

Mixed-Race Americans Before and After the Civil War

HIS 602

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Race has always been a fraught topic in the United States with slavery sometimes being described as America's original sin. It was never more fraught than during the Civil War. Race has always been complex, but culturally, America has often tried to make it seem simple by identifying race with class, good or bad, white or colored. It never has been simple, though. Race is both subtle and elusive and, therefore, fascinating.

This historiographic essay will examine race, specifically people of mixed race around the period of the Civil War. The essay will consider the status of mixed-race people before the war, during, and how, if at all, things changed after the war. In addition, we will consider as full a spectrum of mixed-race people as possible: the children of masters and slaves,<sup>1</sup> free mixed-race people in New Orleans,<sup>2</sup> Hispanics that became citizens after the Mexican War,<sup>3</sup> the children of white-native pairings including in the newly acquired territory of Alaska,<sup>4</sup> and black-native people who seemed to present a grave threat to white power in some parts of the south and west.<sup>5</sup> We will examine their status under the law and how that evolved, and how those of mixed-race impacted the entire discussion of race. To the extent the literature allows, we will also consider more recent immigrant communities, including those from Asia, and how that has impacted the discussion of race in the Americas.

The status of mixed-race Americans, and the recognition of them has become especially important in recent decades, particularly as genetic testing has become more common, the

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<sup>1</sup> Jones, Bernie D. *Fathers of Conscience: Mixed-Race Inheritance in the Antebellum South*. Athens, Georgia: The University of Georgia Press, 2009.

<sup>2</sup> Spear, Jennifer M. *Race, Sex and Social Order in Early New Orleans*. Baltimore: John Hopkins University Press, 2009.

<sup>3</sup> Gomez, Laura E. *Manifest Destinies: The Making of the Mexican American Race*. New York: New York University Press, 2007.

<sup>4</sup> Miller, Gwenn A. *Kodiak Kreol: Communities of Empire in Early Russian America*. Ithaca, NY: Cornell University Press, 2010.

<sup>5</sup> Coleman, Arica L. *That the Blood Stay Pure: African Americans, Native Americans and the Predicament of Race and Identity in Virginia*. Indianapolis: Indiana University Press, 2013.

prominence of mixed-race sports figures, and the election of a mixed-race President. A better understanding of the long history of people of mixed-race people in the United States, long overlooked, can help us to understand both the past, and the present moment.

Race has long been a concern of scholars of American history, but the form that interest has taken has changed dramatically. A century ago, issues of race were often addressed in the biases of the day, even among white European groups, praising Anglo-Americans as being especially endowed by history and Providence, and all others falling short. The question of slaves and freedman, Indians and Mexicans and their special status—to put it kindly—have been described by the dominant group, and alternatively, by a handful of educated free blacks. Both groups have tended, however, until quite recently, to observe the so-called “one-drop rule”<sup>6</sup> and grouped those of mixed race into one racial group or another. And while terms for these mixed-race people certainly existed and were discussed, they have largely been subsumed under the larger category of race. Only in the past three decades or so have serious treatments been made of mixed-race people in a systematic way, and the special features of the different ways races could mix, and the implications of that mixing in their own historical circumstances.

One of the few sources specially on mixed-race people in the United States was published early in the 20<sup>th</sup> century. Edward Reuter sought to compare the status of mixed-race people in the United States to racial mixing around the world, but in particular, in other parts of the British Empire. Within the United States, he focused primarily on racial mixing between whites and blacks, and between whites and Indians, the former in the context of slavery. The attitude of the author toward the mixed-race people of all kinds can be easily encapsulated by his discussion of the descendants of native “Eskimos” and Danes in Greenland:

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<sup>6</sup> Coleman, Arica L. *That the Blood Stay Pure: African Americans, Native Americans and the Predicament of Race and Identity in Virginia*. Indianapolis: Indiana University Press, 2013.

