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Black and white perceptions of interracial sex: The paradox of passion

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BLACK AND WHITE PERCEPTIONS OF INTERRACIAL SEX:
THE PARADOX OF PASSION

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ABSTRACT

BLACK AND WHITE PERCEPTION OF INTERRACIAL SEX:
THE PARADOX OF PASSION
Charles Robinson II

In this work, I make three very important assertions. First, whites were fanatical about keeping black men and white women sexually separated. In the white mind, no contamination of the Caucasian race could result unless white women came into sexual contact with black men. As a result, whites used both lawful and extra-legal methods to keep black men from their white women, despite taking sexual licenses with black women. Second, whites assumed that black men desired white women sexually. This assumption increased white hysteria and strengthened the resolve of whites to keep blacks segregated and subjugated. Finally, although whites assumed that blacks wanted to sexually intermingle, black leaders repeatedly disavowed any desire to do so. Blacks were content with being black and had no aspirations of losing their color or their culture.
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Introduction

The subject of interracial sex* and its implications upon race relations is a matter that is seldom considered by historians. It seems that the taboo associated with miscegenation throughout the history of America has persisted into modern times, causing the scholar to be hesitant in discussing the subject. However, this work does discuss the subject by contrasting the historic perceptions of blacks and whites. By examining black and white attitudes in the last two decades of the nineteenth century and the first two decades of the twentieth century, I attempt to answer three important questions. First, how important was the subject of interracial sex to blacks and whites? Second, how did the two races view the laws that attempted to restrict intermarriage? Third, how advisable did the two groups consider miscegenation to be in regards to the prospective futures of the races.

Chapter One provides the reader with a brief history of the anti-miscegenation laws. From the colonial period to the early twentieth century, one is able to note the gradual strengthening of the intermarriage proscriptions and to observe the conditions under which they were fostered. Also, the reader is provided with the arguments used both to endorse and to oppose the laws. The nation's courts considered the question of their constitutionality, and some of the nation's legislators attempted to make the anti-miscegenation laws applicable to the entire nation.

*In this work, interracial sex includes only sexual relations between blacks and whites.
Chapter Two examines the minds of white Americans, mostly southerners, and their attitudes toward blacks, interracial sex, and lynching. In post-Civil War America many whites believed that blacks were retrogressing to a state of pre-captivity barbarism. Blacks were becoming, in the white mind, a race of prodigals and criminals. According to whites, one of the crimes that was perpetrated most frequently by black men was the crime of rape. To whites, black men raped or attempted to rape white women in order to achieve the black man’s most invidious yet greatest desire -- to intermingle sexually with whites. Lynching represented to many whites the only form of justice that was suitable to prevent black men from so desperately attempting to amalgamate.

Chapter Three challenges white America’s assumption that blacks desired to intermarry or sexually intermingle. From the writings of three prominent black leaders, W.E.B. DuBois, Booker T. Washington, and Frederick Douglass, one is able to observe that the black leadership were not eager to amalgamate with whites. On the contrary, black leaders generally condemned miscegenation. However, in what appeared to be a contradictory attitude, blacks opposed the anti-miscegenation laws. They considered the laws to be gross violations of the individual’s axiomatic right to choose a mate in accordance with his or her personal convictions. Also, because the laws in reality served as a way for white men to escape parental responsibility when impregnating black women, blacks believed them to be deleterious to black women and their progeny. DuBois best summed up the reason for blacks opposing the anti-miscegenation
laws. He declared, "We must kill them [the laws], not because we want to marry white men's sisters, but because we are determined that white men leave our sisters alone."
Chapter 1:
The Illegality of Sexuality

Colonial Period

The proscriptions against interracial sex are deeply rooted in the history of America. Since colonial times, white America has deemed it necessary to codify laws with the express purpose of sexually segregating the races. However, when examining the history of these laws, one may note that from their inception, the stated purpose of the anti-miscegenation laws differed in some degree from their actual purposes. The actual purposes of the laws were two-fold. First, they were specifically designed to discourage interracial sex between black men and white women. By the end of the colonial period, the proscriptions did not provide any means to detect and punish white men who had clandestine sexual relations with black women. Second, the laws were instituted to insure the subordination of the mulatto. Since under colonial law the child followed the condition of the mother, it was important for white leaders to guarantee that the vast majority of mulattoes would be borne by black women.

Miscegenation between blacks and whites began in America almost as soon as the first blacks came into contact with whites in 1619. Physiological needs and opportunities worked hand in hand to make this a reality. From the beginning the usual pattern of miscegenation involved white men and black women. White men took full advantage of those women who were subject to their wills.
Before 1662 there was no actual law which forbade miscegenation in Virginia; in the colonial period, only custom spoke against such "unnatural acts." Englishmen considered themselves a superior people to these supposed descendants of Ham. Yet, the loud voice of custom became but a faint whisper when compared to the lusts of the heart. Miscegenation continued, and the only weaponry against it were laws that forbade fornication and sodomy. These laws worked only to punish a few white men who had sexual relations with blacks. In 1630 Hugh Davis was ordered to be "soundly whipped before an assemblage of Negroes and others for abusing himself to the dishonor of God and the shame of Christians by defiling his body in lying with a Negro."\textsuperscript{2} Davis's crime, however, may have been homosexuality, for the Negro's gender is not specified. Ten years later, Robert Sweet was "made to do penance in church"\textsuperscript{3} for impregnating a black woman. In 1649 a pair of interracial fornicators were made to do penance in church.\textsuperscript{4} Yet, thirteen years would pass before the colonial assemblies passed laws which directly worked to discourage interracial sex.

The year 1662 marked the first time that any colonial assembly sought specifically to discourage miscegenation through legislation. In that year, Virginia's assembly passed an act that imposed double penalties upon "any Christian that shall commit fornication with a negro man or woman." This served to make the penalty for illicit sexual intercourse by a white with a black person twice as severe as illicit intercourse with another white person.\textsuperscript{5}

Maryland was next in line to limit miscegenation by law. Concentrating its efforts on the institution of marriage, Maryland gave
America its first legitimate ban on intermarriage. In 1664 the assembly passed an act that stated:

And for as much as divers free born English women forgetful of their free condition do intermarry with Negro slaves, by which means divers suits may arise touching the issue of such freeborn women, and a great damage doth befall the masters, be it further enacted...that whatsoever English woman should intermarry with a slave...shall serve the master of the said slave during the life of her husband, and that all issue of such freeborn women shall be slaves as their fathers were.  

This law, obviously directed against white women, was the precedent for other colonial anti-miscegenation laws that were to follow.

Almost thirty years passed before Virginia followed Maryland's lead and officially banned intermarriage. This apparent hesitation on Virginia's part was not due to any enlightened ideology on the part of its leaders. Rather, the Virginia Assembly did not consider a law necessary until a number of its white women married Negro men. The old double standard raised its ugly head again. As long as white men were covertly ravishing the virtue of African maidens without any thought of marrying these black women, the assembly felt comfortable with the weakly enforced law of 1662. But, when white women desired to "cleave" to the sons of Africa and to do so legitimately before the eyes of God and man, the assembly took action. In 1691 Virginia's first intermarriage law was passed. The law was designed "for prevention of that abominable mixture and spurious issue which
hereafter may increase in this dominion, as well by negroes, mulattoes, and Indians intermarrying with English, or other white women, as by their unlawful accompanying of one another." Under the provisions of this law a more extensive punishment was to be provided for miscegenation in or out of wedlock. Any white person who dared to marry a Negro was to be banished from the colony. This portion of the act ran counter to the wishes of some of Virginia's inhabitants who did not want to be deprived of potential laborers due to banishment. They successfully petitioned the legislature to reduce the punishment to six months imprisonment and a fine. Also, a further fine of ten thousand pounds of tobacco was levied on any minister who performed an interracial marriage.

The act of 1691 also was aimed specifically at limiting illicit relations between white women and black or mulatto men. A free white woman who had an illegitimate child by a black or mulatto was fined. If she was unable to pay, she was sold into indentured servitude for a five-year period. Her child, though free under the terms of the 1662 law, was forced to spend the first thirty years of his or her life in servitude. If the white woman who delivered a mulatto baby was already a servant, she was required to serve her master an extra two years and then be sold for another five-year period.

The laws forbidding interracial liaisons spread during the next century. Massachusetts was next to forbid interracial marriages in 1705. North Carolina followed in 1715; South Carolina in 1717; Pennsylvania in 1726; and Georgia in 1750. Although Delaware had no
outright proscription against miscegenation, its legislature did
prescribe heavier fines for interracial bastardy cases.⁹

All of these laws had similar characteristics. They all
concentrated their provisions on white women. They all imposed a
fine on any white woman who violated them with subsequent servitude
following. Also, these laws sought to punish ministers who illegally
married interracial couples. Usually the minister was fined a certain
amount of the salary paid to him by the colony, with half of this fine
going to the informer.¹⁰

One can note that from the large amount of legislation against
white women marrying black men, each colony with prohibitive laws
experienced this problem. This is not to say that this form of
interracial sex was primarily responsible for the ever increasing
number of mulattoes. Scholarship has firmly established that the
principal form of miscegenation occurred between white men and
black women outside the bonds of marriage.¹¹ However, one may
conjecture that the anti-miscegenation laws would not have appeared
if the marriages or sexual liaisons of white women and black men had
not existed to some degree.¹²

By the end of the colonial period, there were more than 60,000
mulattoes in the English colonies. Although the majority of mulattoes
probably resulted from internal miscegenation, the sexual relations
between mulattoes and blacks, one may safely conjecture that the anti-
miscegenation laws were not stopping all interracial sex. However,
this did not indicate that the laws were not succeeding in their
purpose. The anti-miscegenation laws were deterring white women
from bearing mulatto children and marrying black men, whether slave or free. Therefore, the laws were fulfilling their original intent. Also, since by American colonial law the child followed the condition of the mother, the laws were doubly effective at insuring that the vast majority of mulattoes would be slaves.

