

# WHAT'S SEX GOT TO DO WITH IT? RACE, POWER, CITIZENSHIP, AND "INTERMEDIATE IDENTITIES" IN THE POST-EMANCIPATION UNITED STATES

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In the past two decades, U.S. audiences have been recipients of numerous popular accounts that seem to show the role of sexuality in destabilizing or confounding expectations of racial difference. For every highly public case, from Thomas Jefferson and Sally Hemings to revelations about South Carolina Senator Strom Thurmond, there have been scores of memoirs or loosely fictionalized tales of common everyday folks whose lives were reshaped or upended by instances of interracial sexuality, mixed identity, or rediscovered interracial family heritage.<sup>1</sup> Even historians have gotten into the act, combing the archives for long-buried details of public or private scandals.<sup>2</sup> While these stories suggest that our contemporary propensity to "see race" runs counter to the historical evidence, they also in effect repackage common knowledge from earlier periods as exposé or revelation. Missing, in most of these accounts, are the ways stories of racial uncertainty actually challenge the stratified political and cultural order that characterized the United States at the turn of the 20th century. Missing, in other words, are the historical vicissitudes of citizenship and its exclusions, as shaped by interlocking histories of race and sex.

This essay examines the post-emancipation United States, a moment of stark conflict between the commonly acknowledged history of interracial sex and new efforts to establish a fiction of racial difference. The stakes for the outcome of post-Civil War citizenship were high.<sup>3</sup> For almost 250 years of slavery, racial difference was driven and determined primarily by status, rather than visible distinction or legal definition. There were vested interests in keeping race vague in the service of reproducing the slave regime. Emancipation and the 13th Amendment overturned distinctions of "condition," and the political expansiveness of the Reconstruction Amendments launched a pitched battle between advocates of full, non-racial citizenship and those who sought to recreate slavery's color line by denying citizenship rights on racial grounds.

New legal definitions of race, in connection with the regulation of reproductive sexuality, were key elements, not just sideline issues, in efforts to undermine the postwar politics of non-racial citizenship. For southern white

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traditionalists, laws that carved out a sphere of racial distinction were the best hope of maintaining the social and political divisions that slavery could no longer enforce. Racial certainty had to be forged from a landscape of indeterminacy, and the immediate postwar emphasis on preventing "miscegenation" and/or interracial marriage played a pivotal role in that project.

On the other side of the debate, activists and intellectuals committed to non-racial citizenship countered by asserting the long history of interracial sex, most poignantly the history of coerced sexual exploitation under the slave regime. Dramatizing the impossibility of racial purity, they resisted efforts to write into law social or civil distinctions based on race. The special difficulty they faced was to transcend racial categories on behalf of citizenship rights, while at the same time building a constituency that was willing and prepared to challenge political assaults and acts of terror that were highly racialized.

Frederick Douglass, Ida B. Wells, Anna Julia Cooper, and T. Thomas Fortune were among the best-known commentators on these topics, but they also represented a deep, broad-based, and multifaceted repository of common knowledge about interracial sex and intermediate racial identities that helped fuel political demands for non-racial citizenship. Indeed, some of the most profound contributions came from those whose names are less well-known, such as Richmond's John Mitchell, Jr., who demonstrate the extent to which the analysis that Douglass, Wells, Mitchell, and others publicized was based on knowledge with profound historical roots among the formerly enslaved, free people of color, white abolitionists, and anti-slavery radicals.

### SLAVERY: THE PRE-HISTORY OF THE BLACK/WHITE BINARY

Race has been under negotiation since British settlement in North America. Historians have long, and inconclusively, debated the *racial* meaning of the infamous 1630 judicial sentence against Hugh Davis for "defiling his body in lying with a Negro."<sup>4</sup> It seems incontestable that a racial hierarchy, inseparable from developments in the systems of indentured and slave labor, was in formation by the mid-17th century, but the various and shifting meanings of *racial* difference in colonial society are hard to pin down.<sup>5</sup> One of the main colonial legal innovations was the 1662 adoption of matrilineal descent.<sup>6</sup> Contrary to English common law, matrilineal descent specified that children born in the colonies follow the status of their mother, slave or free. From this moment, the laws regarding racial difference were increasingly subsumed by patterns of regulation deemed essential to the reproduction of slavery.<sup>7</sup> The patchwork of colonial and early national legislation suggests a society where sexual habits were often in tension with legal efforts to prevent "that abominable and spurious issue which . . . may increase by Negroes, mulattoes, and Indians intermarrying with English."<sup>8</sup>

One literate Virginian, writing in 1757, noted the widespread practice: "Many base wretches among us take up with [N]egro women" and called attention to the way it made racial boundaries hard to police. He expressed regret at the way the upper-status Englishmen cavalierly spread their sperm, "by which means the country swarms with mulatto bastards, and these mulattoes . . . intermarry with white people, and actually do every day." He concluded, "We . . . should not have smutted our blood."<sup>9</sup> Widespread practices of interracial sex, both coercive and consensual, made slavery the guarantor of racial difference amidst a varying and multiracial landscape that, according to some travelers' accounts, only became more visible through the 1850s.<sup>10</sup>

The deliberate vagaries of race under slavery were reflected in the widely varying methods for legally determining and defining race. Some states measured by percentages of blood, and others used the jury system, which meant the outcomes varied considerably from case to case. In all situations judges and courts had wide latitude in making decisions based on reputation, community standing, family political power, and the overarching power of the slave system to legitimate difference. Racial jurisprudence under slavery shielded white patriarchal sexual prerogatives, while placing the burdens of subordinate racial heritage on the least powerful inhabitants.<sup>11</sup> These strategies, in effect, facilitated certain racial crossings rather than eliminating the "spurious issue," but made sure that the power relations of status distinction remained in tact.<sup>12</sup>

#### AFTER SLAVERY: NEW FORMATIONS OF RACE

As W. E. B. Du Bois argued in *Black Reconstruction in America*, the responses to the demise of the slave system were neither uniform nor predictable.<sup>13</sup> The Republican congressional coalition temporarily pushed forward a program of non-racial citizenship, echoing for a brief moment the politics of the freedpeople's communities mobilizing in the South.<sup>14</sup> Southern white traditionalists vigorously countered this position by formulating a *new* narrative of racial difference, one calculated to fuel fears that "social equality," meaning "race amalgamation," would inevitably follow from the granting of equal political rights to African Americans.<sup>15</sup> In an abrupt change from the imprecise definitions of race under slavery, the maintenance of "racial purity" became the new rallying cry and the justification for preserving status distinctions in the face of the Reconstruction Amendments that were reconfiguring citizenship.

Key to this new narrative was the pointed and explicit discussion of sex, and the role of reproductive sexuality in preserving racial boundaries. Unreconstructed southern legislators sought to formulate legal definitions of racial difference to counter federal legislation that was creating expansive and egalitarian notions of citizenship. To do so, southern politicians used laws

prohibiting interracial sex and marriage. However, challenged by enfranchised freedpeople and empowered by Republicans elected under Congressional Reconstruction, the debate broadened into a dispute over the history of sexual exploitation, sexual secrets, violence, and the ways in which sexual encounters of all sorts *threatened* to blur, or had *already* blurred, putative racial distinctions.