“In comparison with the native Eskimo, the mixed-bloods are in reality superior men. They are an improvement, especially in appearance over the native stock. Socially, the status of the mixed-blood man is superior to that of the native,... ‘The native women prefer the worst Dane to the best Greenlander, and the half-breeds are the more eligible for their strain of white blood; illicit relations with white men are rather a glory than a disgrace.’ The young native women... gains considerable prestige... as a result of having been so honored.”<sup>7</sup>

Reuter lays bare in this passage, his, and his times’, cultural assumptions about native people and people of color of all types: that they are inherently inferior, and the inclusion of white blood is a blessing; the crude use of terms like “half-breed”, and the sexualization of native women, that to the modern ear sounds more like a rationalization of rape rather than a genuine understanding of what the native women were thinking. However, the passage also highlights the sometimes-ambivalent reaction toward the mixing of races and miscegenation: a practice that was sometimes banned, and sometimes encouraged depending on which of the equally misguided notions of “purity” or “improvement” held sway at the moment.<sup>8</sup>

Near the middle of the twentieth century, the perspective on race changed broadly in the wake of the civil rights movement, but mixed-race citizens remained in the shadows or included as an afterthought in the conversation. Beginning in the last decade or so of the twentieth century, the approach to dealing with mixed-race people in their own intersectional context rose to the forefront, in part with the recognition that mixed-race people like Tiger Woods had a unique cultural experience. Joyce Chaplin was one of earlier scholars of 1990s that began

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<sup>7</sup> Reuter, Edward Byron. *The Mulatto in the United States: Including a Study of the Role of Mixed-Blood Races Throughout the World*. Boston: The Gorham Press, 1918, 32-33.

<sup>8</sup> Farber, Paul Lawrence. *Mixing Races: From Scientific Racism to Modern Evolutionary Ideas*. Baltimore: Johns Hopkins University Press, 2011.

looking at these issues: in her case, in the context of racial language. Her article “Natural Philosophy and an Early Racial Idiom in North America” traces the language around race from early colonial times and how it relates to ideas of natural philosophy, the immediate precursor to scientific thought. In particular, she argues that the arguments of natural philosophy themselves became the basis for a racial idiom in the New World that portrayed whites as superior, and all others inferior. We see these arguments explicitly made in defending the institution of slavery during the Civil War, and well into the modern day. Her analysis is particularly interesting in that it also gives us some tools to consider when considering the language surrounded mixed-race people.<sup>9</sup> Having built up a way to talk about race and race-mixing from such an early period, it’s easy to see why these ideas became embedded explicitly and implicitly in culture, and why it remains so difficult to root out.

Suzanne Bost’s book *Mulattas and Mestizas: Representing Mixed Identities in the Americas, 1850-2000* looks at bi-racial identities in literary and historical accounts to examine the role of mixed-race people in the Americas since the 1850s, thus including the period of the American Civil War. While her treatment does include the United States, Mexico and the Caribbean provide prominent comparisons and counterpoints. Her essential thesis is that mixed-race status is particularly American (in the broadest sense), and various sorts of creoles, mulattoes, and mestizos have always been particularly prominent. In particular, she examines women of mixed-race and the special role they played in the way people of mixed-race were seen. She cautions that modern interest in mixed-race people may actually conceal persistent racism and a longing for purity beneath the surface.<sup>10</sup> Published in 2003, only two years after

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<sup>9</sup> Chaplin, Joyce E. "Natural Philosophy and an Early Racial Idiom in North America: Comparing English and Indian Bodies." *The William and Mary Quarterly* 54, no. 1 (January 1997): 229-252.

<sup>10</sup> Bost, Suzanne. *Mulattas and Mestizas: Representing Mixed Identities in the Americas, 1850-2000*. Athens, Georgia: University of Georgia Press, 2003.

9/11 and many years before the election of Barack Obama, the prospects for movement in this regard may have seemed more acute than it does in light of the last fifteen years. Nonetheless, it provides important historical context for questions of race from both the late nineteenth and twentieth centuries.

Gary Nash's book *Forbidden Love: The Secret History of Mixed-Race America* is another early source on race-mixing, though this is not his earliest work on the subject; he also wrote *Red, White and Black: The Peoples of Early North America*. Given the early date of that work (1991), it's likely this his was one of the first works in what has been an area of research on race that has exploded in the last two to three decades. Nash's essential thesis is that race mixing has been going on in the New World since the beginning. In retrospect, this seems quite obvious, but given the previous lack of attention to the issues, it's clear that in its day, this idea was quite novel. In some ways, he paints it as a quintessentially American phenomenon, and also a fundamentally human one.<sup>11</sup> While some have tried to prevent it, it has nonetheless continued even in the shadows. Working from biographies of mixed-race couples, he uses these profiles to examine the history of interracial marriages, mixed-race children, and how they have been treated throughout history, from colonial times to the present.

