

Racial Liminality and American Constructions of Race:
Negotiating, Imagining, and Creating Color Lines in the 1890s

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A Dissertation submitted to the

Graduate School-Newark

Rutgers, the State University of New Jersey

In partial fulfillment of the requirements

for the degree of

Doctor of Philosophy

Graduate Program in American Studies

written under the direction of

Dr. Mark Krasovic

and approved by

Newark, New Jersey

October 2021

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Abstract of the Dissertation

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The 1890s were characterized by racial violence, the ongoing entrenchment of the Jim Crow state, and the legitimization of scientific racism. It was also a time when race and racial construction were in a considerable states of flux, formation, and development. Rather than constituting easily defined and clear-cut constructs, blackness, whiteness, and other categories often involved complex, dynamic, and nuanced conversations and negotiations taking place in a variety of settings, texts, and historical situations. More often than not, such discourses centered around the presence of racially liminal figures, individuals or groups who did not fit neatly into specific racial categories. Real or imagined, individual or collective, racially liminal figures, appeared white, though their whiteness was often questioned, contested, and subject to change over time and space. Playing a central role in the evolving racial discourse, racially liminal figures often challenged and expanded the nation's understanding of race. By examining the widespread and sustained concern with such racial in-betweenness, this project examines the centrality of the racially liminal figure to the ongoing process of racial construction and the maintenance of racial caste during this period. It also analyzes the multi-faceted ways racially liminal figures shaped, contested, and problematized the formation of a fixed binary of race and countered cultural and political narratives which promoted white supremacist, racial separatist, and scientific racist agendas

Preface

This work is dedicated to the memory of my maternal grandfather John Mann, a racially liminal figure who often found himself on one side or the other of America's mercurial "color line" and one who may well have existed in the ephemeral spaces somewhere between blackness and whiteness.

I would like to acknowledge the diligence and insightfulness of Dr. Mark Krasovic, whose productive and invaluable suggestions made this a more focused, relevant, and grounded project from the start. I also thank Mark for introducing me to the wonders of cultural history. I would also like to thank Dr. Kornel Chang who changed the way I understand the intricacies of race in America. I would not have gotten to this point without his influence and support. My sincere gratitude also extends to Dr. Sterling L. Bland for his many years of gentle guidance and firm critique and to Dr. Karen Caplan for helping me think about race from a broader, international perspective. Throughout the years, Dr. Barbara Foley has been incredibly instrumental in shaping my academic interests and in encouraging my belief in the value of my work and strengthening my faith in my abilities as a scholar. I will always be indebted to her. Dr. Jason Cortés has been a great support and invaluable resource, and I offer him my fondest appreciation as well.

Finally, I want to thank my daughter Zoey for helping me keep all of this in perspective, for allowing me to escape the rigors of dissertation writing, and for the constant joy and inspiration she gives me.

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Introduction

Racial Liminality and American Constructions of Race: Negotiating, Imagining, and Creating Color Lines in the 1890s

Writing for the *North American Review* in the summer of 1891, British historian, politician, and scholar James Bryce described the Southern United States in stark and finite racial terms, depicting a society in which the existence of discrete racial categories and consensual segregation between blacks and whites were all but a *fait accompli*. In Bryce's view, this racially segregated society contained few, if any, contemporary unions between blacks and whites, beyond the obvious vestiges of relationships which could be traced directly to chattel slavery. "Those illicit relations between white men and colored women which were not uncommon in the days of slavery have almost wholly disappeared," he contended, "and it is now a rare thing for a child to be born with parents of different colors."

Bryce saw little need for codifying prohibitions against interracial relationships and instead depicted a society wherein unanimous public opinion served as the main deterrent to interracial marriages and relationships. Moreover, if people of mixed race did exist in the American South, according to Bryce, they represented merely an anomalous presence within the African American community. Thus, the depiction of the American culture and population Bryce imagined featured no visual presence of racial in-betweenness, but rather one in which a clear black and white binary had already been entrenched since the end of the Civil War. "No other intermediate race grows up to link

the other two together,” he argued, “for, tough there are mulattoes and quadroons, born under the old state of things, they are all reckoned with the negroes.”¹

Approximately eight years later, American historian, sociologist, and writer W.E.B. Du Bois traveled in steerage on his way to Paris where he would curate an extensive exhibit which documented the success and achievements of African Americans since Emancipation. Included in the considerably large *Exposition des Nègres d'Amérique* featured as part of the 1900 Paris Exposition were a number of innovative graphs, charts, and other data-driven visual depictions which historians Whitney Battle-Baptiste and Brit Rusert have termed “data visualizations” and “infographics.”² These data visualizations created by Du Bois and his team of students and scholars at Atlanta University contained statistical analysis and information on virtually every aspect of African American life, from population rates to occupations broken down by gender. However, one particular plate featuring a graphic depiction of racial amalgamation in the United States from the late eighteenth century to 1890 stands out as a clear refutation of the neatly constructed conceptual binary Bryce and other white supremacists imagined and promoted during the 1890s and beyond.

Resembling a color-coded mountain, the racial image featured in “The Amalgamation of the White and Black Elements of the Population of the United States America” (Plate 54) did not resemble the one James Bryce had described nine years earlier (See figure 1 below.). Whereas Bryce had depicted a racially dichotomous society

¹ James Bryce. “on the Negro Thoughts Problem.” *North American Review*. July 1, 1891. Periodical Archives Online., 644.

² **Battle-Baptiste and Rusert, *W.E.B. Du Bois's Data Portraits: Visualizing Black America: The Color Line at the Turn of the Century*, eds. (New York: Princeton Architectural Press, 2018), 8-9.**

divided into distinctly separate categories of blackness and whiteness, the Atlanta University team depicted a visual sense of American racial construction which was much more nuanced, one which featured not a clear-cut and simplistic binary but a multifaceted spectrum of categories, including “black,” “brown,” “yellow,” and “white.”

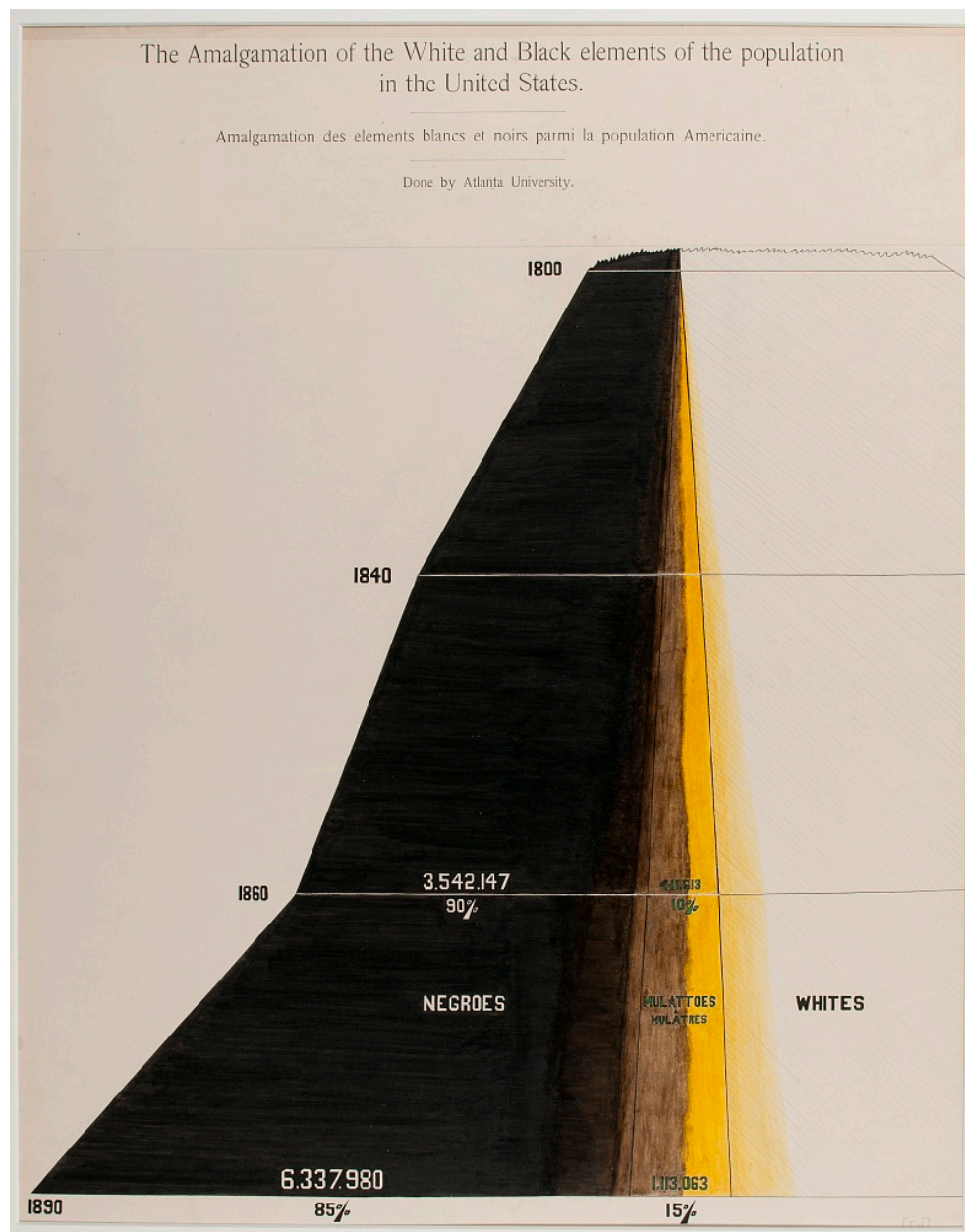


Figure 1 (Intro.) Plate 54: "The Amalgamation of the White and Black Elements of the Population in the United States." Reproduced from the Daniel Murray Collection, Library of Congress.

Though the polarized areas of this racial mountain conveyed the possibility of distinct black and white categories on each end of the infographic, the middle depicted the nation's longstanding history of racial mixing as indicated by the "brown"/"mulatto" category and the "yellow" category representing "persons with more white than negro blood." In keeping with a common American conceptualization of race which has long associated mixed race people with blackness, the "brown" category in this infographic was neatly situated on the black side of the crisp and clearly drawn vertical line which ran down the center of the image and created what Munro Morris has labeled a "racial binary" with "more fluid identities."³ Though the stark and deliberately drawn vertical line does convey the existence of a binary, the carefully and intricately hand-shaded middle disrupts this dichotomous notion of race entirely. Clearly straddling the crisp line separating blackness from whiteness and straddling both categories, the "yellow" area conveys a concerted sense of racial uncertainty, duality, and in-betweenness, an undeniable sense of racially liminality.

Exploding yet another bedrock myth of Jim Crow ideology, this data visualization did not relegate the nation's racially mixed and liminal composition to some bygone period of the American past but framed it squarely in the American present. Accentuated by its funnel-like trajectory from top to bottom, the reality of the country's sustained mixed-race history and racial liminality widened, rather than narrowed, at the bottom of the graphic which represented the racial composition and growth of the black population in 1890. In contrast to Bryce's claim that mixed-race relationships were a relic of chattel

³ Aldon Morris, "American Negro in Paris" in *W.E.B. Du Bois's Data Portraits: Visualizing Black America: The Color Line at the Turn of the Century*, eds. (New York: Princeton Architectural Press, 2018), 126.

slavery, the infographic produced by the Atlanta University team represented racial mixing as an uninterrupted and historically sustained reality of the recent American past and present.

Augmenting and accentuating this statistical portrait of the country's racial complexity, the exhibit's vast collection of photographs lent a clearer sense of humanity and concreteness to the various narratives conveyed through the more abstract infographics. Included among the various artifacts and items which had been collected, organized, and produced by a host of African American scholars and students, these photographs conveyed a rich and diverse portrait of black life in the United States.



Figure 2 (Intro.) "Three African American Girls."
Reproduced from the Daniel Murray Collection,
Library of Congress.



Figure 3. (Intro.) "Daughter of Thomas Askew."
 Askew was the African American photographer who took
 most of the stills in the 1900 Paris Exhibit. Reproduced from
 the Daniel Murray Collection, Library of Congress.

Featuring a diverse visual array of African American subjects, the photos would capture their achievement, humanity, and physicality in ways the data visualizations could not. Clearly represented in this collection of photos were a considerable number of phenotypically white African Americans whose presence disrupted the racial binary that Bryce and others had so arduously assumed and promoted. As Shawn Michelle Smith has noted, the photos had the effect of challenging “a visual, and ultimately biological, paradigm of white supremacist racial difference.”⁴

The vastly different depictions and understandings of race articulated by Du Bois and James Bryce are indicative of a deeply fractured and multifaceted understanding of race in 1890s America. On the one hand, the emergent white supremacist logic of Jim

⁴ Shawn Michelle Smith, “Looking at Oneself Through the Eyes of Others: W.E.B. Du Bois’s Photographs for the 1900 Paris Exhibition.” *African American Review* 34, no. 4 (Winter 2000): p. 595. Stable URL: <https://www.jstor.org/stable/2901420>

Crow fostered a narrative of racial separateness and clear biological distinction while calling for, and ultimately achieving, the codification of racial segregation in law, including an uptick in marriage restrictions and the public segregation of black and white Americans in public space. However, in the absence of clear-cut legal definitions and common understandings of race and racial categories, determining how to draw the lines of racial boundaries would constitute a much more difficult task. Far from eliding its concerted mixed race past and present, the nation as a whole continually acknowledged, probed, decried, studied, and fetishized over its racially mixed character for a variety of reasons and with a variety of motives. These ranged from legal challenges to the emergent Jim Crow culture of segregation to the crafting of legislation that would define and defend the boundaries of whiteness and white power.

At the center of this concerted racial murkiness and uncertainty was the ubiquitous presence of the racially liminal figure, generally a phenotypically white individual whose legal or social whiteness was somehow in question. In no way relegated to the margins of seminal discourses on race, such individuals more often than not found themselves at the core of public discussions of race and racial boundaries. This dissertation examines the historical role of such figures in the complex, problematic, and varied constructions of race in 1890s America. Examining legal, social, cultural, and political discourses centered on race, this project not only examines the historical process of racial construction through the lens of racial liminality; it seeks to establish the undeniable centrality of racially liminal figures to that process.

While this study examines the coalescence of the hegemonic narratives of white supremacy, segregation, and beliefs in natural and inherent racial differences, many of

which would begin to prevail by century's end, it also seeks to uncover the ways these ideologies were contested and challenged as the country imagined, reimagined, and struggled to understand itself in racialized terms. At the same time, this cultural history seeks to document and elucidate the complexity of racial construction during this period and trace the ongoing debates, discussions, and negotiations of race taking place on a variety of social planes and in a variety of historical sites.

While this study seeks to elucidate and bring out the nuance, complexity, fluidity, and murkiness of race in the 1890s, its intention is never to convey the notion that race was somehow less onerous or more benign. Moreover, though this study seeks to uncover the ways that racial liminality occupied a central role in the ongoing negotiation of race in the 1890s, it should be made clear that the burdens of race and racism continued to be borne, and continue to be borne, by individuals whose race was more fixed, more obvious, and more clearly determined by physical markers. That being said, the racially liminal figure did hold a prominent place in the collective imagination of the country, but that role was often an unsettling one for those who conceived of whiteness, blackness, and other racial constructs as naturalized, inherent, and immutable. As the historical record makes clear, and what I hope to bring into sharper view, is the fact that race and caste were always connected in 1890s America and remained so.

However, what was less certain was who would benefit from that connection and how. This remained problematic throughout most of the decade, as the formation of social and economic hierarchies remained incomplete and always open to negotiation, challenge, and reimagination, at least at the margins of race. Often in the center of this complex and multifaceted process of cultural understanding, racially liminal figures and

racial liminality would serve various agendas and be utilized to achieve a variety of objectives, some in pursuit of social justice, and some with completely opposite ends in mind.

In one sense, this dissertation tracks the steady development and evolution of the white supremacist and racial separatist project that took firmer hold in the 1890s. In its entirety, the multifaceted goal of that endeavor was to control, contain, coerce, and criminalize black people and to represent blackness as a naturally occurring construct entirely distinct and separate from whiteness. On the other hand, this study documents and explicates the ways racial liminality and racially liminal figures posed a concerted threat to that project. Always holding the potential power to disrupt, problematize, or confound the hegemonic agenda of white power and privilege, racial liminality was often used to challenge white supremacist and racial separatist efforts. Due to its power and potential to initiate such disruption, racial liminality also needed to be contained and controlled, often by legislating, imagining, or theorizing it out of existence. However, not all practitioners of white supremacist and white separatist ideology felt the need to do so, at least not completely. Rather, some consciously manipulated racial liminality to their social, political, and sexual advantage. Rather than disappearing racial liminality altogether, they sought to contain it and coopt it in order for it to serve their ends and meet their specific needs.

Terminology:

In various discussions of the historical and literary experiences of individuals who appeared white but who were defined, or who defined themselves, through some degree of black ancestry, cultural belonging, identification, or legally determined racial status,

scholars have offered a number of productive, but ultimately problematic, terms and labels. Gayle Wald's use of the phrase "juridically black subjects" is helpful for distinguishing between racial determination predicated on visual markers and race as the product of legal construction. However, as this study seeks to establish, legal constructions of race throughout the 1890s were fractured, fluid, disparate, and often subject to change over space and time. Thus, one might be legally black in one geopolitical context and white in another.

Making this exact point about the legal and social instability of race, Allyson Hobbs has used terms such as "racially ambiguous" and "racially indeterminate" in juxtaposition to the term "recognizably black," which she uses to describe those whose physical appearance more readily conformed to cultural and social conceptions of blackness. Like other terms employed by scholars, "racially ambiguous" or "racially indeterminate" are also burdened with the assumptions that one's race can be unambiguously or unquestionably determined. Since this study and discussion of race in the 1890s also seeks to establish that racial belonging and identity were concepts which remained in a state of flux, such terms do not always do justice to the complexity of people's experiences and their understanding of race in this particular period.

More common and incredibly more problematic is the term "racial passing." This term is frequently employed across disciplines to refer to persons with an unfixed or unclear racial status. However, it is often used in very imprecise, misleading, and anachronistic ways. Given the malleability and fragmented nature of racial categories, what may constitute passing in one place, time, or social situation may not constitute passing in another historical, legal, or social context. Secondly, the term itself can imply

many negative connotations which seem to mask the complexities of racial construction and shift accountability and focus away to individuals and away from the overarching social system of race which creates the need to pass in the first place. Most importantly, though thousands⁵ of people whose phenotype allowed that option may well have passed, many did not. The term “passing” therefore masks that reality and obscures our understanding of race in any period, especially in the late nineteenth century.

In the like interest of destabilizing notions of race and the essentialism of racial categories, Steven J. Belluscio and Giulia Fabi have employed language such as “suddenly white” or “all but white” respectively to describe the experiences of literary characters whose racial belonging is in a state of transition or open to question. As with other imprecise nomenclature, such terms still convey the essentialist assumption that whiteness (and blackness) are things which one is, is not, can become, or falls short of. However, Beluscio’s use of “racial in-betweenness” and Fabi’s use of the term “liminality” do seem to move our understanding forward by conveying a much more destabilized and perpetually uncertain sense of race and racial categories, at least compared to other terms.

Borrowing, expanding upon, and operationalizing these terms in this study, I have sought to avoid language which would intentionally or unintentionally convey any clear-cut, stable, or essentialized understanding of race or racial categories, though, of course, no such terms are ever linguistically or conceptually airtight. I have chosen to use the

⁵ Joel Williamson. *New People: Miscegenation and Mulattoes in the United States*. (New York: The Free Press, 1980.), 103. Estimates on those who passed vary greatly. Though Williamson suggests that some estimates range between 12,000 and 100,00 yearly, he sheds doubt on their accuracy and cites a 1946 study which estimates 2,500 and 2,500. While these numbers seem more accurate, they do not pertain to a specific period.

terms “racially liminal” and “racial liminality,” in particular, to describe the experiences of those individuals, real or imagined, whose presence, appearance, social categorization, legal definition, and subjectivity defied simple and definite categorization, both within the confines of a black and white dichotomous construction of race or within a more variegated nuanced spectrum.

While I use “racially liminal” most frequently to describe individuals who were phenotypically white but who could claim some degree of black ancestry or cultural belonging, I assert that the term may also apply to members of various immigrant communities whose racial status may have remained unfixed in a variety of contexts. The importance of using this term is directly related to the larger objective of finding language which does not convey or reinforce notions of biological or social essentialism when it comes to a discussion of race. At its most fundamental level, “liminality” denotes an intermediary status or position between two halves of a constructed binary, but it can also refer to someone or something which straddles the threshold or border of two categories. Racial liminality, as I conceptualize it, can entail either one of these or both.

When referring to many Americans in the 1890s, this term is also used to describe those who may have found themselves caught between categories, those who could have found themselves on either side of a racial border, depending on circumstance, or those whose race was in question because the lines of racial construction were blurred, in flux, or in the process of being negotiated in law or through daily interaction. In referring to American race, this term at times describes those who did not fit neatly within the constructed categories of blackness or whiteness, those whose racial assignment or

identification changed from one setting to another, or those who spanned these assumed oppositions and were members of both. This term is not meant to refer generally to all persons of “mixed race,” nor does it refer strictly to physicality. It may at times, refer to people who engaged in “racial passing,” but more often than not, it applies to those who did not, either because they chose not to or because the term did not accurately apply to them or their historical circumstances.

Because of their ubiquitous use in the period and their semantic and lexical significance to the claims of this project and to the complex understandings of race in the period, I have, out of necessity, used terms such as “octoroon” and “quadroon” intentionally in quotation marks, both to make clear that the use of such antiquated, historically dependent, and potentially offensive terms are being employed in the varied and sometimes problematic ways that people used them in the 1890s. Moreover, I have also used quotation marks to indicate that, like all terms used to discuss race, they were often imprecise, fluid, or specifically defined, depending on the context or circumstances.

I have also used these terms out of necessity to distinguish between the more general, catch-all terms such as “mixed race” or “mulatto.” While “mixed-race” was widely used in the period to describe people with both black and white descendants, I have often used it to convey the same general and imprecise categorization. However, while “mixed race” is necessarily inclusive of those individuals and groups who are the principal focus of this work, I have sought to use “racially liminal,” “racial liminality,” and “racial in-betweenness” when describing individuals, groups, and the lived experience thereof, whose racial belonging was open to question by themselves or others. Since the experiences of and discourse surrounding racially liminal figures and other

people of “mixed race” often overlapped, these terms are, at times, used deliberately in particular sections, but never interchangeably or synonymously, at least not intentionally.

Moreover, I have avoided the commonly used term “mulatto” unless quoting others or unless discussing it in a specific way in which it was defined or employed in the period. Like others mentioned here, this term is not only antiquated but incredibly general and incredibly varied in its historical usage and meaning. While this study unavoidably uses this term in an historical way and necessarily refers, at times, to those individuals so characterized, this, by and large, is not a study of mixed-race people or those often described by scholars and non-scholars as “mulattoes.” rather, it is a study which seeks to elucidate the complex history of those mixed-race people whose physical presence, cultural existence, and legalized status defied easy categorization, namely “racially liminal figures.”⁶

Racism and Racial Formation in the 1890s:

Though the 1890s was a time when many social systems were still in a state of flux and formation, even in the South, it was a period characterized by violent, social, and legislative repression, leading Belluscio to describe it as “arguably the most racist decade

⁶ Throughout this study, I have often used the terms “black” and “African American” in the ways they are often used in an explicitly contemporary American cultural context. Keenly aware that these are not strictly synonymous terms, I have used them in this way only to avoid stylistic redundancy. At the same time, I have unavoidably used the terms “black” and “white” often without quotation marks in imprecise ways which reflect more contemporary understandings and uses of these socially constructed terms, always bearing in mind their instability and ideological power. At the same time, I have also sometimes used these terms in quotation marks as well in order to denote a concerted sense of how they may have been used in a particular way, under specific settings and circumstances. I have avoided capitalizing these terms, as is the case with most historiographical usage of them, in keeping with Chicago style format.

since slavery.”⁷ Throughout the period, the economic and social progress made by freed slaves and their descendants, many of whom were still living in the South, would be met with unprecedented levels of violence and intimidation which served to limit black advancement and reinforce a social and economic hierarchy predicated on white superiority and power.

Before the end of the decade, more than eleven hundred African Americans would be lynched,⁸ and white supremacist mobs would dispossess entire communities of their property and social standing, as exemplified by the 1898 racial “massacre” in Wilmington, North Carolina, which ended with the murder of eight people and all of the city’s black residents, including 400 women and children, forced to leave their homes and abandon their property.⁹ In addition to the perpetual threat of violence faced by blacks of every socioeconomic class, less prosperous African Americans were victimized by convict leasing, chain gangs, and prison farms, in addition to the ongoing exploitation of sharecropping.¹⁰ Black females, many of whom served as domestic workers, remained prone to sexual violence and exploitation by white men, particularly in the private domestic spaces in which they labored.¹¹

⁷ Steven J. Belluscio, *To Be Suddenly White: Literary Realism and Racial Passing* (Columbia, MO: University of Missouri Press, 2006), 58.

⁸ F. James Davis, *Who Is Black? One Nation’s Definition* (University Park, P.A.: Pennsylvania State University Press, 1991), 53.

⁹ Glenda Elizabeth Gilmore, *Gender and Jim Crow: Women and the Politics of White Supremacy in North Carolina, 1896-1920* (Chapel Hill: University of North Carolina Press, 1996), 113.

¹⁰ Khalil Gibran Muhammad, *The Condemnation of Whiteness: Crime, and the Making of Modern Urban America* (Cambridge: Harvard University Press, 2010) 57-60, 89.

¹¹ Tera W. Hunter, *To ‘Joy My Freedom: Southern Black Women’s Lives and Labors after the Civil War* (Cambridge: Harvard University Press, 1997), 106.

In addition to racial terror and the systematic exploitation of black labor, the steady rise in Jim Crow segregation policies and laws would reinforce and promote the ideology of white supremacy and social inequality through the daily separation of whites and blacks in public space. Built in a piecemeal fashion, Jim Crow dictated the separation of blacks and whites in nearly every aspect of public life, from train travel to education. Though this legal and social system purported to maintain benign racial separation, it was built on an inequitable foundation which asserted the superiority of whiteness while degrading blackness. As Lerone Bennett Junior observes, “The laws and decrees were only the most dramatic examples of an overall system, a system that was designed to isolate, subordinate, degrade – push down.”¹²

In addition to violence, labor exploitation, and the daily humiliation of Jim Crow segregation, the rise of white Populist and Democratic regimes throughout the South would constitute a concerted effort to codify white supremacy and institutionalize the social separation of blacks and whites. Between 1890 and 1901, constitutional conventions would be called in six Southern states. Following what became known as “the Mississippi plan,” these state governments would ensure the disenfranchisement of black (male) voters by implementing literacy tests and poll taxes from which whites were often exempted. Another key aspect of these constitutional conventions was the banning of interracial marriage. Between 1885 and 1901, Florida, Mississippi, South Carolina, and Alabama would enshrine prohibitions on interracial marriages in their newly adopted

¹² Lerone Bennett, Jr. *Before the Mayflower: A History of Black America*, 6th ed. (New York: Johnson Publishing, 1988), 257.

state constitutions while several other states reinstated anti-miscegenation laws which had previously been repealed during Reconstruction.¹³

While the legal and social culture of Jim Crow would metastasize throughout the South in the 1890s, the formation of a clear-cut black and white binary would not yet fully emerge in the North. While many northerners decried the racial violence occurring mostly in the South, they tended to view black and white racial issues as regional, rather than national, problems. Moreover, a focus on class disparities and social problems stemming from increased immigration diverted northern attention away from what were thought to be regional race conflicts in the South.¹⁴ This is not to say that race did not represent a significant issue in the North. However, until the mid 1920s, anti-immigrant sentiment against new arrivals from Eastern and Southern Europe would continue outweigh anti-black racism.¹⁵

Throughout the 1890s, many urban spaces in the North would remain less segregated than in the South. As James Grossman observes, racially segregated neighborhoods were not yet the norm in 1890s Chicago, as nearly a third of African Americans lived in predominantly white neighborhoods and only a quarter lived in predominantly black neighborhoods as late as 1898.¹⁶ Strict racial separation in social spaces also did not fully exist in northern cities as it did in the Jim Crow South. As Chad

¹³ Peggy Pascoe, *What Comes Naturally: Miscegenation Law and the Making of Race in America* (Oxford: Oxford University Press, 2009), 62-63.

¹⁴ Khalil Gibran Muhammad. *The Condemnation of Blackness: Race, Crime, and the Making of Modern Urban America*. (Cambridge: Harvard University Press, 2010),

¹⁵ John P. Jackson and Nadine M. Weidman, *Race, Racism, and Science: Social Interaction* (Santa Barbara: ABC-CLIO, 2004), 117. See also See Matthew Pratt Guterl. *The Color of Race in America, 1900-1940*. (Cambridge, M.A.: Harvard University Press, 2001).

¹⁶ James Grossman, *Land of Hope: Chicago, Black southerners, and the Great Migration* (Chicago: Chicago University Press, 1989), 127.

Heap has demonstrated, “black and tan” bars in Chicago and New York City constituted places of leisure where native-born blacks and whites interacted and socialized with members of various marginally white and non-white immigrant groups.¹⁷ Though anti-miscegenation laws existed in all southern and many western states by 1900, most northern states did not have legal bans on mixed-marriages.¹⁸

Despite better opportunities and less rigid social barriers in the North, a less overt and less codified anti-black racism plagued African Americans who had already begun to flee the South. For those already seeking better opportunities in northern cities in the 1890s, economic disparities and inequitable living conditions would become the norm. Though life outside the South often promised better opportunities, chances for civic and political participation, and even the passage of civil rights laws, blacks in Northern cities often experienced systematic labor discrimination, housing segregation, and violence.¹⁹ Even in Harlem where many blacks found entrepreneurial success and employment opportunities unavailable in the South, they earned significantly less than whites while being systematically shut out of union jobs which paid higher wages and offered more job security. And, while paying higher rents than whites, African Americans were often relegated to substandard housing which contributed to significantly higher mortality rates.²⁰

¹⁷ Chad Heap, *Slumming: Sexual and Racial Encounters in American Nightlife, 1885-1940* (Chicago: University of Chicago Press, 2009), 126-125.