Antebellum Period

The anti-miscegenation laws found their way into the constitutions of many states during this period. With the growth of the black population generally, and the free black population specifically, whites continued in their efforts to ensure that legal marriages of blacks and whites could not and did not occur in most areas of the country. However, to the dismay of many whites, interracial sex continued and with it came the discomforting evidence. The mulatto population grew with alarming rapidity. Already numbering over 60,000 at the end of the colonial period, this population would swell to over 550,000 by the end of the antebellum period. As already noted, these mulattoes were categorized as blacks by law. Yet, as generations passed, many mulattoes began to be almost indistinguishable from whites. This was to be expected, for in many cases, these mulattoes were more white in genetic composition than they were black. Amalgamation had reached such an extent that it became imperative for state legislatures to answer the question of how to define the mulatto. No longer was appearance a sufficient test of the purity of one's whiteness. Now each individual would have to
pass the legal test of racial composition to be deemed white in America.

Because of its large mulatto population, Virginia was the first state to render a legal definition of the mulatto. The Virginia Law of 1785 declared that "every person, who has one fourth or more of Negro blood shall be deemed a mulatto, and the word negro in any section of this or any other statute shall be construed to mean mulatto as well as negro." Under the terms of this statute any person with only one black parent or grandparent, regardless of the purity of the whiteness of the other three relations, was considered a Negro. Other states followed Virginia's lead. In 1835 the North Carolina anti-miscegenation law defined the mulatto as "all persons descended from negro ancestors, though one ancestor of each generation may have been a white person." Georgia defined the mulatto as "one in whose veins there is less than one-fourth of negro blood." Alabama legislated that "the term mulatto or person of color within the meaning of this code, is a person of mixed blood, descending, on the part of the father or mother, from negro ancestors to the third generation inclusive, though one ancestor of each generation may have been a white person." Mississippi provided that, "every person other than a negro, whose grandfather or grandmother is, or shall have been a negro, although all his progenitors, except that descended from the negro, shall have been a white person, who shall have one fourth or more of negro blood, shall in like manner be deemed a mulatto." Finally, Texas, whose anti-miscegenation law first appeared in 1858, defined a mulatto as any "person of mixed blood descended from negro ancestry.
from the third generation inclusive, though one ancestor of each
generation may have been a white person."\(^{16}\)

Although these laws were widely applauded and accepted by
American whites, their approval was not unanimous. A small group of
dissenters called the abolitionists began to take exception to the laws.
Lead by their energetic and radical leader, William Lloyd Garrison,
some of these crusaders called not only for the end of slavery but for
the repeal of all laws which sought to separate the races. Because of
their tendency to practice what they preached about social but not
sexual intermingling between the races, in the early days of the
movement in the popular mind abolitionism was erroneously
synonymous with amalgamation.\(^{17}\) Many believed that the whites who
worked in the movement really desired to see intermarriage between
the races became widespread. However, white abolitionists, almost
entirely without exception, were not given to marrying across the
color line. The New Hampshire Anti-Slavery Society issued a public
notice on the subject that declared, "We do not encourage
intermarriage between whites and blacks. We would disapprove it
expressly and distinctly."\(^{18}\) The abolitionists desired only to see the
removal of unreasonable proscriptions which limited the individual in
exercising his axiomatic rights. It was more a matter of principle than
practice.\(^{19}\) Garrison condemned the anti-miscegenation laws by
calling them, "an invasion of one of the inalienable rights of every man;
namely, the pursuit of happiness. . . inconsistent with every principle
of justice - and utterly absurd and preposterous." Garrison went on
further to state:
The institution of marriage by the creator was wisely designed to promote this happiness, by uniting those whose affections mingle together in a lasting bond of union. If He has made one blood all nations of men . . . then they are species and stand on a perfect equality; their intermarriage is neither unnatural nor repugnant to nature, but obviously proper and salutary . . . A union of the sexes is a matter of choice . . . To limit this choice to a particular family, neighborhood or people, is to impoverish and circumscribe human happiness.\textsuperscript{20}

The abolitionists did more than denounce the anti-miscegenation laws. In one state state, Massachusetts, the home state of Garrison and modern abolitionism, they actively worked for its repeal. Beginning in January 1831 the abolitionists began pressuring the state legislature to amend the law. They were able to convince John P. Bigelow, a Whig member of the House, but not an abolitionist, to work for their cause. Bigelow stated his reasoning for opposing the law. He declared, "... there also is no such law to be found upon the statute Books of a large majority of states, including our immediate neighbors - Connecticut, New Hampshire, and Vermont. It is believed, however, that in these States, the instances of matrimonial connection between persons of different colors are as rare as Massachusetts, while their archives, are happily exempt from the record of a legislative act so grossly conflicting with the boasted maxim of our republic, which proclaims 'that all men are born free and equal'.\textsuperscript{21} When a bill to revise and recodify the entire marriage code of the Commonwealth was
introduced in the House, including the provision prohibiting intermarriage, Bigelow moved an amendment to strike out the intermarriage provision. His amendment was supported by some of the most prominent members of the state and was adopted. However, when the entire bill was defeated, the original law continued in effect.22

The abolitionists were not finished fighting for the repeal of the law. Year after year they petitioned the legislature. Their petitions, signed by a normally small number of persons, were usually referred to a committee and forgotten. However, when the legislature convened in 1839, it was confronted with the names of more than 1,300 women who opposed the law. This time the petition was taken in committee. Yet, the committee stated that it opposed any repeal of the law. The committee report affirmed the right of the legislature to "regulate marriages" if the "common good" required it.23 The committee further declared, "No statute can annul the law of nature, and bleach the skin of the Ethiopian or darken the face of the European . . . It [the Law] recognizes the distinctions impressed on the families of the human race by that Infinite Wisdom, which nothing but the insanity of fanaticism dares to arraign."24 Furthermore, the committee argued that the repeal of the law would "be construed to be the declaration of the Legislature, not only that the restraint should be removed, but that the union heretofore prohibited was fit and proper. . . ."25

The struggle did not end here. Despite the committee's arguments, the abolitionists persisted. They continued laboring in their communities getting signatures for more petitions to be sent to
the legislature. Their persistance and longsuffering were not in vain. Although having suffered much abuse from the press and public opinion when the campaign began in 1831, by 1843 they had gained the sympathies of both the press and the general public. It seemed that when the legislature convened in 1843 it would surely repeal the anti-miscegenation law. However, those who opposed any repeal of the law, although now in the minority, made an effort to stave off any repeal. They began asserting that blacks were generally against any effort to amend the law. To back up this assertion, they submitted to the legislature a petition supposedly signed by twenty-one black women of the state that stated that the law "will exert a most pernicious influence on the condition of colored women. . . ."26 The women continued: "We shall be deserted by our natural protectors and supporters, and thrown upon the world friendless and despised, and forced to get our bread by any means that may be proposed to us by others, or that despair may teach us. . . Colored husbands will regret that they married before the change of the law and will wish us out of the way. . . ."27 These women begged the legislature to keep the law on record by declaring, "To you, as the civil guardians of the happiness of the virtue of even the humblest, we apply, and beg that you will not, by a legislative act, plunge us into an abyss of wretchedness, temptation and ruin. . . ."28

From the very beginnings of the abolitionists' efforts to get the anti-miscegenation laws repealed, blacks in Massachusetts had been relatively quiet on the subject. However, after the above petition was circulated, a rumor began that blacks did not care to have the law
removed. Boston Negroes, unwilling to let this aspersion stand, quickly organized themselves and gave a statement. On February 1, 1843, these blacks declared that they dismissed "with indignation any attempt which designing individuals have made to persuade the public that the colored people, as a body do not approve and support the efforts . . . to efface from the statute book of Massachusetts the law, and destroy the customs, which make a distinction in regard to the rights of citizens on account of color."  

On March 9, 1843, a House bill was voted upon which made it legal for blacks and whites to intermarry. It was passed by the House by a vote of 174 to 139 and subsequently approved by the Senate with only three or four dissenting votes.  

There was jubilation in the abolitionist camp. They had successfully endured for the cause of freedom. They now believed that their cause would spread like wildfire. However, time would illustrate that the Massachusetts situation was truly unique. In no other state in the antebellum period did any group ever successfully agitate to get the intermarriage proscriptions removed. Rather, the laws continued to grow in their general public approval.

Post-Civil War Period

Post-Civil War America was very different from its antebellum past. The war had brought increased mechanization in industries and augmented bureaucracy in the federal and state governments. An entire race of people held in involuntary servitude for over two hundred years had recently been freed by presidential proclamation, and it seemed that a type of enlightenment had engulfed the nation. Americans
began talking, again, about their "fundamental freedoms" and the need to guarantee these freedoms for those who could not ensure them for themselves. Yet, amid all the rhetoric of freedom, thirty-five states still had laws limiting an individual's freedom of choice in regards to marriage. Despite the passage of the Freedman's Bureau Bill, the various Civil Rights Acts, and the Thirteenth and Fourteenth amendments, neither civil rights advocates nor the various justices who interpreted these laws ever, in any appreciable numbers, deemed that these various laws made interracial marriage legal.

In the first year following the Civil War, the nation's capital was a very busy and lively place. Here, congressmen from every state in the union gathered to determine the status of black Americans. In what became known as the Reconstruction debates, Republicans and Democrats argued vehemently over what freedoms, if any, would be accorded to blacks. Through the course of their discussions of the Freedmen's Bureau and civil rights bills, the question of their effects on the various anti-miscegenation laws of the states arose. Democratic Senator Thomas A. Hendricks of Indiana, an ardent opponent of the civil rights bills, was first to express the fear that the bills would nullify his state's miscegenation statutes. Hendricks rhetorically asked, "If the law of Indiana as it does, prohibits under heavy penalty the marriage of a negro with a white woman, may it be said a civil right is denied him which is enjoyed by all white men, to marry according to their choice; and if it is denied, the military protection of the colored gentleman is assumed, and what is the result of it all?"
In response to Hendricks, Senator Lyman Trumbull, the Illinois Republican who chaired the Senate's Judiciary Committee and managed the bills in Congress, replied, "One of its objects is to secure the same civil rights and subject to the same punishments persons of all races and colors. How does this interfere with the law of Indiana? Are not both races treated alike by the law of Indiana? Does not the law make it just as much a crime for a white man to marry a black woman as for a black woman to marry a white man, and vice versa . . . This bill does not interfere with it."\(^{34}\) In other words, according to Trumbull the proposed civil rights bill would not invalidate Indiana's anti-miscegenation statutes.