The new racial narrative first appeared in the passage of the postwar Black Codes, and the accompanying portrayals of sexual danger posed by newly emancipated African Americans. The Black Codes were a set of laws written by southern legislatures, convened under the lenient terms of Presidential Reconstruction. These legislatures were made up largely of the pre-war political elite who had supported slavery and secession. The laws they wrote generally reprised the earlier slave codes, and thus can be read as a forecast of how southern elites sought to shift the regulatory edifice from that of condition or status under slavery to new regimes of race.<sup>16</sup> The Black Codes also used the prohibitions against interracial marriage to limit equal citizenship by establishing a legal terrain of racial difference. This strategy relied on an imagined "racial purity" as the vital postwar replacement for the hierarchies formerly preserved by slavery.

Even after the intervention of the U.S. Congress at the onset of Radical Reconstruction, prohibitions on interracial marriages retained an explosive potential that revealed the fault lines of southern racial politics. In the 1868 debates over the new Arkansas constitution, John M. Bradley, the sponsor of that state's marriage ban, expressed these stakes in an anti-miscegenation clause by claiming that the Civil War was fought not over slavery, but over the preservation of racial purity. It was, he argued, the question "that has raised the tombstones where four hundred thousand heroes sleep; . . . a question that has dissolved the American Government; a question that to-day shakes the mightiest intellects that move upon the American continent. . . . This is the great original question. This is the 'irrepressible conflict.'"<sup>17</sup> Politicians such as Bradley advocated the use of prohibitions against marriage "across racial lines" to produce a legally enforceable racial boundary. Under the guise of a desire for racial purity, they attempted to lay the groundwork for a system aimed at re-establishing "white" political dominance through an institutional language of racial certainty.<sup>18</sup>

The egalitarian franchise under Congressional or Radical Reconstruction created a political context for publicly challenging these efforts. In Arkansas, Bradley's argument for racial purity was contested by delegate William Grey, former servant to Virginia Governor Henry Wise. Prohibiting interracial marriage, according to Grey, would lead directly to the denial of citizenship. "When you place in your Constitution a provision of this nature, you at once create an inequality."<sup>19</sup> His articulate opposition demanded that the organic standard remain "*equality before the law*. Do not touch that sacred instrument, by

inserting . . . anything that puts in an entering wedge that may hereafter split the whole concern into a thousand pieces."<sup>20</sup> Grey pointed explicitly to the uncertainties of the postwar racial landscape as proof that racial purity was a chimera, already lost through the actions of the planter aristocracy and its hirelings.

If we are to adopt the proposition, the Legislature will have to pass an act creating a board of scientific physicians, or professors of anatomy, to discover who is a Negro. There is the trouble. The purity of blood . . . has already been somewhat interfered with in this country. . . . You will have to define the point of admixture of blood. . . . I take it the distinction will grow very shadowy. The census of the United States shows that forty per cent of us have crossed the line. It is no fault of ours. Those gentlemen who so place themselves upon a pedestal of virtue, will not deny that this was wrong. . . .<sup>21</sup>

For Grey, citizenship required no statutory efforts to define racial membership, or to cordon off one part of the community from another. "I propose that we stop crawling under the fence. I propose that if persons desire intermarriage with the other race, it shall be done honorably and above-board."<sup>22</sup>

While Grey and his radical colleagues prevented the insertion of the constitutional clause in the case of Arkansas, thereby temporarily protecting political equality, the legislators yielded on the social question by voting a non-binding, but unanimous opposition to "all amalgamation" and recommending that the legislature pass laws to "effectually govern the same."<sup>23</sup> Protecting political citizenship seemed worth ceding the social question. Moreover, defending the right to interracial marriage placed African American elected officials in a delicate position. Many, like Grey, believed that suffrage and full political equality would give them sufficient voice in the "New South," and the more troublesome and explicit questions of social relations should be deflected or deferred until that came to pass. In the case of Arkansas, postwar optimism by radical Republicans was initially confirmed. The Reconstruction legislature never discussed enacting interracial marriage prohibitions, and not until 1876 did it reappear in the civil code. By 1884, however, the state legislature had passed a new law declaring all marriages between African Americans and whites to be illegal, and versions of that law remained on the books until 1968.<sup>24</sup>

## TOWARD NON-RACIAL CITIZENSHIP

During the Reconstruction era, national political debate seemed to eschew, at least in theory, the politics of racial difference, and African Americans ascended to something like full citizenship. Historian Eric Foner has amply documented the "hundreds of black men . . . serving as police and justices of the peace and on juries throughout the South . . . [as] black sheriffs, school board officials, and tax assessors in plantation regions."<sup>25</sup> The franchise positioned African American

men such as William Grey to participate in the rewriting of state constitutions. These changes, Foner argued, were revolutionary in scope as the Arkansas debate reveals.

But, in practice, throughout Reconstruction, civil equality was routinely denied, and this denial limited access to full citizenship. As South Carolina Congressman Richard Cain explained during the 1874 Congressional debates over the civil rights bill, political freedoms were materially circumscribed by racial insults and injuries in the social and civic spheres, including discrimination "in the hotels, and in the railroad cars, and in the various public places of resort."<sup>26</sup> In Cain's language, the race distinctions on which this discrimination was based were artificial, though they had dramatically different effects in the social sphere. "The reason why I know and feel it [the denial of civil rights] more than he does is because my face is painted black and his is painted white."<sup>27</sup>

Significantly, Richard Cain used the debate over civil rights as an opportunity to call attention to the superficiality of racial distinctions, rendering it equivalent to a coat of paint. Congressman James T. Rapier from Alabama extended Cain's analysis by drawing a line directly from social and civil discrimination, based on these artificial differences, to the devaluation of both political rights for African Americans *and* U.S. citizenship as a whole.

Every day my life and property are exposed, are left to the mercy of others, and will be so as long as every hotel-keeper, railroad conductor, and steamboat captain can refuse me with impunity the accommodations common to other travelers.

Sir, I submit that I am degraded as long as I am denied the public privileges common to other men, and that the members of this House are correspondingly degraded by recognizing my political equality while I occupy such a humiliating position.<sup>28</sup>

Rapier also argued that racial purity, the rationale for social discrimination, could not be protected in the face of everyday practices by white men who continued to produce racial indeterminacy. "[H]ow can I have respect for the prejudices that prompt a man to turn up his nose at the males of a certain race, while at the same time he has a fondness for the females of the same race to the extent of cohabitation?"<sup>29</sup> He seized a contemporary example of sexual exploitation and reconnected it to the civil rights bill in a manner calculated to reveal the hypocrisy behind the denial of civil *and* social rights. "Out of four poor unfortunate colored women who from poverty were forced to go to the lying-in branch of the Freedmen's Hospital in the District last year, three gave birth to children whose fathers were white men, and I venture to say that if [these men] were members of this body, would vote against the civil-rights bill."<sup>30</sup>

In fact, as these arguments reveal, the political struggles over the social question, and its links to civil and political equality, retained its currency in southern politics even during the Reconstruction era. A measure of their perceived importance was the enactment of anti-miscegenation laws in the

constitutions of seven southern states during "redemption": Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, and Tennessee.<sup>31</sup> This legal maneuver placed marriage bans beyond the easy reach of the state judiciary or legislature. As a result, many of these provisions lived on even after the *Loving* decision by the U.S. Supreme Court ruled them unconstitutional in 1967.<sup>32</sup>

### COUNTERNARRATIVES OF INTERRACIAL SEX

The clearest and best-known account of the causal links between diminished citizenship and the new fictions of racial purity was that of Ida B. Wells, in her pathbreaking analysis of white terrorism, *Southern Horrors*. Composed in 1892 while in exile from mob violence in Memphis, Wells's text fearlessly publicized the brutal facts that 728 people were lynched in the South between 1884 and 1892, and another 150 in the first eight months of 1892. She linked these deaths to the imposition of a racialized political order that sought to suppress African American political and economic development, using racial purity as a threadbare cover for political terror.

