's rumor bazaar. Consumers no longer need to claim that they heard the rumor from television talk shows, but can announce that "it was on the Internet." How this will affect the credibility of sources remains to be seen, as Internet information is increasingly seen as suspect, but, as always, a compelling story outweighs its source.

Ultimately, these rumors suggest a belief in the power of corporations and the relative impotence of consumers. It is striking that in many versions, the alleged Klan member or cultist proudly goes on television to announce their misdeeds to a "black" or "Christian" audience — and gets away with it. According to the rumors, Liz Claiborne can reveal her scorn for black women and continue to profit, even if they boycott the product. The CEO of Procter and Gamble can say that he is a Satanist and that there are not enough Christians left to make a difference, and he is proven right by the continuing strength of his company. Even if we speculate that these rumors suggest on some level that consumers are angry and suspicious, they also suggest

18. FINE, *supra* note 7, at 176-84.

their absence of political or economic power; they remain socially impotent.

In a capitalist world in which so many consequential decisions are made outside the control of individual consumers, rational, bureaucratic corporations have been tarred with having a hidden agenda. It may be healthy to mistrust those who control so much of our lives, but when that mistrust implies a personal fear from agents of terror, it is time to rethink the basis on which we hold such beliefs and accept contemporary legends that claim to provide the evidence.