A week later, another Democratic senator, Garret Davis of Kentucky, voiced his concern that the bills would repeal state intermarriage statutes and place state officials who sought to enforce the statutes in jeopardy. Davis passionately declared:

> It has been made a crime in Kentucky - and I hope it always will be; . . . for any negro to marry a white person. It is a penal offense for our county court clerk to issue a license to a negro to intermarry with a white person . . . Suppose that under this famous bill a negro applies to the court clerk for a marriage license to intermarry with a white woman and the clerk refuses because the law does not permit such alliances . . . What does the negro do? He goes and makes a complaint to the bureau; the bureau sends in its corporal guard with fixed bayonets to the clerk's office and commands the clerk to issue the license against the highest sanctions of our law.
The clerk refuses; what do they do? They imprison him . . . to punish him for obedience to the laws of his own State which he has sworn to support!  

Trumbull, obviously annoyed by Davis's outrageous and highly inflammatory supposition, sarcastically exclaimed, "Well sir, I am sorry that in noble Kentucky there is such a disposition to amalgamation that nothing but penalties and punishments can prevent it. But, sir, it is a misrepresentation of this bill to say that it interferes with those laws. . . ."  

Maryland Democrat Reverdy Johnson was next to express his misgiving about the possible effects of the civil rights legislation on the miscegenation statutes. He questioned, "Do you not repeal all that legislation by this bill?" In response, Senator William Pitt Fessenden of Maine asked Johnson, "Where is the discrimination against color in the law to which the Senator refers?" Johnson answered, "There is none . . . that is what I say; . . ." Thereupon, Trumbull interjected, "This bill would not repeal the law to which the senator refers, if there is no discrimination made by it." In May of 1866 Thaddeus Stevens, senator and great civil rights advocate, postulated that the civil rights measures would have no effect upon miscegenation statutes. He contended that these measures worked only to ensure that, "Whatever law punishes a white man for a crime shall punish the black man precisely in the same way and to the same degree. . . ."  

It is obvious from reviewing these debates that the originators and proponents of the civil rights measures did not intend for them to repeal anti-miscegenation laws. However, legislative intent does not
always determine what effect legislative measures will eventually have on existing statutes. Ultimately, one must examine judicial decisions to determine what effect the civil rights measures had on anti-miscegenation statutes.

The Courts

The courts were in almost complete unanimity in ruling that the civil rights measures did not affect state intermarriage laws. During the early post war period, the high courts of six states considered the question of the constitutionality of miscegenation statutes and all but one court upheld them. In addition, the federal circuit courts confronted with the statutes sustained their constitutional validity. In each case the justices based their judgments on three main points. First, they argued that marriage was a domestic institution that was subject to state controls. In the case of State v. Gibson, the Supreme Court of Indiana asserted, "The right in the states to regulate and control, to guard, protect, and preserve this God-given, civilizing, and Christianizing institution, is of inestimable importance, and cannot be surrendered, nor can the states suffer or permit any interference therewith. . . ." Further, the Texas Court of Criminal Appeals agreed with the assertion that, "All our marriage and divorce laws, and of course, all statutes on the subject, so far as they pertain to localities embraced within the territorial limits of the particular states, are state laws and state statutes; the national power with us not having legislative or judicial cognizance of the matter within their localities."
The Texas court went on to argue that, "The states alone have the right to declare whom their citizens may marry. . . ."\textsuperscript{42} Second, the courts contended that marriage was not an ordinary contract. In truth, it was "more than a contract."\textsuperscript{43} The marriage contract was not the same as the contract mentioned in the Civil Right Bill of 1866 or the Fourteenth Amendment. Consequently, the states could apply laws that impaired one's right to contract in marriage. The Justices of the Supreme Court of North Carolina asserted, "There can be no doubt of the power of every country to make laws regulating marriage of its subjects, to declare who they may marry, how they may marry, and the consequences of their marrying."\textsuperscript{44} As the Texas Criminal Appeals Court had declared in \textit{Francois v. State}, "Marriage is not a mere contract, but a social or domestic institution upon which are founded all society and order. . . ."\textsuperscript{45} Lastly, the Supreme Court of Delaware argued that, "Marriage is a contract of peculiar character, and subject to peculiar principle. . . it can be violated and annulled by law, which no other contract can be; it cannot be determined by the will of the parties, as any other contract may be; and its rights and obligations are derived rather from the law relating to it than from the contract itself."\textsuperscript{46}

Finally, the courts agreed that the state possessed the right to help maintain a natural and Divine plan. In \textit{Scott v. State}, the Supreme Court of Georgia asserted, "The amalgamation of the races is not only unnatural but it is always productive of deplorable results."\textsuperscript{47} In \textit{Green v. State}, the Alabama Supreme Court delivered this impassioned homily:
Why the Creator made one white and the other black, we do not know; but the fact is apparent, and the races are distinct, each producing its own kind, and following the peculiar law of its constitution. . . The natural law, which forbids their intermarriage and that amalgamation which leads to a corruption of races, is as clearly divine as that which imported to them different natures. . . Manifestly, it is for the peace and happiness of the black race, as well as of the white, that such laws should exist. And surely there cannot be any tyranny or injustice in requiring both alike, to form this union with those of their own race only, whom God hath joined together by indelible peculiarities, which declare that He has made the two races distinct. . . \[^{48}\]

It is clear from an examination of the judicial decisions that the courts generally agreed to the constitutionality of the miscegenation statutes. They saw the statutes as being in accordance with the rights of the states to regulate their domestic institutions. Also, the courts considered the laws to be "wise and sound" public policy.

Twentieth Century - The Early Years
By the beginning of the twentieth century, anti-miscegenation laws were firmly established in many states of the Union. Intermarriage was a bad word to most white Americans, who considered its ban a necessity of the highest order. It was such a taboo that when one prominent black man, James Arthur Johnson, the first black heavyweight champion, publicly married a white woman in Chicago, Illinois, on December 12, 1912, there were cries on the part of national legislators to write the anti-miscegenation bans into federal law. Senator Seaborn A. Roddenberry, a Georgia Democrat, was the most outspoken proponent for such a measure. On December 11, 1912, Roddenberry called for an amendment to the Constitution that would strictly prohibit marriages between blacks and whites in the United States or its territories. Roddenberry contended that intermarriage was more horrifying and opprobrious than the worst cases of brutality during slavery. He fulminated, "Intermarriage between black and white is repulsive and averse to every sentiment of pure American spirit... No brutality, no infamy, no degradation in all the years of southern slavery possessed such a villainous character and such atrocious qualities as the provisions... which allow the marriage of the negro Johnson to a woman of the caucasian strain."

Roddenberry went on to attribute the "Negro problem" in the northern states to the failure of northern legislators to implement marriage proscriptions. He glorified the South for keeping harmony between the races and protecting the virtue of white women. He stated:
This is no amendment peculiar to one portion of our great land. In that section far south of us; such is the relation of the two races: No African within all of Dixie land carries in his heart or cherishes in his mind the aspiration that he can ever lead to the altar of matrimony a woman of Caucasian blood... such is our harmony... such is the respect for the superiority of his former master... 53

Lastly, Roddenberry enjoined his comrades to look toward the future of the nation. He predicted the eventual destruction of the "pure" Caucasian race in America without a constitutional amendment protecting its purity. He exclaimed:

Gentlemen, is it possible that in some far day in the distance - is it possible that those future years, under a legal permission of marriage between the white and the black races, that when your great-great grandson goes to take unto himself a companion for life he will wonder and not know whether the bride for his young manhood is a pure American girl or corrupted by a strain of kinky headed blood... It may be but a hallucination... but if this policy is long indulged... and countenanced by our Federal Government permitting by law the sombre-hued, black-skinned, thick-lipped, bull-necked, brutal-hearted African to walk into the office of a magistrate and demand an edict of the courts of his State, guaranteeing him legal wedlock to a white woman... I challenge any man of
wisdom and insight into the future to assert that my language portends a more calamitous culmination than any far-seeing stateman would prophesy.\textsuperscript{54}

Other prominent officials expressed their disapprovals of Jim Johnson's marriage. At the first annual Governor's Conference in 1912, Governor Cole Blease of South Carolina expressed his virulent opinion:

There is but one punishment, and that must be speedy, when the negro lays hands upon the person of a white woman. Such a thing as happened a few days ago in a certain state can't happen in South Carolina; the boasted hero of the blacks [Johnson]... could not disgrace South Carolina by having himself with in its borders, thank God, and if it did happen, the law provides a punishment for him and a punishment for her.\ldots\textsuperscript{55}

Governor William Mann of Virginia, also commenting on Johnson's marriage, added, "It is a desecration of one of our sacred rites." And Philip Goldsborough, the governor of Maryland, vehemently declared, "The Johnson marriage would never have been allowed in Maryland we protect our white girls."\textsuperscript{56}

Indubitably, the general concensus of the governors at the convention was squarely against interracial marriage. Even those governors of states that did not have anti-intermarriage laws expressed their opposition to intermarriage. The governor of New
York, John Dix, asserted, "That Johnson wedding is a blot on our civilization. Such a marriage tie should never be allowed." Governor John Tener of Pennsylvania commented that "Any law to prevent the mixture of the races met with his hearty approval." Another governor, Eugene Foss of Massachusetts, remarked that he was in favor of such a law. Likewise, Governor Simon Baldwin of Connecticut stated that he "would like to see one passed." 57

The Roddenberry bill to make miscegenation a federal crime did not pass. 58 Yet, the very fact that such a bill was discussed on the House floor and taken into Committee suggested that the sentiment of the nation's leaders was squarely inimical to intermarriage between the black and the white races. The Johnson marriage had ignited a fuse that had engulfed the nation. Anti-intermarriage bills appeared almost simultaneously in the legislatures of ten states and the District of Columbia. If all passed, there would be—even without the federal proscription—very few places in the United States where blacks and whites could legally marry. 59

Conclusion

The anti-intermarriage laws survived the traumatic changes concomitant with America's societal evolution. In each period of American history, the laws gained wider acceptance from white America. The popularity of the anti-intermarriage statutes stemmed mostly from the beliefs of whites that blacks desired to intermarry. Any ostensible examples of the inclination of blacks sexually to desire whites --whether it was Johnson's marriage or reports of black men raping white women-- substantiated the white man's beliefs and,
subsequently, increased his fears. The immediate result of the increased fears was a heightened racism which of itself produced a terrible reaction from the white community, resulting in an epidemic of lynching. White America informed black men that the penalty for sexual encroachments against white women would be death—bloody, sadistic, and cruel.
Endnotes


4) Johnston, Race Relations in Virginia and Miscegenation in the South, p. 166.