As the arguments of William Grey, James Rapier, and Richard Cain show, the crafting of *Southern Horrors* was hardly an iconoclastic act. It relied on a long-standing, popular knowledge of interracial sex and sexual exploitation that was carried vividly in African American oral traditions, appeared in the earliest slave narratives, and figured prominently in the politics of abolition. As early as the first version of his autobiography in 1845, Frederick Douglass had expressed this awareness. "The whisper that my master was my father may or may not be true; and true or false, it is of but little consequence to my purpose whilst the fact remains, in all its glaring odiousness, that slaveholders have ordained, and by law established, that the children of slave women shall in all cases follow the condition of their mothers; and this is done too obviously to administer to their own lusts, and make a gratification of their wicked desires profitable. . . ." Douglass also presciently disputed a future return to racial distinction by noticing the impact on the southern racial landscape of "a very different-looking class of people." He observed, "Every year brings with it multitudes of this class of slaves. It was doubtless in consequence of a knowledge of this fact, that one great statesman of the South predicted the downfall of slavery. . . ."<sup>33</sup> In Douglass's account, "knowledge of this fact" was inescapable, even for the "great statesman," whose exercise of gender and class prerogatives contributed to the ultimate demise of the institution.

The common knowledge cited by Douglass continued to operate as a community resource for resisting postwar codification of racial difference. By the 1890s the observations of Wells, Cooper, Fortune, and others reflected a broad-based understanding within the emergent African American political community.

In this view, fighting for political rights as *citizens* required exposure of the links between the (increasingly suppressed) history of sexual exploitation under slavery, the new (fictional) narratives of racial purity, and escalating denials of civil rights and the upsurge in lynchings. There were several main components to these arguments. The first sought to show that accusations of sexual violence directed at black men were really based on the realities of southern plantation life under slavery. Historians James Horton and Lois Horton made this important observation: "In the aftermath of emancipation, southern white men envisioned a post-revolutionary society where black men asserted the same privileges."<sup>34</sup> Second, Wells and others argued that it was precisely the long history of sexual exploitation under slavery that rendered "race" an already amalgamated category in the postwar period and created anxiety for southern white elites seeking restoration of authority along racial lines. This suggested the third argument, that the *new* narrative of race, accompanied by accusations of racialized sexual violence—the rape of "white" women by "black" men—not only suppressed the earlier history of exploitation, it helped to instate and preserve a fiction of racial distinction, on which a structure of dual citizenship and postwar inequality could be built.

The postwar narrative of sexual fear of formerly enslaved African American males was *new*, argued Ida B. Wells. It had no "historical foundation," except as the displaced history of sexual exploitation of black women under the slave regime.<sup>35</sup> In reality, argued Anna Julia Cooper, "the overtures for forced association in the past history . . . were not made by the manacled black man, nor by *the silent and suffering black woman!*"<sup>36</sup> The point Cooper delicately made with italics was delivered more explicitly almost a century later by literary critic Hazel Carby, who credits Cooper with the insight that "forced association" stemmed not from political equality, but the manacles of slavery and "*the raped black woman.*"<sup>37</sup>

It was this history of arbitrary power under the slave regime that created the post-emancipation anxiety T. Thomas Fortune sought to provoke and to ridicule with his account of mixed blood lines that permitted extensive passing into the "ranks of the white race," with numbers that "are reinforced very largely by such escapements every year."<sup>38</sup> The Manichean dimensions of the lynching rationale, as dissected by Wells, contributed to this new narrative that demanded racial purity at the cost of terrorizing the African American communities and their allies. A successful challenge required the acceptance of Cooper's claim that "race, color, sex, condition are . . . accidents, not the substance of life."<sup>39</sup>

The arguments of these well-known critics were reproduced, and in turn developed, by a much larger network of respondents that included elements of the black press, local political organizations, women's clubs, and the Republican party. It was in these quotidian contexts that the complicated relationships between citizenship, race, sexuality, and the terrors of lynching were fully

exposed. One such figure who regularly examined and assessed these relationships was John Mitchell, Jr., Editor of the Richmond (Virginia) *Planet*.



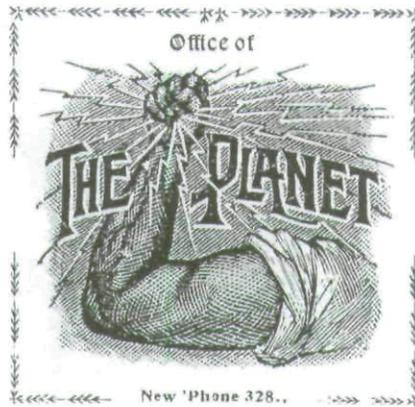
### JOHN MITCHELL, JR.: CITIZEN AND RACE MAN

Editor and publisher of the weekly *Planet* from 1884 to 1929, John Mitchell gained some minor celebrity in his lifetime, but is no longer widely remembered.<sup>40</sup> However, Mitchell was in many ways an exemplary figure among the network of activists/intellectuals who redeployed the discursive logics of race and sex in the fight for full citizenship, even as their political resources and the cultural landscape narrowed, and the violence against them intensified. His editorial work provides a case study of African American-identified radicalism that articulated the demand of non-racial or color-blind citizenship and put forward racial claims for public redress, based on histories of racial exploitation.<sup>41</sup>

Born on 11 July 1863 on the Richmond plantation of his parents' owner, Virginia planter James Lyons, Mitchell came of age in domestic service in the Lyons's home, which was still a crossroads of "southern aristocracy" after the war.<sup>42</sup> At his mother's insistence, Mitchell's education was exceptionally good. He graduated from the rigorous and well-equipped Richmond and Normal High School in 1881, taught school for three years, and assumed editorship of the *Planet* in 1884.<sup>43</sup> From 1888 to 1896, he represented a multi-racial, multi-ethnic, working-class ward on Richmond's city council.<sup>44</sup>

In upper South urban centers such as Richmond, there was great hopefulness among radical Republicans and social activists, even after 1877, that the political promises of Reconstruction would be fulfilled.<sup>45</sup> Participation in electoral politics, successful institution building, and the creation of African American-

owned enterprises seemed to bode well for the integration of postwar southern society across former lines of status and race. The collective founding of the *Planet* by a group of intellectually ambitious schoolteachers in 1883 demonstrated confidence in Richmond's democratic future.<sup>46</sup>



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311 N. 4th St. Richmond, Va.

As sole editor and publisher of the newspaper by 1884, Mitchell's journalistic practice displayed a determination to challenge the new narratives of racial difference, but to do so *on behalf of a political identification with African American Virginians*. He often proceeded through explicit discussions of interracial sexuality, both historically and contemporary, because as he knew well, and as the vast majority of his readership understood, sex was the Achilles' heel of white supremacist politics. However, as much as he challenged the emerging fictions of racial difference, his editorial work represented a positive identification with African heritage and ridiculed white southerners' aspirations to racial purity.