Tim Hashaw's book *Children of Perdition: Melungeons and the Struggle of Mixed America* looks at the history of mixed-race Americans from the first colonists to the modern day, including a chapter specifically on the Civil War era, and their sometimes-difficult relationship with the rest of "pure blood" America. In particular, Hashaw examines the myth of racial purity and the various ways that mixed-race Americans responded to pressures on their lives, including by forming communities of their own, and developing origin myths that helped them fight the

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<sup>11</sup> Nash, Gary B. *Forbidden Love: The Secret History of Mixed-Race America*. New York: Henry Holt, 1999.

racism around them. Hashaw also examines the larger culture they were responding to including their social standing, the evolution of racism, and the “one drop” rule. He also tries to confront the idea that racial mixing is “unnatural”.<sup>12</sup>

Each of these books deals with these sources strives to place the question of racial mixing in the broader American or New World context and stake a claim to a space in the historiography specific to the concerns of those Americans who were not “pure-bloods”. Each in their own way, they seek to define that grey area between races, and in the process, question the very idea of race, and seek to shine a light on the complexity of mixed-race people straddling the divide between two worlds. These works opened up the way for other historians to focus on mixed-race people through more specific lens in time and which races were being mixed.

A series of researchers have begun looking at the issues surrounding mixing races from a less general standpoint and the relationship to race broadly, and instead focus on specific kinds of racial mixing: white and black, black and native, native and white, etc. The sources detail how the experience of each type differs, and how the response of both worlds contributed to the ideas of race in the United States, that then had to be confronted to some extent in the leadup to, and the aftermath of the Civil War.

I noted early Gary Nash’s work *Red, White and Black: The Peoples of Early North America* from the early 1990s and addressed the issue of mixing races. Nash’s main point in his work is that race-mixing happened from the earliest colonial settlers—as any observant student of colonial America would have to notice—but which Nash details for nearly half the book. He makes it quite clear to the reader that white men marrying native women and having a general acceptance of the mixed-race children on both sides was fairly standard. Cultural adoption often

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<sup>12</sup> Hashaw, Tim. *Children of Perdition: Melungeons and the Struggle of Mixed America*. Macon, Georgia: Mercer University Press, 2006.

determined which culture the children were most accepted by, especially in subsequent generations. The introduction of slavery of imported Africans changed this dynamic gradually, but irreversibly. His work summarizes the three-way dynamic that developed. The key divergence lay with the power dynamic between whites and enslaved black women, and whites and free but alien native women. Sexual exploitation of black women from frequent and acted out the symbol of white superiority. While native women were seen as perhaps sinful in their willingness for sex but participated more often freely for mutual benefit.<sup>13</sup> Though, these differences would fall away more and more in the wake of the increasing pressure of westward expansion.

David Nichols' book *Red Gentlemen & White Savages* examines the role of mixed white and native Americans and Indians before, during and after the Revolutionary War. While earlier than the Civil War, this book explains the way that mixed-race people paved the way for Indian removals and the rise of the South. In that time, many of the chiefs of the tribes were of mixed race, and so the interaction of these chiefs with their own tribes, and with the American political establishment can shed light on one particular sort of mixed-race people, and form a baseline for how other white-native peoples in later decades were treated as the frontiers moved westward.<sup>14</sup>

The book *A Mixed Race: Ethnicity in Early America*, edited by Frank Shuffleton, is a collection of essays on the status of mixed-race people in literature in the period leading up to the Civil War. The essays are written primarily by professors of English and scholars of race, the articles consider race from various perspectives, including humor and rape narratives. An article by the editor specifically addresses Thomas Jefferson on race, and the failure of Enlightenment

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<sup>13</sup> Nash, Gary B. *Red, White and Black: The Peoples of Early North America*. 3rd. Englewood Cliffs, New Jersey: Simon & Schuster, 1992.

<sup>14</sup> Nichols, David Andrew. *Red Gentlemen & White Savages: Indians, Federalists, and the Search for Order on the American Frontier*. Charlottesville, VA: University of Virginia Press, 2008.

anthropological models that gave us “scientific” racism. The book looks at the idea of mixing races in the broadest possible sense, including mixed ethnicities, and how the experience with Native Americans differed so much from the experience with African Americans.<sup>15</sup>

Claudio Saunt, examines a particular case study on the mixing races—white, black and native—in a single family of Creek descent in the book *Black, White and Indian: Race and the Unmaking of an American Family* as a way to highlight the complexities and mutual animosities of mixing races. The book centers on an autobiography and family history written by a man of this family named Washington Grayson. Discovered in a brief citation in another book, the author tracked down the history of the book and why it was withdrawn from the historical society’s collection at the request of living relatives, on the belief that they would be ashamed to learn they were former slaves in their bloodlines. Using this a basis for discussing racial mixing since the first Europeans arrived in the Americas, the author’s exploration of race through the lens of this one family is compelling and personal, but also reflects larger social questions about race at work since before the Founding, including how that changed before, during and after the Civil War, and the legacy of the old South.<sup>16</sup> The author admits that much of the genealogy is possible because of federal records of the Creeks before and after their forced migration to Oklahoma. Thus, it gives us a window in the murky realm of federal law and their sometimes-contradictory view of mixed-race people.