5) Morgan, American Slavery, American Freedom, p. 333.

6) Joel Williamson, New People (New York: The Free Press, 1980), p. 8. This law also declared that any mulatto children born to slave mothers would be slaves. In so deciding the assembly forsook the English rule that the child followed the status of the father. This portion of the law confirmed the subordinate position of mulattoes in Virginia.

7) Johnston, Race Relations in Virginia and Miscegenation in the South, p. 174. This law was later repealed by Maryland’s Assembly but was re-enacted in 1715. A law in 1717 stipulated that any free Negro who married a white woman would be a slave for life.

8) Morgan, American Slavery, American Freedom, p. 335.

9) Ibid.

10) Ibid., pp. 335-36.

12) Johnston, Race Relations in Virginia and Miscegenation in the South, pp. 179-180. An interesting case occurred in 1726 when the Reverend John Blacknall was fined fifty pounds of tobacco by a North Carolina Court for marrying an interracial couple. In this case, Blacknall himself informed the court that he had performed the marriage, and so having played the part of informer, he collected one-half of the fifty-pound fine. It was later discovered that the minister had been paid fifty pounds by the couple to marry them and, therefore, had made a twenty-five pound profit as a result of his illegal conduct.


16) Ibid.

17) Vernon's Sayles, Texas Civil Statutes, Article 4613.


19) Ibid., p. 39.


22) Ibid, April 30, 1831, p. 72.
23) Ruchames, "Race, Marriage and Abolition in Massachusetts," p. 260.

24) Liberator, March 15, 1839, pp. 41-42.

25) Ibid.

26) Ibid.

27) Ruchames, "Race, Marriage and Abolition in Massachusetts," p. 272.

28) Ibid.


31) Ruchames, "Race, Marriage and Abolition in Massachusetts," p. 273.


34) Ibid., p. 322.

35) Ibid., p. 418.

36) Ibid., p. 420.

37) Ibid., p. 505.

38) Ibid., pp. 505-6.

39) Ibid., p. 2459.

40) Bell, Race, Racism and American Law, p. 264.

41) State v. Gibson, 36 Ind. 389 (1871).

43) Ibid., p. 276.

44) State v. Kennedy, 76 N.C. 251 (1877).


46) Townsend v. Griffin, 4 Harr. (Del.) 440.

*Cited in opinion rendered in Francois v. State.


48) Green v. State, 58 Ala. 190 (1877).


51) U.S. Congress, Congressional Records, 62d Cong., 3rd sess., December 11, 1912, p. 502. The actual wording of the Amendment read as follows: "That intermarriage between Negroes or persons of color and Caucasians or any other character of persons within the United States and any territory under its jurisdiction, is forever prohibited; and the term Negro or person of color as here employed, shall be held to mean any and all persons of African descent or having any trace of African or Negro blood.

52) Gilmore, Bad Nigger, pp. 107-8.

53) Ibid.

54) Ibid.

55) Ibid.

56) Ibid.
57) Ibid.


Chapter 2:

Obsession in White

In February 1892 Edward Coy, a young black man, was arrested in Texarkana, Arkansas, and accused of sexually assaulting a white woman. Although evidence pointed to the fact that Coy and the white woman had been intimate for more than a year prior to the alleged assault, Coy was still formally charged and his trial date set. Yet Coy never lived to be justly tried. A mob of white men and women of all ages seized Coy from his jail cell and dragged him to the outskirts of the town. There, Coy was tied to a tree while men and boys slowly cut the flesh from his body. Coal oil was poured over the open wounds. Coy, screaming in anguish for his tormentors to have mercy, was then forced to witness the white woman who was ultimately responsible for his condition light the fatal match which would send his butchered body up in flames. Over 15,000 "respectable" persons participated in and/or witnessed the burning of Edward Coy. No one was ever brought to justice.¹

The Coy case was not unique. In February 1893 Henry Smith, a black man, was apprehended by authorities in Paris, Texas, and accused of raping and murdering "with demonical cruelty" three-year- old Myrtle Vance, the daughter of a local police officer. No trial date was ever set. Rather, a "cotton float," a huge platform wagon used for hauling cotton, was brought to Paris. Upon the float was a large box, and upon the box was fixed a chair. The town officials agreed to place Smith in the chair and parade him through town before punishing him. Ten thousand
people congregated, many from neighboring towns, to witness this great and horrendous affair.²

After the officials paraded Smith through town, the father of the raped and murdered child, Rupert Vance, mounted the platform. He made a short speech in which he promised to give everyone a chance to inflict suffering upon Smith after he had taken his revenge. Smith was then tied to a scaffold six feet square and ten feet high so that all could clearly witness his torture. Vance took one of several red-hot iron brands and thrust it against the feet of Smith. Brutally using the hot brands, Vance methodically worked his way over Smith’s entire body. When Vance grew weary of his grisly labors, he was relieved by his brother-in-law and his fifteen-year-old son. Smith bellowed in anguish. An eyewitness to the torture recalled, "By turns Smith screamed, prayed, begged and cursed his torturer. When his face was reached his tongue was silenced by fire, and henceforth he only moaned, or gave a cry that echoed over the prairie like the wail of a wild animal."³ After Vance and his family members had completed their sadistic deeds, they stepped down and "combustibles" were piled around the entire platform. Oil was then thrown on Smith and the whole body was set ablaze.⁴

Yet another atrocity occurred in central Texas. In May 1916 in Waco, Texas, Jesse Washington, a seventeen-year-old black youth, was charged with having raped and killed the wife of a white farmer. Unlike the previous cases mentioned, Washington did receive a semblance of a trial in which he was swiftly convicted and sentenced to die. Before Washington could be taken to jail to await the date of his execution, a mob dragged him from the courtroom, put a chain around his body, and
began hauling him through the streets. While being dragged to the City Hall lawn to be hanged, Washington was struck by a variety of objects from individuals in the crowd that had gathered. Some struck him with
shovels, bricks, and clubs while others stabbed Washington with knives and other sharp instruments. When Washington finally reached the City Hall lawn, his body was covered with blood. A chain was placed around his neck, and he was hanged. The *Waco Times Herald* gave an account of the bloody affair:

When the Negro [Washington] was first hoisted into the air his tongue protruded from his mouth and his face was besmeared with blood. Life was not extinct within the Negro's body, although nearly so, when another chain was placed around his neck and thrown over the limb of a tree on the lawn, everybody trying to get to the Negro to have some part in his death. The infuriated mob then leaned the Negro... against the tree, he having just enough strength within his limbs to support him. As rapidly as possible the Negro was then jerked in the air at which a shout from thousands of throats went up in the morning air. ...

Last, in August 1908 in Springfield Illinois, an eighty-four-year-old Negro cobbler, William Donegan, was hanged and his throat cut by a mob of white men during the Springfield riot of 1908. The riot resulted when two black men who were found guilty of raping white women of the community, were moved out of the city to await sentencing before a mob could get to them. The mob, infuriated that the alleged black rapists were out of their reach, turned their fury on the black community of Springfield. Donegan was lynched despite his "good
reputation" because he had been married to a white woman for over thirty years.\textsuperscript{6}

These are just a few of the hundreds of reported cases where black men were brutally mutilated and killed because they had violated the sexual standard by allegedly forcing themselves on white women. Vigilante justice or lynching was the only appropriate method in the eyes of many whites not only to punish the black miscreants but also to provide a lucid example to other potential "black beast rapists" of the severe consequences of their actions. Although some whites considered lynching as barbarous as the most criminal act, others considered it an expression of a noble concern for justice among the American people. Tom Watson, the leader of the Populist movement in the 1890s once wrote, "Lynch law is a good sign, it shows that a sense of justice yet lives among the people."\textsuperscript{7}

Lynching was not just a post-Civil War phenomenon. Its roots in American history reach back as far as the colonial times. Belligerent Indians and renegades were the primary targets of white mobs during this period.\textsuperscript{8} The practice of lynching continued into the antebellum period with summary justice being meted out to individuals for a variety of reasons. However, it is important to note that black men had not yet become the main targets of lynch mobs. Statistics illustrate that of the more than three hundred persons lynched by mobs between 1840 and 1860, fewer than 10 percent were blacks.\textsuperscript{9} The Reconstruction period played a large role in altering the complexion of lynchings. More and more blacks were being executed without trials. Yet, the number of blacks lynched was not outstanding in relative terms, and there were
still enough whites being lynched to preclude any thought that lynching was strictly racially motivated. Also, there was no inordinate fear of the Negro rapist.\textsuperscript{10}

However, something drastic happened in the last decade of the nineteenth century. White Americans, especially in the South with its large black population, became increasingly alarmed that blacks were changing. No longer were they the supposedly lazy, docile, obedient, happy-go-lucky Negroes of the glorious slavery days. In the white mind, they had become the shiftless, arrogant, uppity, criminal "niggers" of modernity. To whites the "new Negro' had lost the civilizing effects of slavery and was retrogressing to a state of animalistic barbarity."\textsuperscript{11} The Negro was becoming a "beast" in the white mind, running wildly over the countryside and in the cities "seeking whom he may devour," and his primary target was white women.\textsuperscript{12} He was to be feared. He was to be destroyed.

Lynching became the primary means by which white Americans sought to control the "new Negro." Lynching represented the ultimate sociological method of racial repression, a way of using terror to check perceived dangerous tendencies in the black community.\textsuperscript{13} Although a Negro could be lynched for a variety of reasons--from murder to simply insulting a white man--the primary justification for lynching was to protect white women from black rapists. White Americans fervently believed that they had to use whatever means necessary to prevent black men from doing what they desired to do most, have sex with white women.\textsuperscript{14}
But the statistics on actual lynchings does not validate this fear. Between 1882 to 1930, 3,386 Negroes were reportedly lynched in America. Most of these lynchings, 3,007, occurred in the ex-Confederate states. An investigation into the immediate causes of lynchings revealed that the majority of blacks were lynched for alleged homicides. Blacks charged with rape or attempted rape only accounted for 150 of the total number of blacks lynched, or 5 percent. Another 10 percent of blacks were lynched for such trivial offenses as wife-beating, voodooism, turning states evidence, or general unpopularity.\(^{15}\)

Also, the methods of summary justice were changing and becoming more virulent and brutal. In antebellum America and during the Reconstruction period, the lynched victim was usually hanged or shot to death.\(^{16}\) However, in the last years of the nineteenth century and the early years of the twentieth century a simple hanging was not enough to satisfy many white men's thirst for blood. Other methods such as castration, burning, and/or other various forms of mutilation were more frequently employed.\(^{17}\) The love of violence and the desire to see the black victim suffer a slow, painful death were the motivating forces behind the growing tendency toward torture. In the white mind each Negro savagely tortured to death helped to prevent a hundred others from violating white women.\(^{18}\)

White America had many voices which sought to explain and justify the necessity of summary justice for blacks. These individuals were political leaders and were highly supported and respected in their communities. They were all Negrophobes of the highest order who associated blackness with worthlessness. Although each had his own
particular reason to explain his racist proclivities, they all agreed with the assertion that miscegenation was one of the great concerns of white America. They believed that whites could ill afford to allow the presumed purity of their blood to be tainted with the germinal impurity of black blood. Therefore, every means, vicious or not, had to be employed to resist black rapists who, in the white mind, represented the Negroes' desperate effort to mingle with the superior race.