In 1888, for example, Mitchell predicted the incipient dissolution of whiteness, arguing that "the day is not far distant when a Caucasian as such will have no visible existence; for with the assimilation of the two races... the proud race line will have disappeared from earth. . . ."<sup>47</sup> He went on to suggest that race assimilation would occur between "white men" and "colored women" and "*vice versa*," openly naming and belittling the worst fears of the new discourse of racial purity.<sup>48</sup> As late as 1904, fighting a rearguard action against impending streetcar segregation, Mitchell was still disputing claims to racial certainty and laying that outcome directly at the feet of white southerners whose sexual history

belied their passion for segregating the races. "[W]e have white Negroes, brown Negroes, yellow Negroes, and black Negroes . . . that God and the white folks have given us."<sup>49</sup>

Throughout his career Mitchell not only acknowledged, but celebrated a multi-racial polity. Unlike T. Thomas Fortune and Anna Julia Cooper, who both lamented this history and its impact on the possibilities for community mobilization, Mitchell welcomed the results. He called attention to the diversity that enlarged and strengthened the African American community, and provided consanguineous connections to white southerners. The open embrace of "mixed blood" ancestry was a formidable challenge to belated concerns about "racial purity," and Mitchell was not alone in adopting this strategy. *Planet* coverage of a Gala Day speech in October 1890 included this assertion from Virginia State Senator John Mercer Langston: "I am glad to say that I was born in Louisa, Co., Virginia. The best Virginia blood in my veins—the best white blood on the one side and the best colored on the other. I am not ashamed of it."<sup>50</sup> In Langston's formulation, "Virginia" blood trumps the categorization of blood as "black" or "white," offering kinship and regional chauvinism in place of the newly popular racial distinctions.

Public figures such as Mitchell and Langston exposed the social construction of racial distinctions in the wake of war and emancipation. Mitchell amplified his assault on racial categories by using the *Planet* to steer his audience away from habits of mind that were being forged in the crucible of postwar emphasis on racial differences. His tactics created an open question about the meaning of mixed blood and enabled a conception of citizenship that was necessarily race-blind because there was no certainty about the contemporary definitions of "race." In Mitchell's view, all the inhabitants of Virginia stood as one before the bar of the law, with equal rights and privileges. This approach undermined both the authority of white supremacist demands for racial purity and the efforts at developing a racial calculus for dividing the population.

Mitchell extended this analysis by using the *Planet* to publicize court cases that resulted from controversies over interracial claims to inheritance. Under the cover of a news story, he was able to taunt planter/patriarchs for decrying the heritage they themselves had wrought. The *Planet* provided extensive coverage of the 1890 lawsuit of Mrs. Bettie Thomas Lewis, whose white father, W. A. Thomas, acknowledged her as his daughter on his deathbed and left her \$225,000. Lewis's white cousins sued for the estate's return, and Mitchell kept readers well informed until Lewis's apparent victory in 1891.<sup>51</sup>

Like Ida B. Wells in her famous challenge to the privileged status of southern white women, Mitchell turned news items about white women's elopements or marriages to black men into instructive lessons on the history of racial crossings.<sup>52</sup> Also like Wells, Mitchell sought out these stories as a way to discredit justifications for lynching. On 5 July 1890, the *Planet* reprinted an item

from another Richmond newspaper, described as "The Bourbon Mossback, Negro hating, Democratic *Dispatch*." It told the story of Mrs. Lee Sigmon, "an attractive young woman, well educated, and of good family. Her husband is a prosperous farmer and belongs to one of the best families in the county."<sup>53</sup> According to the story, Mrs. Sigmon had run off with Noah Robinson, who was described as "a full blooded [N]egro, lived in Sigmon's neighborhood and was well to do."<sup>54</sup> With a knowing nod and wink to *Planet* readers, the anonymous editorialist places this "puzzling" event in a well-known history of sexual crossings. The *Planet* used the occasion to openly ridicule the new narrative of racial purity, and question its violent enforcement.

It seems occasionally in the South "the truth will out." Colored men have been lynched on the account of unchaste white women and the telegraphic reports have announced to the world "Another Negro Brute Meets His Deserved Fate." But news [has] come of an elopement. . . .<sup>55</sup>

The Newton, North Carolina, newspaper that published the story called it "a very disgraceful affair," categorized Robinson as "a Repulsive Negro," and mused that "the depraved woman's infatuation or an intimacy with him [was] never suspected and [is] unaccountable." The *Planet* reframed this feigned innocence with a caustic editorial postscript: "There is the whole story. *What is true in this case has been true of others.* As to his being repulsive, an intelligent public is left to draw their own conclusions. . . ."<sup>56</sup>

By 1891, a year before Wells was driven out of Memphis for similar editorializing in her newspaper, *Free Speech*, Mitchell's practice of ridiculing sexualized racial fears had become a steady theme.<sup>57</sup> In February, the *Planet* reprinted, without comment, the following ad:

The papers contain frequent notices of rich, pretty and educated girls eloping with Negroes, tramps and coachmen. The well-known specialist, Dr. Franklin Miles, says all such girls are more or less hysterical, nervous, very impulsive, unbalanced . . . for which there is no remedy equal to Restorative Nervine, . . . etc.<sup>58</sup>

In March 1891 the *Planet* noted cases where white women of "low" reputation made accusations of assault by African American men that were later proved to be false, adding "Many a poor colored man has been sent to the other shore by statements made by white women under like circumstances. . . ."<sup>59</sup>

Mitchell used every rhetorical tool at his disposal, including gossip and sensationalism, to stand the rape-lynch narrative on its head. Some of these editorial interventions may be seen as trivial, what we might now call tabloid. On the other hand, read cumulatively, Mitchell's journalism served to challenge the language of racial certainty and reinforce the commonplace counternarratives of his growing audience. In these ideological reframings, Mitchell discredits both the myth of the black male rapist and that of the white woman as primary victim.

He poses an alternative history that casts the racial violence of lynching as an alibi for white sexual (mis)behavior.

Mitchell showed publicly that he was aware of the danger he was courting with his revelatory journalism by arming himself, especially when he left Richmond to undertake investigations of rural, extra-legal violence. His campaign to reveal the backstory of lynching was at its height during this period. Each week the *Planet's* masthead contained updated statistics on mob violence. Prefiguring Wells's argument for armed self-defense, he urged in April of 1890: "One Winchester rifle, with one dead shot marksman at the [butt] end will do more towards settling that part of the Negro problem which relates to lashing defenseless women, and murdering inoffensive men, than anything we know. *Lynch-law must go!*"<sup>60</sup>

### DEFENDING CITIZENSHIP AND EXPOSING SEXUAL HYPOCRISY

Mitchell's discussions of racial issues, and particularly the sensationalist accounts of interracial sexuality, were always in the service of political intervention on behalf of full and unqualified citizenship rights. He argued forcefully that racial categorization should not come into play in differentiating the citizens of Virginia, while, at the same time, carefully guarding the interests of African American Virginians. This complex rhetorical strategy was never more evident than in his public confrontation with Col. Frank Ruffin, Confederate veteran and Democratic state auditor. In March 1890 Ruffin published a letter in the *Richmond Dispatch* advocating a separate record of tax payments, differentiated according to the racial designation of the taxpayer. This proposal was widely recognized as a prelude to slashing school budgets for African American Virginians. In Mitchell's view, it was also an open attack from an elected representative on the *citizens* of Virginia, and he composed an immediate editorial response that typifies his use of the issue of interracial sex, as well as universal citizenship claims, to undergird political challenges to purveyors of white supremacy.