¹⁸ Pascoe, 63.

¹⁹ Desmond King and Stephen Tuck, “Decentering the South: America’s Nationwide White Supremacist Order after Reconstruction.” *Past & Present*, 194 (February 2007).

²⁰ Gilbert Osofsky, *Harlem: the Making of a Ghetto – Negro New York, 1890-1930* (New York: Harper & Row, 1996), 8-23.

Despite the steady encroachment of Jim Crow culture in the South and less obvious, but very real, race disparities in the North, the 1890s remained, in the words of one historian, a “contested time.”²¹ Analyzing the extent to which the culture of Jim Crow segregation was a way of reconstructing and reordering society along racial lines, Grace Elizabeth Hale characterizes the time after Reconstruction and before the turn of the century as a period of uncertainty regarding race, power, and social relations.²² As Hale contends, distinctions and power relationships based on gender and class would be abandoned or ignored as “southern segregation made a new collective white identity across lines of gender and class and a new regional distinctiveness,” resulting in a new sense of American identity predicated on the denial of the country’s “deep biracial genesis.”²³

Despite an encroaching and developing sense of a clear and more finite black and white racial binary toward the end of the decade, race and racial categories throughout most of the 1890s were far less stable, and significantly more contested, debated, and negotiated.²⁴ Questions as to who collectively and individually belonged to what race seemed to permeate the discourse and imagination of the entire country. Moreover, the racially liminal figure - whether real or imagined, whether an individual or a collective – was in no way peripheral to the nation’s discourse on race. In fact, as Americans grappled with the complexities of race, racially liminal figures, more often than not,

²¹ William James Hull Hoffer. *Plessy v. Ferguson: Race and Inequality in Jim Crow America*. (University Press of Kansas, 2012), 7.

²² Grace Elizabeth Hale. *Making Whiteness: The Culture of Segregation in the South, 1890-1940*. (New York: Pantheon Books, 1998), 45.

²³ Ibid, 7-9.

²⁴ William James Hull Hoffer. *Plessy v. Ferguson: Race and Inequality in Jim Crow America*. (Lawrence: University Press of Kansas, 2012), 7. See also Hale, 45.

occupied central positions in debates centered around the murkiness, rather than the clarity, of racial categories, thus demonstrating Ariela J. Gross' contention that it is "the margins of a category" which "create the core."²⁵

Representing the most seminal event in the creation of Jim Crow law and culture, the *Plessy v. Ferguson* decision lent legal sanction to the practice of segregation. It would result in a more deeply entrenched and more clearly delineated black and white racial binary. As contemporary scholars have noted, however, the 1890 Separate Car Law, which the Plessy team sought to challenge, not only codified the separation of blacks and whites; it played a significant role in creating and producing these very categories themselves.²⁶ However, in the eight years leading up to this decision, it was not a fixed and finite sense of racial identity that would lie at the center of this contrived test case. On the contrary, Homer Plessy's amorphous and ambiguous racial identity was an essential component of this legal challenge, as Albion Tourg  e, Louis Martinet, and James C. Walker devised a legal strategy predicated on the use of a racially liminal plaintive whose racial indeterminacy would serve to destabilize the racial certainty assumed by the law. Before Homer Plessy's arrest and well after the infamous Supreme Court ruling, African Americans navigated the perils and degradation of the emergent system of segregated train travel where they found themselves subject to the most humiliating treatment. While their white appearance might enable racially liminal people

²⁵ Ariela J. Gross. *What Blood Won't Tell: A History of Race on Trial in America*. (Cambridge: Harvard University Press, 2008), 11.

²⁶ Golub, Mark. "'Passing': Judicial Responses to Ambiguously Raced Bodies in *Plessy v. Ferguson*." *Law & Society Review*. 39, no. 3 (Sep. 2005): 565-567, <https://www.jstor.org>. See also Grace Elizabeth Hale. *Making Whiteness: The Culture of Segregation in the South, 1890-1940*. (New York: Pantheon Books, 1998), 9, 21.

to avoid this, many faced the idiosyncratic racial assignment entrusted to train conductors who, in essence, had the power to construct race on a daily basis.

As arguments in *Plessy* made clear, there was no universal definition of race in either a legal or social sense. Though some states failed to define the limits of blackness and whiteness altogether, many codified race through a myriad of fractional blood quanta, ranging from a one-fourth definition to a one-drop formula. Though one-drop constructions of race were often part of legal and social negotiations, such a stringent construct was in no way ubiquitous in the 1890s. In fact, one-drop formulas were, at times, openly rejected in exchange for legal and social definitions of whiteness or blackness which were far less fixed or stringent. Representing one example, delegates to the 1895 Constitutional Convention in South Carolina would reject the proposition of legally constructing blackness in terms of a zero-sum proposition. However, even when codified legal formulas for determining a person's race were established, these constructions often intersected with equally powerful social constructions of race, ranging from reputation to one's performance of whiteness.

Though legal and social definitions of blackness and whiteness were inconsistent and often differed from state to state, the 1890 U.S. Census did include a more universal definition of racial categories. Featuring entirely new racial constructs intended to probe the nuance and gradation of America's racial composition, these categories would represent a marked divergence from the longstanding history of constructing the country's racial composition using a schema of white, black, and "mulatto." The Eleventh Census would now include several new categories, including "octoroon" and "quadroon," as well as the Japanese category, which for the first time served to make

distinctions among various Asian groups. This new racial schema approved by elite lawmakers was soon contested by those who argued for a more nuanced way of parsing the nation's racial composition. It was also contested by census enumerators charged with the often unmanageable task of placing the nation's populace into the intricately defined categories of race. It would also be challenged by members of the general public who often lacked the precise ancestral knowledge solicited by the new census question on race.

In contrast to the emergent Jim Crow culture which mandated public separation of blacks and whites and the enactment of anti-miscegenation laws which purported to require racial separation in private, the new census categories indicated an open acknowledgement of the country's complex and nuanced mixed-race character. At the same time, it would also manifest a concerted degree of white racial paranoia which fueled fantasies of black mortality and numerical supremacy while simultaneously imagining the disappearance of racially mixed and liminal people. Used in the service of scientific racism later in the decade, the census data collected in 1890 would eventually be used to bolster white supremacist and white separatist narratives. Also furthering the agenda of scientific racism and white supremacy was the fortified belief in racial traits, an imaginary construct which reduced blackness and whiteness to less visible, but equally powerful, essentialized entities thought to determine a variety of human behaviors and abilities.

As the decade progressed and the new century dawned, the hegemonic forces of white supremacy, scientific racism, and racial separatism would become more and more entrenched in American law and culture. However, during this emergent process, these

ideological movements would be contested, countered, and challenged. These challenges were multifaceted and reflected understandings of race and human behavior which might seem closer to our contemporary understandings today. Throughout the decade many black and white intellectuals emphasized the role that environment played in shaping human behavior, ability, potential, and physical vitality. At the same time, many understood the destructive and oppressive implications of race which they often expressed in terms of “caste” or “race prejudice.” Furthermore, many also understood race to be a social and legal construction which could be used to promote and maintain inflexible economic and social hierarchies. Though such seemingly modern notions often offered direct challenges to white supremacy and racial separatism, the physical presence of the racially liminal body also served to destabilize the certainty of race and the certainty of racial categories.

Despite the disruptions presented in these counter narratives, a much more entrenched and hardened black and white binary would emerge. Jim Crow segregation would be upheld, anti-miscegenation laws would become more ubiquitous, the nuanced construction of race in the Eleventh census would be collapsed into “black” and “white” categories by 1900, and the new medium of film would present race in starkly contrasted visual terms which reached more universal and wider audiences.²⁷ Despite this hardening of racial lines and racial categories, the future of race in America still seemed open to question and open to the possibility of being reimagined in a multiplicity of ways. Though some of these represented reinscriptions of the caste structures which had

²⁷ Jacqueline Stewart. *Migrating to the Movies: Cinema and Black Urban Modernity*. (Berkeley: University of California Press, 2005).

endured since chattel slavery, others offered a tentative promise of a future in which race might matter less, if at all.

Chapter 1 examines the central role that racial liminality played in the legal construction of race throughout the 1890s. This chapter examines the centrality of racial liminality to various legal contexts and discourses, including the 1895 South Carolina Constitutional Convention and the contested categories of blackness and whiteness in *Plessy v. Ferguson*. Though legal constructions of race constitute the primary focus, this section also elucidates the ways the codification of race was shaped by various other social constructions. Moreover, this chapter explores the extent to which two culturally informed ideas about race competed in the public discourse. One imagined race as “natural,” biological, inherent, and physical. The other clearly understood race to be socially constructed, situational, and political. However, the belief that race was deliberately constructed was often maintained by anti-racists and white supremacists alike. As such, this not uncommon and very potent understanding of race included nefarious elements and an open admission that the obvious objective of racial construction had to do with power, subordination, and the maintenance of caste.

Building on this foundation, Chapter 2 probes the complex social construction of race by presenting it as a process of racial assignment and identification. Though it examines the construction of racial categories in the 1890 census as a discursive process taking place among politicians and other cultural elites, this chapter pays equal attention to the unexpected dynamics of implementing this new racial system and the uncertain quotidian process of creating race, a responsibility which had been placed in the hands of census enumerators and ordinary citizens. As such, this chapter examines the extent to

which race making was often the unstable and uncertain product of racial assignment and identification. Tracing this dynamic as it arose in early Jim Crow train travel and various works of fiction, I explore the nuance, agency, and subjectivity entailed in the process of racial formation. Central to this historical narrative is the extent to which racial construction was not a clear-cut process, but an often disorganized and unpredictable negotiation.

Chapter 3 centers on the nation's concerted preoccupation with the racially pure, racially mixed, and racially liminal body in 1890s political, cultural, and scientific discourse. It focuses on the ways this preoccupation was the product of white racial anxieties about perceived black numerical and political supremacy. At the same time, it documents the ways these anxieties would lead to the imagined disappearance of blackness and racial in-betweenness. This chapter also explicates the covert desire to protect white male sexual privilege while rendering racially liminal children legally and socially invisible. Moreover, this chapter documents the ways race was imagined to be an essentialized biological construct in the form of racial traits which predicted and determined human behavior. Most significantly, Chapter 3 demonstrates the ways these white supremacist and racial separatist agendas were countered and contested, not only by explaining human behavior as the product of socialization, but through visual and verbal narratives which operationalized the racially pure and liminal body.

Chapter 4 explores a number of future scenarios which presented the American public with alternative visions of the racial future. Before a one-drop conception of race would become ubiquitous in U.S. culture, various intellectuals and powerful shapers of public opinion speculated about the future of race by predicting how the racial caste

system would be reformulated, dismantled, or reinscribed in the decades to come. Most notably, this chapter discusses the extent to which non-binary conceptions of race competed with and challenged an ever-encroaching and progressively calcified black and white binary predicated on the doctrine of hypodescent and hyper-visibility. As was the case with many cultural contexts, racially mixed and liminal people played a central role in these scenarios.

In a deliberate effort to provide a broad and diverse depiction of racial liminality in the 1890s, I have used a wide array of primary sources. These include archival sources and traditional historical documents, such as newspapers, speeches, magazine articles, and essays. In order to capture and analyze the nuance and cultural discourse of the period I have also used a number of literary texts centered around racially liminal figures. These texts are particularly important in the way they provide insights and a degree of subjectivity which may not be present in other types of traditional sources.

Chapter 1:

“Upon the Border-Land”: Racial Liminality and Legal Constructions of Race in the 1890s.

In June 1890, Joseph Raymond, a white man, married Camelia Parker, a light-skinned, phenotypically white woman in New Orleans, Louisiana. Eight months later the couple separated, and Joseph Raymond filed for an annulment of the marriage, based in part on the sudden discovery that his wife was a “quadroon” and therefore not “purely white,” as he had allegedly first believed. Upon hearing arguments from both sides, district court judge Fred D. King promptly dismissed the case. First, King declared that a deliberate attempt to misrepresent one’s racial identity was not cause for annulment. Secondly, he noted that no law banning interracial marriages existed in the state of Louisiana.

King in no way held open-minded views on race or mixed marriages. In fact, he was quite willing to share his opinion that the white-controlled state legislature had failed in its duty by not “prohibiting amalgamation of the races and re-adopting as the public policy... the principle upon which eminent scientists, statesmen, jurists and theologians agree our future progress and civilization depend.”²⁸ Reflecting many commonplace conceptions of race at the time, King’s comments reflect the tacit assumption that race and racial categories were naturalized, *a priori* categories of humanity. On the one hand, King relegated blackness, whiteness, and race itself to the realm of nature, science, and theology. On the other, he acknowledged that race and the laws that governed such

²⁸ “Miscegenation,” *Daily Picayune* (New Orleans), October 15, 1892. 19th Century U.S. Newspapers-Gale.com. See also “City Church Notes,” *Southwestern Christian Advocate* (New Orleans, L.A.), October 20, 1892. 19th Century U.S. Newspapers-Gale.com.

issues were undoubtedly in the hands of white men, who ultimately held the power to create, define, and police the boundaries between black and white, or not to not do so, as happened to be the case in the state of Louisiana in 1892. While the judge imagined race to exist in nature and to be created by God, he clearly admitted the very active role that politicians played in the process.

In the absence of a legal ban on mixed-race marriages in Louisiana in 1892, the question of Camelia Parker Raymond's racial identity went no further. However, even if marriages between blacks and whites had been prohibited, there was no conclusive evidence that Camelia was legally white or legally black, or that she understood herself in such dichotomous terms. Rather, the historical record demonstrates that Camelia's race had never been conclusively determined at the time of their marriage in 1890, at least not as far as the state of Louisiana, the city of New Orleans, or the Census Bureau of the United States was concerned. The marriage license issued to the couple did not identify either party by race, a fact which reflects the extent to which race was not a legal requirement for marriage in Louisiana and seemed to be of relatively little importance.

Even if race did matter when it came to her intention to marry Joseph Raymond in 1890 or to stay married to him in 1892, establishing Camelia's race as definitively black or definitively white might have proved deeply problematic. Camelia Parker's official race, according to available census records, was anything but stable or conclusive in the more than two decades leading up to the marriage. In the 1870 U.S. Census, for example, Camelia, her parents, and her three siblings were listed as white.²⁹ However, ten years

²⁹ United States Census Schedule, Third Ward City of New Orleans, June 14, 1870. <https://www.familysearch.org/>

later, she and her family would be identified as “Mulatto.”³⁰ As a newspaper account of the annulment proceedings suggested, Camelia’s race was not a certainty in any legal sense, but merely what one “imagined her to be.”³¹

Though no one, including Judge King or Camelia’s attorney, seemed to dispute Joseph Raymond’s claim that his wife was a “quadroon,” there remained some sense of uncertainty as to whether she was black, or at least non-white, and an equally uncertain understanding of what that meant. Though one newspaper account seemed to suggest that Parker’s status as a quadroon automatically meant that she was not white, another account simply suggested that as a “quadroon,” Parker was “partly of the African or Negro race,” implying that the defendant was not quite white, but not exactly black either.³²

While on the face of things, Judge King seems to have determined that Camelia was categorically non-white, other comments he made seem to imply that she could very well have been both black and white. “One may intend to marry a woman he believes to be of the pure Teutonic race,” King suggested. “He cannot annul the marriage because he afterwards discovers that a portion of the blood in her veins is of the Irish or Celtic race.”³³ This analogy reflects the fact that King’s conceptualization of race was much more nuanced than one constructed in terms of a simplistic black and white binary.

³⁰ United States Census Schedule, City of New Orleans, June 3, 1880.

<https://www.familysearch.org/>

³¹ “Mixed Marriages: No Law to Nullify Amalgamation of the Races,” *Times Messenger*, October 22, 1892. *Chronicling America: America’s Newspapers*. Library of Congress.

³² “City Church Notes,” *Southwestern Christian Advocate* (New Orleans, L.A.), October 20, 1892. 19th Century U.S. Newspapers-Gale.com.

³³ “Mixed Marriages: No Law to Nullify Amalgamation of the Races,” *Times Messenger*, October 22, 1892. *Chronicling America: America’s Newspapers*. Library of Congress.

Moreover, it suggests that he did not think of whiteness as a zero-sum prospect constructed on the basis of a one-drop formula. Though Camelia Parker may not have been completely white in the Judge's view, she was certainly not definitively non-white either.

Though King may have imagined or conceded some ambiguity when it came to drawing the line between blackness and whiteness, he clearly understood that line to exist, at least potentially, in law as well as in nature. Moreover, he also understood that the line between blackness and whiteness was not simply a neutral line between groups of people, but one that entailed a clear sense of disequilibrium. "The quality with the other races who inhabit the globe claimed for the negro by ignorant philanthropists," he asserted "is belied by the whole history of the race throughout the historic period." Citing the recent trend toward legislating race through state bans on mixed marriages, he continued to warn against the harm of racial mixing and the need for Louisiana to pass such a ban itself.³⁴

Two years later, King would get his wish as Louisiana did pass a state law banning mixed marriages and "miscegenation." Louisiana would in fact codify such a ban shortly before Camelia Parker's death in 1895. However, the law simply nullified marriages between a white person and a "person of color" but failed to define what constituted a member of each race.³⁵ What King had failed to understand, or at least admit, was that the legal construction of race entailed more than the simple passing of

³⁴ Ibid.

³⁵ George M. Snellings III. "Louisiana Law on the Nullity of Marriage." *Louisiana Law Review*. 20, no. 3 (April 1960): 562-583. According to Snellings, this issue remained an issue to be determined by the courts with varying definitions emerging through court cases in Louisiana between the 1910s and the 1950s.

laws, but included a less predictable interplay between state legislatures and the judicial branch. As lawmakers ultimately left racial identification in the hands of the state, the legal boundaries of black and white remained no more clear cut well beyond the turn of the century than they did when Joseph Parker had unsuccessfully petitioned the court to nullify his marriage in 1892. As late as 1910, in fact, the Supreme Court of Louisiana ruled that a sexual affair between an “octoroon” woman and a white man did not violate the state’s anti-miscegenation statute. It effectively ruled that the woman was white.³⁶ Even if a legal ban on interracial marriage had existed in Louisiana in 1892, Judge King may not have granted an annulment to Joseph Raymond after all. And, if he had, that marriage may well have been upheld as legal by a higher court. At least when it came to sexual relationships between whites and racially liminal figures, such as Camelia Parker, the court was more apt to see such fair skinned individuals with small fractions of black ancestry as white, or at least white enough.

In a microcosm, the Camelia Parker-Joseph Raymond case demonstrates the extent to which racial categories and racial construction were not stable and uncontested legal categories in the 1890s, but murky and markedly unstable ones. It also demonstrates the complex role various state institutions played in the lives of individuals and the construction of race, on an individual basis or in aggregate. Understanding this case in the context of other events involving racial liminality and the legal construction of boundaries in New Orleans and throughout the country further demonstrates the extent to which blackness and whiteness were categories which often shifted based on necessity

³⁶ *State vs. Treadway*, 126 LA 300, No. 18, 149. (1910). <http://westlaw.com> In this 1910 case, the LA Supreme Court ruled that a sexual relationship between a “white” man and Octoroon women did not violate the state’s anti-miscegenation statutes.

and circumstance, as well as location. Moreover, precision, consistency, and universality in the law was not a given when it came to race.

The Parker-Raymond case is also indicative of two paradoxical, if not antithetical, conceptions of race in 1890s America. Though race and racial categories continued to be biologically essentialized as products of nature, they were also understood to be a socially, legally, and politically constructed. By decade's end, the Supreme Court would use such an essentialized and "natural" sense of race in its legal justification and defense of the social and legal separation of black and white Americans, but the premise that race and racial categories were products of nature would also be challenged throughout the decade by a competing view which understood race to be a legally constructed and deliberately negotiated construct and endeavor.

More often than not, racially liminal figures, as individuals or in aggregate, were entirely central to such challenges and negotiations. While there was a growing consensus emerging throughout the 1890s that the separation of blacks and whites was of paramount importance, the legal construction of these categories remained fragmented, unclear, and unfixed. Nothing seemed to bring this reality into sharper view than the presence of the racially liminal figure. Though such an understanding of race and racial construction was held and promoted by anti-racist actors in an effort to dismantle what was understood to be a racial caste system predicated on political, social, and economic inequalities, it was also understood, advanced and strategically operationalized by white supremacist actors who understood the power of race to be a deliberately contrived social and legal construct. This chapter examines how this dynamic emerged in the legal challenge to the Louisiana Separate Car Law, the fiction and non-fiction writings of

Charles W. Chesnutt, and the statewide marriage ban negotiated in the 1895 South Carolina convention.

Race and Racial Liminality in the Challenge to the Separate Car Act:

Approximately two weeks after Judge King dismissed the Raymond-Parker case, attorney James C. Walker would also appear in a New Orleans district court. Walker represented Homer A. Plessy, another racially liminal figure, who had been arrested the previous year for violating the Louisiana Separate Car Act of 1890.³⁷ Like Camelia Parker, Homer Plessy's race was not readily fixed but shifting and ambiguous, making him an ideal candidate for a deliberately contrived legal test case which would challenge the assumptions upon which racial categories, and even race itself, were based. Unlike Camelia Parker, Homer Plessy's amorphous racial categorization would not be wholly elided; rather, it constituted a central and fundamental component of the legal test case masterminded by Louis Martinet, J.C. Walker, and Albion Tourgée.³⁸

Demonstrating the piecemeal development and idiosyncratic nature of Jim Crow legislation, the inconsistency of and lack of specificity in the law itself would represent a key thread pursued by the Plessy team. From the very beginning J.C. Walker and Albion Tourgée would point to Louisiana's lack of an interracial marriage ban and the lack of codified definitions of racial categories in the law. Unlike marriage between blacks and whites, physical proximity between people of different races during train travel had already been expressly prohibited by the state, further demonstrating the extent to which

³⁷ "The Jim Crow Cars," *Daily Picayune* (New Orleans, L.A.), October 29, 1892. 19th Century U.S. Newspapers-Gale.com.

³⁸ Louis A. Martinet, himself a racially liminal figure, was a significant member of the Comité des Citoyens and the initiator of the legal test case. Albion Tourgée was a nationally known figure and former judge who served as the lead counsel. James C. Walker, a New Orleans native, served as local counsel.

racial prohibitions, even within the same state and city, often shifted from one set of human endeavor to another. In short, marriage between people of different races was, at least tacitly, sanctioned in Louisiana in 1892; train travel was not.

Exploiting this disconnect further, Tourgée presented the court with two hypothetical scenarios which illustrated how the segregation policy of the Separate Car Act was diametrically at odds with the state's laws on interracial marriage, or the lack thereof. One hypothetical involved a black woman married to a white man, and the second involved a black man married to a white woman, both of which entailed the forced separation of legally married people. "The conductor is authorized, under the law in question," Tourgée argued, "to assign the husband to one coach set apart for persons of one race and the wife to another coach set apart for persons of a different race." Exploiting this further, he suggested that even the couple's children would be forced to separate from the mother or the father, depending on the conductor's unilateral determination.³⁹

Though the absence of a ban on mixed marriages pointed to a fundamental flaw in the state's Jim Crow logic, it also served a larger purpose of reminding the court that racial mixing constituted not merely a hypothetical exception upon which the fairness of the law could be challenged but a widespread and ever-present reality. As Mark Elliot has argued, "Tourgée's brief repeatedly hammered home the reality that racial intermixture and intermarriage – the bugaboo of integration – was an accomplished fact that was

³⁹ Published brief, Supreme Court of Louisiana, No. 11,134, *Ex Parte, Homer A. Plessy*, submitted by Albion W. Tourgée and James C. Walker, 1892. New York Heritage Digital Collections: 6452, 10.

benign, commonplace, and could not be stopped by segregation laws.”⁴⁰ Exploiting the reality that a legal ban on marriage had failed to materialize in Louisiana, Tourgée declared that “Miscegenation is legalized and encouraged in the State of Louisiana, if not actively, it is by the silence and inaction of the legislature.”⁴¹

Establishing the inconsistencies in the law where train travel and marriage were concerned represented one point of contention in the complex legal challenge. A more direct attack concerned the nature of racial categories themselves. While Jim Crow law was consistent in its desire to draw lines of separations between blacks and whites, it often failed to establish the exact nature and definitions of these categories. Seeking to exploit this gap in the law, Tourgée and Walker sought to expose the illogic of the Separate Car Law and the illogic of race itself by exposing the instability of racial classification. As Tourgée and Walker argued in their 1892 brief to the Louisiana Supreme Court, “the State Legislature... never defined the meaning of the term ‘persons of the colored race,’ nor classed those who should be included in such definition...”⁴²

From the very beginning of the legal test case, the arbitrary nature of racial determination justified the deliberate choice of a racially ambiguous plaintiff whose appearance and ancestry defied the segregation logic of a distinct black and white binary

⁴⁰ Mark Eliot, *Color-Blind Justice: Albion Tourgée and the Quest for Racial Equality* (Oxford: Oxford University Press, 2006.), 289.

⁴¹ Published brief, Supreme Court of Louisiana, No. 11,134, *Ex Parte, Homer A. Plessy*, submitted by Albion W. Tourgée and James C. Walker, 1892. New York Heritage Digital Collections: 6452. Syllabus, 10.

⁴² Published brief, Supreme Court of Louisiana, No. 11,134, *Ex Parte, Homer A. Plessy*, submitted by Albion W. Tourgée and James C. Walker, 1892. New York Heritage Digital Collections: 6452. Syllabus, 2.

embedded in the law.⁴³ Though Homer Plessy appeared white by all accounts, he was specifically chosen by the defense because of his questionable and unstable racial status.⁴⁴ Like many Americans, Homer Plessy embodied a degree of racially liminality which challenged the binary of racial construction often taken for granted. Though some newspaper accounts had Plessy identifying as white, others suggested that he described himself as “colored.”⁴⁵ Though no photos or sketches of Homer Plessy appeared in the papers, one account described him as “white as the average Southerner”⁴⁶ while three months after his arrest, he would be described as “colored.”⁴⁷

Louisiana’s murky legalities and Homer Plessey’s racial liminality served the larger purpose of exposing the illogic and instability of the racial categories assumed, but not defined, by the Separate Car Act. “By shifting the focus from the legal treatment of African Americans as a class to the legal process of racial classification,” Mark Golub observes, “Tourgée hoped to render the racial categories demanded by segregation both practically and conceptually incoherent.”⁴⁸ Thus, the deliberate choice of a racially liminal subject represented an attack on the binary logic of nascent Jim Crow legislation and the assumption that one’s race was an easily identifiable quality and a readily stable

⁴³ Steve Luxenberg. *Separate: the Story of Plessy V. Ferguson, and America’s Journey from Slavery to Segregation*. (New York: Norton, 2019), 470.

⁴⁴ Luxenberg, 421.

⁴⁵ Luxenberg, 432. William James Hull Hoffer. *Plessy v. Ferguson: Race and Inequality in Jim Crow America*. (University Press of Kansas, 2012) ,68.

⁴⁶ For more on the absence of photos, see Luxenberg, 505. *The New Orleans Crusader* 1892 qtd. in Golub, Mark. “Plessy as ‘Passing’: Judicial Responses to Ambiguously Raced Bodies in *Plessy v. Ferguson*.” *Law & Society Review*. 39, no. 3 (September 2005): 570-571.

⁴⁷ “The Jim Crow Cars,” *Daily Picayune* (New Orleans, L.A.), October 29, 1892. 19th Century U.S. Newspapers-Gale.com.

⁴⁸ Golub, 573.

construct. Thus, Plessy's physicality and racially liminal status would be directly exploited by Tourgée:

Indeed, neither the information nor the statute enlightens us, whether a passenger, who is an octoroon, and in whom color is not discernible, should be assigned to a coach set apart by colored passengers, or to a coach set apart for white passengers. It appears to us that in either event, such octoroon is made to suffer, not for his own fault, but because at will one conductor may assign him to a coach among white passengers, and another conductor, with equal authority and reason, may assign him to a coach among colored passengers.⁴⁹

Thus, on one level Homer Plessy's phenotype served to expose the instability of outward physical appearance when it came to placing one on either side of the fixed racial binary implied in the law. At the same time, the multiple ways a person like Plessy could be racially identified also served as a way of exposing the inconsistency inherent in the process of racially identifying someone of his background and appearance. Thus, the idiosyncratic nature of racial identification and assignment shed considerable doubt on the consistency of racial categories themselves.

While Plessy's defense team used his indeterminate and mercurial racial status to challenge the stability of blackness and whiteness as they were conceived of in the Separate Car Act, they would also challenge the law's presumption of a fixed, stable, and inherent black and white binary in general. One way, this was brought to light was by exposing the fact that race and racial categories were not universal categories existing in nature, but manmade ones which did not conform to any universal definition. After reminding the court that the law in question left the racial designations it purported to enforce "uncertain and indefinite," Tourgée and Walker pointed out "that there" were

⁴⁹ Published brief, Supreme Court of Louisiana, No. 11,134, *Ex Parte, Homer A. Plessy*, submitted by Albion W. Tourgée and James C. Walker, 1892. New York Heritage Digital Collections: 6452. Syllabus, 9-10.