The racial beliefs of these white political leaders are important to examine for two principal reasons. First, they provide a portrait of the racial climate of the times by answering the question of the primacy of racial issues to white Americans, especially white Southerners. Second, examining these racial beliefs helps one to understand more clearly what types of racial ideas can drive common, everyday people to commit highly uncommon and severe atrocities.

James K. Vardaman

James Kimble Vardaman of Mississippi was one of the most popular politicians in the state's history. Born in poverty in Jackson County, Texas, on July 26, 1861, Vardaman grew to manhood knowing the virtues and trials of a rugged rural existence. In his early childhood his family moved to Mississippi and settled in the town of Preston in Yalobusa County. There, he worked side by side with his father cutting and hauling trees. As a young man, Vardaman aspired to rise above his humble beginnings and become a public leader. These aspirations seemed jeopardized due to his lack of a formal education. However, young Vardaman refused to let this become an overwhelming obstacle.
Possessing an insatiable appetite for reading, Vardaman educated himself. He polished his writing skills and worked as a journalist. Vardaman became a local progressive, often speaking for the rights of the poorer white masses. He was a gifted orator, and he used this talent to increase his popularity. In 1889 he began his political career by winning a seat in the state legislature. After serving with distinction, he ran successfully for the state’s highest office in August 1903.¹⁹

Vardaman’s relatively quick road to success could be partly attributed to his ability to prey upon the fear and hatred that white Mississippians had for the Negro. Like many southern whites during this time, white Mississippians were highly sensitive to issues concerning blacks. Vardaman, a self-pronounced Negrophobe, used the political arena to deprecate black Americans and, consequently, increase his popularity in the state. One example of Vardaman’s extreme racist views could be seen in his comments on the benefits of publicly funded education for blacks. In a speech given in 1895, Vardaman delivered this impassioned homily:

In educating the negro we implant in him all manner of aspirations and ambitions which we then refuse to allow him to gratify. It would be impossible for a negro in Mississippi to be elected as much as justice of the peace, no matter how able honest and otherwise unobjectionable he may be. Yet people talk about elevating the race by education! It is not only folly, but it comes pretty nearly criminal folly. The negro isn’t permitted to advance and their education only spoils a good field hand and makes a
shyster lawyer or a fourth-rate teacher. It is money
thrown away.²⁰

Also, when commenting on the idea of white teachers educating black
students, Vardaman exclaimed, "Now it is almost an unpardonable
offense for a white man or women to teach [in] the ordinary nigger
school. To do it means social ostracism... It should be prohibited by
law. Let niggers teach niggers..."²¹

In regards to miscegenation, Vardaman was totally hostile to the
idea. Convinced that blacks were inferior and whites superior, he
believed that sexual intercourse between white women and black men
would cause the demise of the superior race. Whites had to maintain
their racial integrity, for race played the major role in accounting for all
human development. Vardaman argued that wherever whites had
intermarried with blacks—as on the island nation of Haiti—all progress
had ceased.²² He espoused the idea of the complete separation of the
races in all social matters because in his mind association meant equality
and equality resulted in intermarriage and intermarriage led to cultural
decline.

Vardaman was especially fearful of black men raping white
women. He considered this the most dreadful of crimes not only
because it spoiled "the exalted virtue, the vestal purity and superlative
qualities of Southern women," but also because it provided an
opportunity for black blood to infiltrate into the white race.²³ For
Vardaman and much of the white South, maternity was the key to racial
purity: should a black man impregnate a white woman, then the entire
white race had been polluted. Vardaman believed that any Negro who raped a white woman should be immediately lynched. He asserted, "there is nothing left to do with these human brutes but to kill them and at least get rid of them." Although this embracing of the idea of summary justice for Negro rapists differed from his general opinion on capital punishment, to which he was otherwise opposed, Vardaman believed lynching justified. In an editorial about the burning of an alleged black rapist in Corinth, Mississippi, in 1902, Vardaman wrote:

Much has been said and written about the people of Corinth burning the brute who killed Ms. Cary Witfield. I am sorry they burned him. It would have been better to have buried him alive... or hanged him in the jail. I think they did the right thing to kill the brute, but it would have been better had the crowd been denied admission. It does not help a man morally to look upon a thing of that kind... .But I sometimes think that one could look upon a scene of that kind and suffer no more moral deterioration than he would by looking upon the burning of an Orangoutang that had stolen a baby or a viper that had stung an unsuspecting child to death. He creases to be regarded as a human being... when one of these devils commit such deeds as this nigger did, somebody must kill him and I am in favor of doing it promptly. In this case I only regret the brute did not have ten thousand lives to pay for his atrocious deed. An eternity in hell will not be adequate punishment for it.
Benjamin Ryan Tillman

"Pitchfork" Ben Tillman was another southern spokesman who expressed opinion about Negroes, lynching, and miscegenation. Also a rags to riches story, Tillman worked his way to prominence from a meager beginning. He became the governor of South Carolina in 1890, and after two successful terms of office, he was elected to the position of United States Senator in 1894. It was in his official capacity as senator that Tillman let his voice be heard.28

Tillman believed that, unquestionably, blacks were biologically inferior to whites. He asserted that the record of this "ignorant and debased and debauched race in its African environment" made this fact axiomatic. He held that contact with whites during slavery had brought a modicum of civilization to blacks. Yet no amount of contact could overcome the "barbarism, savagery, and cannibalism" that was innately a part of the Negro.29 When President Theodore Roosevelt proposed to treat black soldiers the same as white soldiers, Tillman took exception. He declared that the Negro should not be treated the same as a white man "for the simple reason that God Almighty made him colored and did not make him white." Tillman believed that "feelings of revulsion arose in the breast of every white man when such a program was suggested."30

Tillman justified prejudices of caste mainly because they prevented the greatest social disaster of which he could conceive: the amalgamation of the races.31 In a speech made on the floor of Congress, Tillman castigated those whites who sought to make blacks equal to whites by asserting that they proposed to make the South a "country of
mulattoes." He stated that "The governing race in any community where there is absolute equality before the law... and equality of opportunity, will in time come to amalgamation with any different race that may be there."\textsuperscript{32} Tillman conceded that animosity between the races was a good thing because it kept blacks from crossing the color line. He rhetorically questioned, "Would not the elimination of the caste feeling and race antagonisms of the centuries mean that the Caucasian, the highest and noblest of the five races, would disappear in an orgy of miscegenation?"\textsuperscript{33} Tillman believed that it would; therefore, he preached a doctrine of racial conflict.

In another speech to the Congress, Tillman expressed his opinion about lynching. He argued that lynching for most crimes was wrong. However, when a black "brute" raped a white woman, lynching was the best form of justice. He described the white women of the South as being "in a state of siege." According to Tillman great care was exercised that she was not left alone for fear that "some lurking demon who has watched for the opportunity seizes her."\textsuperscript{34} Tillman attempted to color-blind his endorsement of lynching for the crime of rape by asserting that he would lead "a mob to lynch any man, black or white, who had ravished a woman, black or white." He contended that he hated the thought of any man forcing himself on a woman. Yet, repeatedly when discussing the tragedy of rape, he consistently described white women being raped by black men. In doing so, Tillman made black men appear to be especially prone to rape. In one cogent example, when declaring his extreme abhorrence to rape, Tillman declared, "I have three daughters, but, so help me God, I had rather find either one of
them killed by a tiger or a bear and gather her bones and bury them conscious that she had died in the purity of her maidenhood, than have her crawl to me and tell me that she had been robbed of the jewel of her womanhood by a black fiend.\textsuperscript{35}

Tillman believed that the raping of white women by black men were expressions of both the de-civilizing effects of freedom and the desire of blacks to amalgamate with whites. In Tillman's mind blacks greatly desired to miscegenate, and when white women "refused, rape followed."\textsuperscript{36} He also argued that before the Civil War blacks did not commit outrages against white women. Slavery had served to check the "barbarious" tendencies of blacks. However, when blacks came into contact with northern ideas and experienced their new freedom, blacks changed. He stated, "With 800,000 negro men, there is not on record one solitary instance of one white woman having been wronged until near the close of the war, when some of the negro soldiers who had been poisoned by contact with northern ideas came along and perpetrated some outrages." He intimated that if northerners would stop contaminating the Negroes' mind with the "damnable heresy of equality," fewer rapes would occur and, consequently, fewer lynchings.\textsuperscript{37}

Rebecca Latimer Felton

One of the chief southern white spokespersons at the turn of the century was Rebecca Felton. Born during the prosperous years of chattel slavery in 1835, Felton lived a life that spanned almost a hundred years. She was a remarkable woman for her time because she dared to be heard during a period when women were expected to be silent. Throughout
her life she worked as a reformer, championing such movements as prison reform, woman suffrage, prohibition, and industrial education for young white women. Despite the large variety of issues upon which Felton voiced her opinion, she became best known for her hardy endorsement of the lynching of black men accused of raping white women. In her mind, no crime was greater and, therefore, no other form of justice was suitable.  

Felton first voiced her brutal opinion on lynching at the Georgia State Agricultural Society meeting on August 11, 1897. The previous summer she had been reading the newspaper accounts of black men raping white women. The agricultural society meeting provided her with the public forum she desired to alert others to what she considered a growing crisis. The gravest problem facing farm wives, she told her audience, was the danger from Negro rapists. She asserted that the white men of Georgia were not adequately protecting their wives and daughters and that the law against rape was not a suitable deterrent. With a fierce passion Felton cried, "If it takes lynching to protect woman's dearest possession from drunken, ravening human beasts then I say lynch a thousand a week if it becomes necessary!"  