Mitchell asserts that Ruffin was well known within African American circles as suffering from "Negro-phobia," and implies a motive for his attitude toward "the despised race which he has of late years learned to hate. . . . Some say that many years ago, he used to like some of the members of that race, 'not wisely, but too well.' Be that as it may, *we will not discuss that point.*"<sup>61</sup> Finessing this accusation behind the pretense of discretion, Mitchell moved immediately to politics, reminding Ruffin of his oath to protect and serve *all* the people of the commonwealth. In the following passage Mitchell refused to make distinctions among citizens, each of whom is a potential contributor to society: "A state in educating a citizen does not do so on account of a desire to especially favor him,

but as a means of protecting and enriching itself."<sup>62</sup> He goes on to demonstrate Ruffin's real intentions, in defiance of the proud history of Virginia.

But Mr. RUFFIN declares that the policy of the Democratic members in voting to educate a Negro citizen is not to make a better citizen of him, but to make him a willing tool—a Democrat. . . .

What depravity! What degradation! And Mr. RUFFIN claims to be a Virginian. God save the mark!<sup>63</sup>

Ruffin's proposal is cast as depraved, degrading, and degenerative, typically the language used to express fears for the body politic under circumstances of social and political equality. Mitchell reverses these, casting Ruffin as the villain who brings shame on the commonwealth. Calling on the pantheon of great Virginians, Mitchell suggests that public service, like citizenship, is not divisible by race, and that the time of "lords" and "masters" had passed.

We veil our eyes in shame and beg the world not to look upon the degeneration of a Virginia citizen. The shades of WASHINGTON and JEFFERSON stand aghast. . . .

Mr. RUFFIN is the white peoples' and the Negroes' servant. Yes, a public servant, not a lord or a master. The humble citizen has a right to so regard him.<sup>64</sup>

In this passage Mitchell makes a political argument that subtly links raced political discourse to the history of sexual exploitation and poses non-racial citizenship as the only form of progress that will represent the true democratic traditions of which genuine Virginians were rightly proud. With an emphasis on the *duties* of the state and the *rights* of its citizens, he prefigures the claims of a politician such as Langston to a shared Virginia heritage, a common racial descent.<sup>65</sup> Describing his own horror *as a Virginian* allows Mitchell to designate Ruffin as the false heir. It is no accident that the terms Mitchell used were suggestive of both sexual and political corruption.

Shortly after this exchange, Ruffin expanded his white supremacist proposal into a full-length pamphlet entitled *White or Mongrel? A Pamphlet on the Deportation of Negroes from Virginia to Africa*. In it, he argued that Virginians found "intolerable the prospect of [Negroes'] residence here upon the same social plane with her white citizens."<sup>66</sup> In opposition to Mitchell, Ruffin's "Virginians" can only be white. People of African descent, regardless of the longevity of their Virginia ancestry, are presumed to be outsiders subject to removal. His arguments focused on the perceived "immorality" of African Americans and the threat of "social amalgamation," resting clearly on post-emancipation assumptions of racial purity.

In fact, Ruffin seemed apoplectic about the figure of racial indeterminacy that Mitchell and his fellow critics sought to keep before the public eye. We can see in Ruffin's response the fear and threat posed by the references to the history of interracial sexual exploitation, the failures of racial determinacy that Mitchell

and others constantly evoke. For the narrative of racial purity to be successful, these figures must be discredited, marginalized, or eliminated altogether. In the meantime, according to Ruffin, their existence was blamed on the sexual excesses of African Americans (the "bestial male rapist" and the "seductive, immoral female"). All discussion of the "other" interracial past—sexual exploitation under slavery and afterward—or of contemporary white sexual hypocrisy was suppressed. These ahistorical racial fears, bound up with sexual danger, produced value for white supremacists like Ruffin. He used these racial fears to naturalize a racial antipathy that created a justification for a clear racial division, and thus justifying a situation where deportation seemed to be a reasonable solution to an "intolerable" racial incompatibility.<sup>67</sup>

Mitchell responded immediately under the headline, "Negro Depravity versus White Immorality" and directly returned to the seamier motivations he had only implied in the first round. How dare Ruffin, as someone who had reputedly exercised his prerogative to engage in interracial sex, charge black Virginians with immorality? "We cannot understand how the average Bourbon white man can [bear] the audacity to charge the Colored people with being the most immoral race, in view of the exposures which crop out from time to time relative to the best men they have in their ranks. . . ."<sup>68</sup> Sparing no rhetorical energy, Mitchell forged a connection between hypocritical Christianity, disfigured Western ideals of progress, and the suppression of citizenship through accusations of immorality directed toward African Americans who had been subjected to a brutal history of slavery and sexual exploitation.

This occurs in a Christian country and in the nineteenth century. And yet such Bourbon Democratic Moss-backers like Col. FRANK G. RUFFIN; Hon. HENRY W. FLOURNOY and others of a like faith and order would hold up the Negro to ridicule on account of his immoral practices, despite the fact that their kind do most to aid in this degradation. . . . Much of the Negro's wrongdoing is due to the white man's teachings.<sup>69</sup>

Remarkably, Mitchell expands his analysis, linking Ruffin's proposal for deportation to a larger imperial project, represented by the heinous behavior of Henry Stanley as he cut a swath through Africa, threatening the lives of Africans with an ease born of racial privilege and command. "The press of the world is now filled with accounts of atrocities practiced in Central Africa by the followers of the great explorer, HENRY M. STANLEY, and if he is to be believed, the heathen were led to wonder as to the Christianity of a race of people whose superiority consisted in going even beyond them in barbarous practices and immoral actions. . . ."<sup>70</sup>

Henry Stanley had already forged an indelible link between exploration and colonization, in particular assisting the Belgian King Leopold with the founding of the Congo Free State, where the unspeakable atrocities he encountered in 1890 inspired Joseph Conrad's novel *Heart of Darkness* (1895). With a few well-

chosen phrases, Mitchell creates, in the minds of his readers, an analogic link between the sexual violence of the slave regime and the sexual hypocrisy of the Democratic South, the genocidal aims of deportation, and the violence of Western imperialism.

For Mitchell, the instability of racial claims provided the foundation of both incipient southern "redemption" and the justifications for empire. This instability, in turn, had a clear material history in the complexities of interracial sexuality that blurred presumed racial boundaries. As a successful propagandist, he tied this political critique to a concrete set of historical relations that most of his readers immediately recognized.

His response to Frank Ruffin presumed familiarity with the double lives of white men who espoused segregation and disfranchisement on the Democratic stump, but sought out and harassed women of color for sexual relations, while proclaiming the virtues of an illusory racial purity. At the same time, Ruffin provided a foil for Mitchell to move his audience beyond the immediacy of the southern landscape, implicating U.S. racial codes in larger practices of empire by exposing the entire fictional edifice on which white supremacy and Western "civilization" stood. Mitchell offered *Planet* readers nothing less than this sweeping critique.

### CONCLUSION

The institution of slavery managed the racial divide through the slave status, restricting the citizenship rights for all Americans of African descent, and ultimately for all Americans. Meanwhile, the foundational role of sexual exploitation under slavery created a landscape that reflected racial indeterminacy. While emancipation ruptured the planter/patriarch's long-standing autonomy to adjudicate power relations under the slave regime, and as Reconstruction initially promised a non-racial body politic, reactions to this development by southern traditionalists produced a new narrative of racial purity that suppressed both consensual interracialism and the exploitative sexual history of plantation slavery.<sup>71</sup> Monitoring the racial divisions was key to post-Civil War retention of authority by elite southerners, and they achieved this initially through policing of sexual and marital behavior in ways that produced the necessity of racial certainty.