Both of these last two books can be thought of as a bridge between some of the earlier works mentioned, as they rely on literature rather than typical historical works, as family biography to examine the both the historical context of the mixing of races, but also their

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<sup>15</sup> Shuffleton, Frank, ed. *A Mixed Race: Ethnicity in Early America*. New York: Oxford University Press, 1993.

<sup>16</sup> Saunt, Claudio. *Black, White and Indian: Race and the Unmaking of an American Family*. New York: Oxford University Press, 2005.

implications for the modern period, particularly the long legacy of concealment and passing that many mixed-race citizens endured in order to escape the racism—to the extent they could—of their day.

The award-winning book *That the Blood Stay Pure* by Arica Coleman looks at the mixed-race offspring of African Americans and Native Americans in Virginia. She uses this vehicle to examine Virginia's efforts to enforce racial purity, the lasting effects of which lasted right up until the Loving decision. Coleman's interest in this topic arose from discovering her own mixed-race ancestry. She focuses particularly on the "one drop rule" of blackness, and because of the perception by whites that blackness was impure, and later, subject to Jim Crow, and thus how anti-blackness took hold in Native American communities to protect themselves from the stigma of being seen as "black".<sup>17</sup>

Notions of racial purity are especially insidious, and we see them at work in discussions of all children of mixed blood, particularly the children of slaves. Understanding the dynamics of racial purity claims, and the legal framework it embodied will greatly aid in understanding the choices many people of color—both mixed and unmixed—were forced to confront in the American political, legal and social context.

Jack Forbes' text *Africans and Native Americans* examines how the language of race evolved, including the development of racial classification systems dealing with both "pure blood" people and those of mixed race: terms like mulatto, etc.<sup>18,19</sup> The large number of terms

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<sup>17</sup> Coleman, Arica L. *That the Blood Stay Pure: African Americans, Native Americans and the Predicament of Race and Identity in Virginia*. Indianapolis: Indiana University Press, 2013.

<sup>18</sup> Forbes, Jack D. *Africans and Native Americans: The Language of Race and the Evolution of Red-Black Peoples*. Chicago: University of Illinois Press, 1993.

<sup>19</sup> The author controversially claims that Native American people may have crossed the Atlantic before the arrival of Columbus. Given the acceptance of long sea voyages in relatively primitive craft in the South Pacific, this claim has received much less attention. This claim does not appear to be essential to understanding the rest of the book. At one point, the idea that the Vikings were in North America five hundred years before Columbus was also unproven; still, I would like to see more archaeological evidence for this claim.

used to describe people of mixed blood is a valuable resource for people beginning an investigation of the topic if for no other reason than having all the culturally, nationally and racially distinct terms for mixed-race people in one place. It further reflects how non-binary race truly is.

The book *Black Indian Slave Narratives*, edited by Patrick Mingos, is a collection of twenty-seven firsthand testimonials collected by the Federal Writer's Project during the 1930s that describes the relationship of native Americans to slavery: both as enslavers, and as slaves; as holders of black slaves and native slaves. Sometimes they married and raised mixed-race children. Slave narratives like these have played a role as primary source material in other books on westward expansion and the Civil War in the far west. Having them in one place will make them more accessible to historians. Moreover, this source is important because it permits drawing parallels between white masters and their black slaves, and the children those unions produced, with native masters and their black and native slaves, and their children, and how the different cultures treated the children of such unions.<sup>20</sup>

Lauren Basson's *White Enough to Be American?* uses four case studies, the biographies of four mixed-race Americans, and uses them to examine the role of race, and the special role of those of mixed race, in the context of American expansion. She highlights how people of mixed-race challenged the idea of clearly defined racial boundaries and uses them to explain how white supremacy flourished in this context. Published in the same year Barack Obama became President, she explicitly hopes to illuminate our modern conversation about race and racial

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<sup>20</sup> Mingos, Patrick, ed. *Black Indian Slave Narratives*. Winston-Salem, North Carolina: John F. Blair, 2004.