“almost as many definitions of the terms, colored persons and persons of color, as there are lexicographers and courts of the highest resort in the several States of the Union.”⁵⁰

Directly contesting the idea that blacks and whites were fixed and readily defined members of naturally determined racial categories, Tourgée and Walker emphasized the role of the law in constructing these divisions. They also highlighted the faulty and problematic nature of legislating race.

Moreover, the Plessy team would further elucidate the concerted but arbitrary role lawmakers played in the creation of race by problematizing the dichotomous racial assumptions inherent in Louisiana’s Separate Car Law. Invoking the period’s more nuanced and pluralistic understanding of race which presumed the existence of multiple racial divisions, Tourgée and Walker questioned why the law had not included more racial categories, including “Caucasian, Mongolian, Indian, and Negro.” By invoking the contemporary language and discourse of “science,” as well as a wider spectrum of racial divisions, he was able to expose the fact that the Separate Car Law was based not on categories inherent in nature or even logically grounded in science, but on haphazard legal constructions which ignored a more nuanced, objective, and authoritative understanding of race and a more complex categorization of humanity. The legislation of race was problematic and arbitrary.

Eliding what the defense team saw as the more nuanced and complex racial landscape of the country, and perhaps of humanity, the state had imposed its own simplistic racial formula. Thus, the legislature, in the defense’s view, had reduced “the whole human family to two grand divisions which they term ‘races,’ the ‘white race’ and

⁵⁰ Ibid, 12-13.

the ‘colored race.’”⁵¹ While this strategy questioned the existence of a simplistic binary of race and shed light on race as an arbitrary legal construction, it also went one step further by shedding doubt on the nature of race itself. In this off-handed manner, the defense implied that the very label and category of “race” was one which was itself artificially imposed and constructed.

As the complex legal argument evolved, Homer Plessy’s liminal racial status continued to problematize the existence of inherent and fixed racial categories and led to the establishment of race as a manmade and arbitrary construct, rather than a naturally generated one. Though Plessy’s racial liminality helped cast doubt on the clarity and reliability of racial lines, it also served another salient purpose. While Plessy’s amorphous and dynamic racial status allowed him to defy the categories of blackness and whiteness, thus exposing their instability, it also allowed for the possibility that he could be either black or white at any given moment, as well as being situated somewhere on the margins of either category. This malleability conveniently served whichever line of argumentation the defense chose to pursue at any given time. Since Homer Plessy was never definitively established as black or white in the legal briefs, he could be white in one moment and black in the next, depending on the legal thread his defense sought to pursue.

At least to some extent, Homer Plessy’s presumed non-white status in the minds of his defense lawyers can be understood as a given. If he had not been deliberately identified as a person of color who violated the law, he would not have been arrested, and there simply would have been no case. In fact, since Plessy appeared white, he had to be

⁵¹ Legal brief (typed manuscript), *Plessy v. Ferguson*, Argument of A.W. Tourgée, undated. New York Heritage Digital Collections: 6472, 3.

identified by another passenger on the day of his staged arrest. The planted passenger in turn identified him as “colored” to a conductor who identified him to the arresting officer. Once he was identified as non-white, he could be arrested and the case would proceed.

Thus, it was established early on that despite his light skin and other physical characteristics, Homer Plessy had to be understood to be a person of color: “The affidavit states that he is a colored man and that he insisted on entering a white compartment, in violation of this Act.”⁵² Ultimately, they did acknowledge the fact that despite his white appearance, he was defined as a person “of mixed Caucasian and African descent, in the proportion of seven-eighths Caucasian and one-eighth African blood,” a fact which at least left open the possibility that the court would deem him to be “a person of color.” In the absence of any codified definition of whiteness or blackness, the strong possibility remained that the court could find him to be one or the other.

At the same time, Tourgée and the rest of the defense team would go to great lengths in order to establish Homer Plessy’s whiteness. Indeed, much of the defense’s argument and hopes for success rested on a claim that Plessy was a white man and that, by virtue of that claim, he had been unconstitutionally deprived of “the property of whiteness.”⁵³ But, in order to demonstrate this, they first needed to define Homer Plessy as white. Therefore, Walker and Tourgée argued in their petition to the Louisiana

⁵² Legal brief (typed excerpt), *Plessy v. Ferguson*, Argument of A.W. Tourgée, undated. New York Heritage Digital Collections: 6472, 3.

⁵³ Throughout the nineteenth century and most of the twentieth century, legal arguments which connected whiteness as privileged status were common. As Arelia Gross demonstrates establishing one’s whiteness often rested on one’s performance of whiteness through privileged activities, including serving on juries or in militias. Prerequisite cases involving various foreign subjects’ individual petitions for whiteness and citizenship, a central thread of the argument in *Plessy* involved making the case for his co-constituted legal category of white citizenry.⁵³

Supreme Court that their client was entitled to every “recognition, right, and immunity secured to citizen’s of the United States of the white race by the Constitution and the laws of the United States...”⁵⁴ Moreover, the defense asserted, “The rights and privileges of a white man, as such, are not to be taken from him by State legislation.”⁵⁵

To demonstrate the oppressive potential of an arbitrarily concocted legal construction of race, Tourgée introduced an anecdote about Senator Tom Corwin, a person whose fixed racial status was all but a certainty since he could trace his lineage back “to a noted English ancestry.” Despite his fixed white status and his privileged status as a senator, Corwin had been refused entry to a social event in New Orleans because he was perceived to be “colored”⁵⁶ Having established the indisputable connection between race and standing, between whiteness and privilege, the defense hoped to expose the power of racial assignment and misassignment. In fact, this power was so great that even a white man, whose race seemed unquestioned, could be recklessly deprived of his caste position by virtue of a doorman’s, or a train conductor’s, *ad hoc* determination of his race.

Though arguments would be made to establish Plessy’s blackness and whiteness at various points throughout the case, his status as a clear-cut member of either race still remained open to question. Emphasizing the power invested in the hands of ordinary railway conductors as they became charged with the power and authority to determine one’s race and social status, Tourgée would make the point that such *ad hoc*

⁵⁵ Published brief, Supreme Court of Louisiana, No. 11,134, *Ex Parte, Homer A. Plessy*, submitted by Albion W. Tourgée and James C. Walker, 1892. New York Heritage Digital Collections: 6452. Syllabus, 13.

⁵⁶ Legal brief (typed manuscript), *Plessy v. Ferguson*, Argument of A.W. Tourgée, undated. New York Heritage Digital Collections: 6472, 4.

constructions of race not only affected those whose whiteness was not in doubt, but those, like Plessy, whose whiteness did remain open to question. In the absence of a statewide legal definition of whiteness or blackness, the power to determine the race and status of racially liminal people, like Plessy, would remain a subjective and inconsistent endeavor. Thus, Tourgée would argue that “a white man’s reputation may easily become clouded by the action of a conductor” but so could “the opportunity of those who stand upon the border-land of the two races.”⁵⁷

Over the past thirty years, scholars have debated the meaning and centrality of Plessy’s claim to whiteness and to the property it represented. In her seminal essay, Cheryl Harris argued that choosing a light-skinned passing figure for the test case came at the expense of the larger African American community.⁵⁸ More recently, Mark Golub has suggested that this interpretation “fails to appreciate Tourgée’s subversive use of racial indeterminacy to critique the institution of segregation.”⁵⁹ Raising concerns similar to those made by Harris, Steve Luxenberg observes that making a case for Plessy’s whiteness was “not a claim that would give much comfort to someone who had no intention or hope of passing for white.”⁶⁰

There is no doubt that had the U.S. Supreme Court accepted the argument that Homer Plessy was legally white, it would not have benefitted those whose darker skin

⁵⁷ Legal brief (typed manuscript), *Plessy v. Ferguson*, Argument of A.W. Tourgée, undated. New York Heritage Digital Collections: 6472, 21.

⁵⁸ Harris, Cheryl I. “Whiteness as Property.” *Harvard Law Review*. 106, no. 8 (June 1993): 1707-1791. Luxenberg has also recently pondered whether successfully defending a claim to Plessy’s whiteness would have simply resulted in the security of rights and privileges for phenotypically white individuals while leaving the rest of the African-American community behind.

⁵⁹ Golub, 573.

⁶⁰ Luxenberg, 472.

and other physical features would have prevented them from sharing in the privileges of whiteness. Clearly, the numerous arguments and negotiations of race centered around racially liminal figures rarely benefited the majority of African Americans whose race was not readily questioned. In fact, as this chapter and the study as a whole seeks to illuminate, more flexible and inclusive definitions of whiteness often served white supremacist agendas and compounded the realities of racial caste for the majority of African Americans. However, it is equally important to acknowledge that such arguments could also be employed in the service of destabilizing, or at least problematizing, understandings of race in order to serve anti-racist agendas.

In the case of the Plessy team's four-year legal challenge to the Separate Car Act, Tourgée, Martinet, and Walker walked a thin line between potentially benefitting only racially liminal figures and challenging the constitutionality of a law which helped contribute to an already existing racial caste system which relegated black Americans to an unquestionably unequal status. However, the concerted line of argumentation which sought to establish Plessy's whiteness and elucidate the fact that the law deprived him of the property associated with it represented only one line of argumentation.

Golub points out that the larger and more admirable objective of destabilizing race and racial categories was advanced with the larger aim of challenging the injustice of segregation itself: "Tourgée refused to let the question of equal treatment of races come untethered from the logically prior question of how it is determined to what race an individual belongs."⁶¹ Golub's claim underscores the extent to which Homer Plessy's racial indeterminacy helped to destabilize the categories of whiteness and blackness, and

⁶¹ Golub, 575.

race as a whole. Thus, Tourgée contended “that the State has no right to authorize any person to determine the question of a citizen’s race or color without testimony, or to make the rights or privileges of any citizen of the United States dependent on the fact of race, or its determination by such unauthorized person.” Moreover, he further asserted that “the right conferred upon the conductor to refuse to carry such pretendedly contumacious passengers is a punishment imposed without due process of law, and a denial to citizens of the United States of equal protection of the laws.”⁶² Not only were train conductors invested with the authority to determine and make one’s race on a daily basis; they were able to assign people to a particular stratum within the racial caste system which these same racial categories were designed to create and perpetuate.

While many of the threads in the Plessy team’s arguments seem incoherent or even riddled with contradictions, there was one consistent and unifying thread which promised to unite them into one coherent attack. Thus, the argument always came back to the wholesale injustice of leaving one’s racial and social status in the hands of railway employees. “In a word, the legislature has avoided this responsibility, and made it to devolve upon the officers of common carriers, acting by virtue of public charters and carrying passengers for hire.”⁶³ Important here is Tourgée’s insistence that the state played a significant role in the legal creation of race by essentially failing to do so itself through a clear legal definition. The point that he asserted again and again was the reality

⁶² Published brief, Supreme Court of Louisiana, No. 11,134, *Ex Parte, Homer A. Plessy*, submitted by Albion W. Tourgée and James C. Walker, 1892. New York Heritage Digital Collections: 6452. Syllabus, 3.

⁶³ Published brief, Supreme Court of Louisiana, No. 11,134, *Ex Parte, Homer A. Plessy*, submitted by Albion W. Tourgée and James C. Walker, 1892. New York Heritage Digital Collections: 6452. Syllabus, 14.

that the state had recklessly imparted such power to ordinary train conductors by failing to define race in any clear and codified way.

Clearly this abdication of legal responsibility focused mainly on Louisiana and the Separate Car Law. However, by demonstrating how the lack of a unified, national definition of race subjected people of color to another type of injustice also allowed Tourgée to bring the case back to the main issue of constitutionality. To this end, Tourgée asserted that the Fourteenth Amendment had guaranteed a new brand of citizenship, one not predicated on race or even on the arbitrary and potentially oppressive citizenship tied to statehood. Rather, he asserted, “The NEW citizenship of the United States, has nothing to do with race or descent but is determined solely by the place of birth, ‘Born or naturalized in the United States.’”⁶⁴ Comparing the oppression of various groups in other historical and national contexts, Tourgée argued that a system of race, privilege, and citizenship dependent upon a states rights, and not a federally constructed formula, constituted a form of oppression in and of itself. “But it may be answered that if a man does not like the rules of one state, he can move to another...,” he contended. “It is the world-wide alternative of tyranny. It is what Spain said to the Jews; what England said to the Puritans and the Irish; what Russia says to its Jews, when she offers the choice between apostasy and exile.”⁶⁵

Despite the centrality of Plessy’s race and his racial liminality, Tourgée would ultimately dismiss the relevance of Plessy’s race altogether. “But our friends upon the

⁶⁴ Ibid, 31. Capitalization used for emphasis in the original.

⁶⁵ Ibid, 22.

other side would say, it does not appear whether Pleny [sic]⁶⁶ is a colored man or a white man,” he declared. “We submit that it is entirely immaterial which he may be.” Bringing the argument back to one of its core objectives, that of having the Separate Car Law declared a violation of the Thirteenth and Fourteenth Amendments, Tourgée emphasized that the law discriminated on the basis of race and constituted a form of “servitude,” “NO MATTER WHETHER THE RELATOR” was “WHITE OR BLACK.”⁶⁷

Despite this dismissal of the importance of race, Homer Plessy’s racial liminality and ultimately undefined racial status enabled his defense to challenge the logic and constitutionality of the Separate Car Law on several fronts. First, it called into question the stability of racial categories and exposed the instability of race itself. Second, it helped establish the arbitrary and problematic nature that the act of assigning race entailed and thus highlighted the questionable role of railway conductors in this process. Third, by establishing that the inordinate power invested in such authorities entailed the strong potential for whites, and those on the margins of whiteness, to be deprived of the “property” of whiteness, the defense argued that the assortment of people into separate races was fundamentally unequal and reinforced the notion that race and caste were inseparable. Finally, the absence of universal and national definitions of race did not represent a form of escape from oppression but compounded that oppression by denying them equal protection. Questioning the fairness and desirability of using race as a means by which to categorize humanity and a means by which to order society, Tourgée would

⁶⁶ This is an obvious typo which Tourgée corrected by hand, but seems to misspell HP’s last name with only one S.

⁶⁷ Legal brief (typed manuscript), *Plessy v. Ferguson*, Argument of A.W. Tourgée, undated. New York Heritage Digital Collections: 6472, 7-8. Capitalization used for emphasis appears in the original.

ultimately reject race as a meaningful and relevant criterion and instead emphasize the higher and more constitutional value of citizenship and national belonging.

“Sharper than a Serpent’s Tooth”: Negotiating Whiteness and Caste in S. Carolina:

“In South Carolina we recognize Octoroons as white people,” Ben Tillman proclaimed to his colleagues on the floor of the United States Senate in 1903.⁶⁸ Several important ramifications of this statement from the career politician and son of a slaveholder known as “Pitchfork Ben” stand out. Contemporary readers and students of race might be surprised that such a statement regarding the ambiguous boundaries of blackness and whiteness would be made in such a public and powerful forum, especially by a radical white supremacist known for his racially inflammatory rhetoric. In fact, such a definition of whiteness was announced as a point of pride by the vehement white supremacist, populist, and former governor, turned U.S. senator. In contrast to the infamous ruling issued in *Plessy*, already seven years in the past, phenotypically white subjects with a majority of “white” ancestry were understood to be white in the Palmetto State. In essence, Tillman was alluding to Article III, Section 33 of the South Carolina Constitution negotiated and adopted in the fall of 1895, a document which, among other things, disenfranchised most black voters in the state and overturned Reconstruction era law by banning interracial marriages. The product of a long, protracted, and often tense debate, this language not only banned marriage between blacks and whites, but precisely defined these racial categories in the law and in the constitution itself.

⁶⁸ Benjamin R. Tillman. “The Race Problem.” (United States, Washington D.C., February 23-24, 1903.) <https://www.loc.gov/item/91898590/>, 22.

Far from an arbitrary definition, the language which defined these racial categories was deliberately and consciously created with the express understanding, among delegates, that race was not a fixed, stable, and inherent designation existing in nature, but a legally constructed one which needed to be openly and meticulously negotiated. Moreover, aware of the material, social, and political consequences of this language, constitutional delegates, including Ben Tillman and his older brother George, remained acutely aware of the ways that the law shaped race and the ways that race shaped caste. Deliberately avoiding a ban on extramarital relationships or sexual unions between the races, the ban did not prohibit the sexual mixing of blacks and whites, only its legal sanction and the right of the children produced by such unions to be legally recognized and able to inherit property.

From September 10 to December 4, delegates met in Columbia, South Carolina in order to adopt a new state constitution, one modeled on the white supremacist document adopted five years earlier in Mississippi. Though the business discussed ranged from the drawing of county lines to the regulation of alcohol, one of the main purposes of the convention was the express and openly declared objective of disenfranchising black voters and curbing African Americans' political power. The goal was also to limit the political influence of the Republican party, including what white populists saw as dangerous alliances among white Bourbon elites, populists, and African American voters. In short, the express goal of the convention was to solidify and entrench white supremacy and to consolidate power in the hands of the Restoration era Democratic party.

On the sixth day of the convention a resolution to ban marriage between blacks and whites, and between whites and people of mixed race, was introduced by F.P. Taylor

of Chesterfield: “The intermarriage of white persons with negroes, mulattoes, or persons of mixed blood, descended from a negro, is prohibited in this State.”⁶⁹ This initial resolution amounted to a one-drop formula in which any degree of black ancestry would have defined a person as “negro” or “mulatto” and thus made that person ineligible for marriage with a “white person.” This initial resolution essentially defined and codified whiteness as the absence of “mixed blood, descended from a negro.” It also restricted the prohibition of interracial unions to legal marriage, but said nothing about other kinds of intimate relationships between men and women.

Two days later, O. R. Lowman of Orangeburg proposed language extending this prohibition to persons “living together.”⁷⁰ Presumably sent back to the Committee on Legislative Department, it reemerged on Day 10 of the convention with significant changes. Gone was the clause extending the prohibition to common law marriage or cohabitation. Even more significant, the new resolution would define a non-white person using a far less stringent and far less exclusive “blood quantum” formula. Emerging out of committee as Section 34 of Article III,⁷¹ the new provision would read as follows: “The marriage of a white person with a negro or mulatto, or person who shall have one-eighth or more negro blood, shall be unlawful and void.”⁷² This exact language would be adopted by the convention and remain in the South Carolina Constitution for more than one hundred years, but the debate did not end there.

⁶⁹ Journal of the Constitutional Convention of the State of South Carolina, 1895, 106. Library of Princeton University. Hathi Trust Digital Library. JCCSSC, 1895,

⁷⁰ Ibid, 150.

⁷¹ Though this would become Section 33, it was referred to as Section 34 throughout much of the first part of the convention.

⁷² S.C. Const. of 1895, article III, sec. 33.

George Johnstone, a former U.S. congressman, refused to let the one-eighth language stand and continued to advocate for a much stricter one-drop formula. Believing in a naturalized and divine origin of race and “the races,” Johnstone declared in early October that “God Almighty never intended the marriage of a white man and an African...”⁷³ As late as the third week of November, 1895, the delegate from Newbury continued to argue in favor of the strictest definition of whiteness, one which would leave no liminal space for uncertainty when it came to a person’s race. Arguing to alter the amendment to Section 34, Johnstone restated his case for substituting the word “any” for “one-eighth or more of,” thus potentially changing the future legal definition of whiteness in South Carolina to one based on absolute racial purity, a “one-drop” formula.

Though George Johnstone’s unsuccessful attempts to define whiteness in terms of a one-drop rule emanated from his religious belief in the divine origins of race, another advocate of the one-drop formula would concede that his support of Johnstone’s proposal was based on what amounted to a belief in the ideology of race. Supporting Johnstone’s push for racial purity and expressing the philosophy of *noblesse oblige*, T.G. Barker of Charleston denied the overtly racist assumptions of his position while supporting a one-drop formula and complete separation of blacks and whites. “He would be unworthy to the teaching of his childhood if he entertained any miserable prejudice to the negro,” the *People’s Journal* reported. “But the question here is the religion of race. We cannot enter into the fractional qualification. We can only be justified in history by our determination to maintain an absolute division between the two races.” As Barker’s

⁷³ “Constitutional Convention: A Busy and Eventful Week.” *People’s Journal* (Pickens, SC), October 10, 1895. *Chronicling America: America’s Newspapers*. Library of Congress.

statement clearly indicated, even the most adamant advocacy of racial separatism and dichotomous notions of black and white did not belong solely to the realm of nature or of God. On the contrary, they amounted to a manmade belief system, a “religion of race.”⁷⁴ At the same time, preserving an absolute separation between the races and creating absolute racial purity could also not be trusted to divine intervention or natural processes, as Barker suggested. Preserving racial division would require human effort.

As the debate over the word “any” versus the phrase “one-eighth” continued in the convention itself and in the press coverage, it would become clear that delegates and the public at large understood that lawmakers were doing more than simply codifying a ban on marriage between two members of inherent and immutable categories of humanity. Indeed, remarks made by delegates and comments made in and by the press convey a concerted awareness that they were not only legislating about race but legally constructing race itself. An African American writer, listed as R.J.M., seemed to bring this notion home in a particularly direct and salient way. “We often see the expression ‘Negro blood,’” R.J.M. observed, “but so far as we have been able to learn, a microscopical examination shows no difference between black blood and white blood, nor can chemistry help us, since the same elements present in the blood of one race are present in like proportion in the blood of the other.”⁷⁵ This observation demonstrates a rather clear and lucid understanding that racial divisions were not biologically essentialized categories found in nature. Moreover, though science was often put to the

⁷⁴ “Constitutional Convention: A Busy and Eventful Week.” *People’s Journal* (Pickens, SC), October 10, 1895. *Chronicling America: America’s Newspapers*. Library of Congress.

⁷⁵ Ibid.

service of constructing and reinforcing the belief that race and racial categories were fixed and natural, R.J.M. used science to make the opposite claim.

While R.J.M. used science to disrupt one of the fundamental ideological underpinnings of race science, he also understood that race and racial categories were social and legal constructions, the end result of a process which he was witnessing first-hand at the convention. Blackness and whiteness, as they were being discussed among delegates, were clearly the purview of politicians and were clearly the product of laws, negotiation, and political deliberation. “If it only needs a Constitutional provision to make a black man white, or white man black,” he asserted, “it would be well for the Convention to provide that all persons, now residents in the State of South Carolina, or whatever race or color shall be considered white.” Understanding that law created the categories of race, R.J.M. could playfully suggest that blackness, whiteness, and other racial categories were manmade ones which could be changed at the whim of the delegates. Moreover, his satire also got at the core of race’s political power by exposing its core function, that of placing people in fundamentally unequal social categories. Understanding this power and reminding his audience of the Convention’s real purpose, he continued, “Such a provision would settle the Negro question, and establish ‘white supremacy’ forever.”⁷⁶ As R.J.M. clearly understood, race was not simply about artificially constructed categories but about hierarchy and power. It was about caste.

The tangible social and economic implications of the marriage provision and its legal construction of race was widely understood by all members of the delegation, regardless of what side of the one-drop debate they were on. Negotiating and

⁷⁶ Ibid.

establishing a legal boundary between blackness and whiteness would not only represent an abstract philosophical teasing out of these categories but the creation of a practical legal code which would have very real and material ramifications for many in the state. In addition to establishing these legal categories in the abstract, the choice between “any” and “one-eighth or more” could effectively legislate people into or out of the privileged category of whiteness and the clearly less privileged status of blackness. Historian Peggy Pascoe has astutely argued that the creation of marriage laws in the late nineteenth century legally constructed race.⁷⁷ As much as this claim represents a sophisticated modern understanding of race, this very realization did not escape the delegates themselves. Not only did delegates openly engage in the construction of race and caste; they clearly understood that this was exactly what they were doing.

No one seemed to understand this point more fully than George and Ben Tillman, who consistently resisted the codification of the one-drop formula on the floor of the convention and in the press. Arguing against replacing “one eighth” with the word “any,” George Tillman warned that should a one-drop formula be adopted, “havoc would be played with property in South Carolina.”⁷⁸ Thus, the elder Tillman brother understood the real world consequences of race and race making. Chief among these were issues related to property, not necessarily the notion that whiteness constituted property, but the reality that the property one owned was inherently linked to one’s co-constituted socio-economic and racial status. This affected one’s ability to acquire property and status, in the first place, and the ability to keep it.

⁷⁷ Pascoe, 8-9.

⁷⁸ “Convention Opinions: Views of Certain Prominent Members of the Body.” *News and Herald* (Winnsboro, SC), October 10, 1895. *Chronicling America: America’s Newspapers*. Library of Congress.

Clearly, such a concern was shared by Ben Tillman. In addition to the material aspects of wealth and property associated with whiteness, the younger Tillman understood the social privileges and status associated with this racial designation. In response to Johnstone's call for a one-drop formula, the younger Tillman retorted, "It cuts off people who have negro blood, but for one cause or another had gotten into good society."⁷⁹ Joining the Tillmans in their opposition to the one-drop formula were several other delegates who opposed the ban on similar grounds. Demonstrating that he was not just legislating race in the abstract but socially constructing it in real life, J. A. Sligh, Chairman of the Legislative Committee, rhetorically asked, "Would you force a man 1-16 or 1-32 to go back and raise up negroes?" In response to his own question, he suggested, "I should think it better to raise up white families. Otherwise, it seems to me, it would be unjust."⁸⁰ Moreover, Sligh's comments demonstrate an awareness that this simple change in language had the power to shape the future of race and the future of the social order in the state. It would also have the more immediate effect of shaping race in the present.

In addition to having tangible implications for the present construction of race, the constitutional language on marriage held the potential of reaching back into the past and undoing legal marriages already entered into. Moreover, constructing a one-drop formula of whiteness could also legislate people who were legally and socially white into a sudden non-white status. "Senator Tillman said that he knew of no such people personally," an article in the *People's Journal* reported, "but he knew that there were

⁷⁹ "Constitutional Convention: A Busy and Eventful Week." *People's Journal* (Pickens, SC), October 10, 1895. *Chronicling America: America's Newspapers*. Library of Congress.

⁸⁰ Ibid.

such in the State, who were good confederate soldiers, who had married into white families and were received in good society. He thought that no law that would be retroactive should be passed.”⁸¹ Thus, in addition to a prescient understanding that the legal negotiation of race in the convention had the intended consequence of preventing mixed marriages from 1896 onward, Ben Tillman and others were keenly aware that these deliberations could have the unintended consequence of reconstructing the past.

Sharing the younger Tillman’s concerns about the potential of altering South Carolina’s racial past but also conscious of the ways the marriage ban could alter the future, D.S. Henderson would present a resolution to amend Article 34 and thereby ensure that the present and future would not be affected by whatever formula of whiteness and non-whiteness would be finally agreed upon. On the twenty-first day, he moved to amend the original language by adding, “Nothing in this Section contained shall be construed to invalidate any such marriage heretofore legally entered into, or affect the offspring thereof, or the future marriage of such offspring with white persons.”⁸²

Even George Johnstone, the fiercest white separatist and staunchest advocate of the one-drop formula, seemed to grasp the implications of such a provision. Thus, he too would offer language to ensure that no legally white person in the state, regardless of their ancestry or amount of black “blood,” would be divested of their whiteness. To that end, Johnstone offered the following language: “Also, add to the end of the Section the following words: ‘*Provided*, That this Section shall not be construed to class as a negro any person who is now classed as a white person, nor shall the descendant of any person

⁸¹ Ibid.

⁸² Ibid, 323.

who is now classed as a white person, be so classed.”⁸³ Clearly, Johnstone’s proposed amendment had the clear intent of preserving and protecting whiteness. However, it was not a whiteness divinely endowed or naturally produced but one which had been legally constructed, one which required additional language and negotiation to preserve. It was also an understanding of whiteness which acknowledged the myth of racial purity and openly acknowledged the state’s racially mixed population.

Apparently, this did not escape the notice of George Tillman, a former member of the 51st Congress and a member of the House Select Committee which had approved the 1890 Census and the new categories of race it created.⁸⁴ Shedding further doubt on the inherent, immutable, and biological essence of whiteness and blackness, George Tillman had “put himself on record as saying that there are no pure caucasians in the state, but that all caucasion blood is more or less mixed with that of the darker races...”⁸⁵ Having approved and possibly even suggested the inclusion of “octoroon” and “quadroon” in the Eleventh Census, Tillman clearly understood and acknowledged the mixed-race composition of his home state and the nation as a whole. He also clearly understood, better than just about any one at the convention, how race was made.

⁸³ JCCSSC, 1895, 617.

⁸⁴ Minutes of the House Select Committee on the Eleventh Census, January 8, 1890. HR 51A-F44.1 to HR 51A-F50.1., RG 233. Records of the United States House of Representatives. National Archives. The new race inventory created by this body would include several new racial categories, including “octoroon,” “quadroon,” and “Japanese” while recasting and reconstructing preexisting categories, including “black,” “white,” and “mulatto.”

⁸⁵ R.J.M., “The Color Question: In the Constitutional Convention of South Carolina,” *Afro-American* (Baltimore, MD), October 26, 1895. 19th Century U.S. Newspapers-Gale.com.

In the sparse treatment of this debate, scholars have asserted that delegates ultimately settled on a one-eighth definition or blood quantum formula.⁸⁶ However, this is incorrect. The language which would be agreed upon and enshrined in the constitution for generations to come was actually less open when it came to drawing a legal boundary around whiteness and white privilege. Contrary to Ben Tillman's assertion that "octoroons" were legally white in South Carolina, the letter of the law in fact stipulated that only those with less than one-eighth black ancestry would be considered white. Thus, when Chairman Sligh raised the example of people with one-sixteenth (a great, great grandparent) or one-thirty-second (a great, great, great grandparent) fractions of black ancestry, he clearly seemed to grasp the full meaning of the letter of the law. While a one-drop formula would be successfully defeated, a one-sixteenth one would be adopted. It was far more "liberal" than the one Johnstone desired, but it was considerably less "liberal" than historians have previously understood.