Even as national political power aligned against them, African American critics kept reminding Americans of both the exploitative sexual history and the consensual interracialism that were part of the American racial landscape. They continued to add to the historical record, noting that it was white males' sexual crossings that made racial boundaries impossible to delineate. In the alternative narrative, forged and sustained by Douglass, Wells, Cooper, Fortune, and Mitchell, interracial sexuality under slavery was foregrounded as an

indispensable site of tyrannical authority, exploitation, and forced reproduction that undermined racial categories long before emancipation. They knew and helped to explain how efforts to divide the body politic along a color line rested on a chimera of difference. Intermediate identities called attention to the contingency of racial categories that white supremacists sought to naturalize.

Despite this resistance, "race" was gradually reshaped through appeals to both racial purity and the protection of southern white women against the dangers of unleashed black sexuality.<sup>72</sup> A stark black/white binary was slowly, but firmly imposed on an interracial landscape.<sup>73</sup> As both Wells and Mitchell noted, the true "barbarism" of the postwar period was expressed in the violence of rape, assault, torture, and lynching used to suppress egalitarian political efforts. Figures such as Mitchell, Douglass, Wells, Fortune, and Cooper engaged in a broad strategy of resistance that recognized and sought to redeploy sexualized racial narratives to counter unjustified accusations of black immorality and sexual danger for white women. By exposing and scrutinizing the possible range of motives for political proposals such as deportation, and for extra-legal violence, rape, and lynching, this resistance forged a common critique of the deception at the heart of post-Reconstruction politics. This deception remained common knowledge among African Americans, even as it seemed to gain credence and certainty among white audiences.

Advocates of non-racial citizenship did not win the political battles of their time. But their perspectives can and should challenge contemporary "racial certainties" of 19th-century origin and should trouble how "natural" categories of race appear in the current writings and teachings of history. The activist intellectuals, and the counternarratives they made visible, underscore the importance of the social/sexual arena to the conceptions of race in U.S. political thought. They might also serve to illuminate the subtle and obstinate expressions of power produced by new discourses of sex and race in our own era.

## NOTES

I would like to thank Judith Smith for her careful reading and helpful criticisms, and the JAAH anonymous readers, V. P. Franklin, and Melinda Chateauvert for their thoughtful critiques and suggestions.

<sup>1</sup>The Jefferson/Hemings story has had a particularly long run: from the first revelations by an ambitious journalist in 1802 to more recent press coverage of the 1998 DNA tests, the stonewalling of the Thomas Jefferson Heritage Society, a joint family reunion, and the decision by the Thomas Jefferson Society that runs Monticello to make the story a part of their historic tour and website. See the Monticello site: [http://www.monticello.org/plantation/hemingscontro/hemings-jefferson\\_contro.html](http://www.monticello.org/plantation/hemingscontro/hemings-jefferson_contro.html). Shortly after Strom Thurmond's death on 26 June 2003, Essie Mae Washington-Williams publicly revealed that she was his biological daughter. She was born to Carrie "Tunch" Butler, who worked as a domestic in the Thurmond household, on 12 October 1925, when Carrie Butler was 16 and Thurmond was 22. See Essie Mae Washington-Williams and William Stadiem, *Dear Senator: A Memoir by the Daughter of Strom Thurmond*, (New York, 2005); Danzy Senza, *Caucasia: A Novel* (Darby, PA, 1999); Shirlee Taylor Haizlip, *The Sweeter the Juice: A Family Memoir in Black and White* (New York, 1995); Gregory Williams, *Life on the Color Line: The True Story of a White Boy Who Discovered He Was Black* (Darby, PA, 1999); Henry Wienczek, *The Hairstons: An American Family in Black and White* (New York, 2000); Philip Roth, *Human Stain* (New York, 2001); Edward

Ball, *Slaves in the Family* (New York, 1999); James McBride, *The Color of Water: A Black Man's Tribute to His White Mother* (New York, 1997).

<sup>2</sup>Martha Hodes, *White Women, Black Men: Illicit Sex in the Nineteenth-Century South* (New Haven, CT, 1999); Werner Sollors, ed., *Interracialism: Black-White Intermarriage in American History, Literature, and Law* (New York, 2000); Earl Lewis and Heidi Ardizzone, *Love on Trial: An American Scandal in Black and White* (New York, 2001).

<sup>3</sup>Language is always burdened with an historical past. Throughout this project, I have been struck by the overdeterminate quality of the phrase "interracial sex." That phrase both reproduces and reconstitutes the fiction of race, even as it remains the dominant language to talk about the material history of racial indeterminacy. Despite its obvious limitations, I will use it as shorthand to indicate reproductive sex across perceived racial lines.

<sup>4</sup>Kevin Mumford, "After Hugh: Statutory Race Segregation in Colonial America, 1630-1725," *American Journal of Legal History* 43 (July 1999): 280. Mumford has argued that segregation existed in the New World, "from the beginning," by which he means the beginning of the British conquest and colonization of Virginia. His piece makes a number of interesting and proactive arguments, but misses the point of why historians set the onset of segregation in the post-bellum period, after the successful institutionalization of the color line. June Purcell Guild, *Black Laws of Virginia: A Summary of the Legislative Acts of Virginia Concerning Negroes from Earliest Times to the Present* (1936; reprinted New York, 1969), 21; see also Winthrop Jordan, *The White Man's Burden: Historical Origins of Racism in the United States* (London/New York, 1974); Edmund S. Morgan, *American Slavery/American Freedom: The Ordeal of Colonial Virginia* (New York, 1975), 327-37, esp. 333; and Kathleen M. Brown, *Good Wives, Nasty Wenches and Anxious Patriarchs: Gender, Race and Power in Colonial Virginia* (Chapel Hill, NC, 1996), 195.

<sup>5</sup>Helen Tunnicliff Catterall, *Judicial Cases Concerning American Slavery and the Negro* (1926; reprinted New York, 1968), 53-71. Catterall is filled with petitions for freedom based on ancestry of a free mother, or Indian ancestry; see 147, *Gregory v. Baugh*, 4 Randolph 611. Kathleen Brown, *Good Wives*, 108-16 builds on a number of scholars who grappled with the making of race in this period, most significantly Jordan, *The White Man's Burden* and Morgan, *American Slavery, American Freedom*. She also discusses the changing racial circumstances under which slaves could petition for their freedom, 122-23, 128-36, 212-13, and 223-25; see also Ann Holder, "Making the Body Politic: Narratives of Race, Sexuality and Citizenship in the United States, 1864-1909," Ph.D. diss., Boston College, 1999, 45-65.

<sup>6</sup>Guild, *Black Laws*, 23-24.

<sup>7</sup>A. Leon Higginbotham, *In the Matter of Color: Race and the American Legal Process; The Colonial Period* (New York, 1978), 40-47; Catterall, *Judicial Cases*, 112, 125, 147; Guild, *Black Laws*, 21-32.

<sup>8</sup>Guild, *Black Laws*, 24 and Higginbotham, *In the Matter of Color*, 44. As legal scholar Leon Higginbotham has shown, legislation as early as the colonial era was "not truly concerned with discouraging interracial sex." He goes on to argue that, "Interracial marriage represented a potentially grave threat. . . Interracial sex, by contrast, far from represented a threat to slavery. Rather, it served as its lifeblood. Black were cheaper to produce than to import." Leon Higginbotham, *Shades of Freedom: Racial Politics and Presumptions of the American Legal Process* (New York, 1996), 44.

<sup>8</sup>James Hugo Johnston, *Race Relations in Virginia & Miscegenation in the South, 1776-1860* (Amherst, MA, 1970), 170.

<sup>9</sup>Ibid.