Felton's speech made the front pages of several Georgia newspapers. Editors both local and national, conscious of the volatile nature of her subject, hesitated in applauding or criticizing her opinion. However, one Boston newspaper, Transcript, did reply. It criticized Felton for her endorsement of lynching and asserted that such an endorsement by a southern white proved that there were other beasts in Georgia beside the Negro. Felton in her counterattack accused the
Boston paper of encouraging the crime of rape by black men with such editorials. Also, she charged the paper with advocating mixed marriages. Felton concluded her counterattack by reassuring the nation "that the black fiend who lays unholy and lustful hands on a white woman in the state of Georgia shall surely die!"\(^{40}\)

Felton was not only a woman of words, she was also a woman of action. When Sam Horse, a Negro, was accused of raping the wife of a farmer living near Newman and fled from authorities, Felton advised those in search of him on what to do when he was found. She urged them to forget the reward being offered for his capture and to shoot him on sight as they would a mad dog. She enjoined Georgia whites to let the lynchings of Horse serve as an example to other potential black rapists. She stated that they should "Lynch the black fiends by the thousands until the Negro understood that there was a standard punishment for rape and he could not escape it." Felton got her wish. On April 22, 1899, ten days after the alleged rape, Horse was castrated and burned alive by a white mob.\(^{41}\)

* * *

To many white Americans, especially white southerners, the American Negro was retrogressing to his original state of African barbarism. Such criminal outrages as murder, robbery, assault, and rape were perspicuous examples of blacks losing the supposed civilizing effects of slavery. Whites, fearful of the Negro's regression and conscious of their own superiority, sought to draw strict caste lines that worked to separate blacks and whites and assure white hegemony. They spurned
notions of racial equality, viewing such notions as attempts by blacks to improve their unfortunate positions through intermarriage. Also, many whites regarded the actual or attempted raping of white women by black men as desperate attempts on the parts of blacks to intermingle their inferior blood with "that of the Anglo-Saxon strain." Whites, extremely serious about the need to maintain their racial "purity," developed what can only be called a severe reaction to alleged encroachments of blackness into whiteness. Lynching became the primary mechanism used by whites to squash any attempts by blacks to transverse the color line.

It is important to note that the entire system of exclusion instituted by whites was based on the assumption that blacks desired to get into white society. Black Americans did often voice their desire to be given access to the American mainstream and be given equal opportunity. Whites assumed that the Negro's desire for assimilation implied his wish for a racially amalgamated America. They believed that the Negro's passionate plea for such items as voting rights, political rights, and equal access to housing and employment only masked what he really yearned for--to possess white men's daughters. However, this assumption held so deeply by many whites only served to prove either that whites did not understand what blacks really wanted or that they just were not listening. Black men often stated, clearly and definitively, that the white man's woman was neither their desire nor concern.
Endnotes


3. Ibid., p. 123.

4. Ibid.


10. Williamson, *A Rage For Order*, p. 120

11. Ibid.

12. *Congressional Record*, 57 Cong., 2 Sess., 2564 (February 24, 1903). Quote made by Benjamin Tillman while speaking on the Senate floor.


16. Williamson, *A Rage For Order*, p. 120.


20. Ibid., pp. 77-78.

21. Ibid., p. 89.

22. Ibid., p. 37.

23. Ibid.


26. Ibid. In most cases, Vardaman was against capital punishment.

27. Ibid. pp. 88-89.


32. *Congressional Record*, 57 Cong., 2 Sess., 2563 (February 24, 1903).
34. *Congressional Record*, 59 Cong., 2 Sess., 1441 (January 21, 1907).
35. *Ibid.*, p. 1441. Tillman even recited a poem in which he described the ordeal of the "pure" white maiden who had been raped by the black "beast" and forced to go to trial.

A little woman, slight, and deathly pale
Within her eyes
The dim shame lingers of a sin unsinned
She speaks.
Her voice is broken as her pride
It hath
No music and no color no warmth
From eyes like hers and tones like hers a man
May learn how merciful is death.
She tells
The story of her guiltless enfamy -
Tells it beneath a fire of interruptions
Cross-questions and objections, and the like,
Sanctioned by Law's procedure.
And insults from a shyster privileged
Thro' his employment to insult her so-
Tells it
From start to finish, and is not spareth a word,
Until at last,
A pitifully living corpse she falls
Back into fearful silence.
And facing her.
The while, the Beast leans forward, huge and black
Its simian arms cross on the breast of it -
Whispering, at times, in the attorney's ears
Suggestions as to questions to be asked -
And tho' the fear of death and hell agape
Be in its belly, still unable quite
To hide a grin of reminiscent lust
Behind a sweating palm.
That is the picture -
Do I hear you say
Again: "The Law should take its course?"

36. Ibid., p. 1443.
37. Ibid.
40. Talmadge, Rebecca Latimer Felton, p. 114.
41. Ibid., p. 116.
Chapter 3:
Black America Speaks
Give Us Equalization Not Amalgamation

Finding the black voice on the subject of intermarriage during the latter part of the nineteenth and early twentieth centuries is very difficult. There were very few black notables whose writings were recorded, and those few usually said nothing publicly about intermarriage. However, three important black figures did comment on the subject. Although their comments were of a limited nature, they do suggest answers to very important questions that shed some light on black attitudes toward intermarriage. How did black Americans feel about the statutes which forbade them from marrying whites? How important were these segregation measures to blacks in the context of the entire spectrum of Jim Crowism? Were blacks—as whites feared—preoccupied with sexual access to white women?

W. E. B. DuBois

William Edward Burghardt DuBois was one of America's greatest intellectuals. Highly educated and supremely gifted, DuBois used every ounce of his genius to uplift and instruct his people. To DuBois, the greatest desire for blacks was to reconcile their "two-ness." He believed that blacks longed for the day when they could be proud to be both black and American.¹ Throughout his life, DuBois constantly enjoined whites to accord blacks the full civil rights they deserved as part of their American citizenship. He pushed for federal programs that would aid the black
community, but, even more so, DuBois preached the doctrine of self-help. He admonished blacks to develop and support black businesses and industries. Ultimately, DuBois believed that blacks could rise most rapidly through the development of what he termed "the Talented Tenth." This group consisted of the most gifted individuals in the black community who would through their rising uplift the masses by educating and leading them.²

Amid the white paranoia surrounding Jack Johnson's marriage in December 1912 to Lucille Cameron, a nineteen-year-old white woman, DuBois rendered his opinion of both intermarriage and anti-intermarriage laws. In an article entitled "Intermarriage," DuBois asserted that intermarriage was a subject seldom discussed by blacks.³ He believed it to be the last of the social problems about which blacks were concerned. Certainly there was no great black pressure to be able to marry whites. DuBois contrasted the basic apathy in the black community about intermarriage with the fanaticism in the white community on the subject. DuBois stated, "White people, on the other hand, for the most part profess to see but one problem, "Do you want your sister to marry a Nigger?" However, despite the difference between blacks and whites in their perceptions of intermarriage, according to DuBois, both groups were almost in complete agreement that intermarriage was highly inadvisable.⁴

On the question of the laws, however, blacks and whites were more inclined to disagree. DuBois insisted that blacks considered the laws both unfair and unreasonable. He argued that there were physical, social, and moral reasons why blacks had to resist intermarriage
proscriptions. First, DuBois contended that blacks opposed the laws for the physical reason "that to prohibit such intermarriage would be publicly to acknowledge that black blood is a physical taint--a thing that no decent, self-respecting, black man can be asked to do." Second, blacks opposed the laws for the social reason "that if two full-grown, responsible human beings of any race and color propose to live together as man and wife, it is only social decency not only to allow, but to compel them to marry." Third, blacks opposed the laws for the moral reason that the laws failed to protect black women. Under the anti-miscegenation statutes, if a black woman was impregnated by a white man, she could not compel him to marry her. Also, the child resulting from the illicit interaction did not receive any support because the law relieved the white man of any liability. DuBois stated that "such laws leave the colored girl absolutely helpless before the lust of white men. It reduced colored women in the eyes of the law to the position of dogs. Low as the white girl falls, she can compel her seducer to marry her. If it were proposed to take the last defense from poor white working girls, can you not hear the screams of white slave defenders? What have these people to say to laws that propose to create in the United States 5,000,000 women, the ownership of whose bodies no white man is bound to respect." DuBois concluded his article by making a very poignant statement as to the black attitude toward the anti-miscegenation laws. He declared, "We must kill them (the laws), not because we are anxious to marry white men's sisters, but because we are determined that white men leave our sisters alone." DuBois's article in 1913 was not the first time that he had expressed his ideas on intermarriage and the anti-intermarriage laws. In
October 1910 DuBois had written another article responding to questions about his views on intermarriage. A southern white man had previously written DuBois, "The crux of the race problem is intermarriage and on that you do not deliver yourself. . . The Southern white man is not moved I think, by the hatred of the Negro, he is moved by the fear of amalgamation." A northern white man had also written asking if DuBois wanted "social equality" in the sense that the races should freely intermarry, and a brown man of India had inquired if intermarriage of blacks and whites would be beneficial to both races.