This fact also forces us to reexamine Joel Williamson's assertion that the final language in the marriage ban was the product of "antebellum looseness" or a "hangover from Carolina's racially loose and Latin past."⁸⁷ Rather, this fact suggests that the process of negotiation was actually more involved than that. It also suggests that while a one-drop formula was rejected, so were other possibilities which would have done more to preserve the racial *status quo* or even extend the economic and social privileges of whiteness to more people in the state. Rather than a reflection on South Carolina's Antebellum past, this fact provides a key insight into its 1890s present. On the one hand, it reflects the period's general uncertainty over where to draw the exact lines between

⁸⁶ See Williamson, 93 and Davis, 45.

⁸⁷ Williamson, 93.

blackness and whiteness, and on the other, it demonstrates a concerted hardening of the racial lines which would eventually come to constitute a stark and unquestionable sense of who was black and who was white. Thus, it is noteworthy to observe that the one-drop rule was rejected, but it is equally important to note that the strict legal definition of whiteness had inched much closer to that construction. While there may clearly have been some “looseness,” the boundaries of whiteness were indeed being tightened. Though it did not impose the strict litmus test of complete racial purity, it was concertedly stricter than the one-eighth formula used in the state during chattel slavery.

Though the South Carolina delegates had, in effect, agreed on a one-sixteenth definition of whiteness, there is reason to suggest that the more open one-eighth formula had been on the table. As R.J.M.’s coverage of the convention reflects, “the general opinion seems to be that the best possible solution of the difficulty would be to re-enact the old law (in force during ante-bellum days) which provided that persons having one-eighth or less of Negro blood should be considered as white, and in the absence of positive proof, accepted the fact of a person having been associated with white persons, as evidence of his belonging to the white race.”⁸⁸ As this comment suggests, the Antebellum formula was clearly more open than the one finally adopted by the convention. Moreover, this also suggests that the process of negotiation was even more nuanced than the convention record would indicate. Above all, it demonstrates to a considerable degree, that the negotiation of race in South Carolina did not end with a constitutional convention or with the language adopted by a majority white supremacist

⁸⁸ R.J.M., “The Color Question: In the Constitutional Convention of South Carolina,” *Afro-American* (Baltimore, MD), October 26, 1895. 19th Century U.S. Newspapers-Gale.com.

delegation. Rather, the negotiation of race would continue to entail other essential elements of social construction, namely one's reputation as black or white. While these forces remained in play, the status of South Carolina's large racially liminal population remained in considerable flux during the convention and beyond.

While R.J.M. also possessed a profound understanding of the power legislators possessed when it came to constructing race, this journalist also understood the power and limitations of the law, especially its impact on the black community: "Should this law be re-enacted, and made mandatory quite a number of persons who are now colored would be legislate [sic] into the white race without being consulted as to their wishes in the matter." Clearly, this writer understood that the ongoing negotiation of race in the convention was not just about defining whiteness. It was also about defining blackness. At the same time, it was the majority white delegation who possessed the power to assign race, perhaps in opposition to how people of color understood or identified themselves or their sense of social belonging. Yet, despite the presumption of legally codifying one's race, R.J.M. exposed the flawed assumption that people could document or even know what the law presumed to be a matter of indisputable fact. "Since it would be almost impossible for any one of us to prove what might have been the color of our great grandparents, they and their contemporaries being now dead," R.J.M. continued, "how is this matter to be settled?"⁸⁹ Though Ben Tillman's 1903 assertion about the racial status of "octoroons" may not have conformed to the letter of the law, it may well have demonstrated the nuance and murkiness of racial construction in the period, one which

⁸⁹ R.J.M., "The Color Question: In the Constitutional Convention of South Carolina." *Afro-American* (Baltimore, MD), October 26, 1895. 19th Century U.S. Newspapers-Gale.com.

entailed an interplay of social forces, including, but not limited to, the law itself and one's reputation as a member of a particular race.

As the ongoing construction and negotiation of race in South Carolina reveals, white elites like the Tillman brothers embraced and defended a more flexible definition of whiteness and blackness than one might imagine. However, this in no way means that they were somehow more tolerant, open-minded, or somehow slightly less racist, as some scholars seem to suggest. W. J. Whipper, who had been a member of the 1868 constitutional delegation during Reconstruction and who now served as one of a small handful of black delegates to the 1895 convention, called George Tillman on the carpet for his overt racism while confronting the rest of the white majority for their transparent white supremacy and unabashed bigotry:

But when men selected from their various counties, as it is fair to suppose, with a view to their intelligence and their good standing at their various homes, assemble here with the these grave duties and responsibilities resting upon them can so flippantly use the word 'nigger,' spelt with two 'gs,' it is hurtful, and I feel it keenly. It stings sharper than a serpent's tooth when it comes from the venerable gentleman from Edgefield, Mr. G. D. Tillman, whom I had learned to respect. We have only six of us here of the inferior race and you have 104. Men upon this floor are clamoring for white supremacy; come here and assume dignity and call us 'niggers' with the flippancy of barroom attendants.⁹⁰

Whipper's comments undermine any idea that George Tillman's racial politics were somehow enlightened or benevolent. Rather, they reflected those of a prominent white aristocrat and son of a former slaveholder, despite his honest rejection of the one-drop rule and his recognition of the absence of white purity in the state.

At the same time, these comments also reveal the fact that the small black delegation was neither silent nor passive when it came to the veritable wave of white

⁹⁰ "The Constitutional Convention: The Negro's Side," *Anderson Intelligencer*, October 30, 1895. *Chronicling America: America's Newspapers*. Library of Congress

power that was washing over the assembly and the state. Moreover, the imbalance of power reflected in the wildly disproportionate numerical representation, as Whipper understood, could not have been more at odds with the widely understood reality that black people had long represented the clear numerical majority in the state. Moreover, Whipper's comments highlight the fact that this constitution and the current disproportion was a deliberate and undeniable dismantling of the more balanced representation achieved during Reconstruction.⁹¹

As Whipper and the other black delegates understood, race was about power and caste. Nowhere was this more apparent than in the marriage ban itself. As the relative "looseness" of racial definitions reflected, South Carolina's racially liminal populations were openly acknowledged, socially accepted, and politically tolerated, even by the most radical white separatists at the convention. In other words, the marriage ban was never about what many in the period referred to as a "natural aversion" among whites and blacks. On the contrary, physical intimacy and sexual relationships between blacks and whites were not rare in South Carolina, especially among the many white supremacists seated at the convention.

Despite many unsuccessful amendments proposed throughout the convention, Section 34 would ultimately not be about "miscegenation." However, it would be about marriage, about power, about race, and about caste. Although O.R. Lowman had attempted to insert the words "living together" into the original language, this phrase never made it into the final draft. However, Robert Smalls, a former slave, Civil War hero, and former member of the U.S. House of Representatives, proposed a more radical

⁹¹ In the end, all of the black delegates refused to sign the constitution as adopted by the overwhelming white majority.

and detailed amendment aimed at sanctioning interracial relationships. Proving even more contentious than the original proposal on race and marriage, the Smalls Resolution proposed “that any white person who lives and cohabitates with a negro, or mulatto, or person who shall have one-eighth or more of negro blood shall be disqualified from holding any office of emolument or trust in this State, and the offspring of any such living or cohabitation shall bear the name of the father, and shall be entitled to inherit and acquire property the same as if they were legitimate.”⁹²

It is unlikely that Smalls ever expected such an amendment to pass. However, this language did serve the purpose of illuminating the power imbalances inherent in the state’s commonplace mixed-race unions. As Smalls intended, the amendment directly attacked the widespread practice of white males engaging in non-marital relationships with women of color and often fostering children who were then not legally recognized. The language of the Smalls Amendment would address this material and legal imbalance in a significant way, not by legislating the son’s and daughters of elite white men into whiteness, but by extending property and inheritance rights to this disenfranchised segment of the population. Clearly, the rejection of the Smalls Amendment spoke volumes as to the real intent of the marriage ban. The intent was never to ban physical intimacy or to curb the likelihood of mixed race people. On the contrary, it served the larger purpose of keeping such individuals disenfranchised while legally preserving the white male privilege of engaging in and maintaining non-marital mixed-race relationships.

⁹² *JCCSSC*, 1895, 319.

Moreover, the Smalls Amendment promised to address power imbalances and white supremacy in yet another tangible way by potentially disenfranchising those same white men who perpetuated the imbalance of racial caste through the political power they held in the state and the sexual liaisons they continued to pursue. At the same time, the amendment served the larger purpose of publically shaming many of his white colleagues who engaged in such relationships while having the temerity to outlaw mixed marriage in state law. As his white colleagues angrily confronted him about the approbation he so clearly intended, they not only admitted to such behavior themselves but openly, albeit reluctantly, acknowledged the practice. When accused of this public shaming directly by an anonymous delegate, Smalls wryly retorted that he was not being “personal to the innocent.”⁹³

While black delegates exposed and decried the perpetuation of racial caste enshrined in the constitutional ban on marriage and in the constitution itself, the caste implications were not lost on the most prominent white delegate seated at the convention. Approximately eight years after the boundaries of blackness and whiteness were settled in the official constitution of his home state, Senator Ben Tillman would shed important light on the unique workings of race and caste in South Carolina. In fact, he made it exceedingly clear that racial construction in South Carolina had everything to do with the widespread fear emanating from the fact that African Americans outnumbered whites by a considerable margin. “Therefore I feel we are approaching a period when this sane and patriotic view will obtain throughout the country,” Tillman proclaimed, “when the best

⁹³ “Constitutional Convention: A Busy and Eventful Week.” *Laurens Advertiser* (Laurens, SC), October 8, 1895. *Chronicling America: America’s Newspapers*. Library of Congress.

thought North and South will come together and consider what can possibly be done for this colored brother, this man in black, and at the same time, not jeopardize and destroy the white people who live where the negro is thickest.”⁹⁴ Tillman would go on to argue that the prevalent fear of white supremacists was of a race war in which whites would be significantly outnumbered, particularly in his home state.

The suggestion that the negotiation of race in the convention represented anything benign is entirely unfounded. Tillman’s views on race relations and racial construction had everything to do with racial caste and maintaining political control. In his speech to the Senate, Tillman announced his intention “to stand forever opposed to any kind of political or social equality on the part of the negroes with the whites of South Carolina.” At the same time, he alluded to the hypothetical persons he knew to have become white through marriage in South Carolina and suggested that the caste system in his state was not dissimilar to the one in India which allowed for such social transcendence in subsequent generations. He then once again pointed to South Carolina’s recognition of “octoroons” as white.⁹⁵ Though Tillman understood, created, and feverishly worked to maintain the racial caste system in his home state, he also admitted that, while rigid, this system was not finite. At least according to Tillman, those on the margins of whiteness and blackness remained, to some extent, unfixed, as the deliberately constructed and very real racial caste system in South Carolina continued to contain a degree of racial liminality, one which was even wider than the one the Tillman brothers and their colleagues enshrined in law.

⁹⁴ Benjamin R. Tillman. “The Race Problem,” 18.

⁹⁵ Benjamin R. Tillman. “The Race Problem,” 21-22.

Though a sense of loyalty to legally recognized “white” families and individuals may have influenced his initial opposition to a “one-drop” definition of blackness, Tillman’s clearer motivation was likely tied to the political and social power a numerical black majority could pose to the racial caste system he championed and helped build. On the one hand, considering “octoroons” to be “white people” seemed a small but necessary price to pay when waging a battle to maintain absolute white, Democrat power in a state where the numerical aspect of race relations was always a looming factor. Moreover, a more exclusive definition of whiteness would simply have meant more legally “black” people, more black votes, and more black power. The wealth, social standing, power, and privilege of whiteness for a small, racially liminal, segment of the population needed to serve as a counterbalance and, perhaps, a political buffer between the black numerical majority and the white numerical minority but political majority. The battle for continued political domination would be fought and won at the polls, but it would also be waged, to some extent, at the alter.

Charles W. Chesnutt and the Shifting States of Race and Caste:

As the 1895 negotiation of race in South Carolina demonstrates, race was not understood to be a pre-existing entity contained in nature, but a contrived and consciously constructed one. However, as Albion Tourgée demonstrated in *Plessy*, clear legal constructions of race, though tacitly assumed, did not always exist. Moreover, as one traveled from state to state, the legal definitions, if they existed in any meaningful way, were neither stable or universal. Thus, racially liminal figures were confronted with the reality that one’s legal status could differ from state to state, thus demonstrating what Alyson Hobbs has referred to as “the absurdities of the American racial situation,”

namely “the possibility of changing one’s racial identification by walking across a state line”⁹⁶ This reality only cast more doubt on the often repeated assertion that race was stable, natural, or immutable.

In his numerous works of fiction and non-fiction, Charles Chesnutt probed, confronted, explored, and exposed these absurdities, including the inconsistent and disparate ways race was legally and geographically constructed throughout the period. In a provocative essay entitled “What is a White Man?” published in 1889, Chesnutt delineated the ways whiteness was legally and socially constructed on a state-by-state basis in the United States. Specifically connecting the legal construction of race to those individuals of mixed race who, like himself, appeared white, Chesnutt traced the genesis of blood quantum laws in the United States to a rejection of “the manifest absurdity of classifying men fifteen-sixteenths white as black.”⁹⁷ Though citing many differences in the law from state-to-state, he generalized that “the color-line” had always been “drawn at one-fourth of Negro blood” thus legally designating “persons with only one-eighth” ancestry as “white.” As further justification for this conclusion, he contended that although legal constructions and categories depicting various forms of black and white racial mixture had long existed in the law, the term “octoroon” did not. This further asserted that persons with one-eighth black ancestry had long been understood to be white, at least in a legal sense.⁹⁸

⁹⁶ Allyson Hobbs. *A Chosen Exile: A History of Racial Passing in American Life*. (Cambridge: Harvard University Press, 2014), 268.

⁹⁷ Charles W. Chesnutt. “What is a White Man?” *The Independent*, 1889. (Rpt. in *Charles W. Chesnutt: Essays and Speeches*. Ed. Joseph R. McElrath, Jr., Robert C. Leitz III, and Jesse S. Crisler. Stanford, CA: Stanford UP), 69-70.

⁹⁸ Chesnutt, “What is a White Man,” 69.

Like other influential thinkers in this period, Chesnutt clearly understood that race and racial categories did not exist in nature but were created, to a large degree, by laws. This was particularly true when it came to racially liminal people and illuminated by their presence. Though Chesnutt argued that a general *de facto* one-eighth blood quantum formula existed in the U.S., he also pointed to the less unified and disparate legal construction of race throughout the country, ranging from Michigan's one-fourth construction to Georgia's one-drop formula. He also pointed out that in Ohio "all laws establishing or permitting distinctions of color were repealed" by 1887.⁹⁹

These inconsistent attempts to codify race were further evidence of the fact that race was not a natural reality, but one constructed through law. He exploited this notion further in his critique of hypocritical marriage laws which he understood to turn a blind eye to non-marital race mixing, especially between white males and women of color. Thus, he questioned "whether or not the purity of the white race could not be as well preserved by the exercise of virtue, and the operation of those natural laws" as by the laws forbidding mixed-race marriages, especially in the South.¹⁰⁰ If marriage between blacks and whites was so unnatural, as white supremacists and separatists suggested, why was there a need to restrict them through legislation? As Chesnutt understood and made clear to his audience, laws created race, but at the same time, the belief in the distinct separation of the races created more anti-miscegenation laws.

Moreover, despite the encroachment of laws prohibiting mixed-race marriages in the South, Chesnutt understood that these laws did not necessarily align with public sentiment, cultural understandings, and social practice. Emphasizing the relatively rare

⁹⁹ Ibid, 70.

¹⁰⁰ Ibid, 73.

adherence to a one-drop formula when it came to marriages in the South, Chesnutt in fact pointed to the commonplace sanctioning of marriages between those considered to be pure whites and those known to have some degree of black ancestry. “Indeed, instead of being behind the age, the marriage laws in the Southern States are in advance of public opinion,” he argued, “for very rarely will a Southern community stop to figure on the pedigree of the contracting parties to a marriage where one is white and the other is known to have any strain of Negro blood.”¹⁰¹ This point reflects the extent to which Jim Crow notions of whiteness were still in a state of social formation while also demonstrating that the belief in white purity and fixed racial boundaries was imposed by the state and did not reflect cultural practices or common understandings of race.¹⁰² Moreover, it also demonstrates that the definition of whiteness in terms of absolute racial purity was not yet widely adopted or applied.

As Chesnutt also understood, the construction of race was not simply a matter of legislation. Thus, he pointed out not only the inconsistencies in the ways various states constructed race, but the inconsistencies with which they enforced such legal constructions, especially when policing “miscegenation” and marriage. To this end, he suggested that in the case of Ohio, laws which legally codified race had been all but “ignored.”¹⁰³ To further demonstrate how the legal construction of race was an amalgam of legislation and jurisprudence, he examined the multifaceted and precarious history of racial construction in South Carolina. Well before delegates would engage in prolonged

¹⁰¹ Ibid, 71.

¹⁰² See Grace Elizabeth Hale, *The Making of Whiteness*, 9-21. See Pascoe, *What Comes Naturally*, 9. Pascoe argues that “anti-miscegenation” laws, particularly in the late nineteenth century constituted a form of racial construction by the various states.

¹⁰³ Ibid, 70-72.

debates over the legal boundaries of blackness and whiteness in the state capitol, Chesnutt would point to South Carolina's complicated racial history when it came to this issue. Though a legal one-eighth formula had dated back to the Antebellum period, Chesnutt demonstrated that a far less stable and unpredictable social construction of race determined who was black and who was white when it came to racially liminal figures.¹⁰⁴

Pointing to an 1831 ruling in *State v. Davis*, Chesnutt illustrated that "the state which, for several reasons, one might expect to have the strictest laws in regard to the relations of the races, has really the loosest." Though the ruling stated that the determination could be based on appeals to the one-eighth statute or to an individual's appearance, in cases where a person had no recognizably black features, reputation, social standing, and the performance of whiteness could all serve as determiners of race. However, rather than establishing airtight legal precedent, *State v. Davis* merely put the determination of race in the hands of ordinary, white male, citizens who were ultimately charged with deciding such matters on a case by case basis. Not unlike the task to be bequeathed to train conductors in the Louisiana Separate Car Law, determining who was black and who was white, especially as it pertained to racially liminal figures, was ultimately a matter of individual human judgment rather than precisely codified law.

Continuing to probe racial construction in South Carolina, Chesnutt addressed the curious question as to what accounted for South Carolina's "loose" definitions of race. Refusing to see this as merely an idiosyncratic cultural anomaly or some vestige of a less stringent past, Chesnutt understood South Carolina's consciously constructed sense of racial liminality as a deliberate political calculation intended to offset its imbalanced

¹⁰⁴ Ibid, 70-71.

racial make-up. However, rather than seeing this a means of legislating a certain portion of the state's racially liminal population into whiteness, he saw it as a concerted effort to whiten the state by importing racially liminal figures. "Perhaps it may be attributed to the fact that the colored population of South Carolina always outnumbered the white population," he argued in reference to South Carolina's history of flexible racial designations, "and the eagerness of the latter to recruit their ranks was sufficient to overcome in some measure their prejudice against the Negro blood."¹⁰⁵ Rejecting the one-drop rule and adherence to the letter of the law where specified blood quanta were concerned was a small price to pay for maintaining racial caste.

This astute analysis of legal and social racial construction in South Carolina also demonstrates Chesnutt's acute awareness of the relationship between race and caste. When it came to marriage laws and the children of mixed-race unions, Chesnutt well understood the material, as well as moral, implications of banning mixed-race marriages. "It is a fact that at present, in the United States," he asserted, "a colored man or woman whose complexion is white or nearly white is presumed, in the absence of any knowledge of his antecedents, to be the offspring of a union not sanctified by law." As he would continue to explain, the stigma of illegitimacy would continue to haunt such individuals, especially as they attempted "to advance in wealth and social standing."¹⁰⁶ While he continued to decry the caste implications of race and racial construction for those who existed on the margins of blackness and whiteness, Chesnutt was not oblivious to the ways such issues affected the majority of African Americans. "This discussion would of course be of little interest to the genuine Negro," he conceded, "who is entirely outside of

¹⁰⁵ Ibid, 71.

¹⁰⁶ Ibid, 73.

the charmed circle, and must content himself with the acquisition of wealth, the pursuit of learning and such other privileges as his 'best friends' may find it consistent with the welfare of the nation to allow him..."¹⁰⁷

Though Chesnutt was aware of the larger implications of race and caste, he primarily examined these legal constructions through the specific lens of racial liminality. This racial liminality concerned the disparate legal constructions of race which he saw as inherently tied to people whose race was not readily determined by their appearance. But, he also understood how this racial process was marked by a sense of perpetual liminality existing between that which was neatly constructed by law and that which was more precariously and intricately balanced between legal and social constructions of race.

Chesnutt would explore the legal conundrum of race again in *The House Behind the Cedars*, a 1900 novel centered around John and Rena Walden, the adult son and daughter of an unmarried "mulatto" woman and a white man. Though Chesnutt's novel is widely discussed by literary scholars and historians¹⁰⁸ as a "passing" novel, *The House Behind the Cedars* is more accurately described as a narrative about racially liminal subjects and the legal and cultural construction of whiteness and blackness in nineteenth-century America. In a pivotal flashback scene of the novel, the young John Walden astonishes his mentor and the friend of his late father, Judge Straight, when he announces his plans to study law. Knowing that John is the son of a mixed-race woman and therefore constructed as black in North Carolina, the judge informs him not only of his

¹⁰⁷ Ibid, 69.

¹⁰⁸ See Allyson Hobbs. *A Chosen Exile: A History of Racial Passing in American Life*. (Cambridge: Harvard University Press, 2014), Gayle Wald, *Crossing the Line: Racial Passing in Twentieth Century U.S. Literature*. (Durham: Duke UP), 2000, and Joel Williamson. *New People: Miscegenation and Mulattoes in the United States*. (New York: The Free Press, 1980.),

racial status but of the obvious caste ramifications of this assignment. In North Carolina, John is denied “entrance to the golden gate of opportunity” by virtue of possessing “the blood of the despised race.”¹⁰⁹ Despite the boy’s light skin and white phenotype, Judge Straight informs him, “Somewhere, sometime, you had a black ancestor. One drop makes the whole man black.”¹¹⁰

However, when John Walden shares his plan to move to South Carolina and “pass,” the Judge ultimately appeals to his law books and determines that passing would not be necessary since under the laws of South Carolina, the young man would be considered white, as long as he could perform whiteness and as long as his racial assignment and origin in North Carolina was not revealed in South Carolina. Citing legal precedent, Judge Straight reveals that in South Carolina, individuals “having all the features of a white” are not simply “to be ranked with the degraded class designated by the laws of this State... because of some remote taint of the negro race.”¹¹¹ Moreover, John Walden could become white by virtue of the fact that anyone with less than a one-eighth quantum of black ancestry could be considered white.¹¹² Ultimately, Judge Straight determines that in South Carolina, John Walden could pursue his desire to study law, precisely because moving from one geopolitical space to another would transform him from a disenfranchised black subject to a privileged “fellow Caucasian citizen.”¹¹³

¹⁰⁹ Chesnutt, Charles W. *The House Behind the Cedars*. 1900. (2007; repr. Boston: Houghton Mifflin), 113.

¹¹⁰ Ibid, 115.

¹¹¹ *House Behind the Cedars*, 115.

¹¹² This constituted the legal formula for determining whiteness in South Carolina during the Civil War and was again codified as the legal definition of race in the 1895 South Carolina State Constitution.

¹¹³ Chesnutt, *House Behind the Cedars*, 116.

Escaping their racially marked past and a different legal construction of blackness in North Carolina, the siblings change their last name and become legally and socially white. Moreover, in addition to the fact that John and his sister are both legally white and phenotypically white, they are also white, in part, because of their ability to perform whiteness. Rena's time in finishing school and John's study of law have enabled them to perform a certain co-constituted race and class-based understanding of whiteness. However, understanding that law alone has never constituted racial construction, Warwick asks his white friend and fellow lawyer to accept him and his sister as "new people" in the absence of the pedigree of a prestigious family name and ancestry, all of which mattered in the Antebellum South where the novel takes place.

As far as Tyron knows, he is being asked to accept the Warwicks as a family without class and family pedigree. And yet, John knows that in a society where race was defined as much by reputation and social belonging as it was by laws, too deep of an inquiry into the siblings past life on the other side of the state line could mean the negation of their new white identity and the race and class privileges they now enjoyed. Discovery of his and Rena's legally and socially constructed blackness on the other side of the border would likely mean the end of his marriage, the end of his law career, and the end of his white privilege. It could also mean that his infant son might also be marked as non-white.

John and Rena do not have a past, at least not one they can share. It is this fact that makes them racially liminal. They exist "on the borderlands of race," as Albion Tourg  e would say. Like Homer Plessy, they are black at times and white at other times. Their race is never fixed and never certain. They are legally black on one side of the

geopolitical border between the Carolinas and legally white on the other. They are socially black on one side of the state threshold and white on the other, though that socially determined whiteness is precarious and unstable and depends as much on a performance of whiteness as it does on George Tyron's ignorance or complicity. Moreover, though John, who is black at the start of the novel, is never forced to relinquish his white status and chooses to live out his days in South Carolina, Rena, on the other hand, moves back to North Carolina and dedicates herself to the black community. Thus, even for members of the same family race was not strictly determined in any socially essentialized way.

Chapter Conclusion:

Peggy Pascoe has observed that the most impactful and long-lasting “fiction of miscegenation law was the popular notion that race actually existed and that it was a thing that could be measured, determined, gotten to the truth of.”¹¹⁴ Making a similar point about the infamous Supreme Court ruling in *Plessy v. Ferguson*, Mark Golub has observed that “Justice Brown’s opinion depicted segregation laws as preserving rather than imposing racial separation, just as nineteenth-century scientific racism theorized distinct and pure racial types even in the face of an increasingly large mulatto population.” Adding to this, Golub suggests that “while Justice Brown refused to acknowledge the social meaning of segregation laws, his argument nonetheless depends upon the presumption of highly meaningful racial differences presumed to be grounded in nature.”¹¹⁵

¹¹⁴ Pascoe, 8.

¹¹⁵ Golub, 580-585.

The notion that race existed and that it existed in nature were ideas which clearly predated and survived the 1890s. In fact, as the decade continued, such notions would gain and air of scientific and legal authenticity and become more and more entrenched in American political thought and scientific discourse. As historians have noted, with the maturity of social science as a discipline, such biologically essentialized notions would begin to disappear in the 1930s as anthropology and other forms of what Pascoe calls “culturalism” would begin to debunk such notions, exposing many of the things scientific racists attributed to biology and nature as products of culture. This dismantling of scientific racist assertions would ultimately lead to the widespread academic acknowledgement that race is a social construction.

However, as this chapter has demonstrated, the understanding that race and race making were manmade endeavors, and not the products of divine origin or nature, was not lost on political leaders, social activists, lawyers, and writers in the 1890s. While biologically essentialized notions of race represented one view, the deliberate negotiation and legal construction of race was not just something people unwittingly engaged in in the 1890s; it was something many were well aware of. Race was understood by many Americans in this period to be a deliberately constructed and negotiated legal construct which needed to be debated and refined, in order to serve carefully calculated political and social agendas. The racially liminal figure and racial liminality brought this to light in important and multifaceted ways. Such racially liminal people were living and indisputable proof that the codified or uncoded racial categories assumed to be discrete and stable were anything but. Sometimes black, sometimes white, sometimes neither,

and sometimes both, such Americans problematized and confounded the simplicity of the racial binary and of essentialized notions of race.

However, while the understanding of race as a social construct is today associated with more “progressive” notions and politics, this was not necessarily the case in 1890s America. Defying modern notions and contemporary political and moral alignments, race making was knowingly and consciously engaged in by white supremacists and anti-racists alike, both of whom understood the function of race in much the same way most academics tend to understand it today, as an ideology which serves to perpetuate structural legal, social, and economic inequities. Though they did not use the term “racism” to convey this notion, and though they often used the term “race prejudice” in a way that would make many modern race scholars unsettled, they commonly used the word “caste” in a modern sense to convey the inextricable linkage between race and power, and between race and inequity. Whether fighting against racial caste or fighting to preserve it, key actors in the racial drama remained vigilantly aware of the ways race operated in the service of oppression.

Chapter 2:

Assignment and Identification: Liminal Figures and the Social Negotiation of Race in the 1890s.

As the arguments in *Plessy vs. Ferguson*, the negotiation of the marriage ban in the 1895 South Carolina Constitutional Convention, and the fiction and non-fiction writings of Charles Chesnutt demonstrate, a clear and universal legal and social definition of blackness and whiteness did not exist in the United States in the 1890s. Moreover, legal definitions of race, while important and influential, were not definitive or conclusive in and of themselves. On the contrary, legal constructions of race often intersected with and were influenced by more nuanced social constructions. As Tourg  e and his colleagues asserted over and over, the absence of a statewide legal definition of blackness and whiteness in Louisiana and throughout the country meant that the power of determining an individual's race became the responsibility of train conductors. When it came to racially liminal figures like Homer Plessy the determination of one's race and status was subject to the idiosyncratic judgments of such authorities who became incredibly powerful actors and agents in the daily construction of race.

Describing the anthropological dynamics of assignment and identification, Karen Brodtkin has argued that the cultural discourse surrounding race is generally initiated by the majority culture and perpetuated by actors empowered with the authority to ascribe. However, that ascription can also be debated and contested by marginalized groups who often play a critical role in racial construction. To demonstrate this dynamic, Brodtkin employs the terms "ethnoracial assignment" and "ethnoracial identification." While the former refers to the process by which the race of minority groups is determined by the majority group, the latter refers to how the minority group sees itself, particularly within

this context of ethnoracial assignment.¹¹⁶ For racially ambiguous figures in the 1890s, understanding and asserting one's race often represented a complex negotiation between assignment and identification. However, this process of racial construction was neither monolithic nor static. As it played out in a variety of contexts, this process entailed a considerable degree of subjectivity, agency, discretion, and resistance, as racially liminal figures navigated a mercurial and idiosyncratic set of racial boundaries which were themselves in a considerable state of flux.