<sup>10</sup>See for example, Frederick Law Olmsted, *A Journey in the Seaboard Slave States, with Remarks on Their Economy* (New York, 1856); and Fredrika Bremer, *New Sketches of Every-Day Life: A Diary, Together with Strife and Peace* (New York, 1844).

<sup>11</sup>Higginbotham, *In the Matter of Color*, 7. Higginbotham draws on Winthrop Jordan to argue that "statutes usually speak falsely as to actual behavior, (but) they afford probably the best single means of ascertaining what a society thinks behavior ought to be."

<sup>12</sup>One of the first and best historians to examine this productive economy was James Hugo Johnston. Writing in the 1930s Johnston painstakingly documented the extent of racial crossings, and the common awareness of and discussion about the impact on southern society; Johnston, *Race Relations*, 81, 90, 205.

<sup>13</sup>W. E. B. Du Bois, *Black Reconstruction in America: An Essay Toward a History of the Part Which Black Folk Played in the Attempt to Reconstruct Democracy in America, 1860-1880* (1935; reprinted New York, 1977), see for example, 141.

<sup>14</sup>Here, I am drawing on my reading of primary sources, particularly radical Republican or Afro-American identified newspapers, produced in the decades following Emancipation. I am also drawing on the work of a number of historians who have explored post-Emancipation versions of "non-racial" or color-blind citizenship.

Note that this has very different meanings than the current conservative uses of color-blind jurisprudence. See Mark Elliott, *Color-Blind Justice: Albion Tourgée and the Quest for Racial Equality from the Civil War to Plessy v. Ferguson* (New York, 2006), 3–5, 31, 34–35, 270. Eric Foner, *Reconstruction: America's Unfinished Revolution, 1863–1877* (New York, 1988), describes the postwar political commitment to non-racial citizenship very convincingly in "The Meaning of Freedom," 77–123. For other interesting perspectives on non-racial citizenship, see Joseph Logsdon and Caryn Cossé Bell, "The Americanization of Black New Orleans, 1850–1900," in *Creole New Orleans: Race and Americanization*, ed. Arnold R. Hirsch and Joseph Logsdon (Baton Rouge, LA, 1992), 201–60; Elsa Barkley Brown, "To Catch the Vision of Freedom: Reconstructing Southern Black Women's Political History," in *African American Women and the Vote, 1837–1965*, ed. Ann D. Gordon, et al. (Amherst, MA, 1997), 66–99; Tera Hunter, *To 'Joy My Freedom: Southern Black Women's Lives and Labors After the Civil War* (Cambridge, MA, 1997); Glenda Gilmore, *Gender and Jim Crow: Women and the Politics of White Supremacy in North Carolina, 1896–1920* (Chapel Hill, NC, 1996); Jane Dailey, *Before Jim Crow: The Politics of Race in Post-Emancipation Virginia* (Chapel Hill, NC, 2000); and Michael W. Fitzgerald, *Urban Emancipation: Popular Politics in Reconstruction Mobile, 1860–1890* (Baton Rouge, LA, 2002). This was the language finally adopted by Congress in the Civil Rights Bill of 1875, but ruled unconstitutional by the U.S. Supreme Court in 1883.

<sup>15</sup>This approach was prefigured by the appearance in 1864 of the term miscegenation, an invented word used in the election of 1864 as a political pejorative against the Republican party. See David Croly and George Wakeman (attributed), *Miscegenation: The Theory of the Blending of the Races, Applied to the White Man and Negro* (New York, 1864); see also Eva Saks, "Representing Miscegenation Law," *Raritan: A Quarterly Review* 89 (Fall 1988): 39–69.

<sup>16</sup>See Theodore Brantner Wilson, *The Black Codes of the South* (Tuscaloosa, AL, 1965).

<sup>17</sup>Paul C. Palmer, "Miscegenation as an Issue in the Arkansas Constitutional Convention of 1868," *Arkansas Historical Quarterly* 24 (Summer 1965): 104.

<sup>18</sup>Ironically, the postwar impetus among freedpeople hardly threatened an upsurge in interracial unions. Many historians, Herbert Gutman among them, argued that to the contrary, freedpeople sought to legalize and formalize their own unions, and to withdraw from planter oversight by creating their own inviolable domestic space. This had the added effect of protecting women from the levels of sexual exploitation they experienced under the slave regime. Herbert Gutman, *The Black Family in Slavery and Freedom, 1750–1925* (New York, 1976), 393–99, 430–31; see also Jacqueline Jones, *Labor of Love, Labor of Sorrow: Black Women, Work and the Family from Slavery to the Present* (New York, 1985), 45, 51, 58–60.

<sup>19</sup>Paul C. Palmer, "Miscegenation as an Issue in the Arkansas Constitutional Convention of 1868," *Arkansas Historical Quarterly* 24 (Summer 1965): 113.

<sup>20</sup>*Ibid.*, emphasis in original.

<sup>21</sup>*Ibid.*, 104–05.

<sup>22</sup>*Ibid.*, 105.

<sup>23</sup>*Ibid.*, 116.

<sup>24</sup>Charles F. Robinson, II, "Anti-Miscegenation Laws" (21 March 2008) and Carl H. Moneyhon, "Jim Crow Laws" (18 December 2007), from the *Encyclopedia of Arkansas*, <http://www.encyclopediaofarkansas.net>.

<sup>25</sup>Eric Foner, *Forever Free: The Story of Emancipation and Reconstruction* (New York, 2005), 159–60.

<sup>26</sup>Rep. Richard Harvey Cain, R, SC, *Congressional Record*, Vol. 2, part 1, 43rd Congress, 1st Session (Washington, DC, 1874), 565.

<sup>27</sup>*Ibid.*, 565.

<sup>28</sup>Rep. James T. Rapier, R—AL, *Congressional Record*, Vol. 2, part 1, 43rd Congress, 1st Session (Washington, DC, 1874), 4783.

<sup>29</sup>*Ibid.*, 4784.

<sup>30</sup>*Ibid.*

<sup>31</sup>Peter Bardaglio, "Families, Sex, and the Law: the Legal Transformation of the Nineteenth-Century Southern Household," Ph.D. diss., University of Southern California, 1979, 81, documented the seven states. South Carolina and Louisiana legislatures let the marriage ban lapse by omission during Congressional Reconstruction, but in both states it returned with a vengeance.

<sup>32</sup>South Carolina and Alabama became the last two states to remove the bans from their constitutions, in 1998 and 2000 respectively.

<sup>33</sup>Frederick Douglass, *Narrative of the Life of Frederick Douglass, An American Slave, Written by Himself* (1845; reprinted New York, 1997), 14.

<sup>34</sup>James Oliver Horton and Lois E. Horton, *Hard Road to Freedom: The Story of African America* (New Brunswick, NJ, 2001), 192.

<sup>35</sup>Hazel Carby, "'On the Threshold of Woman's Era': Lynching, Empire, and Sexuality in Black Feminist Theory," *Critical Inquiry* (Autumn 1985): 268. See also Hazel Carby, *Reconstructing Womanhood: The Emergence of the Afro-American Woman Novelist* (New York, 1987), 30–39, 40–61; and Harriet Jacobs, *Incidents in the Life of a Slave Girl: Written by Herself*, ed. Lydia Maria Child (1862; reprinted Cambridge, 1987).

<sup>36</sup>Anna Julia Cooper, *A Voice from the South* (1892; reprinted New York, 1988), 111, emphasis in original.

<sup>37</sup>Carby, "'On the Threshold of Woman's Era,'" 267, emphasis mine.