mixing and what it means to be American, arguing that fundamentally, private property and white supremacy are at their core.<sup>21</sup>

The context of American expansion is especially important in the context of the Civil War, since it was the acquisition of former Mexican territory that immediately preceded the Civil War that put additional pressure on the race question. The free people in the territory were granted American citizenship if they possessed Mexican citizenship before the war. This introduced a whole new racial category into the United States who were fundamentally all of mixed race. Their experience in the context of expansion would prove to be the model for how many other mixed-race people, and slaves, would be partially assimilated in American society: technically citizens, but not fully equal.<sup>22</sup>

Asian-Americans and race-mixing has been among the least studied areas in the American context. Chinese immigration, in particular, became a flood with the California Gold Rush and remained high until legally restricted during the Gilded Age. But the Spanish had been bringing Asians into Mexico through the Manila slave markets since the late seventeenth century.<sup>23</sup> This is a new area of research within the United States, but Melissa Poulson's dissertation on early Asian-American mixed-race literature is a first step in this direction.<sup>24</sup>

Because of the importance of race in the Civil War, several sources tackle the mixing of races specifically the Southern context. Each of these sources focuses on important contributing factors to the deep racial divides that confronted the South in this period and after.

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<sup>21</sup> Basson, Lauren L. *White Enough to be American?: Race Mixing, Indigenous People and the Boundaries of State and Nation*. Chapel Hill: University of North Carolina Press, 2008.

<sup>22</sup> Gomez, Laura E. *Manifest Destinies: The Making of the Mexican American Race*. New York: New York University Press, 2007.

<sup>23</sup> Sejas, Tatiana. *Asian Slaves in Colonial Mexico: From Chinos to Indians*. New York: Cambridge University Press, 2014.

<sup>24</sup> Poulson, Melissa Eriko. *Figuring Futures: Early Asian American Mixed-Race Literature*. Santa Cruz: UC Santa Cruz Electronic Theses and Dissertations, 2015.

Theda Perdue focuses her book on the South, and conceptions of race, particularly along the frontier, where white men and native women frequently married. Since native people lacked notions of race, and were matrilineal, while Europeans were patrilineal, mixed-blood children were often able to take advantage of both sides, having status in the tribes gained from their mothers, while interacting with the white world using social status gained from their fathers. And their changing ideas loyalties as expansion progressed proved to be sources of confusion to whites. While much of the work focuses on the children of mixed white-native relationships, she also considers the relatively rarer native-black offspring and their place in Indian culture.<sup>25</sup>

Perdue's examination of mixed-race people particularly in the South helps to set the stage for the Civil War, and the changing relationships of race after the war. Combining her perspective with that of Coleman's examination of racial purity, we can make better sense of the consequences that Reconstruction and Jim Crow had for other people of color in the South. Perdue's work can also shed light on the complex notions of race that the native people, originally from the South but who were forced to migrate westward to reservations, have toward mixed-race descendants who were able to pass as white and blend into the larger culture. Elizabeth Warren's mixed racial heritage and the various misunderstandings that has generated among whites and native peoples can be better understood in light of this text.

Bernie Jones book *Fathers of Conscience: Mixed-Race Inheritance in the Antebellum South* looks at the mixed-race children of slave masters with their slaves. In particular, he examines those slaveholders that treated their children especially well, acknowledging them as their own, in the Antebellum South. He focuses on the contesting of wills that acknowledged mixed-race children, or even freed them from bondage upon their father's death, and so many of

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<sup>25</sup> Perdue, Theda. *Mixed Blood Indians: Racial Construction in the Early South*. Athens, Georgia: The University of Georgia Press, 2003.

the sources here are legal rulings in the equivalent of probate court. The book focuses on the legal view of the fathers, and the evidence of miscegenation by willing property to mixed-race children. The author notes that while he worked on the book, Strom Thurmond's mixed-race relationship was revealed to the media, continuing the themes of Southern men having secret mixed-race relationships. Through these relationships with their white fathers and white relatives, we get a portrait of how American law saw the children of mixed-race, and free people of color, we treated by a legal system designed to protect the property rights of white.<sup>26</sup> The book makes an excellent complement to the Basson book which also looks at issues surrounding property and race.