As the 1880s drew to a close, elite lawmakers in Washington, D.C. would recast and redefine several categories of race which they imagined to describe the population of the United States. Adding several new categories and redefining traditional ones, members of congress and the Executive branch would create a new racial schema intended to count and categorize the nation's populace. As the start of the enumeration process neared, the stability and accuracy of these new categories would be questioned by members of the general public, as would the right of the government to ask such questions in the first place. This debate and the creation of the categories themselves represented a process of legally and socially constructing and reconstructing race.

While lawmakers reconstructed race by radically altering the census schedule itself, ordinary census enumerators were entrusted with the assignment of race as they struggled to apply these terms themselves or to solicit information from the nation's citizenry. At the same time, ordinary Americans were, for the first time, asked to identify themselves in terms of a nuanced racial schema which was considerably new and

¹¹⁶ Karen Brodtkin, *How the Jews Became White Folks*. (New Brunswick, NJ: Rutgers University Press, 1998), 3, 21.

unfamiliar. As many resisted, refused, and contested the very intrusive and even suspect inquiries, the process of cataloging the nation's racial make-up proved to be a haphazard and *ad hoc* process of negotiation. As various actors navigated the often complex dynamics of racial assignment and racial identification, they would play a significant role in constructing race in the 1890s.

In many ways mirroring the *ad hoc* racial construction entailed in the collection of census data, the daily task of racial assignment entrusted to and forced upon railway conductors in the midst of emergent Jim Crow segregation led to a similar interplay of racial assignment and identification. Before and after Homer Plessy's contrived arrest, conductors and other authorities struggled to enforce the often incoherent racial categories constructed by lawmakers throughout the South. Though the role of racial liminality would be front and center in the emerging challenge to Louisiana's Separate Car Law which would reach the Supreme Court in the spring of 1896, issues of racial assignment and identification, especially those pertaining to racially liminal figures, were already playing out on a daily basis in the public arena. While train conductors employed their discretionary and inconsistent power of racial assignment in order to segregate passengers on trains in the nascent Jim Crow era, racially liminal figures found themselves in a perpetual process of negotiation as they resisted and contested this racial assignment by railroad employees and struggled to assert their own sense of racial identification and belonging.

As the negotiation of racial assignment and identification took place in these everyday public arenas, some of the most prominent literary figures of the period struggled to make sense of race by creating narratives centered around racially

ambiguous characters. More often than not, these texts demonstrated the extent to which categories of race were often more open-ended and fluid, rather than fixed. Moreover, the cultural production of the period also reflected the extent to which the process of racial construction often involved an uncertain process of navigating the dynamics of racial assignment and racial identification, as racially liminal characters engaged in an often unpredictable negotiation of race, one which often involved a high degree of subjectivity, agency, resistance, and discretion. Though a great deal of scholarship has examined these kinds of texts through the lens of “racial passing,” I assert that such a framework can prove somewhat limited and misleading. Moreover, it is my contention that analyzing such texts through the framework of assignment and identification allows for a more accurate and understanding of the experiences of racially liminal figures and the role they played in shaping and problematizing race.

Focusing on racial liminality and the racially liminal figure, this chapter examines the extent to which racial construction in the 1890s entailed an ongoing process involving elite actors empowered with the ability to recast race and racial categories and those charged with the quotidian task of assigning individuals to particular categories. Moreover, examining the ways the complex dynamics of racial assignment and racial identification played out in the Eleventh Census, the emergent Jim Crow policing of train travel, and cultural production centered around race and racial liminality, this chapter examines the complex ways the country struggled to come to terms with and reimagine its racial make-up, especially as it was forced to confront its clear but often unpredictable racial liminality.

Boots on the Ground: Reimagining and Reconstructing Race in the Eleventh Census

In July 1888, Joseph Wheeler of Alabama introduced a bill in the House of Representatives calling upon the Director of the Census “to ascertain, report and publish the birth rate and death rate among pure whites and negroes, Chinese, Indians and half-breeds or hybrids of any description or character of the human race, who are found in the United States, as well as of mulattoes, quadroons and octoroons.”¹¹⁷ By the end of the year, the Senate Committee on the Census had met frequently with Carroll D. Wright, the Director of the previous census, to argue “for a more complete categorization of the colored people.” Shortly after being appointed as Superintendent of the Census, Robert P. Porter met with the House Select Committee on the Census in January 1890 and urged them to support the passage of Senate Bill 417, an amendment which called for “taking the Eleventh and subsequent Censuses, approved March 1, 1889.”¹¹⁸ On February 21, 1890 the select committee chairman Mark Dunnell would introduce H.R. 7316, a bill amending the census bill passed in March of the previous year. Among a plethora of other pieces of information to be collected, H.R. 7316 would call for “an inquiry as to the number of negroes, mulattoes, quadroons, and octoroons.”¹¹⁹

By June 1890, the finalized instructions to census enumerators would direct them to categorize respondents as “white, black, mulatto, quadroon, octoroon, Chinese, Japanese, or Indian.” In addition to introducing “Japanese” as new racial category, the

¹¹⁷ “From Washington.” *Alexandria Gazette & Virginia Advertiser* (Alexandria, VA), July 30, 1888. *Chronicling America: Historic American Newspapers*.

¹¹⁸ Minutes of the House Select Committee on the Eleventh Census, January 8, 1890. HR 51A-F44.1 to HR 51A-F50.1., RG 233. Records of the United States House of Representatives. National Archives.

¹¹⁹ H.R. 7316, 51st Congress (1890), 3. HR 51A-F44.1 to HR 51A-F50.1. , RG233. Records of the United States House of Representatives. National Archives.

Eleventh Census now sought to probe the various degrees of whiteness and blackness to an unprecedented extent. Echoing the fractional “blood quantum” formulas employed at various state levels, the 1890 census instructions articulated new and more precise definitions to be used to categorize whiteness, blackness, and various degrees of non-whiteness. In particular, the census instructions reflected a profound interest in categorizing various degrees of black ancestry: “The word ‘black’ should be used to describe those persons who have three-fourths or more black blood; ‘mulatto,’ those persons who have from three-eighths to five-eighths black blood; ‘quadroon,’ those persons who have one-fourth black blood; and ‘octoroon,’ those persons who have one-eighth or any trace of black blood.”¹²⁰

Examined beyond their face value, these instructions represented an official codification of race at the federal level and reflected the ways that race was being reimagined on a nationwide scale. Perhaps most striking is the extent to which racial liminality now occupied such a central concern for elite lawmakers. This is perhaps most evidenced by the fact that “mulatto,” which had long been a general catch-all category implicitly occupying a very general space between pure blackness and pure whiteness, now represented a liminal position between various forms of non-whiteness, somewhere between “black” and “quadroon,” the next gradation of black heritage in this new equation. Though the term “black” itself was defined in a way that seemed to bely any such definition before or since, blackness (or at least non-whiteness) represented a continuum ranging from unequivocal black purity to a mere one-eighth fraction of “black blood.”

¹²⁰ *Instructions to Enumerators* [7-994]. Eleventh Census of the United States (June 1, 1890). Department of the Interior, Census Office, 23.

For all their assumed precision, these gradations of blackness only served to complicate the issue of racial liminality that might exist in this new paradigm of non-white categorization. Also important is the fact that although the instructions seemed to use the terms “race” and “color” interchangeably, the emphasis in this new paradigm was not based so much on visual markers but on an intimate and fairly complex knowledge of one’s personal lineage. In order to answer accurately, a respondent might need to know whether she possessed the five-eighths “black blood” that made one a mulatto or the three-quarters which made one “black.”

Not long into the process of conducting the census, it would become apparent that the new schema of racial assignment created by federal lawmakers did not reflect an objective reality. Even Superintendent Porter, who was ultimately charged with administering the enumeration process and who likely played some role in developing it, had to concede the difficulty inherent in trying to map the nation according to this complex racial schema required by congressional mandate. Just two weeks into the process, Porter himself was “of the opinion that it [would] be impossible to adopt the exact classification called for in the law.”¹²¹

The arbitrary nature and instability of the newly created racial categories would become even more apparent as they were contested by ordinary Americans and prominent public figures. An anonymous letter to Washington, D.C.’s *Evening Star* contested the taxonomy proposed by the census and pointed out the difficulty of answering such a seemingly straightforward question: “The census bureau proposes the question to persons partly colored, ‘are you black, mulatto, quadroon or octoroon,’ thus

¹²¹ “A Count of the People: It Will Be Commenced To-day by the Census Authorities,” *Washington Post*, June 12, 1890. ProQuest Historical Newspapers.

seeming to assume that all such persons belong to one of these four classes.” The letter would go on to point out that because the American population was “so mixed,” it would be nearly impossible for most people to answer the question at all.¹²²

Among the people questioning, if not resisting, this new system of state-imposed racial assignment, were racially liminal figures themselves. Commenting on the new racial categories, Professor Langston of Virginia, who described himself as white in appearance but who identified himself and his family as “colored,” pointed out the uncertainty and instability of racial assignment.¹²³ To address this uncertainty, Langston suggested substituting the term “colored” as a general category to replace the more nuanced ones appearing in the census schedules.¹²⁴ Whether adding or subtracting categories, there seemed to be no agreement among learned individuals as to how to employ the new categories consistently.¹²⁵

Speaking for what he conceived to be “millions” of Americans who did not fit into any of the race categories, Lewis H. Douglass, son of the famed abolitionist, wrote to Porter and called for an even more nuanced schema of racial in-betweenness when describing and attempting to quantify various types and degrees of racial liminality. Douglass challenged the new racial schema of the census on several fronts, but ultimately suggested that the racial composition was even more complicated than the categories in

¹²² “Another Census Quandary,” editorial, *Evening Star* (Washington, DC), June 10, 1890. Newspapers.com.

¹²³ Though he described himself as black in Virginia, Langston pointed out how he had been considered legally white in Ohio where he attended law school, suggested using the term “colored.”

¹²⁴ “A Count of the People: It Will Be Commenced To-day by the Census Authorities,” *Washington Post*, June 12, 1890. ProQuest Historical Newspapers.

¹²⁵ “‘Black’ and ‘Mixed.’” *Washington Post*. June 12, 1890. ProQuest Historical Newspapers.

the schedules suggested. Specifically, he contested the very definitions of the terms “quadroon” and “octoroon” and pointed out that formulas in the census did not apply to all Americans, especially those who might elude the categorical assignment these categories suggested. “In color they are neither white nor black, they are not mulattoes, quadroons, or octoroons, as those terms are defined in the dictionaries,” he asserted. “What are they, and will the census of 1890 take notice of them?” he asked. Thus, regarding the categories used to assign race to members of the American population, Douglass not only contested the categories themselves and argued for a more nuanced delineation of racial liminality but resisted the existence of a black and white binary altogether.¹²⁶

In addition to contesting the categories of racial assignment, Douglass understood the complexity, subjectivity, and nuance involved in the other crucial aspect of this race-making endeavor, that of racial identification. “The person who is not properly a mulatto, quadroon, or octoroon,” he averred, “should be allowed to state, if of the African race more than of the Caucasian.” Douglass further suggested that for many individuals the process of racial identification meant more than meeting the supposedly objective blood quantum formulas or simply fitting into one of the gradations of non-whiteness allowed for in the census. Rather, it involved a subjective choice and a sense of whether a person understood himself to be white, black, or neither. To this end, he recommended the option of defining oneself as either an “African with Caucasian blood” or a “Caucasian with African blood.”¹²⁷

¹²⁶ “A Count of the People: It Will Be Commenced To-day by the Census Authorities,” *Washington Post*, June 12, 1890. ProQuest Historical Newspapers.

¹²⁷ Ibid.

If intellectuals, government officials, and politicians could not agree on a coherent system of racial classification, the story on the ground was even more disconcerting and incoherent. Left in the hands of temporary and poorly paid enumerators, the legally sanctioned process of assigning race would soon morph into an *ad-hoc* and haphazard process of quotidian racial construction. Despite bearing the imprimatur of congressional approval, the task of deciding who belonged to what race ultimately landed in the hands of inadequately trained enumerators often hired at the last minute. As the taking of the census commenced in June 1890, the task of determining who was “white,” “black,” “quadroon,” “octoroon,” “mulatto,” Chinese, Japanese, or “Indian” often fell to common census workers charged with taking, and in many ways creating, the racial inventory of the country.

The process of determining the race of an individual or family was an ambiguously defined process which entailed a certain amount of racial assignment by census workers and some level of identification by respondents. According to HR 7172, which proposed amendments to the Eleventh Census, enumerators were to first solicit information from citizens by having them fill out the schedules themselves. However, the enumerator was then charged with reviewing each written response in order to “examine and correct the same.” Moreover, if any doubt existed as to the accuracy of such information, enumerators were required to “personally examine such person upon the matters required.”¹²⁸

¹²⁸ H.R. 7172, 51st Congress (1890), 1-2. HR 51A-F44.1 to HR 51A-F50.1., RG 233. Records of the United States House of Representatives. National Archives. This language did not expressly pertain to race. However, other than age and gender, it is hard to imagine that such physical inspection would pertain to anything but race.

In theory, the process of determining the race of a respondent should have begun with an act of racial identification, with the respondent categorizing him or herself. However, it is clear that it did not work that way in practice. On paper, enumerators were to ask the same questions to all individuals, yet a good deal of discretionary screening also came into play when it came to the race question. One enumerator stated that he only asked the question about race to those he deemed non-white based on the individual's appearance. "If he knows his business," the census worker explained in reference to himself and other enumerators, "he will simply put down the word 'white' without asking any questions. If he is enumerating a colored man he, of course, must ask whether the victim is a black, mulatto, quadroon or octoroon."¹²⁹ Despite the fact that according to the census instructions, visual markers had little to do with race, they obviously played a significant role, with many enumerators inevitably taking it upon themselves to assign race rather than ask respondents to identify themselves based on their knowledge of personal ancestry. Thus, it can be safely assumed that many people were simply assigned a white racial status based solely on their appearance and were not given the opportunity of categorizing themselves as a person of color, regardless of how they may have understood themselves or what their lived experience may have confirmed about their racial identity.

The task of assigning people to the various categories defined in the census created multiple problems from the very beginning. A *New York Times* article published two days after the census had begun suggested that the field office supervisor in Brooklyn, already inundated with resignations, spent the better part of his day fielding

¹²⁹ "Good Judgment Needed." *Logansport Pharos-Tribune* (Logansport, IN), June 7, 1890. Newspapers.com.

questions from enumerators struggling with the questions pertaining to race. Despite the explicit mathematical formulas used to quantify each racial category, confusion ensued as census enumerators were forced to categorize people using the new schema, including confusion over whether a “negro” and “mulatto” were one and the same. Two weeks before enumeration would begin, one writer suggested that the ordinary census taker would “need to become an artist in color” when attempting the newly problematized task of racial assignment.¹³⁰ Recognizing the complexity of the population when it came to assigning race, another writer raised the problem of having to place Italians into the racial framework delineated by the census instructors. This same writer also raised the fact that the average census enumerator lacked the training to resolve such issues.¹³¹

Charged with the task of racial assignment themselves or with forcing people to place themselves into the new schema of racial categorization, enumerators played a significant role in not only documenting racial types but in shaping them. Under the best circumstances, respondents could resolve this complex sense of racial liminality by offering their own self-identification. In less ideal situations, racial assignment, as per government policy, often fell to neighbors, landlords, or other individuals. Both on paper and on the ground what was imagined to be a scientific process, remained anything but. Demonstrating how unreliable such second-hand reports could be, one account describes how a mistress and maid at a boarding house took delight in assigning various boarders to

¹³⁰ “Have a Nice Job: How Census Enumerators Will Work,” *Milwaukee Sentinel*. May 25, 1890. Nineteenth Century U.S. Newspapers-Gale.com.

¹³¹ “The Man with the Book: Otherwise Known as the Census Enumerator,” *Weekly Register Call* (Central City, CO), June 6, 1890. Nineteenth Century U.S. Newspapers-Gale.com.

misleading racial categories, including the listing of an African-American resident as Irish and English and a Chinese resident as Dutch and English.¹³²

Complicating matters was the fact that despite the instructions to examine individuals visually, the new categories of race and their scant definitions had little to do with appearance. In fact, one writer even raised the possibility that a census “enumerator may be blind” but still perform his duties.¹³³ While this may be an exaggeration, it does underscore the fact that according to the census, mere physicality did not determine a person’s race, at least it was not supposed to. Rather, the racial categories, particularly those having to do with variations of blackness, had everything to do with heredity and lineage, much of which now depended on a detailed knowledge and understanding of one’s ancestry, which was never a given. In fact, it was a vast assumption that everyone would possess such intimate knowledge of family history, let alone former slaves and their children who were being asked for such information less than three decades after Emancipation. “Experience has demonstrated that very few colored people have any definite idea as to the extent of their white blood, if they have any,” one writer suggested, “and Uncle Sam cannot afford to hire specialists to inquire into their genealogies.”¹³⁴

Though census enumerators were carefully instructed to have respondents answer such questions themselves, the ability or desire of ordinary citizens to do so accurately, if at all, could not be assumed. In a culture where literacy was not a given and government documentation was in a nascent stage, memory and best estimates often filled in the gaps,

¹³² “Made His Life Sad,” *Rocky Mountain News* (Denver, CO), June 9, 1890. Nineteenth Century U.S. Newspapers-Gale.com.

¹³³ Untitled Article, *Atchison Daily Globe* (Atchison, KS), May 10, 1890. Nineteenth Century U.S. Newspapers-Gale.com.

¹³⁴ “New Census Problems,” *Saint Paul Globe*, March 29, 1899. Newspapers.com.

though often in ways which would seem lacking by contemporary standards. Especially in working-class neighborhoods, basic information, such as a one's legal name, age, date of birth, or the ages of children, was not always readily known, let alone accurately recorded. One Williamsburg man purportedly told census enumerators that he was born in 1865, though he insisted that his mother had died in 1862.¹³⁵ One could also not assume that the definitions of "black," "mulatto," "quadroon," or "octoroon" readily made sense to respondents. When it came to questions about race or color, individuals were often just as perplexed as enumerators. When asked to identify himself as black, mulatto, quadroon, octoroon, or any of the other census categories, Jake Johnson of Virginia reportedly asked the enumerator, "Can't you see I'm black?"¹³⁶

Though many people did not have ready access to the particular ancestral knowledge required in order to give an accurate answer as to their own racial history, others may have felt that the very nature of the questions themselves violated a boundary between the public and the personal. Even before the census began, Americans throughout the country raised questions as to the personal nature of these inquiries in general, especially those referring to race. Alluding directly to the "indignity of answering such questions," one writer in Wisconsin wondered with outrage, "Good heavens, will *The Madison Democrat* permit such questions to be asked?"¹³⁷ Grappling with the reluctance of respondents to answer census inquiries, Charles S. Wilbur, the supervisor of New York's first district, commented, "Most of our people regard their

¹³⁵ Ibid.

¹³⁶ "Virginia Census Reminiscences," Kate Field's Washington, *Atchison Daily Champion* (Atchison, KS), August 15, 1890. Nineteenth Century U.S. Newspapers-Gale.com.

¹³⁷ "Shall Such Things Be Tolerated," *Milwaukee Sentinel*, May 31, 1890. Nineteenth Century U.S. Newspapers-Gale.com.

personal affairs as their own business, and do not believe that they should give any account of themselves to anybody, no matter who they may be.”¹³⁸

When it came to inquiries about one’s race, in particular, many preferred to keep such matters private.¹³⁹ In other cases, answering questions about race was both a mixture of personal discretion and distrust, as some were less willing to give information about themselves and their background. For instance, women in Manhattan’s Tenderloin district, a neighborhood with a high number of African American residents, seemed particularly distrustful of census workers and were either unable or unwilling to provide “any information about themselves or their antecedents,” even when faced with the threat of arrest.¹⁴⁰ In many other cases, such questions about one’s race were perceived as insulting and led to anger and a refusal to answer. One African-American woman readily understood what may or may not have been the caste implications of the question. Chasing the white enumerator off and refusing to answer his questions, she felt the need to tell him that she considered herself the equal of the “white trash” who came prying into respectable “people’s business.”¹⁴¹

While resistance to such personal questions and a general distrust of census workers was not uncommon among the general population of the country, this was especially true among immigrant communities. While census workers in the anthracite

¹³⁸ “Census Takers’ Troubles: Stumbling Blocks in the Way of an Easy Count,” *New York Times*, June 3, 1890. ProQuest Historical Newspapers.

¹³⁹ “Let Loose on Humanity,” *Milwaukee Daily Journal*, June 2, 1890. Nineteenth Century U.S. Newspapers-Gale.com.

¹⁴⁰ “Census Takers’ Troubles: Stumbling Blocks in the Way of an Easy Count,” *New York Times*, 1890, 14. ProQuest Historical Newspapers.

¹⁴¹ “Isn’t This a Picnic: How the Census Enumerators Hustled around Town the First Day,” *North American* (Philadelphia, PA), June 3, 1890. Nineteenth Century U.S. Newspapers-Gale.com

region of Pennsylvania reported to Robert Porter that Italian, Polish, and Hungarian miners refused to give any information whatsoever,¹⁴² German immigrants in Manhattan avoided enumerators altogether or refused to give information.¹⁴³ One Irish proprietor of a cigar shop in Oregon refused to answer any questions even when threatened with arrest. Another Irish woman feared that the government intended to take her children away while another man from Ireland refused to answer questions because he thought the enumerator to be a tax collector.¹⁴⁴ In Philadelphia, Italian immigrants apparently mistook census workers for detectives and refused to answer their inquiries.¹⁴⁵

Part of this may have been directly related to the exponential increase in the amount of data to be collected and the personal nature of many of the questions which had never before been asked. It may also have to do with the fact that in the absence of a fully mature state apparatus, census workers represented the power and reach of the federal government in an unprecedented way, at least as far as most ordinary people were concerned. For such Americans, often new to the country or new to urban areas, their only other experience with the still emerging federal state may only have come in the form of the military. It is no surprise, therefore, that census workers were often described as “a small army.”¹⁴⁶

¹⁴² “The Hungarians, Poles, and Italians are Giving Trouble to the Census Enumerators,” *The New North-West* (Deer Lodge, MT), June 13, 1890. *Chronicling America: Historic American Newspapers*.

¹⁴³ “Catechizing the People: Census Enumerators Meet with Some Rebuffs,” *New York Times*, June 3, 1890. ProQuest Historical Newspapers.

¹⁴⁴ “Counting the People: The Census Enumerators Making Pretty Rapid Progress,” *The Morning Oregonian*, June 11, 1890. Nineteenth Century U.S. Newspapers-Gale.com.

¹⁴⁵ “Uncle Sam’s Census: Trials and Tribulations of the Enumerator’s First Day,” *Philadelphia Inquirer*, June 3, 1890. ProQuest Historical Newspapers.

¹⁴⁶ “Catechizing the People: Census Enumerators Meet with Some Rebuffs,” *New York Times*, June 3, 1890. ProQuest Historical Newspapers.

Such distrust makes much more sense when considering the fact that this *ad hoc* collection of temporary workers were, for the first time, authorized to fine people one-hundred dollars for refusing to answer questions or for giving false information. In fact, HR7316, the same bill that tersely added the new racial categories to the census, also called for fines as high as ten thousand dollars and up to a one-year prison sentence for anyone giving false information or being unwilling to comply with the enumeration process.¹⁴⁷

Perhaps more than any other racialized group, Chinese immigrants and their families showed a concerted distrust of census enumerators, especially when dealing with questions regarding race and national origin. When an enumerator approached a group of workers at a Chinese laundry in Oregon, the nine men were reluctant to answer any questions until their boss returned and assured them that the census worker was not there to arrest them.¹⁴⁸ In a similar instance, workers in Philadelphia refused to answer an enumerator's inquiries even though a police officer had intervened. After an hour, the enumerator finally gave up.¹⁴⁹

More than just a general suspicion of the government and its motives, people of Chinese descent had tangible reasons to fear census enumerators. Just eight years earlier, Congress had passed the Chinese Exclusion Act, the first piece of legislation to ban a specific group on the basis of race. Moreover, prior to approval of the Eleventh Census, the House and Senate considered HR 6420 which would have transformed census

¹⁴⁷ H.R. 7316, 51st Congress (1890), 2.

¹⁴⁸ "Counting the People: The Census Enumerators Making Pretty Rapid Progress," *Morning Oregonian*, June 11, 1890. Nineteenth Century U.S. Newspapers-Gale.com.

¹⁴⁹ "Uncle Sam's Census: Trials and Tribulations of the Enumerator's First Day," *Philadelphia Enquirer*, June 3, 1890. ProQuest Historical Newspapers.

enumerators into quasi-immigration officers who would help enforce Chinese exclusion. In addition to charging enumerators with the task of quantifying the number of Chinese subjects present in the country, HR 6420 called on census workers to issue each “Chinese person an engraved certificate, to be duly numbered and registered in the Census Office.” Such a certificate would then become “the sole evidence of the right of such Chinese person to be and remain in the United States.”¹⁵⁰ Beyond this, the bill would also stipulate that any Chinese person refusing to give accurate information or cooperate with census workers’ requests could be deported or imprisoned for up to five years, a far cry from the hundred-dollar fine for non-Chinese subjects.

Though the quantification of various racial types in the decennial census purported to be a straight-forward process of counting members who corresponded to the numerous categories, it entailed a great deal more. Confounded by the plethora of incoherent groupings, census enumerators and respondents often engaged in a disorganized and unpredictable negotiation of racial construction involving an interplay of racial assignment and identification. Though this process purported to be systematic and, perhaps, even scientific, it proved anything but. Not only was there a lack of agreement among cultural elites as to what the various terms meant, but whatever consensus there was often translated poorly to enumerators invested with the responsibility and power of assigning race. Such terminology did not translate well to many respondents who often lacked specific knowledge of ancestry which elites wrongly assumed they would possess. For many still, the sharing of such information often

¹⁵⁰ H.R. 6420. 51st Congress (1890), 3. HR 51A-F44.1 to HR 51A-F50.1. , RG233. Records of the United States House of Representatives. National Archives.

seemed a matter of discretion, whether being of a highly personal nature or based on more onerous fears of deportation.

Off the Rails: Negotiating Racial Liminality in the Emerging Jim Crow State:

From the beginning of the contrived legal test case that would become known as *Plessy v. Ferguson*, there was no doubt among Louis Martinet, Albion Tourgée, and C.J. Walker that the ideal candidate around which to build a successful challenge to Louisiana's Separate Car Law would be someone whose racial identity was neither readily apparent nor fixed. A racially liminal figure would help expose the absurdity and injustice that stemmed from charging everyday rail conductors with deciding who belonged to what race. This aspect of the Louisiana Separate Car Law was not only troubling to ordinary citizens and to the legal minds behind the test case but to the railways and conductors themselves; thus, from its inception the legal challenge constituted a partnership between the *Comité des Citoyens* and the railway.¹⁵¹

Once Homer Plessy had been arrested, one of the principal strategies of the legal team was to expose the difficulty of assigning a racially liminal individual to a particular race, and a particular car. Moreover, they sought to expose the unfairness of investing train conductors with this onerous right and unquestioned authority. First, the law itself never defined exactly what made a person "white" or "colored," essentially leaving such decisions in the hands of railway employees.¹⁵² Second, since race could not always be determined by one's physical appearance, it was virtually impossible for a conductor to

¹⁵¹ Moreover, the arrest of Homer Plessy involved the deliberate staging of a cooperative conductor, a willing police officer, and a fellow passenger who would actually need to point Plessy out to the conductor.

¹⁵² Published brief, Supreme Court of Louisiana, No. 11,134, *Ex Parte, Homer A. Plessy*, submitted by Albion W. Tourgée and James C. Walker, 1892. New York Heritage Digital Collections: 6452. Syllabus, 1.

make such an objective determination without some more subjective information offered by the person whose race was being assigned.¹⁵³

Third, leaving the determination of one's race in the hands of a conductor effectively promoted him "to the perilous elevation of a judge without appeal."¹⁵⁴ Finally, the seemingly uncontested and unquestionable authority of railway employees was in no way stable and could vary from one conductor to another. "It appears to us that in either event," the defense argued, "such octoroon is made to suffer, not for his own fault, but because at will one conductor may assign him to a coach among white passengers, and another conductor, with equal authority and reason, may assign him to a coach among colored passengers."¹⁵⁵

Well before Homer Plessy was arrested in New Orleans in 1892, the chaos of racial assortment would become readily apparent on trains throughout the South in the nascent Jim Crow era. Scenes involving racial misidentification and assumption were commonplace, as was the complex negotiation involving racial assignment and racial identification. Clearly, such incidents often included the removal of African Americans from "white" cars or compartments when an *ad hoc* determination, based on a conductor's visual inspection, was made.

However, it was also not uncommon for racially indeterminate persons to be directed to leave the "colored" cars, despite the fact that they were steadfast members of the African American community. Traveling to a racially mixed educational conference by train in the summer of 1889, shortly after the implementation of Mississippi's

¹⁵³ Ibid, 3.

¹⁵⁴ Ibid, 9.