In response to these questions, DuBois issued what he termed his "Marriage Credo." In this writing, DuBois emphasized the individual's freedom of choice in regards to marriage. He did not consider this right absolute, however, and he clearly recognized the right of the state to restrict the individual's freedom of choice due to age or physical or mental condition. He stated, "I believe that any grown man of sound body and mind has a right to marry any sane, healthy woman of marriageable age who wishes to marry him." DuBois went on to assert that the laws against intermarriage were no more than "wicked devices" designed to make the seduction of black women easier. "Instead of such legislation," argued DuBois, "each group should be taught self respect. . ." DuBois believed that if the individual could love and appreciate himself and his heritage, then he would be less inclined to intermarry. DuBois implied that under the present system of Jim Crow legislation, the incidence of intermarriage could increase. Segregation and subordination instilled in blacks low self-images. They began to view whiteness as the key to everything right and good. As a result, these self-perceptions increased
the likelihood that blacks would desire members of the white race. DuBois explained:

Jim Crow legislation is an open bridge to amalgamation. . . . For this reason arbitrary and humiliating segregation and subordination should be abandoned and it should be made possible and desirable to be at once American and a Negro. In this way and in this way only will race integrity be maintained through race pride.9

In two articles in the 1920s, one entitled "Sex Equality" and the other "Social Equality of Whites and Blacks," DuBois again expressed the black position on intermarriage and its proscriptions. In "Sex Equality" DuBois argued that blacks were against the anti-miscegenation laws not because they wanted to intermarry but primarily because the acceptance of such laws by the black community would be an acceptance of their own inferiority. DuBois declared:

No Negro with any sense has ever denied his right to marry another human being, for the simple reason that such denial would be a frank admission of his own inferiority. . . . He could naturally say: I do not want to marry this woman of another race, and this is what 999 black men out of every thousand do say. . . . But the impudent and vicious demand that all colored folk shall write themselves down as brutes by a general assertion of
their unfitness to marry another decent folk is a nightmare born only in the haunted brain of the bourbon South. . . \( ^{10} \)

In "Social Equality of Whites and Blacks," DuBois further discussed the subject of intermarriage. DuBois recognized that to a great number of white Americans the term "social equality" had grave connotations. Whites believed social equality implied the right of blacks to force themselves into the private social lives of whites and to force whites to intermarry with them. Through this article, DuBois wished to clarify what blacks considered to be "social equality." He explained that blacks understood social equality to mean the individual's "moral, mental and physical fitness to associate with one's fellowmen." Blacks did not believe the term gave them the right to "attend private receptions, or to marry persons who do not wish to marry them." According to DuBois, "Such a right would imply not mere equality--it would mean superiority." However, blacks did claim the right to attend social gatherings if they were invited and to be free from insults or hindrances because of their color. DuBois stated, "When, therefore, the public is invited, or when he is privately invited to social gatherings, the Negro has a right to accept and no one has the right to complain; they have only the right to absence themselves."\(^{11}\)

Also, DuBois reaffirmed the individual's right freely to choose his partner in marriage. He explained that no law could effectively prevent all intermarriages and to attempt to do so would only produce harmful results. DuBois asserted:
As to the right of any two, sane, grown individuals of any race to marry, there can be no denial in a civilized land. The moral results of any attempt to deny the right is too terrible and of this the southern United States is an awful and abiding example. Either white people and black people want to mingle sexually or they do not. If they do, no law will stop them and attempted laws are cruel, inhumane and immoral. If they do not, no laws are necessary.\textsuperscript{12}

Finally, DuBois answered the question of whether he considered intermarriage socially expedient for blacks. He asserted that he did not believe intermarriage to be a wise move. To DuBois the reasons for blacks to shun intermarriage were perfectly clear. First, he argued that cultural differences and public disapproval would deleteriously strain family life and interfere with the proper raising of children. Second, Black Americans could not afford to intermarry with a race of people who considered them less than equals. DuBois stated, "it is a growing determination of blacks to accept no alliances so long as there is any shadow of condescension. . . ." Lastly, intermarriage was inexpedient because it interfered with efforts on the part of black Americans to develop and applaud their cultural distinctiveness. DuBois believed that blacks needed "to build a great, black race tradition in America of which the Negro and the world would be as proud in the future as it has been in the ancient world."\textsuperscript{13}
Booker T. Washington

Another prominent black leader in this period was Booker Taliaferro Washington. Born in 1856 in the waning years of chattel slavery on a small Virginia farm, Washington grew to prominence in the early 1880s with his founding of the Tuskegee Normal and Industrial Institute. There he taught black youths the benefits of industrial education. Washington achieved his national status as the top black spokesman after his speech in 1895 at the Atlanta Cotton States and International Exposition. In what became known as the Atlanta Compromise address, Washington proposed a racial settlement in which blacks would seemingly abandon their call for social and civil rights and concentrate on economic advancement. Washington was immediately endorsed by white leaders who believed that they finally had a black leader who disavowed the dreaded thought of social equality. However, Washington was a very shrewd and complicated character. Publicly, he continually preached the virtues of thrift and industry and rejected the notion of civil equality. Yet, behind the scenes, Washington was more militant. When the state of Georgia segregated sleeping cars in 1900, it was Washington who secretly urged black leaders to protest. When Pink Franklin, an illiterate black farmer from South Carolina, was sentenced to die for his killing of two white men who had broken into his cabin, it was Washington who worked behind the scenes to get the governor of South Carolina to commute Franklin's sentence to one of life imprisonment. Finally, Washington again was instrumental in helping blacks attain greater civil justice when he secretly funded the Alonzo Bailey case all the way to its successful conclusion in the United States Supreme Court.
In November 1911 Albert Ernest Jenks, an anthropologist and ethnologist who taught at the University of Minnesota, wrote to Washington concerning the question of interracial sex. In his letter, Jenks informed Washington that he believed amalgamation to be "unwise" and asked for Washington's opinion on the subject. In response, Washington was both confusing and evasive. He never clearly rendered his opinion about interracial sex or the laws that prevented it. Rather, Washington explained the general black opinion on the subject. In regards to amalgamation, Washington wrote, "I know of very few blacks who favor it or even think of it." He explained that amalgamation had become a subject of merely academic importance for most blacks. However, many blacks did find the anti-interracial marriage laws to be "humiliating and injurious." Washington wrote that blacks detested the "laws which enable the [white] father to escape his responsibility, or prevent him from accepting and exercising it when he has children by colored women."

The controversial and highly publicized Jack Johnson marriage gave Washington another opportunity to voice his views on intermarriage. Speaking through the black newspapers and magazines that he secretly controlled, Washington rendered his opinion on intermarriage. All of the Washington-controlled media excoriated Johnson for his intimate affairs with white women. One of the articles in the Indianapolis Freeman stated, "What a pity, that Johnson was ever successful in obtaining the great amount of money which came to him if it is to be put to no better use than being spent in desire to parade a white woman as his wife." Another article from this same paper declared that "it had
grown tired of Johnson's affairs with white women." Finally, another article from the Freeman asserted that blacks "must indefatigably denounce his [Johnson's] debased allegiance with the other race's woman. . . ."

Washington's objection to Johnson's affairs with white women did not seemingly stem from any strong, personal disapproval of intermarriage on Washington's part. Rather, Washington deplored Johnson's action because in his opinion it increased white fears and racism by delivering a false message. Washington believed that Johnson's affairs re-affirmed the erroneous beliefs of many whites that blacks desired intermarriage. During a public appearance in Detroit, Michigan, Washington expressed his concerns:

'It is unfortunate that a man with money should use it in a way to injure his own people in the eyes of those who are seeking to uplift his race and improve its conditions. . . . In misrepresenting the colored people of the country, this man is harming himself the least. I wish to say emphatically that his actions do not meet with approval of the colored race. Johnson, fortunate or unfortunate it seems in the possession of money, is doing a grave injustice to his race. It only goes to prove my contention that all men should be educated along mental and spiritual lines in connection with their physical education. A man with muscle minus brains is a useless creature. . . . Undoubtedly, Johnson's actions are
repudiated by the great majority of right-thinking people of the Negro race.  
Washington wanted to clarify reality--blacks had no desire to amalgamate.

**Frederick Douglass**

Unquestionably the greatest black statesman of the nineteenth century was Frederick Douglass. Born into a system of perpetual servitude on a small Maryland plantation in February 1818, Douglass escaped his enslaved condition by way of the Underground Railroad. Once North, Douglass was befriended by abolitionists both black and white who assisted him in finding work in the New Bedford, Massachusetts, shipyards. Douglass was not long in New Bedford before he began telling the story of his life as a slave for the cause of freedom. With a passion, presence, and eloquence that astounded northern audiences, Douglass gave insights into the conditions of slaves. He talked about the cruelty of masters by asserting:

> I have often been awakened at the dawn of day by the most heart-rendering shrieks of an own aunt of mine who he [one of his former masters] used to tie up to a joist and whip upon her back till she was covered with blood. No words, no tears, no prayers from his victim seemed to move his iron heart. The louder she screamed, the harder he whipped... I remember the first time I ever witnessed this exhibition. I was quite a child, but I well remember it. It was the bloody stained gate, the entrance to the hell of slavery through which I was about to pass.
Douglass also explained to northern audiences the reason for his light complexion and long, wavy hair. He stated that he was the product of one of the most sinister results of the slave system, the raping of black women by white men. Douglass asserted that white men polluted black slave women in order "to administer to their own lusts. . . ." Also, the slaveholders implemented insidious laws that ordained that the children of slaves should always follow the condition of their mothers in order "to make a gratification of their desires profitable as well as pleasurable." Douglass further stated, "By this cunning arrangement the slaveholder, in cases not a few, sustains to his slaves the double relation of master and father."\(^{29}\)

During the course of the Civil War, Douglass urged Abraham Lincoln and the Republicans both to free the slaves and to use blacks in the effort to preserve the Union. In May 1861 Douglass explained that all efforts to preserve the Union were futile unless those held in bondage were freed. He declared:

Any attempt now to separate the freedom of the slave from the victory of the government, . . . any attempt to secure peace to the whites while leaving the blacks in chains. . . will be labor lost. The American people and the Government at Washington may refuse it for a time; but inexorable logic of events will force it upon them in the end; that the war now being waged in this land is a war for and against slavery.\(^{30}\)
Also, Douglass advocated the use of blacks in the Union army to help preserve the Union by questioning the Lincoln administration's failure to do so. Douglass asked:

What upon earth is the matter with the America Government and people? Do they really covet the world's ridicule as well as their own social and political run? . . .