Jennifer Spear's book *Race, Sex and Social Order in Early New Orleans* examines race—and its relationship to sex and class—in New Orleans. While under French control, there formed a class of free and wealthy mixed-race people who struggled to find a place in the United States after the Louisiana Purchase. Spear's analysis includes how sex roles impacted the regulation of race and sex, both enslaved and free. She traces the changes that took place as different masters took control of the territory: French, Spanish and American, and the different ways they treated racial mixing. Finally, she looks at how racial classifications settled into place before the Civil War again upended them.<sup>27</sup>

By bringing in concepts of race and class into the discussion, Spear widens the perspective of mixed-race people from being merely about race, to also exploring the role that gender and class altered the boundaries of the permissible, and the level of acceptance of mixed-

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<sup>26</sup> Jones, Bernie D. *Fathers of Conscience: Mixed-Race Inheritance in the Antebellum South*. Athens, Georgia: The University of Georgia Press, 2009.

<sup>27</sup> Spear, Jennifer M. *Race, Sex and Social Order in Early New Orleans*. Baltimore: John Hopkins University Press, 2009.

race offspring. Further, it provides a counterpoint to Jones' book on mixed-race children in the American South.

The Downing, Nichols and Webster book *Multiracial America: A Resource Guide to the History and Literature of Interracial Issues* is a collection prepared by librarians on the history and literature dealing with interracial issues. They collect together information on available sources in a wide variety of relevant material, including history, children's books, topical issues such as passing, the one-drop-rule, etc., as well as interracial dating and marriage, adoption, and intersectionality issues such as gender and race, and race and sexual orientation. While not including the original texts, the book provides annotations of each source to help researchers understand the value of the source.<sup>28</sup>

While the text is not aimed specifically at historians, but rather at the broader social science community, it nonetheless represents a valuable resource for a number of the themes touched on in our other sources, particularly some of the themes addressed in the legal texts.

The last set of works focuses on the legal aspects of race, mixed-race people and miscegenation. Collectively, they examine the development of the color-line from the colonial period to the modern period, and how they change over that period, particularly in light of the Civil War and Jim Crow.

Higginbotham, A. Leon, Jr. *In the Matter of Color: Race and the American Legal Process in the Colonial Period*. New York: Oxford University Press, 1978

Leon Higginbotham's book *In the Matter of Color: Race and the American Legal Process in the Colonial Period* covers the earliest period, primarily colonial, but also looks at the status of black slaves, free blacks, native peoples (also slave and free) and puts them in the

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<sup>28</sup> Downing, Karen, Darlene Nichols, and Kelly Webster. *Multiracial America: A Resource Guide to the History and Literature of Interracial Issues*. Lanham, Maryland: Scarecrow Press, 2005.

context of white indentured servants and how the laws around each evolved. Especially interesting to me is how the early treatment of natives and mixed-race people were treated. Importantly, the book explores that development in each colony or state on a case-by-case basis, and while every colony or state is not considered, both northern and southern developments are.<sup>29</sup> Higgenbotham appears as a source or an author in both of the other two legal histories in this bibliography. His work was formative in understanding the role of race in the American legal tradition.

Sweet's book *Legal History of the Color Line: The Notion of Invisible Blackness* is a comprehensive look at the racial color line in the United States covering the Antebellum period through the Post-Civil-War period. Sweet looks at the development of the "one drop rule" including how it developed, how it was enforced, and the degree to which those that could avoided it. Because of this emphasis, the author is explicitly dealing with mixed-race people whether they wanted to acknowledge that or not. Sweet also considers the evidence that the "one drop rule" was a northern, not a southern, invention.<sup>30</sup> This makes a good companion to the Coleman text mentioned earlier, which also deals with the idea of blood purity but in a more sociological context than the legal one.

Besides the legal history of "every appealed court case since 1969"<sup>31</sup>, the author relies on our anthropological understanding of race, and brings facts to bear to put this history in context: such as nearly a third of Americans having measureable African ancestry, and the number of mixed-race Americans that redefine themselves as "white". Moreover, he thoroughly examines

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<sup>29</sup> Higgenbotham, A. Leon, Jr. *In the Matter of Color: Race and the American Legal Process in the Colonial Period*. New York: Oxford University Press, 1978.

<sup>30</sup> Sweet, Frank W. *Legal History of the Color Line: The Notion of Invisible Blackness*. Palm Coast, Florida: Backintyme, 2005.

<sup>31</sup> *Ibid.*

mixed-race communities throughout the south including Florida Hispanics, Louisiana Creoles, triracial communities of the southeast, and how the color line was also used as a weapon against whites who would have formed alliances with persecuted blacks.