¹⁵⁵ Ibid, 9-10.

segregated car law, a well-dressed, phenotypically white educator voluntarily sat in the car designated for blacks. Because of his black ancestry and wishing to avoid confrontation with the conductor, he chose to sit in the smoking car, the only space designated for black passengers. However, shortly after departure, the light-skinned passenger was ordered to take a seat in the car intended for whites.¹⁵⁶

In another example, Bishop A.W. Wyman of the A.M.E. church related the story of a delegation of fellow clergy members riding on a train in Tennessee in the fall of 1891. Dr. Thompson, a member of his party described as “light and gray haired,” was singled out by a conductor and told to go to the “white” car. After some discussion in which other members of the party urged the conductor to allow him to remain, the elderly Dr. Thompson removed his hat, showed the conductor his hair, and was finally allowed to stay.¹⁵⁷ Clearly, such accounts point to the arbitrary nature of racial assignment and to the complex factors involved in that process, especially as it pertained to racially liminal subjects. At the same time, they are also highly indicative of what George Washington Cable referred to as the “constant liability to public, legalized indignity” which African Americans were forced to endure, regardless of their complexion.¹⁵⁸

In other cases, such negotiations proved more difficult and the consequences more severe for racially liminal figures. In the winter of 1901, two prominent members of Virginia’s black business community boarded a train for Richmond. Travelling

¹⁵⁶ “Echoes from the Late National Educational Association, Etc.” *Southwestern Christian Advocate* (New Orleans, L.A.), August 22, 1889. 19th Century U.S. Newspapers-Gale.com.

¹⁵⁷ A.W. Wayman. “Notes by the Way.” *The Christian Recorder* (Philadelphia, PA), November 19, 1891. African American Newspapers.

¹⁵⁸ George Washington Cable, “The Negro Question,” 1890, in *The Negro Question: A Collection of Civil Rights in the South*, ed. Arlin Turner (Garden City, New York: Doubleday, 1958), 140.

together, H.L. Jackson and H.W. Hawkes sat next to one another in the car for “colored” passengers. Soon after boarding, the conductor approached the men and asked for their tickets. Given Mr. Hawkes’ light complexion, blond hair, and blue eyes, he was ordered to move to the “white” car, which would have meant leaving his business associate. When Mr. Hawkes refused the order, he and his traveling companion were ejected from the train. After walking three miles in order to catch another train with a different conductor, the two men were allowed to sit in the same car and continued the rest of their journey unmolested.¹⁵⁹

Such accounts clearly demonstrate the power conferred upon ordinary train conductors charged with assigning race in ways which were, for the most part, arbitrary and capricious. “The conductor of a train has the power of an autocrat,” Charles Chesnutt keenly observed in 1901. “He nods his Jove-like head, corrugates his high Caucasian brow and the Negro seldom argues, because there is no use in doing so.”¹⁶⁰ Such incidents also suggest that for individuals like Mr. Hawkes, whose physical appearance defied common markers used to assign race, the seemingly simple act of choosing a seat on a train was in itself a routine and necessary public act of racial identification. However, as Chesnutt’s comment reflects, regardless of how one identified or how well known someone was as a member of a particular community, the power to assign race could often override any sense of personal choice in the matter. In short, the power of racial assignment often trumped the limited power of racial

¹⁵⁹ “Put Off the Train: Wanted Colored Man in White Car,” *The Richmond Planet* (Richmond, VA), February 16, 1901. *Chronicling America: America’s Newspapers*. Library of Congress.

¹⁶⁰ Charles W. Chesnutt, “The White and the Black,” 1901, in *Charles W. Chesnutt: Essays and Speeches*, ed. Joseph R. McElrath, Jr. (Stanford, California: Stanford University Press, 1999.), 141.

identification. Chesnutt's interview with a white conductor revealed the extent to which the trainmen relished his unquestioned authority and power over such passengers.¹⁶¹

Despite conductors' power to assign race by determining who belonged in which part of a segregated train, there was a certain amount of nuance and variability as the daily negotiation of race played out in the lives of racially liminal citizens. Especially on a local level, one's reputation in the community could significantly shape the judgment of conductors when it came to racial assignment. Louis Martinet, editor of the *New Orleans Crusader* and the initial architect of the Plessy test case, was routinely allowed to board cars reserved for whites, despite being well known as a person of color and a prestigious member of New Orleans' *les gens de couleur libres*, a community of racially mixed people whose origins could be traced to the eighteenth century.¹⁶²

Outside of one's local environment, reputation and status offered no protection from the arbitrary discretion of conductors who had a great deal of latitude in the process of racial assignment. In an incident involving Reverend E.P. Albert, Editor of the *Southwestern Christian Advocate*, a white train conductor bolstered by a mob of white passengers insisted that the racially liminal journalist be removed from the sleeping car on a train travelling through Texas in 1891.¹⁶³ Though sleeping cars were not formally segregated by law, the discretion of the sleeping car conductor and ticket agent selling

¹⁶¹ Though many such stories involve black-identified subjects forced to leave a "colored car," Chesnutt's account of a conversation with a white conductor also indicates the opposite. It is also important to note that train conductors were held liable to fines or other legal consequences for failing to enforce these statutes.

¹⁶² Steve Luxenberg, *Separate: the Story of Plessy V. Ferguson, and America's Journey from Slavery to Segregation* (New York: Norton, 2019), 416.

¹⁶³ Though it is unclear as to why the light-skinned Albert was singled out, it seems like that the fact that he was travelling with another gentleman may have led to questions as to his perceived whiteness.

first-class sleeping-car berths often determined who was allowed to enjoy the privileges of this cost-prohibitive section of the train. Despite the pressure of the train conductor who threatened the reverend with arrest, the sleeping car conductor, “a Northern man” who had assigned Dr. Albert to the car, stood his ground and prevented further trouble.¹⁶⁴

Though white conductors possessed “Jove-like authority” to assign race, racially ambiguous figures often contested these determinations by negotiating the delicate space between racial assignment and identification. As in other areas of life, train travel for racially liminal figures often entailed a certain amount of discretion and choice despite the arbitrary and capricious power possessed by conductors. “I tried on this trip what I usually don’t do travelling by myself, that is travelling as a colored man,” Reverend W. R. Carson conveyed in an article in the *Christian Recorder* about a trip from Arkansas to Vicksburg, Mississippi, “and I tell you I had a job of it. I had five conductors with all their crew to contend with, trying to get me out of the colored people’s car.” Reverend Carson was finally allowed to remain seated in the “colored” coach, but only after a good deal of debate with the conductor and a detailed explanation about his racial identity.¹⁶⁵

In 1891, a Texas conductor observed three male riders entering the train travelling through the northern part of the state. Determining the passengers to be “of African descent” and therefore black according to the letter of the Texas law, the conductor ordered the men to switch cars. Despite the fact that all three riders denied being of African descent, the conductor called police when the train terminated. However, upon physical examination of the would-be “criminals,” the law enforcement officer declined

¹⁶⁴ “Dr. Albert Narrowly Escapes a Texas Jail.” *Southwestern Christian Advocate* (New Orleans, LA), December 17, 1891. 19th Century U.S. Newspapers-Gale.com.

¹⁶⁵ W. R. Carson, “A Trip to Natchez.” *The Christian Recorder* (Philadelphia, PA), November 19, 1891. African American Newspapers.

to arrest them. Determining that the passengers “were not negroes,” he promptly let them go and did not charge them.¹⁶⁶

On the one hand, such anecdotes underscore the power ordinary train conductors possessed, not only in putting travellers through the humiliating process of racial assignment but in initiating the criminal prosecution of passengers thought to be in violation of the law. On the other hand, such accounts demonstrate the arbitrary nature of racial assignment as it played out in the lives of ordinary, law-abiding citizens, whether their racial identity was readily fixed or far less certain. Moreover, it also suggests that even when the letter of the law was relatively clear as to who was black and who was white, the responsibility and power to operationalize and enforce such statutes rested with conductors, whose perceptions and judgment were often at odds with passengers, their colleagues, or municipal authorities.

Another incident documented by Charles Chesnutt demonstrates the extent to which racial assignment could be contested, as well as the important role subjectivity played in race formation and identification. On a train traveling through North Carolina, a conductor spotted a “dark woman,” readily identified her as black, and ordered her to leave the “white car” where she was comfortably seated. Readily contesting the conductor’s assignment, she promptly informed him that she was indeed “white.” Dismissing her act of clarification and racial identification, the conductor insisted on her removal. As the woman’s “white” son met her on the platform, he became irate at seeing his mother emerge from “the Negro Car.” After asking for an explanation, he proceeded

¹⁶⁶ “The Color Line on the Rail,” *The Indianapolis Journal*, July 29, 1891. *Chronicling America: America’s Newspapers*.

to berate the conductor with a barrage of “language not suitable for... publication” and then filed suit against the railroad.¹⁶⁷

Clearly, this anecdote demonstrates the extent to which race making even at the dawn of the twentieth century remained a negotiated process entailing both racial assignment and identification. Moreover, both sides of this negotiation involved aspects of perception and subjectivity and a contest which was not automatically settled by skin color or outward markers associated with race. Moreover, as Chesnutt seemed to observe, this negotiation of race also intersected with class issues as well. Though this woman’s white identification may have stemmed from her membership in a white family, her white status may well have reflected how class and race could be conflated as co-constituted categories.

As it played out on a daily basis, the negotiation of race could often entail a degrading process of *ad hoc* assignment and, more often than not, removal to subpar accommodations. However, it is important to note how this process often entailed violence or threat of violence. According to a correspondent for the *New York Age*, a white conductor punched an African American traveler and beat him with a broom in Evergreen, Alabama for resisting his orders. This same correspondent also remarked that the threat of such violence was ubiquitous and omnipresent, suggesting that “almost every white man” travelling from Louisiana to Texas “has the ready revolver in his hip pocket.”¹⁶⁸ Still another *New York Age* article describes how a white train conductor in Tennessee fired a pistol at a young man who threw rocks at the train after refusing to ride

¹⁶⁷ Chesnutt, “The Black and the White,” 142.

¹⁶⁸ “On Railroads in the South: Where Every White Man Carries a Revolver,” *New York Age*, March 29, 1890. Nineteenth Century U.S. Newspapers-Gale.com.

in the Jim Crow car.¹⁶⁹ Moreover, the power of racial assignment was often bolstered by support from ordinary white citizens, as it was also a common practice for conductors to solicit the backing of white mobs in order to enforce segregation policies on trains.¹⁷⁰

Complicating matters of racial negotiation was the fact that a neatly imagined sense of blackness and whiteness was often disrupted by the presence of foreign subjects whose physicality defied such a simplistically constructed dichotomy of race. As Albion Tourgée would suggest in his legal brief to the U.S. Supreme court, there was something inherently flawed, arbitrary, and problematic in the law's attempt to "reduce the whole human family to two grand divisions which they term 'races.'"¹⁷¹ Underscoring this observation are several examples which point to the difficulties encountered when trying to enforce a simplistic and dichotomous construction of race.

In one instance, a rider was ejected from a "white" car in Texas because the conductor determined he was black, though the man actually identified himself as Mexican.¹⁷² In another situation, an Italian immigrant remained puzzled as to which car he should ride in since his father was a "negro."¹⁷³ In yet another account, two white police officers were charged with apprehending Albert Hosler, a fugitive, in Mexico and returning him to the United States. When they discovered that they could not bring their

¹⁶⁹ Caldwell, M. W. "Civil Rights in Tennessee." *New York Age*, July 5, 1890. Nineteenth Century U.S. Newspapers-Gale.com.

¹⁷⁰ "A Quietus to Railroad Discrimination," *New York Age*, May 25, 1889. Nineteenth Century U.S. Newspapers-Gale.com. See also A.W. Upshaw, "In the South." *Christian Recorder*, January 29, 1891.

¹⁷¹ Legal brief (typed manuscript), *Plessey v. Ferguson*, Argument of A.W. Tourgée, undated. New York Heritage Digital Collections: 6472, 3.

¹⁷² "The Color Line on the Rail," *The Indianapolis Journal*, July 29, 1891. *Chronicling America: America's Newspapers*. Library of Congress.

¹⁷³ "Second Day's Session: A.M.E. Conference Conducts Routine Business," *Morning Oregonian*, September 2, 1898. Nineteenth Century U.S. Newspapers-Gale.com.

black prisoner into the “white” car with them, they took Hosler to a barber shop in San Antonio. With their prisoner in the barber’s chair, the detectives had his beard shaved and his hair cut in order to persuade the train conductor that he was a “Spaniard.”¹⁷⁴

Demonstrating the sticky imbrication of race, class, gender, and national origin is the 1890 account of a young college student and Cuban national who boarded the “white” car on a train from Tampa, Florida to Jersey City, New Jersey. Though the conductor first doubted the whiteness of the “dark-complected Spanish don,” he ultimately allowed him to remain in the car once he observed him speaking Spanish and took note of his “straight hair.” At another stop, “a well-dressed octoroon girl” entered the train and sat across from the Cuban national. The same conductor came to take her ticket, but abruptly informed her that she would have to sit in the “colored” car. When the Cuban student intervened on her behalf and threatened the conductor with physical force to protect her honor, the young woman was allowed to remain.¹⁷⁵

Like other documented cases discussed here, this story demonstrates that one’s complexion did not automatically translate into a particular racial classification by conductors and other actors charged with assigning race; rather, one’s physicality could be overlooked or even be reimagined as other factors, such as language or national origin, intersected with a visual construction of race. In one account, Allyson Hobbs shares an anecdote about James Weldon Johnson being allowed to ride in a “white” car because he

¹⁷⁴ “Hosler, Spaniard: Ruse Worked by Police Inspectors Returning from Mexico,” *Boston Daily Advertiser*, July 8, 1895. Nineteenth Century U.S. Newspapers-Gale.com.

¹⁷⁵ ““The Next Kyar Is fur Niggers.”” *Daily Inter Ocean*, January 8, 1891. Nineteenth Century U.S. Newspapers-Gale.com.

was taken for a Cuban. Sporting a Panama hat, Johnson socialized and drank with white passengers who accepted him as a foreign equal despite his darker skin tone.¹⁷⁶

Examined in juxtaposition to one another, these two anecdotes further demonstrate the powerful but whimsical nature of racial assignment. The treatment and perception of James Weldon Johnson and of the Cuban college student riding from Florida to New Jersey demonstrate the role that nationality and class could play in shaping the ways race was imagined by those vested with the authority to create it. Just as much, the experience of the light-skinned and “well-dressed” woman on the train from Florida to New Jersey suggests quite the opposite. Even when race was being assigned by the same conductor, a vastly different outcome could result, thus demonstrating how gender, class, and physical appearance could offer little protection against the arbitrary and haphazard power of racial assignment vested in the hands of train conductors. Moreover, what all three examples seem to demonstrate is the extent to which this process of racial construction was not strictly about limiting close proximity and visibility in public spaces; rather, the deeper concern was about using racial assignment to reinforce one’s subordinate place in the racial caste system. To be perceived as African American, and not as a dark-skinned immigrant, could well lead to ejection from the superior accommodations and symbolism of the “white” car. This serves to reaffirm the inherent connections between race and class while underscoring the equally fixed connections between caste and Jim Crow laws, what Chesnutt referred to as “odious class legislation.”¹⁷⁷

¹⁷⁶ Allyson Hobbs, *A Chosen Exile*, 154.

¹⁷⁷ Chesnutt, “The White and the Black,” 142.

As was the case with census enumerators charged with determining who fit the arbitrary racial categories of the census, railway conductors played a significant role in the day to day creation of race in America. This was accomplished not only by the arbitrary and discretionary power to determine an individual's race, and therefore one's status; it also entailed the day-to-day enforcement of laws which perpetuated the ideology of whiteness as a hierarchically structured system by which to order society. While train conductors created and shaped race through daily assignment, racially liminal figures often disrupted binary concepts of race and contested the categorization imposed on them. In doing so, they demonstrated the role of subjectivity, agency, and identification in what proved to be a day-to-day negotiation of race in 1890s America. Moreover, the complexity of race making entailed not a neat and tidy process of racial assignment, but a muddled, malleable, and arbitrary one which was often problematized by the conflation and intersection of class, gender, and national origin.

Negotiating Assignment and Identification in 1890s Fiction:

In her comprehensive and illuminating cultural history of racial passing, Alyson Hobbs has examined the historical and fictional experiences of “racially ambiguous” or “racially indeterminate” figures who chose to sever family and community ties in order to reap the social and material benefits of white privilege. Though Hobbs primarily focuses on the loss of black identity, community, and family stemming from the act of passing, she also views the experiences of racially ambiguous figures as a way of managing and surviving the racial regime of white supremacy: “The lived experience of passing – the

act of negotiating the permeable border between black and white – reveals one way that everyday people have interacted with a racist society since the late eighteenth century.”¹⁷⁸

For more than thirty years, literary scholars have paid considerable attention to racial passing and have articulated and delineated the various ways texts centered around racially liminal figures have engaged in the act of disrupting and problematizing fixed notions of race. Elaine Ginsberg sees passing narratives as challenging the racial “essentialism that is often the foundation of identity politics” and revealing “the truth that identities are not singularly true or false but multiple and contingent.”¹⁷⁹ Continuing in this direction and focusing specifically on 1890s fiction, Giulia Fabi asserts that the creation of racially ambiguous characters allowed writers to challenge the belief in inherent and naturalized white and black racial categories in order to present “blackness as a historically and ideologically changing construct.” She also asserts that such texts allow one to view racial “identities” as “constructed,” rather than fixed, and to see this process as ongoing rather than as stable.¹⁸⁰ Adding to this, cultural historian Grace Elizabeth has described passing and passing narratives as a form of “resistance” which challenged the segregationist myth of absolute racial difference.¹⁸¹

In addition to working against the assumption of race as a natural and stable construct, such narratives also challenge the hierarchical nature of racial construction by

¹⁷⁸ Alyson Hobbs, *A Chosen Exile: A History of Racial Passing in American Life* (Cambridge: Harvard University Press, 2014), 6-8.

¹⁷⁹ Elaine K. Ginsberg, ed. *Passing and the Fictions of Identity* (Durham: Duke University Press, 1996), 4.

¹⁸⁰ M. Giulia Fabi, *Passing and the Rise of the African American Novel* (Urbana: University of Illinois Press, 2001), 5.

¹⁸¹ Hale, 40-41.

questioning the white supremacist order. Gayle Wald, for instance, examines the extent to which passing narratives serve as a challenge to “dominant racial discourses” which present race as “fixed, apparent, and natural.” Wald views such texts as representing “struggles for control over racial representation in a context of the radical unreliability of embodied appearances.” In addition to understanding passing as a way of disrupting and problematizing common understandings of race based on physicality, she also examines how racially ambiguous “subjects have sought to defy, rewrite, or reinterpret the scripting of racial identities according to the socially dominant narratives of the color line.” Thus, Wald contends that texts centered around racially indeterminate subjects allow us to see racial construction not merely as a process dictated by white supremacist ideology but one involving negotiation wherein such racial categorization is contested and challenged.¹⁸²

Writing about the literary and historical phenomenon of racial passing, Werner Sollors identifies several problematic aspects of the term itself. For Sollors, “passing” represents “a misnomer because it is used to describe those people who are not presumed to be able to pass legitimately from one class to another.” Thus, their legal and social status remains fixed and unchangeable. Moreover, he objects to the belief that individuals “remain identified by a part of their ancestry throughout their own lives and that—no matter whom they marry—they bequeath this identification to their descendants.”¹⁸³ As Sollors suggests, the term becomes problematic in the sense that it is rooted in a kind of biological and social essentialism which suggests that individuals are inherently

¹⁸² Gayle Wald, *Crossing the Line: Racial Passing in Twentieth-Century U.S. Literature and Culture* (Durham, South Carolina: Duke University Press, 2000), 5-8.

¹⁸³ Werner Sollors. *Neither Black Nor White But Both: Thematic Explorations of Interracial Literature*. (New York: Oxford University Press, 1997), 250.

legitimate members of one race and illegitimate members of another. When applied specifically to the 1890s, this term becomes even more problematic due to the shifting legal definitions of race, which often defined a person as a member of one racial class in one area and a member of a different class in another. It also fails to recognize the arbitrary nature that characterized the implementation of such constructions.¹⁸⁴

Equally important is the fact that for many racially liminal figures the term “passing” simply did not apply. Many racially liminal individuals in this period did not seek white identities but chose to remain steadfast members of black institutions, families, and communities. However, for those who did assume or were assigned white identities, they may not have understood themselves to be transgressing such fixed and readily apparent boundaries, especially when those boundaries were not always clearly or universally drawn. As Gayle Wald has suggested, the notion of passing is, to a large extent, predicated on the one-drop rule and the imagined sense of “white purity” which it conveys. While passing and a one-drop legal and/or social construction of race are connected, these social constructs must also be historicized and not anachronistically applied. Though historians have gone to great lengths, to document the emergence of the one-drop construction of race as a cultural and legal construct which did not become widely embraced until the 1920s, scholars have loosely applied the framework of passing

¹⁸⁴ Since the ongoing construction of blackness and whiteness also included the possibility and reality of a one-drop formula of race, the term “passing” did apply to many individuals during this period. However, since the formation of such categories was in such a state of flux, especially as compared to the early twentieth century, the idea that one would be an illegitimate or legitimate member of either group remains problematic. At the same time, this should in no way be construed as a dismissal or minimization of the real psychic and emotional pain individuals, families, and communities experienced as a byproduct of assuming a white identity.

to a variety of eras without the same precision. This is not to say that passing did not exist in the 1890s. Rather, it is merely the assertion that this term may be too readily applied and may well obscure our understanding of how race operated and how it was constructed.

Many racially liminal subjects did not pass and did not feel the need to. Also, this framework tends to reinscribe racial categories and an essentialized understanding of race itself. Therefore, using this framework, at least exclusively, is problematic, particularly when discussing the 1890s. In order to understand the process of racial construction as a more complex, dynamic, unstable, and multifaceted process, operationalizing the framework of assignment and identification may create a better understanding of race and racial construction, as it concerns racially liminal people. Moreover, this framework also serves to underscore the reality that lines of race, in the 1890s and in other eras, were not simply borders between two categories but ones which signified and inscribed a stratified social order. Thus, viewing these experiences through this lens allows for an understanding of racial construction which involves relationships of dominance and control, by the majority group, and acts of resistance, agency, and a certain degree of subjectivity by those pushing back against such unilateral and top-down constructions of race.

Perhaps more than any figure of his day, Charles W. Chesnutt possessed a keen understanding of the complexities of racial construction and identity in the 1890s, especially for those, like himself, who could not be easily categorized. In particular, he understood and documented the experiences of individuals who faced the choice between maintaining cultural and familial ties with the black community or severing those ties in

order to benefit from the advantages of whiteness. In “The Future American,” a three-part essay series published in 1900, Chesnutt judiciously described the extent to which many individuals with black ancestry had assumed white identities in order to benefit from the economic and social privileges of whiteness. Given what he called “the invisible but rigid color line” of the racial caste system in America, Chesnutt seemed to empathize with such individuals and understood such choices as stemming from necessity. At the same time, he also discussed these instances with some remorse and understood that choosing to assume a white identity often necessitated that one forfeit the opportunity to serve as an advocate for the black community, as “a tower of strength” to “a despised and struggling race!”¹⁸⁵

Though Chesnutt understood the potential ramifications of racially liminal figures assuming either a white or black identity, he did not depict such choices in binary terms, nor did he typically describe such experiences as “passing.” Rather, he portrayed the lives and choices of racially liminal subjects as more open ended, as much more fluid. For instance, he tells of a woman who moved to the West, married a white man, and bore several children. According to Chesnutt, some of these children eventually married into black families while others married into white ones. In another example, he tells the story of three groups of first cousins, all of whom lived in the same Boston neighborhood and attended the same school. Though the three groups of children were considered to

¹⁸⁵ Chesnutt, “The Future American: A Stream of Dark Blood in the Veins of the Southern Whites,” Charles W. Chesnutt, 1900, in *Charles W. Chesnutt: Essays and Speeches*, ed. Joseph R. McElrath, Jr. (Stanford, California: Stanford University Press, 1999.), 126.

represent black, white, and mixed races respectively, their family ties were publically known, though not necessarily embraced.¹⁸⁶

Such anecdotes suggest not a strict and unyielding racial binary based on a one-drop construction of race, but rather something much more complex and much more malleable. These accounts are indicative of the complexity and diversity of racial construction in the late nineteenth and the very early twentieth century. Reflective of a color line which was simultaneously “rigid” but also “invisible,” such anecdotes suggest that race often operated in a multiplicity of ways and did not conform to simplistic zero-sum formulas, suggesting, perhaps, that racially liminal figures were not ubiquitously defined, and did not always define themselves, in clear dichotomous terms, as either black or white, passing or not passing. Just as notions of race and racial categories were less fixed during the period, so were people’s understandings of themselves and their own identities. As he did in “What is a White Man?” eleven years before, Chesnutt exposed the inconsistencies when it came to the legal construction of race in “The Future American.” At the same time he also reiterated the dynamics of racial construction which involved more than just a strict legal definition of whiteness or blackness.

In *The House Behind the Cedars*, Chesnutt explored the often binary alternatives faced by racially liminal figures who either gravitated towards whiteness or rejected such choices in order to identify with and remain part of the African American community. Exemplified in the divergent pathways of his protagonist siblings Rena and John Walden, Chesnutt resisted a simple dichotomy of passing or not passing. Instead he reflected a more complex and unpredictable process of racial construction which involved being

¹⁸⁶ Chesnutt, “The Future American,” 127-129.

racially assigned by others and at the same time managing to assert a sense of agency and volition by resisting such outward racial categorization and asserting one's own racial identification.

When John initially expresses his desire to pursue opportunities his assigned racial status would not allow him to pursue, he initially expresses this in terms of racial passing. Though his friend Judge Straight is highly skeptical at first, he instead goes to his law volumes and determines that John is able to become legally white by crossing the state line and moving to North Carolina. Though John's racial assignment is a matter of racial construction achieved through the law, it is also framed as a qualified choice. "You have the somewhat unusual privilege, it seems, of choosing between two races," Judge Straight declares, "and if you are a lad of spirit, as I think you are, it will not take long for you to make your choice." While the prospect of passing is not completely off the table the judge makes clear that this is not what he is proposing. "You might, of course do the same thing anywhere, as long as no one knew of your origin," the Judge explains to John. "But the matter has been adjudicated there in several cases, and on the whole I think South Carolina is the place for you."¹⁸⁷ Judge Straight is not telling John he can pass for white. He is telling him that he can become legally white.

However, John's ability to choose his race does come with restrictions. For one thing, he must separate from his mother, and he must be sure not to reveal his origins.¹⁸⁸ Moreover, his transition to whiteness is not simply a matter of identification, but requires Judge Straight's endorsement. But, unlike passing which generally required a level of transgression, secrecy, and complicity from members of one's own racial group, John's

¹⁸⁷ Chesnutt, *House*, 116.

¹⁸⁸ Chesnutt, *House*, 115-116.

transition to whiteness is attained through a legally sanctioned and abstract assignment on paper and the more concrete sanction of Judge Straight, a clearly marked white male figure and an officer of the law. Ultimately, John's transition to whiteness is to some degree a matter of choice, but it also depends on John Straight's approval.

By marrying into a white family and becoming a lawyer, the light-skinned Walden becomes legally and socially white, changing his name to John Warwick in the process. Eventually desiring the same for his sister Rena, who also appears white, Warwick persuades her to join him and his family and introduces her to his friend and professional associate George Tyron, who falls in love with Rena and proposes marriage. Despite the latitude John and Rena seem to possess regarding their racial identities, it soon becomes clear that their assumed whiteness is much more tenuous than previously thought, and not entirely a matter of their own volition. When Tyron discovers that John and Rena's mother is a "mulatto" and that his fiancé herself is of mixed ancestry, it becomes apparent that maintaining a white identity is not merely a choice or the product of legal construction. In fact, it is equally dependent on Tyron's decision whether or not to reveal this to the rest of the white South Carolina community of which John and Rena have become a part. Though Tyron has assured John that he will "say nothing about this affair" and that he "shall never be able to think of" him as anything "other than a white man,"¹⁸⁹ the possibility that Tyron will expose their lineage comes to represent a greater and greater fear. Though John continues his life as a white man of considerable means and remains confident that Tyron will not compromise him personally, he continues to harbor the fear that his friend and would-be brother-in-law might use his past against him

¹⁸⁹ Ibid, 103-104.

in other arenas. Thus, he wonders if Tyron would “use a damaging secret” to undermine his potential political career.¹⁹⁰ Though John’s white identity is initially presented as a matter of choice, it becomes exceedingly clear that it is also predicated on Tyron’s complicity and sanction. Tyron, who enjoys a stable white identity and is also an officer of the court, continues to hold the legal and social authority to assign John’s race.

Like John, Rena becomes keenly aware that her status as a white woman is not simply a matter of her own choosing. “The law would have let him marry me,” she tells John in reference to the engagement that has now ended. “I seemed as white as he did. He might have gone anywhere without me, and no one would have stared at me curiously.”¹⁹¹ While there is no legal barrier to their union, Rena’s racial status, which ultimately depends on her marriage to a white man, lies more in Tyron’s hands than in her own. Understanding that her tenuous position as a woman and as a racially liminal figure, Rena is acutely aware that she lacks the ability to control her fate. Moreover, she understands that Tyron’s unquestionable whiteness and class privilege grant him the power of racial assignment which she has little power to control. “You are white, and you have given me to understand that I am I am black,” she tells Tyron. “I accept the classification, however unfair, and the consequences, however unjust...”¹⁹²

For Rena, there is no compromise and no escape from her uncertain state as a racially liminal figure who ultimately does not seem to fit comfortably into either side of an unstable, though very real, black and white racial binary. At the same time, Rena’s tragic ending is also juxtaposed to her brother’s relatively good fortune. Though his

¹⁹⁰ Ibid, 123.

¹⁹¹ Ibid, 121.

¹⁹² Ibid, 174-175.

status as an affluent white South Carolinian remains precarious, his disappearance from the novel also suggests that he and his child have become white. Ultimately, *House* examines the complexities of racial construction as the characters navigate the complexities of racial assignment and identification. John and Rena can exercise a degree of agency, but that agency operates within the limits of the dominant culture of white supremacy.