<sup>38</sup>T. Thomas Fortune, "The Negro's Place in American Life at the Present Day" from *The Negro Problem*, ed. Booker T. Washington (New York, 1903), 212.

<sup>39</sup>Cooper, *Voice from the South*, 125.

<sup>40</sup>Historian Ann Field Alexander is almost single-handedly responsible for the details we do know about Mitchell's life and work. I am deeply indebted to her work, both her early MA thesis on Mitchell, "Black Protest in the New South: John Mitchell, Jr., and the Richmond Planet," MA thesis, Duke University, 1972; and her 2002 biography, *Race Man: The Rise and Fall of the "Fighting Editor," John Mitchell, Jr.* (Charlottesville, VA, 2002). I learned a great deal from her detailed examination of Mitchell's life, his connections in Richmond, and from her formulations about Mitchell's place in the complex political and social order in the turn of the century urban South.

<sup>41</sup>Mark Elliott demonstrates a similar view in his work on Albion Tourgée, noting that Tourgée does not turn away from color consciousness as long as it is an "enabling description"; Elliott, *Color-Blind Justice*, 5.

<sup>42</sup>Alexander, *Race Man*, 5–6.

<sup>43</sup>*Ibid.*, 11–13.

<sup>44</sup>John Mitchell was both a product and beneficiary of brief periods of interracial politics in Virginia. The Readjuster Party came to power in 1879 and controlled Virginia state government until 1883. They represented a post-Reconstruction effort at class-based interracial political alliance, and as such "legitimated and promoted African American citizenship and political power by supporting black suffrage. Dailey, *Before Jim Crow*, 1. He was also deeply influenced by the interracial organizing of Knights of Labor in the mid-1880s. The Knights developed a powerful cross-racial worker's movement that infused Richmond's always-vibrant street life. Rachleff's work, *Black Labor in the South: Richmond, Virginia 1865–1890* (Philadelphia, PA, 1984), focuses on the rise and fall of the Knights of Labor in Richmond.

<sup>45</sup>Gilmore, *Gender and Jim Crow*, 1–3.

<sup>46</sup>Richmond was the home to a number of early Black-identified enterprises from mutual benefit societies to banks. The leadership of the Richmond community was not limited to men. The powerful and savvy Maggie Lena Walker, founder of the Independent Order of St. Luke's, the St. Luke Herald, and the St. Luke Penny Savings Bank, was a major power in the Richmond community. Elsa Barkley-Brown has written most compellingly about Walker and her context. As "friendly competitors," Mitchell and Walker worked together throughout the years, including in the 1904 boycott of the Richmond streetcars to protest the implementation of segregation. Alexander, *Race Man*, 27. For wonderfully detailed work on the Richmond context, particularly Maggie Lena Walker, see Brown, "To Catch the Vision of Freedom" and "Womanist Consciousness: Maggie Lena Walker and the Independent Order of Saint Luke," *Signs: Journal of Women in Culture and Society* (Spring 1989): 610–33.

<sup>47</sup>*Planet*, 25 August 1888.

<sup>48</sup>*Ibid.*, Mitchell's emphasis.

<sup>49</sup>*Ibid.*, 7 February 1903.

<sup>50</sup>*Ibid.*, 18 October 1890. Langston was viciously attacked in the Democratic press for publicly asserting his mixed race heritage. Langston, more than Mitchell, was a product of the earlier generation, as his comments in Garland Penn's text on the black press suggest. In his Gala Day comments, Langston continues his attack on racialized thinking, "They say I ought not to go to Congress because my hair is curly, your face is a little dark. They say you ought not to go to Congress now because your mother was in the kitchen. But isn't it a good thing to go from the manger to the Halls of Congress?"

<sup>51</sup>For example, a page-one story in the *Planet* on 28 June 1890. The final judgment of the Chancery Court was covered 10 January 1891. Lewis eventually lost her case on further appeal.

<sup>52</sup>Ida B. Wells, *Southern Horrors* (New York, 1892). As Wells famously contended, "Nobody in this section of the country believes the old thread-bare lie that Negro men rape white women. If Southern white men are not careful . . . a conclusion will then be reached which will be very damaging to the moral reputation of their women." She went on to cite twelve cases covered in the white press to prove her point. For a detailed discussion of the tradition of "race vindication" to which Mitchell, Wells, Fortune, and other black

spokespersons belonged, see V. P. Franklin, *Living Our Stories, Telling Our Truth: Autobiography and the Making of the African American Intellectual Tradition* (New York, 1996), 11–20, 59–94.

<sup>53</sup>*Planet*, 5 July 1890.

<sup>54</sup>*Ibid.*

<sup>55</sup>*Ibid.*

<sup>56</sup>*Ibid.*

<sup>57</sup>Franklin, "Ida B. Wells-Barnett: To Tell the Truth Freely," in *Living Our Stories*, 66–69.

<sup>58</sup>*Planet*, 7 February 1891.

<sup>59</sup>*Ibid.*, 14 March 1891.

<sup>60</sup>*Ibid.*, 12 April 1890.

<sup>61</sup>*Ibid.*, 1 March 1890, emphasis mine.

<sup>62</sup>*Ibid.*

<sup>63</sup>*Ibid.*

<sup>64</sup>*Ibid.*

<sup>65</sup>Here, Mitchell exposed the assumptions that underlie Ruffin's not very subtle rhetorical strategy, namely that "Negroes" should remain in a position of servitude to white southerners, and that political independence represented their rejection of their "place" and endangered the structure of southern society. By defining the citizenry in non-racial terms, Mitchell both challenged the presumption of racially defined servitude and suggested that preserving state-sanctioned (and policed) racial distinctions would ultimately place all citizens in the position of servitude—to the power of the (white) Bourbon elite. In this and many other instances, Mitchell linked the fate of all Virginians by insisting that universal acceptance of a non-racial society was the only hope for a democratic future.

<sup>66</sup>Frank Ruffin, *White or Mongrel? A Pamphlet on the Deportation of Negroes from Virginia to Africa* (Richmond, VA, 1890), emphasis mine.

<sup>67</sup>Jenny Sharpe, *Allegories of Empire: The Figure of the Woman in the Colonial Text* (Minneapolis, MN, 1993), 4.

<sup>68</sup>*Planet*, 22 November 1890.

<sup>69</sup>*Ibid.*

<sup>70</sup>*Ibid.*

<sup>71</sup>Barbara Fields has one of the best discussions of the Emancipation rupture. She neither naturalizes nor over-racializes the outcome. From the vantage point of Maryland, she suggests that even those who reluctantly accepted the end of slavery "were by no means prepared to watch with equanimity the collapse of the entire social edifice that slavery had supported." Barbara Jeanne Fields, *Slavery and Freedom on the Middle Ground: Maryland during the Nineteenth Century* (New Haven, CT, 1985), 131, 137–38.

<sup>72</sup>I. A. Newby, *Jim Crow's Defense: Anti-Negro Thought in America, 1900–1930* (Baton Rouge, 1965), 122–23, 135–38, and Higginbotham, *Shades of Freedom*, 32–45.

<sup>73</sup>See Rayford Logan, *The Negro in American Life and Thought: The Nadir, 1877–1901* (New York, 1954) for a social history of the black/white binary. See also I. A. Newby, *Jim Crow's Defense* for an intellectual history of the origins of "anti-Negro" thought in the first decades of the 20th century, and Joel Williamson, *A Rage for Order: Black/White Relations in the South Since Emancipation* (New York, 1986).

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