*Mixed Race America and the Law: A Reader*, though it was published two years before the Sweet book, fundamentally picks up the story where the Sweet text leaves off. A collection of essays from race and legal scholars throughout the field, it looks at case law as recent as the Loving decision, but also covers the deeper history across the nation, including in the western states and territories. Among the major topics discussed is interracial marriage, racial identity, passing, the census, inheritance, discrimination and affirmative action, child custody, immigration and naturalization, and a selection of cases outside the United States.<sup>32</sup>

Especially useful is the bibliographic essay and critique on multiracialism, intended to help pave the way for future studies. Each chapter also includes a selection of suggested readings which make the book read a bit like a textbook, but which nonetheless can be invaluable in seeking out additional sources for pursuing a deeper study of the topic.

Race was a central dynamic to the Civil War. In the leadup to the Civil War, the perception of race became increasingly binary, and so people of mixed-race became increasingly marginalized. The desire for “purity” meant that race-mixing was both banned, and not acknowledged. Race-mixing also represented a danger to that purity, since those who managed to “pass” and blend into white culture could “taint” the purity of those they came in contact with. The sexualization of race is reflected still in modern culture. The tactics of challenging the wills of white fathers who left property to mixed-race children are mirrored in the more recent tactics of straight families of gay men challenging wills that left property to long-term partners or

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<sup>32</sup> Johnson, Kevin R., ed. *Mixed Race America and the Law: A Reader*. New York: New York University Press, 2003.

adopted children. The racial issues at play in the South during Reconstruction were modeled on the treatment of mixed-race people in the newly acquired Mexican territories and would echo into the future with the acquisition of Alaska and Hawaii, and the Indian Wars that would continue for most of what remained of the nineteenth century.

There are several areas that present as gaps in the literature and would be ripe for future analysis. One of the glaring ones is an explicit treatment of the developmental of attitudes around race and race-mixing in the North. Arica Coleman argues that racial “purity” was a northern invention, but how did that come to pass? How did the interaction of the French, British and natives in the northern inform and alter the ideas of race? And how did the French-American ideas of race evolve differently in French Canada, French Haiti and French New Orleans?

What impact did colonialization in Africa, and in Asia impact the attitudes toward race in the New World? While there is some research on mixed race-people in Mexico and parts of South America, comparative studies tracking changes in law and racial attitudes across the vast global empires of the major European powers appears to be lacking. We know that the Manila slave markets sent Asian slaves into Spanish-controlled parts of the New World, so it seems likely that attitudes toward race, and mixed-races, likewise crossed the Pacific.

The role of the Church in race-mixing has also not been closely examined. In Russian-controlled territories, Orthodox priests encouraged intermarriage, which could only have produced mixed-race offspring.<sup>33</sup> We see similar claims being made by Reuter of the Danes in

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<sup>33</sup> Miller, Gwenn A. *Kodiak Kreol: Communities of Empire in Early Russian America*. Ithaca, NY: Cornell University Press, 2010.

Greenland,<sup>34</sup> so this begs the question: what role did the church play in race-mixing, and how did that role differ by denomination?

Because this area of research has only been pursued systematically for the last three decades or so, there are still any number of areas that are open for exploration. Indeed, connecting mixed-race people more directly to Reconstruction era, and post-Reconstruction period is needed. It would seem like a key point at which the benefits of passing as white would have increased dramatically, and a systematic study of how this was accomplished—or how the racial binary enforced by whites—would be a valuable addition to historical knowledge.

## Bibliography

- Andrews, George Reid. *Afro-Latin America, 1800-2000*. New York: Oxford University Press, 2004.
- . *Afro-Latin America: Black Lives, 1600-2000*. Cambridge, Massachusetts: Harvard University Press, 2016.
- Basson, Lauren L. *White Enough to be American?: Race Mixing, Indigenous People and the Boundaries of State and Nation*. Chapel Hill: University of North Carolina Press, 2008.
- Bost, Suzanne. *Mulattas and Mestizas: Representing Mixed Identities in the Americas, 1850-2000*. Athens, Georgia: University of Georgia Press, 2003.
- Chaplin, Joyce E. "Natural Philosophy and an Early Racial Idiom in North America: Comparing English and Indian Bodies." *The William and Mary Quarterly* 54, no. 1 (January 1997): 229-252.

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<sup>34</sup> Reuter, Edward Byron. *The Mulatto in the United States: Including a Study of the Role of Mixed-Blood Races Throughout the World*. Boston: The Gorham Press, 1918.