Also centered around racial liminality, William Dean Howell's *An Imperative Duty* explored issues of morality and agency, pertaining to race.¹⁹³ Published in 1892, the novel narrates the romantic relationship between the white Dr. Olney and Rhoda Aldgate, a member of the leisure class who discovers that her grandmother had been a slave owned by her Creole grandfather. As she vacillates between feelings of self-hatred and a sense of duty to the black community, Rhoda becomes socially and romantically involved with Olney, the family physician. Fully aware of Rhoda's ancestry, Olney falls in love with her and proposes marriage. However, the novel resolves on a hopeful note as the couple decides to keep Rhoda's racial past to themselves and live as a white couple in Italy where Rhoda is assumed to be Italian.

Not unlike Chesnut's *House Behind the Cedars*, Howells' narrative demonstrates the extent to which race, at least in the case of racially liminal figures, could be shaped by the negotiation between assignment and identification. When Rhoda learns about her family history, she initially reacts with aversion and equates this discovery with an act of

¹⁹³ Focusing on the realist paradigm in *Iola Leroy* and *An Imperative Duty*, Belluscio defines the aim of this genre to not only approach a sense of truth, but to adhere to a senses of liberal republicanism which emphasizes a stable sense of self, a belief in free will, and a focus on moral choices.

murder.¹⁹⁴ However, coming to terms with the knowledge of her background, Rhoda temporarily contemplates going to New Orleans to find her mother's relatives and fulfill her "duty" to "help them," "educate them," and "elevate them," rather than "live happily apart from them."¹⁹⁵ Though Rhoda makes a decision to pursue a black identity and devote herself to the broader project of racial uplift, that choice is quickly overridden by Olney who talks her out of it and convinces her to marry him instead.

Like other fiction of the period, *An Imperative Duty* resists the dynamics associated with racial passing. Defying readers' expectations, perhaps, Olney does not strictly equate Rhoda's one-sixteenth degree of black lineage with non-whiteness. Despite his own deeply held beliefs about race and his subscription to the notions of scientific racism, Olney does not see the revelation of Rhoda's black ancestry as a reason for them not to marry, nor does he see this as a reason for Rhoda to deny her white inheritance or a white identity. "All that I shall ask of you are the fifteen-sixteenths or so of you that belong to my race by heredity," he tells Rhoda, "and I will cheerfully consent to your giving our colored connections their one-sixteenth."¹⁹⁶ Resisting the zero-sum paradigm which typically necessitates an act of passing and makes it possible, Howells' novel allows the possibility for Rhoda to be both black and white, at least in Olney's imagination. At the same time, Rhoda's whiteness, at least from Olney's perspective, is secure enough to allow them to marry.

At the same time, Rhoda's white identity remains contingent on Olney's approval and complicity. Unlike passing narratives which involve a deliberate concealment of

¹⁹⁴ Ibid, 85.

¹⁹⁵ Ibid, 83-86.

¹⁹⁶ Ibid, 86.

one's blackness from whites, even one's spouse, this novel does not involve any transgression or concealment. In fact, Rhoda can not conceal her racial status from Olney since he has learned of it first. At the same time, Rhoda's ability to keep the white status she has known since birth requires Olney's help and permission. Rejecting the normal conventions of passing and passing narratives, Olney not only contends that Rhoda's whiteness is a matter of choice, but it is one he is quite comfortable sharing with other members of white society. "Very well, I promise it," he tells Rhoda when she convinces him not to share her discovery. "But only on one condition: that you believe I'm not afraid to tell it. Otherwise my self-resect will oblige me to go round shouting to everyone."¹⁹⁷ Though Olney's sentiment at first seems magnanimous, it is also indicative of the power of racial assignment he possesses when it comes to Rena's race.

As Rhoda and Olney marry and move to Italy, the knowledge of her "ancestral condition" remains neither an absolute secret nor an open acknowledgement. Instead, it must be managed and contained through the daily negotiation of assignment and identity: "The question whether it ought not to be told to each of their acquaintance who became a friend had always to be solved anew, especially if the acquaintance was an American; but as yet their secret remains their own." On the one hand, Rhoda's "race" boils down to the uncertain negotiation between what one knows and what one assumes, between what one chooses to reveal and not reveal. Despite the potential powers of racial assignment other Americans may possess, Rhoda exercises the limited power of racial identification by electing not to divulge information about her past. Her white identification is also vulnerable to the whims of others' who possess the privilege and power of racial

¹⁹⁷ Ibid, 88.

assignment, including Olney. The fact remains that other Americans might potentially assign her to a black or non-white status while others exercise an intermediate position and “take her for an Italian.”¹⁹⁸

Published in 1893 and including several racially liminal characters, Frances E. W. Harper’s *Iola Leroy* more clearly rejects the conventions and paradigm of passing. Rather, it elucidates the complexities of racial construction as an ongoing process involving the negotiation of racial assignment and identification. Harper’s novel chronicles the life of a light-skinned, blue-eyed woman born into a wealthy Mississippi family and educated at a prestigious Ohio college but remanded into slavery when it is discovered that her grandmother was a slave. Refusing the opportunity to marry into a prominent white New England family, Iola enthusiastically embraces her membership in the African American community, though she also strategically negotiates the perilous process of assignment and identification, as she confronts the perils of racism and caste.

Like other 1890s works featuring racially liminal characters, *Iola Leroy* ultimately resists categorization as a passing narrative. All of the racially liminal figures represented in the novel patently reject the privileges associated with a white identity and make a clear moral choice to remain part of the black community and lead lives devoted to racial uplift. Despite the fact that Iola and her brother Harry are presented with opportunities to benefit from their white phenotype and ability to present as white, they reject these offers in the clearest of terms, essentially dismissing and rejecting what every passer aspires to obtain. Clearly, the novel does not present these as choices between passing and not passing, but rather as a matter of agency and self affirmation, a resistance

¹⁹⁸ Ibid, 91.

to the racial assignment they are presented with and an assertion of their ability to maintain a non-white identity.

In fact, if the traditional passing character conceals his or identity in order to benefit from whiteness, Harper's phenotypically white characters eschew that possibility in exchange for the higher moral ground of black identification. Instead of subverting the hegemonic structures of white supremacy, Harper's novel and its valorized characters invert that structure by recasting blackness as the purview of morality, loyalty, duty, and honor. If passing novels exercise resistance to the myth of racial distinction, Harper's novel embraces these distinctions, not in terms of biology or appearance, but in terms of character. White supremacy is not subverted. It is contested and exposed.

At the same time, in order to exercise the moral choice of black identity, Harper's racially liminal characters must resist the racial order which assumes race and race making to be the exclusive purview and privilege of whiteness, the unexamined prerogative and power of racial assignment. This interplay between racial assignment and identification comes to light early in the novel in a scene featuring Harry Leroy, Iola's equally light-skinned brother. Harry resolves to join a black regiment of the Union army in the midst of the Civil War when he is confronted by a white officer who is perplexed by Harry's intentions. The white officer can not comprehend why the man he understands to be also white would turn "his back upon every gilded hope and dazzling opportunity, to cast his lot with the despised and hated negro."¹⁹⁹ Despite the fact that Harry has made his racial allegiance and identification clear, the officer insists on assigning him to a white unit. "Surely you are a white man, and as such, I will enlist you

¹⁹⁹ Ibid, 126-127.

in a white regiment,” the white officer tells Harry.²⁰⁰ However, the younger man remains determined and refuses to join the more privileged unit. “‘No,’ said Harry firmly, ‘I am a colored man, and unless I can be assigned to a colored regiment I am not willing to enter the army.’”²⁰¹

The interplay between racial assignment and construction also surfaces in Iola’s encounter and possible romance with Dr. Gresham, a would-be suitor, and member of New England’s elite white society. Having already refused Gresham’s initial marriage proposal, Iola faces his renewed entreaties. Though Iola could easily be accepted as white, it is clear from the beginning that she would never entertain such a possibility. However, when Gresham approaches her a second time, he is clearly not suggesting that she would be tacitly accepted by his family despite her black ancestry; rather, Gresham’s proposal rests on his contention that she is white. He is not asking Iola to pass, but to exercise what he understands to be her privileged choice between a black and white identity. In order to assert her own racial identity and choice, Iola must fend off the power of racial assignment Gresham assumes to possess. While he continues to insist on Iola’s whiteness, he asserts his privileged role in making that determination: “Iola, I see no use in your persisting that you are colored when your eyes are as blue and complexion as white as mine.”²⁰²

Though Gresham’s determination to assign Iola a white identity is rooted in her physicality, it is also deeply connected to her education and comportment, what Gresham clearly understands as a performance and presentation of whiteness: “‘Iola,’ he exclaimed

²⁰⁰ Ibid, 127.

²⁰¹ Ibid, 127.

²⁰² Ibid, 232.

passionately, ‘if you love your race, as you call it, work for it, live for it, suffer for it, and, if need be, die for it; but don’t marry for it. Your education has unfitted you for social life among them.’”²⁰³ Gresham’s assignment of Iola’s race is not entirely based on any kind of biological essentialism or fixed notion of whiteness itself, though it is clearly rooted in the social power he assumes in determining who is white and who is not. As in other novels of the period, the process and possibility of becoming white is, to a great extent, initiated and allowed by the possibility of white male characters marrying women whose racial status is liminal.

Though Gresham’s proposal presents what appears a moment of agency and choice, Iola, like other racially liminal figures, clearly sees her racial identification not as a prerogative, necessarily, but as a moral imperative. “I did not choose my lot in life,” she tells Gresham, “and the simplest thing I can do is to accept the situation and do the best I can.”²⁰⁴ Inevitably, Iola’s devotion to her recognizably black grandmother is an important reminder that though her own ostensibly white appearance may enable her to assume a white identity, such an identity can only be achieved through an abandonment of family members who do not possess such prerogatives, such privilege. Though she possesses the power and volition to resist Gresham’s authoritative power of assignment, her choice is tempered by the duty to her family and community, which remains non-negotiable.

Iola’s rejection of Gresham’s proposal is not only a refusal to marry but an act of identification and race loyalty. Though her marriage to Gresham would secure her whiteness, her rejection of his proposal secures her black identification. Yet, despite the

²⁰³ Ibid, 235.

²⁰⁴ Ibid, 235.

steadfast resolve which permeates the novel, the interplay between racial assignment and identification remains neither static nor one dimensional. On the contrary, as Iola moves north, she comes to understand the nuance of racial identification and prejudice by carefully negotiating a delicate line between her unwavering race loyalty and its caste implications exercised in the labor market. Determined to secure employment by a white shop owner, she admits to her uncle, “I do not think when I apply that I am duty bound to tell him my great-grandmother was a negro.”²⁰⁵

As Iola secures her first job working in a local shop, she clearly understands that she must engage in a careful negotiation of race by judiciously electing to share information about her background with some, but not all, whites. Though she decides to share her racial identity with her white employer, Mr. Waterman, she chooses not to share this same information with her colleagues. However, when they learn about her associations with the black community, Iola is soon outed, as her co-workers pressure the boss to fire her. As this same scenario is repeated at another job, it becomes clear that Iola resolute identification as a woman of color is subject, not only to the arbitrary discretion but to that of her white co-workers.

Though Iola never waivers from her identification as a woman of color, she does seem to conclude that she must navigate the precariousness of being too forthcoming and abandoning her principles. When her uncle advises her to keep her race concealed, she responds, “Uncle Robert, I see no necessity for proclaiming that fact on the house-top.” She then adds, “Yet I am resolved that nothing shall tempt me to deny it.”²⁰⁶ Iola seems to conclude, at least temporarily, that discussion of one’s race might best remain a matter

²⁰⁵ Ibid, 205.

²⁰⁶ Ibid, 208.

of discretion, depending on circumstances. Ultimately, Iola is able to reconcile her desire to gain employment while maintaining the power of racial identification and her race loyalty. Securing a job as nurse to a sickly child, she becomes accepted by a white family, the Clotens, who reward her service with a permanent position in the family business. Unlike her previous employment experiences, she does not need to conceal her racial identity, nor be careful about volunteering too much information. Instead, Mr. Cloten openly reveals Iola's racial identity to his employees before making their acceptance of her a condition of their own employment. As Cloten's employees agree without exception, Iola finally secures "a seat in the great army of bread-winners, which the tradition of her blood could not affect."²⁰⁷

Resisting the conventions of passing and passing narratives, many of the most significant 1890s works of fiction lend themselves to a more productive and more accurate analysis through the framework of racial assignment and identity. However, like most cultural expressions of racial liminality, these texts continue to call into question and to disrupt the stability of race and racial categories. Viewing the process of racial construction through this alternative framework helps elucidate the complexities of race in the period while resisting a paradigm which reinscribes racial essentialist notions and racial categories.

Chapter Conclusion:

In a review of the *Conjure Woman and Other Tales*, a collection of short stories by Charles Chesnutt, William Dean Howells offered considerable praise and only minor criticism when discussing the growing body of work thus far produced by the still

²⁰⁷ Ibid, 211.

relatively unknown novelist. Among the most prominent and powerful figures of the late nineteenth and early twentieth century, the Dean of American Letters, as Howells was known, had enormous influence politically, socially, and culturally, especially when it came to the careers of new writers. Praising Chesnutt's ability as a writer and recommending him to what he assumed to be an exclusively white audience, Howells could not seem to resist the temptation to discuss Chesnutt's race a number of times throughout the piece and seemed to feel an urgent need to ascribe him a clear racial identity. "Now, however, it is known that the author of this story is of negro blood," Howells confided in his audience, "diluted, indeed, in such measure that if he did not admit this descent few would imagine it, but still quite of that middle world which lies next to, though wholly outside, our own."²⁰⁸

Having written a novel centered around a phenotypically white woman of African descent who marries a white man, Howells was no stranger to people who looked white and had some degree of black ancestry. Still, Howells seemed to be perplexed by the uncertainty of Chesnutt's race in relationship to his own fixed and stable white identity. Moreover, though he seemed to suggest that Chesnutt had the choice of disclosing or not disclosing his black ancestry, Howells would ultimately foreclose on that possibility by assigning the younger writer a non-white identity, one he clearly did not share with the readership of the popular and influential publication. To be clear, Chesnutt was not passing and did not intend to pass. But, if there were any doubt, Howells made sure by assigning him a non-white status.

²⁰⁸ William Dean Howells, "Mr. Charles W. Chesnutt's Stories," *The Atlantic*, May 1900.

Though Howells struggled to assign him definitively to one racial status or another, Chesnutt's own racial identification was not a simple matter either. Ernestine Pickens Glass contends that Chesnutt did "cross the color line at age seventeen and pronounced that he would eventually pass for white," though "he did not follow through." However, when understood through the framework of assignment and identification, Chesnutt's brief mention of these incidents in his journal never suggest that he consciously chose to pass; rather, he recalls two incidents when he was "taken for 'white'" by whites he encountered.

However, it is hard to imagine how such incidents would constitute passing. First, the teenage Chesnutt did not indicate any intention to present himself as white. Regardless of that intention and regardless of what often remained a clear-cut and stable black identification, individuals like Chesnutt could very well assert a level of agency and control, but at the same time they were continually subject to the racial order of white supremacy. Thus, avoiding the possibility of being "taken for 'white,'" seemed somewhat beyond one's control. Whether being racially assigned by whites during an ordinary trip to the store or assigned to a non-white one by one of the most influential writers of the period, racially liminal figures like Chesnutt remained subject to the dynamic but unequal process of racial assignment.

Despite a concerted lack of control when it came to the ways Chesnutt found himself racially marked, either as white or non-white, he ultimately resisted a fleeting temptation to pass. He also seemed to toy with the idea, but there is nothing to suggest that it went any further. "I believe I'll leave here and pass anyhow, for I am as white as any of them," he wrote in a journal entry at the age of seventeen. Clearly, Chesnutt did

not pass, though the option was certainly available to him. Despite his white phenotype, Chesnutt consciously chose not to “pursue such racial migration,” as Glass observes, but instead married Susan Perry, a recognizably black woman, and thereby “solidified his loyalty to the African-American race.”²⁰⁹ However, as often noted, the young Charles Chesnutt also expressed some sense of alienation and a clear sense of racial liminality, as evidenced by the fact that he famously described himself as being “neither fish nor fowl.”²¹⁰

As these anecdotes suggest, those individuals whose race was not fixed by their appearance often negotiated race on a daily basis by navigating their way through a daily process of racial construction which entailed a process of racial assignment by white authority figures and a concerted degree of agency and the ability to assert one’s racial identity. Though these authorities could be railway conductors or census enumerators, they could also be shopkeepers, employers, co-workers, romantic partners, or even casual acquaintances. Despite this outward construction of one’s race, liminal figures often possessed and exercised the agency to resist this unilateral and top-down assignment of race by white society. At the same time, this agency and autonomy operated within the parameters of a white supremacist society, one in which legal and social constructions of race were still less fixed but still very real.

While various scholars have examined how racially liminal subjects have negotiated racial boundaries, they have paid less attention to how these ascribed categories varied from one context to the next and how they were often idiosyncratically

²⁰⁹ Ernestine Pickens Glass, “Chesnutt’s Identity and the Color Line.” *Studies in the Literary Imagination*. 43, no.2 (Fall 2010): 72-73.

²¹⁰ Chesnutt, *Journal*, 157-158.

and arbitrarily applied. Such a narrative does come to light, however, through an examination of various historical sites, including the administration of the census, nascent Jim Crow train travel, and 1890s cultural production centered around racial liminality. Though the lines between black and white would become more clearly defined by law and social norms in the decades ahead, race, racial categories, and racial belonging remained somewhat malleable concepts even past the turn of the century. This does not mean, however, that the powers of race were necessarily less onerous or nonexistent. It only means that there was far less consensus, a condition which created some space for racially liminal figures to navigate and manage their own sense of racial belonging and identity, even if doing so entailed operating within a larger and still nebulous system of race and caste assignment.

Moreover, the racial categorization and self-definition of such indeterminate figures, more often than not, constituted an uncertain and ongoing and quotidian process of racial assignment, in which various state actors and common citizens possessed the mercurial and idiosyncratic power to ascribe race, and racial identification, wherein racially liminal figures exercised a considerable degree of subjectivity, agency, and resistance in order to assert their own sense of racial belonging. Added to this fact is the reality that the negotiation between racial assignment and identification often entailed the imbrication and intersection of other social constructions, including class, gender, and national origin.

Chapter 3

Seeing, Unseeing: Imagining and Theorizing the Racially Liminal Body in the 1890s

On October 22, 1890, Frederick Douglass delivered a speech before the Bethel Literary and Historical Association in Washington, D.C. Coming early in the decade, it represented one of many ruminations by notable Americans on what was interchangeably referred to as the “Negro problem,” the “African problem,” the “Southern problem,” or the “race problem.” Though this thread of American discourse had existed well before Douglass was invited to speak in the nation’s capitol in the fall of 1890, this speech managed to capture and respond to much of the racial rhetoric surfacing and resurfacing throughout the decade and beyond the turn of the century.²¹¹

Touching on already familiar tropes, including black numerical supremacy, racial traits, and race-mixing, Douglass refused to lend an air of authenticity to this so called problem and instead mockingly exposed it for the fiction that it was. “They seem determined to keep his brain forever employed and his time forever occupied in solving a great variety of problems, and generally to his disadvantage,” he wryly asserted in reference to the ways white Southerners continued to plague African Americans with a litany absurdities. “As soon as he solves one another is propounded to him, and when he thinks, good, easy soul, his work is done he finds a new hardship inflicted.”²¹²

Douglass would go on to address white Southern anxieties over what was often perceived to be the relative increase of the black population compared to that of whites. Dismissing these fears as absurd, he pointed out that despite the reality of sizeable black

²¹¹ “Douglass to His Race: A Notable Address Delivered by the Colored Statesman,” *Washington Post*, October 22, 1890. ProQuest Historical Newspapers.

²¹² Ibid.

populations in certain states, whites continued to wield political and economic power while continuing to constitute a lopsided numerical majority. “They tell us that they are afraid,” he explained, “very much afraid; they are alarmed. They have the sword and the purse of the nation behind them, and yet they profess to be shaking in their shoes lest the 8,000,000 of blacks shall come to rule over them and their brethren, the 50,000,000 of whites.”²¹³ Exposing the myth of “black supremacy,” Douglass aptly recognized that this was not a tangible concern based in material facts but one produced by white insecurities and the powerful angst of the white racial imagination.

Having dismissed the fictionalized fear of “black supremacy,” Douglass moved on to the related issues of innate intelligence and mixed marriages.²¹⁴ Douglass rebutted the recent speech by Senator John Ingalls denouncing mixed marriages. Specifically, Douglass addressed the Kansas senator’s assertion that such unions would negatively impact the white race by creating offspring with inferior intellect and character. Invoking and acknowledging the ubiquitous existence of America’s longstanding racial liminality, Douglass asked “why any of the mulatto and quadroon children and grandchildren of our earlier statesmen are found anywhere outside of the thick walls and iron-barred windows of our prisons,” instead of being well represented among the nation’s “teachers, professors, and preachers.”²¹⁵ Countering fears of a corrupted body politic, as Ingalls and others imagined it, and undermining the biological essentialism of racial traits, Douglass employed the racially liminal body and the success of racially liminal figures as concrete

²¹³ Ibid.

²¹⁴ At various times throughout the 1890s, Ingalls had claimed that Douglass’ intelligence was the product of his white, not his black, biological inheritance.

²¹⁵ Ibid.

rebuttals to the specious claims that intelligence was innately determined by the presence of blackness in the racially mixed body, including his own.

Turning to the still nascent trend of prohibiting legal marriages between blacks and whites, Douglass reminded his audience, that the thoroughly mixed-race population of the nation had existed for “240 years.” If white America had never been concerned about “lawless relations between the two peoples,” he argued, “it should not go into paroxysms of alarm over what may possibly take place under lawful conditions.” Countering the false narrative of two racially distinct Americas, Douglass also alluded to the hypocrisy of bans on legal marriage. He not only understood that sexual relationships between white men and black women had existed longer than the country itself, but he emphasized the hypocrisy embedded in the fact that these laws simply banned lawful unions which might extend financial security to women of color and legal recognition and property rights to their children.

As Douglass’ speech demonstrates, the “race problem” in America brought together three constant themes, each of which intersected with levels of visibility and invisibility and various representations of the racialized, racially mixed, and racially liminal body. A quarter century removed from chattel slavery, white America struggled to understand its racial present and obsessed about its racial future. These fears would vacillate between an exaggeration of black population growth on the one hand and the increased prevalence of racially mixed bodies on the other. As the emergent science of statistical measurement and analysis promised new ways of understanding race, many elite lawmakers and scientists would theorize the over-representation of black bodies and racially mixed bodies while others would predict the imminent disappearance of both.

While the physical and reproductive health of black and racially mixed bodies would remain a concerted focus of scientific investigation and the racial imagination throughout the decade, an equally salient concern with bodily corruption and racial degradation would manifest itself in the form of racial traits, an invisible, but no less essentialized, construction of race which operated below the skin and which was imagined to be capable of shaping behavior, ability, and potential through the transmittal of blackness, in any form and to any degree. While scientists and political leaders decried the physical corruption of the mixed race body and a deeper corruption of it through racial traits, they could also be legally and socially corrupted through the process of legitimizing and delegitimizing the sexual activity which produced them. By constructing them as either sanctioned through legalized marriage or unsanctioned through non-marital intercourse, the racially mixed and liminal body could be rendered invisible by representing it as the product of illegal and unsanctioned sexual activity.

As white anxieties drove the national obsession to probe, dissect, measure, and contain various forms of blackness in the collective or individual body, calmer and more rational voices produced important counter-narratives. Opposing and disrupting apocryphal white supremacist and racial separatist narratives advanced through scientific theory and politics, alternative representations of race and the racialized body served as important evidence which dispelled notions of black inferiority, the racial degradation of the mixed race body, and the delegitimizing of mixed race people. As a powerful and hegemonic discourse of white supremacy and racial separatism was advanced and bolstered through scientific and political discourse, important counter narratives centered around “racially pure” and racially liminal bodies held the promise of rewriting these

narratives and thus reshaping the way the country understood race and the way it understood itself.

This chapter examines the various ways the racially liminal body was imagined throughout the 1890s with a particular emphasis on the extent to which the presence of racial in-betweenness was seen or unseen in an effort to construct a vision of the country as either intricately mixed or racially distinct and separate. It also examines the connection between racial purity, racial liminality, and racial traits, as well as the ways reproduction was legitimized or delegitimized in an effort to unsee racially liminal subjects. First, this chapter considers the public discussions of racial liminality which led to the inclusion of new and varied categories of race and racial liminality in the 1890 census and the extent to which the arenas of science and politics shaped the discourse and a newfound obsession with quantifying and studying the racialized and racially mixed body.

Second, this chapter examines the extent to which a more abstract and less visual sense of race in the form of “racial traits” would continue to gain steady currency towards century’s end. While this chapter illuminates several apocryphal narratives regarding race and the racialized body, it also sheds light on the ways such notions were contested by emergent discourses which directly challenged biological essentialism, black inferiority, white supremacy, and racial separatism. While this discursive process included explanations which used socialization, history, and environment as ways of challenging scientific racism, an equally important challenge operationalized the racially liminal and racially pure body in order to contest and rebuke the emergent hegemony of scientific racism and an equally dominant belief in racial separatism.

More Apparent than Real: the Scientific Politics of White Angst and a Racial Mountain in Paris:

“In proving the colored population grows more slowly than the white,” James Bryce argued in July 1891, “the census just taken has removed another cause of anxiety. It is now clear that the negro, regarded as a factor in the whole community, is becoming relatively weaker; nor is the process likely to be arrested, because any diminution of the death-rate – now terribly high – would almost be accompanied by a decline in the birth-rate.”²¹⁶ The specific “anxiety” to which Bryce referred was the often expressed apprehension white Southerners felt about the potential political power of black voters, particularly in states such as Mississippi and South Carolina where African Americans vastly outnumbered whites.²¹⁷ Though Bryce also endorsed voter repression schemes intended to disenfranchise African Americans, he was suggesting that the “anxiety” caused by disproportionate numbers of black voters would simply solve itself through a more or less natural process of black morbidity and sterility. Black Americans would simply disappear.

In making such an argument, Bryce was also dismissing the notion that “amalgamation” and “miscegenation” would decrease the black population and eventually eliminate this perceived problem altogether. Not only did Bryce advocate a strict separation of blacks and whites based on his beliefs that self-government was an

²¹⁶ James Bryce, “Thoughts on the Negro Problem,” *North American Review*. July 1, 1891. Periodical Archives Online., 659.

²¹⁷ As Bryce also understood, the desire to minimize black political power and to curb social equality was tempered by the reality that cheap and readily exploitable black labor in these largely rural states was integral to the agricultural economy, not only in these states, but throughout the South. Given this reality, Bryce dismissed one of the more commonly discussed schemes for solving what he and other white elites saw as the “negro problem” in the South, the emigration and removal of blacks, both from the South and from the country.

inherent and inborn racial trait;²¹⁸ he also argued that such unions did not actually exist. “Even in commonwealths where mixed marriages are lawful,” he asserted, “they are extremely rare and are visited with the severest social reprobation.”²¹⁹ Suggesting that “illicit relations of white men with colored women” were simply vestiges of slavery, he argued that such relationships had “almost wholly disappeared.”

Bryce’s depiction of the country’s population and racial constitution is clearly aligned with the contention of modern historians who have suggested that Americans in general, and Southerners in particular, eschewed the topic of interracial unions and preferred, instead, to see marital and extramarital relations between blacks and whites as bygone relics of the Antebellum period. “For many whites,” Joel Williamson argues, “mulattoes became the living symbols not only of the defeat of the South but also of its great prewar sin – miscegenation.”²²⁰ Upon further examination, however, it is clear that the existence of mixed-race and racially liminal subjects was not a vestige of the pre-war past, nor was it a minor concern or subject to be elided in public conversation. On the contrary, beginning in the mid-1880s and continuing well past the end of the century, the nation was consumed with probing, counting, and creating the collective presence of the mixed-race and racially liminal body. Far from avoiding or dismissing the presence of the racially liminal figure, lawmakers, bureaucrats, scholars, and scientists were intently focused on studying and quantifying such figures, yet they often did so with different

²¹⁸ Marilyn Lake and Henry Reynolds. *Drawing the Global Colour Line: White Men’s Countries and the International Challenge of Racial Equality* (Cambridge: Cambridge University Press, 2008), 66-73.

²¹⁹ Bryce, 651.

²²⁰ Joel Williamson, *New People: Miscegenation and Mulattoes in the United States*. (London: The Free Press, 1980), 92.

agendas, and they often reimagined the population in ways which conformed to their own beliefs or assuaged their particular anxieties.

Though Bryce offered newly collected census data as proof of the disappearing black body and as a panacea for white psychic unrest related to “black supremacy,” that data did not actually support his assertion that people of mixed race were disappearing from the body politic. In direct opposition to Bryce’s claims, the 1890 census pointed to the ubiquitous presence of racially mixed subjects throughout the country, including those racially liminal figures who existed on the margins of whiteness and blackness. Including those individuals categorized as “mulattoes,” “quadroons,” and “octoroons,” the official number of “mixed race” people in the United States was well over one million and represented over fifteen percent of the people of “African descent.”²²¹ In and of themselves, those classified as “quadroons” and “octoroons” represented over one hundred and seventy-five thousand people, suggesting that racially liminal figures, at least those who could be identified, also existed in formidable numbers.²²² Despite the abundance of readily available data which proved racially mixed and racially liminal subjects did in fact exist, Bryce may simply have overlooked their presence. Choosing, perhaps, to ignore the statistical evidence produced by the Eleventh Census, he may also

²²¹ Since according to the census instructions, a “black” person could possess at least one white parent, the percentage of racially mixed people of African and European descent was likely much higher. Moreover, as established in Chapter 2, people who appeared white were not always asked to identify themselves as “octoroons” or other racial categories. Equally established in Chapter 2 is the fact that many people did not feel comfortable asking such questions or simply lacked the genealogical information needed to place themselves according to the precise blood quantum formulas included in the census.