Why does the Government reject the negro? Is he not a man? Can he not wield a sword, fire a gun, march and countermarch, and obey orders like any other?\textsuperscript{31}

After the Civil War, Douglass worked tirelessly in an effort to secure civil liberties and equality for black Americans. As the chief black spokesman during Reconstruction, Douglass argued that black suffrage constituted the first step toward full black freedom. He considered voting rights to be the "only measures which could prevent him [the Negro] from being thrust back into slavery." Douglass was also a strong supporter of all of the Reconstruction legislation that purposed to give full equality to blacks before the law. He implored the nation, especially the South, "to give the negro fair play and let him alone to work out his own salvation."\textsuperscript{32}

In January 1884, eighteen months after the death of his first wife, Anna, Douglass married Helen Pitts, a white college-trained woman of forty-six who had been his secretary in his position as Recorder of Deeds for the District of Columbia. They were married by and at the home of Francis J. Grimké, a young black man not quite seven years in the ministry. The ceremony was a small private affair. Douglass had not
informed the general public of his intentions to marry. However, two
hours after the ceremony, the news got out, and reporters were in search
of the particulars. These newsmen questioned Grimké, and he
confirmed the fact of the marriage. The next day the nation's papers
relayed the news to the public. Immediately, the Douglasses received a
storm of protest about their marriage. People were angry and bitter.
Both blacks and whites were angry because Douglass had transgressed the
sacred tenants of custom. Blacks in particular were bitter because
Douglass, the great black statesman, had chosen a white woman as his
bride.33

As expected, the white community quickly condemned Douglass.
One white newspaper branded him a "lecherous old African Soloman" and
the marriage "a deliberate challenge to the Caucasian race."34 Another
carried an article which sarcastically notes, "Frederick Douglass has
crowned the devotion of a lifetime to his race by marrying a white
woman."35 As we shall see, many blacks shared this same criticism of
Douglass. Lastly, a correspondent from Atlanta wrote Reverend Grimké a
letter expressing his abhorrence of the interracial wedding. He also
suggested that Grimké ought to be "damned out of society" for
performing the ceremony. A "Little Jar and Fetters [sic] would be good
for you," he added.36

Blacks also voiced disapproval at the marriage. Disappointed and
angered by Douglass's actions, blacks generally felt betrayed by their
leader. Some charged that Douglass had shown "contempt for the women
of his own race." One black observer wrote that "the colored ladies take
it as a slight if not an insult to their race and beauty." Another black
observer asserted that he could only understand the marriage as a verification of the maxim that "reason ceases where love begins."³⁷

Amidst this uproar of public disapproval, Douglass rendered his opinion about anti-intermarriage proscriptions and intermarriage. First, Douglass considered the anti-miscegenation statutes to be both unjust and hypocritical. He believed that the individual possessed the self-evident right to choose his own mate. Douglass asserted that men and women irregardless of their races should "be allowed to enjoy the rights of common nature" which included the right to obey the conviction of their own minds and hearts in marriage.³⁸ Douglass pointed to the hypocrisy of American whites for codifying anti-miscegenation statutes by stating, "For 200 years and more in slavery amalgamation went on under the fostering care of church, pulpit, press, and American statesmanship with only here and there a voice raised against it. But now that the Negro is free, and has been invested with political and civil rights, sounds of alarm reach us from all quarters."³⁹ Based on the hypocritical nature of whites in this regard, Douglass concluded "that what the American people object to is not a mixture of the races, but honorable marriage between them."⁴⁰

Douglass re-emphasized his opinion on the rights of the individual in marriage in his response to a letter sent by Elizabeth Cady Stanton, a white friend and long-time associate. Stanton had expressed her approval of the marriage and had denounced "the clamor" raised against it. Douglass replied that he was glad to find her opinion about the marriage in accord with his own. He continued by declaring:
To those who find fault with me on this account I have no apology to make. My wife and I have simply obeyed the convictions of our own minds and hearts in a matter wherein we alone were concerned and about which nobody has any right to interfere. I could never have been at peace with my own soul or held up my head among men had I allowed the fear of popular clamor to deter me from following my convictions as to this marriage. I should have gone to my grave a self-accused and a self-convicted moral coward. Much as I respect the good opinion of my fellow men, I do not wish it at the expense of my own self-respect. 41

Although Douglass's belief in the sanctity of the individual's choice in marriage was in accordance with the ideas of the other two great black leaders, his opinion differed in one very vital area. Douglass considered intermarriage desirable and beneficial to blacks and whites. He argued that increasing miscegenation signified that "the tendency of the age is unification, not isolation, not to clans and classes; but to human brotherhood." 42 Douglass prophesied in May 1866 that in the future the Negro as a distinct race would disappear. He predicted:

My strongest conviction as to the future of the Negro therefore is, that he will not be expatriated or annihilated, nor will be forever remain a separate and distinct race from the people around him, but that he will be absorbed,
assimilated, and will only appear finally, as the Phoenicians now appear on the shores of Shannon, in the features of a blended race.⁴³

Douglass's apparent belief in the desirability of intermarriage was based upon his acceptance of the romantic assumption of "racial gifts." Douglass believed that each racial group was endowed with positive and negative talents. For example, he shared the common nineteenth-century belief in and admiration for a reputed Anglo-Saxon genius for republican democracy.⁴⁴ At the same time, however, he believed that whites possessed an avarice for power that was uncommon to other groups. He once commented, "The love of power is one of the strongest traits of the Anglo-Saxon race."⁴⁵ On the other hand, blacks exhibited an unusual and remarkable mental tenacity. To Douglass blacks most readily illustrated the indomitable human spirit. Douglass asserted that the Negro's ultimate psychic and spiritual triumph over slavery "only proves that though slavery is armored with a thousand stings, it is not able to entirely kill the elastic spirit of the bondmen. . . . there are attributed and qualities of manhood too subtle and vital to be reached and extinguished. . . ."⁴⁶ Yet, in Douglass's opinion, the critical disadvantage of the Negro was his general thoughtlessness and improvidence. He once conceded, "we (blacks) are just as we are: a laborious, joyous, thoughtless, improvident people. . . ."⁴⁷ By the highly volatile act of miscegenation, Douglass believed that the best traits of both races were synthesized to produce a better human being and, consequently, a more progressive society. The mulatto in Douglass's mind represented the best of both races. Intermarriage, being the most
auspicious way to produce the mulatto, was therefore a positive good. But Douglass stood apart from almost all other blacks on this issue. As we have seen, W.E.B. DuBois and Booker T. Washington later categorically repudiated the essence of Douglass's position.

Douglass's philosophy about the merits of intermarriage fell in line with his entire philosophy about race relations. He unequivocally advocated total Negro assimilation into the white, Anglo-Saxon Protestant-dominated political culture. According to Douglass, this represented, "the only solid and final solution" to the question of the Negro's salvation in the United States. Douglass believed that blacks should disavow notions of race pride and solidarity. Douglass asserted, "our union is our weakness... a nation within a nation is an anomaly..." Only by seeing themselves as Americans first and foremost could the black community ever become an integral part of American Society. Douglass declared, "Assimilation and not isolation is our true policy and our natural destiny. Unification for us is life; separation is death."

Although Douglass espoused the idea of intermarriage and wholesale assimilation, his hopes were not a major part of his "message" to white Americans. He urged whites to accord blacks full citizenship rights despite of the physical differences of the races. However, it is important to understand that Douglass's endorsement of the doctrine of wholesale assimilation was contrary to the hopes of most black Americans. The 1880s and 1890s marked a significant increase in the notions of race pride and self-help in the black community. Blacks condemned Douglass for marrying out of his race and for his ideas on the benefits of assimilation. John Edward Bruce, the black editor of the
Cleveland Gazette, best summed up black reaction to Douglass and his anti-racial pride doctrine when he wrote, "Mr. Douglass evidently wants to get away from the Negro race, and from the criticism I have heard quite recently of him, he will not meet with any armed resistance in his flight."52
Having examined the limited opinions of three black leaders, one may answer the important questions about black attitudes toward intermarriage. First, how did blacks feel about the laws restricting intermarriage? It is quite apparent that blacks were against the laws. However, it is important to note that their opposition did not stem from any desire to intermarry--Douglass is a clear exception on this point--but from an obligation to stand firm against unfair and discriminatory legislation. To blacks, freedom of choice in regards to marriage was axiomatic and should not be limited on the frail basis of race. Second, how important were these segregation measures in relationship to the whole spectrum of Jim Crowism? Generally, to blacks the anti-intermarriage proscriptions were the least of their concerns. In fact, there was a general apathy in the black community about the subject of intermarriage. Blacks concentrated on securing other, more practically important civil rights such as the right to vote, hold public office, and attend integrated, public schools.

The voice of black America, though reticent on the subject of intermarriage, could be clearly heard through its great leaders. DuBois and Washington consistently disavowed any desire on the part of blacks to marry whites, while at the same time, they denounced the laws which inhibited the possibility of them doing so. They saw no contradiction in their stance. They believed that one could be justified in agitating to bring legality to an undesirable act. Even Douglass with his passionate embracing of the idea of intermarriage recognized that his was a minority
position. He understood that what black Americans really wanted was not a one race society, but a society where all races could be treated as one.
Endnotes


4. Ibid.

5. Ibid.

6. Ibid.


8. Ibid.

9. Ibid., p. 34


11. Ibid., pp. 280-81.

12. Ibid.

13. Ibid.


18. *Ibid.*, pp. 117. *Bailey v. Alabama* 219 U.S. 219 (1911) Alonzo Bailey was a black farmworker tried and convicted by an Alabama Court for violating the state's peonage statute. Washington had some of his white associates take up the case. The case made it all the way to the U.S. Supreme Court. In 1911 the High Court declared that peonage was involuntary servitude and the Alabama Law unconstitutional.


25. *Ibid*.


28. Ibid., p. 33

29. Ibid., p. 32


35. Ibid.


410.


45. Ibid.
46. Ibid., p. 201.
47. Ibid., p. 200.
49. Ibid.
52. Ibid., p. 98.
Conclusion

When examining the historical perceptions of blacks and whites in regard to each group's particular majority opinion on interracial sex, there seemed to have existed two grave and unfortunate paradoxes. First, both white men and women were generally hostile to any ideas involving the sexual mingling of the races. Yet, throughout American history, white men continually and surreptitiously took sexual license with black women. Second, although blacks persistently disavowed any desire on their parts to amalgamate, whites were thoroughly convinced that blacks generally and black men particularly desired interracial sex. Whites, therefore, erected legal mechanisms designed to effect a social separation of the races and based the justification for these mechanisms on the premise that they were necessary to prevent the greatest social disaster conceivable—the mongrelization of the Caucasian race.

Now, the question that must be considered is, what do the paradoxes mean? Do they imply that whites would have readily accorded blacks equality in certain political and social spheres had whites only fully and accurately understood the position of blacks on interracial sex? Do they imply that during this period blacks should have constructed a strategy that worked to have the anti-miscegenation laws abrogated and/or amended in order to force white Americans to listen to and comprehend their views, thereby, allaying white fears of how blacks defined equality? Or, do the paradoxes simply reflect that whites were just employing vain justifications for their unjust subjugation of black Americans? These questions raised by this work are yet unanswered. In a subsequent study I hope to provide some plausible answers to these
most important questions.
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