- Coleman, Arica L. *That the Blood Stay Pure: African Americans, Native Americans and the Predicament of Race and Identity in Virginia*. Indianapolis: Indiana University Press, 2013.
- Downing, Karen, Darlene Nichols, and Kelly Webster. *Multiracial America: A Resource Guide to the History and Literature of Interracial Issues*. Lanham, Maryland: Scarecrow Press, 2005.
- Farber, Paul Lawrence. *Mixing Races: From Scientific Racism to Modern Evolutionary Ideas*. Baltimore: Johns Hopkins University Press, 2011.
- Forbes, Jack D. *Africans and Native Americans: The Language of Race and the Evolution of Red-Black Peoples*. Chicago: University of Illinois Press, 1993.
- Gomez, Laura E. *Manifest Destinies: The Making of the Mexican American Race*. New York: New York University Press, 2007.
- Hashaw, Tim. *Children of Perdition: Melungeons and the Struggle of Mixed America*. Macon, Georgia: Mercer University Press, 2006.
- Higginbotham, A. Leon, Jr. *In the Matter of Color: Race and the American Legal Process in the Colonial Period*. New York: Oxford University Press, 1978.
- Johnson, Kevin R., ed. *Mixed Race America and the Law: A Reader*. New York: New York University Press, 2003.
- Jones, Bernie D. *Fathers of Conscience: Mixed-Race Inheritance in the Antebellum South*. Athens, Georgia: The University of Georgia Press, 2009.
- Madley, Benjamin. *An American Genocide: The United States and the California Indian Catastrophe, 1846-1873*. New Haven, CT: Yale University Press, 2017.

- Mayes, April J. *The Mulatto Republic: Class, Race and Dominican National Identity*. Gainesville, Florida: University Press of Florida, 2014.
- Miller, Gwenn A. *Kodiak Kreol: Communities of Empire in Early Russian America*. Ithaca, NY: Cornell University Press, 2010.
- Minges, Patrick, ed. *Black Indian Slave Narratives*. Winston-Salem, North Carolina: John F. Blair, 2004.
- Morrison, Michael A. *Slavery and the American West: The Eclipse of Manifest Destiny and the Coming of the Civil War*. Chapel Hill, NC: University of North Carolina Press, 1997.
- Nash, Gary B. *Forbidden Love: The Secret History of Mixed-Race America*. New York: Henry Holt, 1999.
- . *Red, White and Black: The Peoples of Early North America*. 3rd. Englewood Cliffs, New Jersey: Simon & Schuster, 1992.
- Nichols, David A. *Lincoln and the Indians: Civil War Policy and Politics*. St. Paul: The Minnesota Historical Society Press, 2012.
- Nichols, David Andrew. *Red Gentlemen & White Savages: Indians, Federalists, and the Search for Order on the American Frontier*. Charlottesville, VA: University of Virginia Press, 2008.
- Perdue, Theda. *Mixed Blood Indians: Racial Construction in the Early South*. Athens, Georgia: The University of Georgia Press, 2003.
- Poulsen, Melissa Eriko. *Figuring Futures: Early Asian American Mixed-Race Literature*. Santa Cruz: UC Santa Cruz Electronic Theses and Dissertations, 2015.
- Reuter, Edward Byron. *The Mulatto in the United States: Including a Study of the Role of Mixed-Blood Races Throughout the World*. Boston: The Gorham Press, 1918.

Saunt, Claudio. *Black, White and Indian: Race and the Unmaking of an American Family*. New York: Oxford University Press, 2005.

Sejas, Tatiana. *Asian Slaves in Colonial Mexico: From Chinos to Indians*. New York: Cambridge University Press, 2014.

Shuffleton, Frank, ed. *A Mixed Race: Ethnicity in Early America*. New York: Oxford University Press, 1993.

Spear, Jennifer M. *Race, Sex and Social Order in Early New Orleans*. Baltimore: John Hopkins University Press, 2009.

Sweet, Frank W. *Legal History of the Color Line: The Notion of Invisible Blackness*. Palm Coast, Florida: Backintyme, 2005.

Vinson, Ben, III. *Before Mestizaje: The Frontiers of Race and Caste in Colonial Mexico*. New York: Cambridge University Press, 2018.

Warren, Jonathan W. *Racial Revolutions: Antiracism and Indian Resurgence in Brazil*. Durham: Duke University Press, 2001.

Woodworth, Steven E. *Manifest Destinies: American's Westward Expansion and the Road to the Civil War*. New York: Alfred A. Knopf, 2010.