²²² “Our Colored Population,” *Chicago Daily Inter Ocean*, March 17, 1896. Nineteenth Century U.S. Newspapers-Gale.com.

have simply appealed to what he saw in his mind's eye and concocted a fictional scenario in which racial mixing and racial liminality did not really exist.

Also undermining Bryce's narrative that mixed-race and racially liminal subjects were few and far between was the fact that many influential people, including white Southerners, were deeply aware of the thin and rather tenuous line between blackness and whiteness that characterized much of the population, especially in the South. Far from avoiding the issue of race mixing or mixed-race bodies, many pointed to "amalgamation" as the ultimate cure for white Southern apprehension while openly acknowledging the existence of mixed-race and racially ambiguous people. W. C. Elam, a white Republican, editor of the *Richmond Whig*, and former confederate soldier, not only pointed to the common practice of "miscegenation," but advanced the practice as a way of easing racial tensions, suggesting that the "absorption" of African Americans into "the common American blood" should "be thus promoted and hastened." "Whatever one's views about the direct amalgamation of whites and blacks," Elam continued, "it is undeniable that miscegenation has long been practiced in the land and is still proceeding with all its diversified action, through mulattoes, quadroons, octoroons, and other degrees of consanguinity." Moreover, Elam, writing in the mid 1880s, would go on to propose that the upcoming census include an enumeration of such groups in order to "judge accurately of the progress this intermingling has already made."²²³ Confronting what he saw as the ubiquitous presence of mixed race peoples, Elam also imagined the eventual absorption of the black population into the white while continuing to see this as mitigating the

²²³ W.C. Elam, "The Future of the Negro: The Views of Two Different Writers on the Problem of the Age," *New York Freeman*, May 22, 1886. Nineteenth Century U.S. Newspapers-Gale.com.

disproportion of black bodies and the absence of black labor through emigration to other states.

Though census data which became readily available in the early part of the decade confirmed the significant presence of racially liminal bodies, the desire to collect such information also provides some important insights into the nation's growing fascination with such information. In fact, the political anxieties stemming from the real or perceived presence and absence of racialized and racially liminal bodies helps to shed light on why the newly instituted racial categories in the census emerged and what various individuals hoped to learn or prove by the data to be collected. Though the census represented an emergent marriage between politics and the nascent science of statistical measurement, it also demonstrated the extent to which the physical body became the focus of race and racial inquiry in new and creative ways, as race became a more abstract, less visual, but no less powerful, entity.

As the date for the next census neared, politicians and medical authorities led the call for new categories of race to be included in the new schedules. On July 30, 1888, Representative Joseph Wheeler of Alabama introduced a resolution to the U.S. House which would charge the superintendent of the census with enumerating the number of pure white citizens and the number of mixed-race peoples from various backgrounds. Specifically, the bill called for the office of the census "to ascertain, report and publish the birth rate and death rate among pure whites and negroes, Chinese, Indians and half

breeds or hybrids of any description or character of the human race, who are found in the United States, as well as of mulattoes, quadroons and octoroons.”²²⁴

Though not all of the language would make it into the final census schedules, Wheeler’s wording reflects the fact that behind this addition to the 1890 census there was a heightened and imminent concern with people of mixed race, as well as an open acknowledgement of their existence in the country. This proposal indicates not merely an interest in assessing the number of mixed race people in general but in probing the various degrees of that mixing. Moreover, the specific language of Wheeler’s proposal also indicates a specific interest in vital statistics as they pertained to the racially “hybrid” body. This reveals the extent to which the newly instituted focus on race and an equally novel focus on birth and death rates in the 1890 census were directly connected to issues of black public health, life expectancy, and population growth as the strengths and weakness of the racialized and racially mixed body were, in many ways, front and center on the national agenda.

As this idea worked its way through the United States Congress, there was a growing consensus that the need for such information was not only useful but essential. And, while there may have been more than one motivation for collecting such data, it would become more and more clear that the relative physical health of black, white, and “hybrid” bodies represented a key driver of this change in the census. Just over one year after Joseph Wheeler had introduced his bill, the chief public health official for the District of Columbia, Dr. Smith Townshend, issued a letter directing doctors at D.C. hospitals to begin recording the race of anyone dying while under medical care. Most

²²⁴ “From Washington,” *Alexandria Gazette & Virginia Advertiser* (Alexandria, V.A.), July 30, 1888. *Chronicling America: Historic American Newspapers*.

notably, Townshend specified the importance of being “able to give the death rates of mulattoes, quadroons, and other shades of mixed-race blood, between the negro and white races, as distinct from the death rates of the white and the general classification heretofore given as ‘colored.’”²²⁵ Dr. Townshend’s words not only demonstrate a specific urgency to document the vitality and morbidity of mixed race subjects; they reflect the growing awareness and recognition of racial liminality, as evidenced in the health official’s marked concern with those imagined to be “between the negro and white races.”

Later in the year, Dr. John S. Billings, who had become Robert Porter’s right-hand man at the United States Census office and the head of its Vital Statistics division, delivered a series of lectures on the “vitality of Americans as shown by the census” to the alumni of the New York College of Physicians.²²⁶ In particular, Billings was keenly interested in tracking various aspects of birth and death among the country’s population, but he was also particularly interested in ascertaining data related to race, not only by compiling and studying figures for blacks and whites, but for “mulattoes, quadroons, and octoroons.” “In obtaining the records of deaths occurring during the census year beginning June 1, 1890,” he asserted, “an effort will be made to have the deaths of colored persons distinguished into those of pure negroes and those of mixed blood.” Thus, inextricable from the goal of studying the physical fitness of the racially mixed body was the need to imagine and study the fitness of those imagined to be racially pure. In order to probe the collective racialized body of the country and to study its fecundity

²²⁵ “For the Next Census: The Death Rate of People of Mixed Blood to be Secured,” *Washington Post*, August 11, 1889. ProQuest Historical Newspapers.

²²⁶ “Vitality of the Colored People,” *New York Times*, December 15, 1889 ProQuest Historical Newspapers.

and mortality, it would be necessary to distinguish between what were imagined to be pure whites and pure blacks and those recognized to be racially mixed. Despite some doubt that dividing the population into “the minuteness of subdivision” called for in the forthcoming census would be practical, he stressed the value of distinguishing among those who were “pure white,” those who were “pure black,” and those “of mixed blood” in order “to give some opinion with regard to their diseases and death-rates.”²²⁷ As scientific inquiry required, Billings sought to isolate the variables of blackness and whiteness in the population in order to make one-on-one connections between race and physical vitality. But, he would also seek to study what the convergence of these imaginary variables might yield as well.

For Billings, the primary question at hand was not whether or not the United States was composed of distinct black and white racial groups or finely graded mixtures thereof. To him and, perhaps his audience, the ubiquitous presence of mixed-race and racially liminal people seemed very much a given:

This country is, as you know, the great mixing ground of different races of the human family, and, while the mixture is rapidly becoming so intricate as to make it impossible to distinguish the several strains, it is still true that there are large groups of men of quite distinct races, the record of disease and death which would form valuable material for study upon this point were it possible to collect them.²²⁸

Though the purported purpose of asking about race in the forthcoming census supposedly represented a scientific and data-driven attempt to assess the racial make-up of the population, Billings seemed to possess an unusual sense of certainty as to what the

²²⁷ John S. Billings, “Cartwright Lecture I Delivered before the Association of the Alumni of the College of Physicians and Surgeons, New York, November 14, 1889,” *Medical News*, November 23, 1889, 563. American Periodicals.

²²⁸ Billings, “Cartwright Lecture I,” 563.

outcome would be. Without the benefit of actual statistics on the racial liminality of the population, he and his colleagues seemed to accept the ubiquitous mixed-race nature of the nation as a given, while imagining racially pure subjects to be the exception rather than the rule. Thus, despite an unprecedented national effort to collect such information scientifically, the role of the imagination, even for one of the country's most distinguished doctors and statisticians, proved most formidable in the effort to get at "the truth" of race. While Bryce and others imagined the disappearance of racially mixed subjects altogether, Billings imagined quite the opposite. To him the population was so profoundly mixed that the difficult issue was not finding racial liminality or people of mixed race but finding racially pure subjects.

As the start of the upcoming census approached, the desire to assess the relative health and morbidity of those thought to be of mixed race would come to constitute more and more of a central focus. "In the enumeration of the population," Dr. Billings stated in the second of the Cartwright lectures in December 1889, "those of mixed blood will be recorded separate from the pure blacks and pure whites, and an effort will be made to obtain corresponding records of death in order to determine the death-rates of these mixed bloods."²²⁹ Thus, Billings hoped the forthcoming census might provide information on the "fecundity and mortality of mixed-bloods" and seemed anxious to test what were popular and "scientific" theories concerning the sterility and physical inferiority of mixed-race bodies.²³⁰

²²⁹ John S. Billings. "Cartwright Lecture II. Delivered before the Association of the Alumni of the College of Physicians and Surgeons, New York, November 21, 1889," *Medical News*, December 21, 1889, 683-684. American Periodicals.

²³⁰ "Vitality of the Colored People," *New York Times*, December 15, 1889. ProQuest Historical Newspapers.

One such theory steadily gaining the gravitas of scientific and medical authenticity was the belief that mixed unions between blacks and whites and between mixed race people produced physically and mentally inferior offspring. Originating as early as the eighteenth century, “the Mulatto sterility hypothesis” suggested that because interracial offspring were produced by two distinctly separate races, they were less virile and less capable of reproduction, as well as biologically less fit. Exemplifying such notions, one writer in 1891 suggested that “the quadroon is liable to be physically degenerate, with a slender and defective physique, and a mental nervousness which finds less brain force than that possessed by the pure black.”²³¹ Demonstrating the theory that subsequent generations were believed to become less and less fertile, Dr. W.A. Dixon writing for a prestigious medical journal²³² explained, “Observations extending over a period of more than thirty years have thoroughly impressed the conviction upon my mind that the offspring of mulattoes are the subjects of constitutional diseases to a greater degree than are those of unmixed blood and that when confined to their own class they scarcely reach the fourth generation in descent, by reason of disease and sterility.”²³³

As much as Billings and other physicians were interested in assessing the physical vitality of the racially “hybrid” body, they were ultimately interested in assessing the morbidity and vitality of those imagined to be purely black or purely white. And, while Billing’s motivations may well have been more scientific than political, a focal point of

²³¹ “The Intellectual Future of the Colored Race,” *Daily Evening Bulletin* (San Francisco), May 2, 1891. Gale.

²³² It is worth pointing out that though Dr. Dixon represented himself as a medical practitioner submitting a very scholarly article in a medical journal, he admits that none of his findings are based on scientific literature and research.

²³³ W. A. Dixon. “The Morbid Proclivities and Retrogressive Tendencies in the Offspring of Mulattoes.” *Medical News*, August 13, 1892, 180. American Periodicals.

these lectures was directly related to the growth of the black population in specific Southern states, including Mississippi, South Carolina, Georgia, Alabama, and Florida,²³⁴ thus demonstrating the growing interest in the physical health of black and white bodies, as well as the political and economic ramifications of such information.

Despite his purely scientific interests in these issues, Billings' comments suggest that the rationale for quantifying and probing the mortality rates connected to blackness, whiteness, and various gradations of racial in-betweenness in the 1890 census had clear political ramifications and motivations as well:

From the sociological and political point of view this is particularly the case with regard to the negro and to those having a mixture of negro blood; and in the Southern States such questions as the following are of great practical interest: Is the negro population increasing faster than the white? Is the proportion of mixed bloods, such as mulattoes, quadroons, etc., increasing in proportion to the general population? Are the fertility and expectation of life of mixed bloods greater or less than those of pure whites or pure blacks under the same circumstances and environment?

In addition to raising such issues and acknowledging the political interests surrounding them, Billings suggested that such questions represented "the probable reason for the introduction into law for taking the next census of a special clause providing 'that the population schedule shall include an inquiry as to the number of negroes, mulattoes, quadroons, and octoroons.'"²³⁵

Though Billings' interest in racial morbidity and vitality went beyond the political calculus motivating the introduction of such new categories into the census, he remained cognizant of the sustained interest in such inquiry. Addressing this in the second of his Cartwright lectures in November 1889, he would suggest, "On the one hand, it is claimed

²³⁴ "Vitality of the Colored People," *New York Times*, December 15, 1889 ProQuest Historical Newspapers.

²³⁵ Billings, "Cartwright Lecture I," 563.

that the large increase in the colored population between 1870 and 1880 indicates that in fifty, or at most a hundred, years more it will greatly predominate. On the other, it is affirmed that the greater increase of the colored populations is apparent rather than real.”²³⁶

As this comment indicates, Billings was more interested in the epistemological process of answering such questions than in the results his political counterparts so desperately craved. Moreover, this comment strongly suggests the extent to which “the truth” about race was not thought of as a matter of observable, visual knowledge based on the power of the naked eye, but something deeper and more abstract which could only be assessed by the science of statistical measurement. In other words, he imagined that mere observation would not suffice as a means to understand or gauge the country’s racial make-up. Rather, science and statistics would hold the promise of truly understanding what the naked eye could not accurately detect or process. At the same time, this growing preoccupation with statistically and scientifically measuring race and racial in-betweenness also suggests that such “objective proof” would somehow resolve what was otherwise a very subjective endeavor in which people’s imagination of the country’s racial composition generally conformed to their political positions and agendas.

Despite ongoing angst over the growth of the black population relative to whites, the effects of interracial unions represented another important source of white anxiety throughout the period. This anxiety also led to the inclusion of new racial categories and questions in the 1890 census. “The information secured on this point, while of present value in ascertaining approximately the number of each class,” a writer in the *Chicago*

²³⁶ Billings, “Cartwright Lecture II,” 682.

Inter Ocean observed, “will have a much greater value as a means of comparison with similar results obtained through succeeding decennial enumerations in determining whether intermarriage between the black and white races is on the increase or decrease in this country.”²³⁷

In an 1888 interview regarding ideas for the forthcoming census proposed by members of Congress, the previous director of the census, Carroll D. Wright, expressed a concerted interest in learning whether the number of children produced by mixed marriages was on the increase or decrease, especially in the South. Wright indicated that “the children of mixed marriages” were “decreasing” and that “blacks” were “becoming more segregated.”²³⁸ Unwilling to leave such pressing questions to the imagination, however, Wright pointed to the importance of gaining a more objective and scientific approach. In the political and social realm, such questions might be settled by relying on everyday observation and even concerted acts of the imagination. However, for Wright, this was clearly “a question which” could not “be settled by observation.” To this point, he asserted, “It must be settled by statistics, and the sooner such statistics are collected the better.”²³⁹

With this in mind, Wright wrote to the Senate in February of 1889 suggesting the addition of the question concerning “mulattoes, quadroons, and octoroons.” In this correspondence, Wright framed two pressing questions to be solved by numerically

²³⁷ “The Eleventh Census.” *Chicago Inter Ocean*, June 16, 1889. Nineteenth Century U.S. Newspapers-Gale.com.

²³⁸ “The Next Census: What Col. Carroll D. Wright Says of the Great Talk.” *Morning Oregonian*, December 27, 1888. Nineteenth Century U.S. Newspapers-Gale.com.

²³⁹ “Statistics of the Negro Race.” *Times-Picayune* (New Orleans, Louisiana), February 28, 1889.

probing the nation's racial diversity. One was whether "the mulattoes, quadroons and octoroons" were simply "disappearing," and the second was whether the black "race was becoming more purely negro." As Wright's comments suggest, the new race questions being proposed to and by lawmakers were concerned with racial in-betweenness, on the one hand, and black and white racial purity on the other. As Wright's words also suggest, there was a strong underlying presumption, if not hope, that the ubiquitous presence of racially in-between figures that Billings openly acknowledged was decreasing rather than increasing.

Though Billings and Wright, two of the most influential shapers of the Eleventh Census, shared a common desire to probe the nation's racial liminality, they clearly approached this project with different preconceived outcomes in mind. Though Billings anticipated a data-driven confirmation of his clear understanding of racial liminality, Wright seemed to cling to a tacit belief in the nation's white and black racial purity and the imminent disappearance of "miscegenation" in the present and immediate future, especially when it came to the most tangible evidence of race mixing, the racially mixed and liminal body.

Keenly aware of the longstanding attempts to ease the exaggerated anxieties of white Americans, Frederick L. Hoffman would operationalize the data on race collected in the Eleventh Census in order to address some of these fears while hoping to put others to rest. In the opening pages of *Race Traits and Tendencies of the American Negro* published in August 1896, Hoffman wasted no time in addressing the issue of what he called "numerical supremacy." Keenly aware that inquiry into the racialized body could not be extricated from the larger anxieties stemming from the imagined fears of black

political and numerical domination, he argued, “It is therefore a matter of the utmost importance that the true condition of this population should be fully understood in all its intricate details, to eliminate every possible doubt as to the seriousness and importance of the problem to the people of the southern states as well as the North and West.”²⁴⁰

Though Hoffman understood the role his work would play in easing these anxieties, he also implied that the basis for these misgivings were more imagined than real. “The most threatening danger, numerical supremacy, may be considered as having passed away, if indeed it ever existed in fact,” Hoffman suggested.²⁴¹ Using the statistical data from the Eleventh Census, he proceeded to explain that any slight increase in the birth rate of the black population was offset by higher mortality rates, while further reassuring his white audience that despite a numerical disproportion between blacks and whites in certain places, white political domination remained unquestioned.²⁴²

In addition to assuaging white fears of “numerical” or “Negro supremacy,” Hoffman was making a larger claim about the physical and biological inferiority of black Americans as a “race.” Grasping the significance and the absurdity of this claim, W.E.B. Du Bois wasted no time in addressing it in a book review published shortly after *Race Traits and the Tendencies of the American Negro* first appeared. Though Du Bois conceded that the population growth of whites was higher than that of blacks when factoring in mortality rates, he would demonstrate the speciousness of Hoffman’s claims which amounted to a disappearance of the black population. “One cannot, however, agree

²⁴⁰ Frederick L. Hoffman, *Race Traits and Tendencies of the American Negro*, (1896, repr. New York: AMS Press, Inc., 1973), 1.

²⁴¹ Ibid, 2.

²⁴² Ibid, 19.

with the author that this excessive death-rate threatens the extinction of the race,” he argued.²⁴³

Du Bois would then proceed to demonstrate the relative vitality of the black race by comparing its overall growth to the population growth in various European nations. “Compared with most modern nations the decennial increase of American Negroes has been large,” he argued, “and although, as in the case with other peoples, it has been lessening each decade, it is still higher than the decennial increase of England and Wales.” Cutting closer to the bone, he also compared the mortality rates for blacks in American cities to those in various German cities, thus zeroing in on Hoffman’s “own German fatherland.”²⁴⁴ This strategy enabled Du Bois to make a direct comparison between African Americans and Germans. Using Hoffman’s own criterion, namely mortality, he was able to establish that the black population in American cities was as physically fit as Hoffman’s own white compatriots. If this was strictly about race, about biology, black Americans proved more vital than Teutonics, the very subcategory of whiteness to which Hoffman himself belonged.

At the same time, making a direct comparison between populations in American and European cities, Du Bois could also establish the fact that black mortality rates were not the product of race conceived of in strictly biological terms. Thus, he could begin to debunk Hoffman’s biologically essentialized claims and demonstrate that black mortality

²⁴³ W.E.B Du Bois., review of *Race Traits and Tendencies of the American Negro*, by Frederick L. Hoffman. *Annals of the American Academy of Political and Social Science* 9, no. (January, 1897), 130. Sage Publications.
<https://www.jstor.org/stable/1009520>.

²⁴⁴ Ibid, 129.

in America was attributable to “conditions of life” rather than biological inheritance.²⁴⁵

In addition to making this case in his book review, Du Bois would repeatedly seek to assert the important influence of environment, not biology, on the vitality and mortality of African Americans. In a speech entitled “The Negro Problem” drafted in 1900, he argued that the alarming number of deaths due to consumption in the black population of American cities was not the product of any “race characteristic,” but “a matter of condition and habit.”²⁴⁶

While the focus of this speech, targeted specifically to a black audience, focused a great deal on addressing issues of black mortality, Du Bois took time to emphasize the comparative increase of the black population since the Civil War, rather than its comparative decrease. Emphasizing the existence of “8 million Americans of Negro descent,” he would compare the growth of the black population in the United States with the populations of various European nations. Such comparisons demonstrated the clear vitality of African Americans while accounting for the racism and racial disparities in the United States which produced very real and alarming black mortality rates while explaining the higher rate of growth in the American white population.²⁴⁷ Such comparisons also took aim at Europeans, like Hoffman and Bryce, who fostered claims of white biological supremacy regardless of nation and environment.

In the same year, Du Bois would emphasize what he described as “the wonderful reproductive powers of the blacks” in an article published about the “Exhibit of American

²⁴⁵ Ibid, 127.

²⁴⁶ W.E.B. Du Bois, “The Negro Problem, 1900,” W.E.B. Du Bois Papers (MS 312) Special Collections and University Archives, University of Massachusetts Amherst Libraries, 7.

²⁴⁷ Ibid, 4-5.

Negroes” which he helped curate for the 1900 Exposition in Paris. In this article, he emphasized the fact that the “220,000 negroes of 1750 had increased to 7, 500, 000 in 1890.” Included in the Paris exhibit was an “infographic” entitled “The Amalgamation of the White and Black elements of the Population,” plate 54 (figure 4 below).

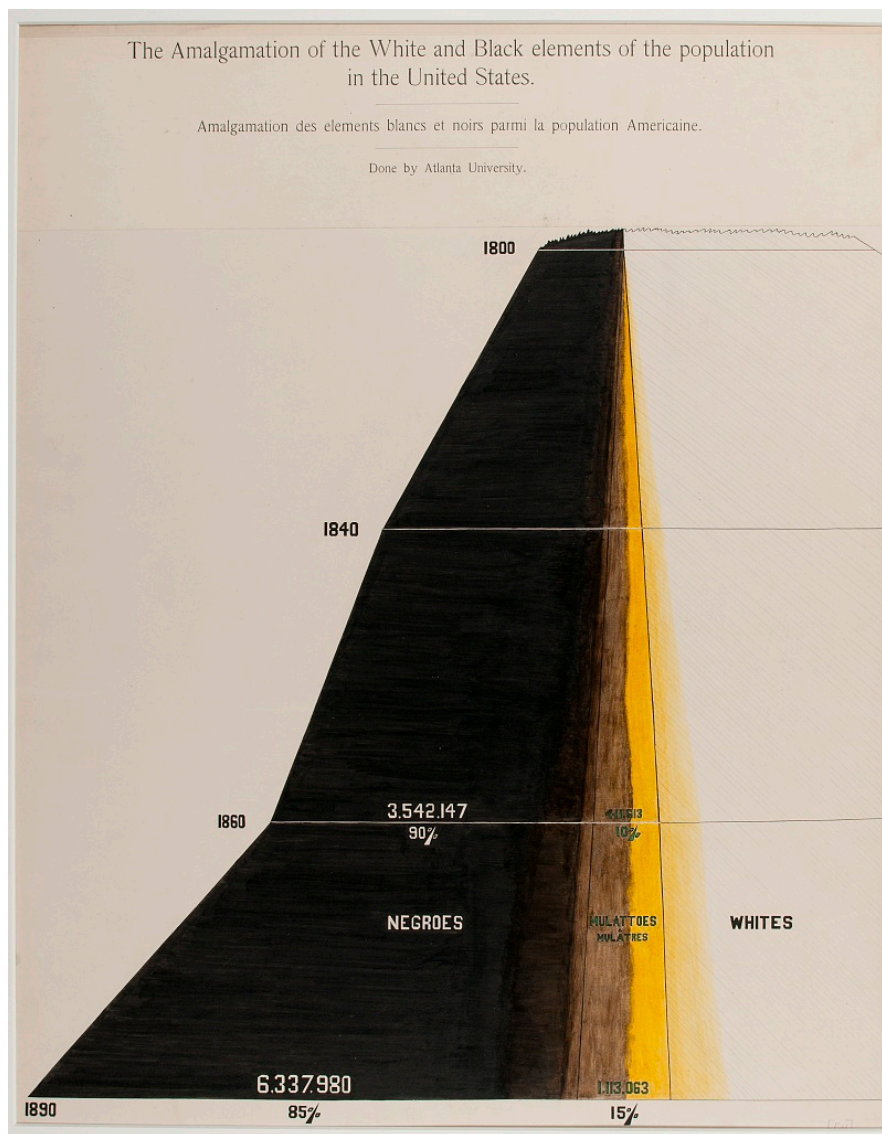


Figure 4 (Ch. 3) "Amalgamation of the White and the Black" (plate 54). Reproduced from the Daniel Murray Collection, Library of Congress.

This “data visualization” brought the magnitude of this home through a bold visual depiction. Visually resembling a mountain, plate 54 demonstrates the sustained and steady growth of the black population alongside the sustained and steady growth of the white and racially mixed populations. This graphic powerfully debunked the emergent myth of black mortality and racial inferiority by demonstrating a sizeable increase over the course of more than a century.²⁴⁸ It also showed a marked increase, not decrease, since Emancipation, thus countering the Lost Cause ideology which propagated the notion that somehow blacks had been materially better off during slavery.

As Aldon Morris has asserted, the Paris exhibition enabled Du Bois to counter white supremacist scholarship dominating American academics. In particular, it allowed him to continue debunking the scientific racism of Hoffman’s work.²⁴⁹ Though Du Bois and the Atlanta team would counter Hoffman’s assertions regarding the overall physical stamina and vitality of black Americans, the Paris exhibit also countered the German-born economist’s claims about mixed race people and race mixing. While Hoffman sought to promote notions of white supremacy in terms of physical health and vitality, he also sought to establish the physical inferiority of racially mixed figures. “The children of colored women and white men, of whatever shade of color, are morally and physically the inferiors of the pure black.”²⁵⁰ Arguing that this “low vital capacity” proved a lack of “longevity of the mixed races” and explained a lack of “resistance to disease,” he sought

²⁴⁸ “Amalgamation of the White and Black.” Plate 54. Du Bois Collection of Visual Materials about African Americans assembled for the Paris Exposition of 1900. Daniel Murray Collection (Library of Congress).

²⁴⁹ Aldon Morris, “American Negro in Paris” in *W.E.B. Du Bois’s Data Portraits: Visualizing Black America: The Color Line at the Turn of the Century*, eds. (New York: Princeton Architectural Press, 2018), 32-33.

²⁵⁰ Hoffman, 182.

to establish the relative morbidity and pathology of the mixed-race subject as compared to “the negro of pure blood.”²⁵¹

Despite his predecessor’s acknowledgement of and desire to probe the racial in-betweenness of the country, Hoffman would simultaneously address the existence of racial mixing while denying any sense of racial liminality in the population. Whereas John Billings had seen an intricately mixed America where racial purity seemed to be more of an exception than the rule, Hoffman held to a tacit assumption of white racial purity while casting the undeniable race mixing confirmed by the 1890 census as a problem unique to the black population, a population which he argued had become “so hopelessly mixed” that “the type of the pure negro” was “rarely met with.”²⁵² Moreover, by asserting that mixed-race marriages were declining and that mixed-race individuals belonged to the black race exclusively, Hoffman could imagine a dichotomous world constructed of pure whites on one side of the binary and blacks of every hue on the other. It was not only a theoretical concept and imagined visual sense of racial separateness as James Bryce had offered, but one which purported to offer scientific proof in the form of statistical measurement. And, where other commentators on the racialized body had continued to imagine a nation starkly divided into spheres of blackness and whiteness, Hoffman made a related but distinct claim: authentic black bodies were all but disappearing and being replaced by an inferior mixed “type,” a diluted and inferior physical version of the pure black body.

Relying on data from the 1890 census, the artifacts in the Paris exhibit, compiled by Du Bois, Thomas J. Calloway, and a number of African American students and

²⁵¹ Ibid, 184.

²⁵² Ibid, 177.

scholars, directly countered Hoffman's claims of innate black inferiority. Also, the "data visualizations" and other artifacts of the "Exhibit of American Negroes" specifically challenged his claims about the physical depravity and inferiority of America's mixed-race population. While plate 54, "The Amalgamation of the White and Black elements of the Population in the United States," demonstrated black vitality in general, this powerful infographic shattered the myth of two racially distinct Americas by visually and statistically representing the country's longstanding and sustained racial mixing in both its Antebellum past and its post-Emancipation present. As the mountain-like visual makes clear, the steady growth rate of America's mixed race population, which Du Bois *et. al.* represented as fifteen percent of the 1890 black population, had grown and continued to grow at a steady increase alongside the black and white populations, from the end of the 1780s to 1890. Moreover, this "data visualization" established the fact that race-mixing in the United States was not simply the product of slavery. In fact, the number of racially mixed bodies, according to the Atlanta team and the United States Census, demonstrated a clear five percent increase in racially mixed bodies, not a decrease, as Wright and others had theorized, or hoped. Thus, the racially mixed body was not disappearing at the dawn of modernity. It was increasing with significant force.

Though white supremacists elites like Bryce, Wright, and Hoffman could only offer the world an abstract mental picture and a psychological fantasy of black and mixed-race disappearance when it came to racially mixed and liminal bodies, Du Bois and his collaborators offered concrete physical and visual counter-evidence through the medium of photography. In collaboration with Daniel Payne Murray, Du Bois and company curated a vast collection of photos which documented the vast and diversified

reality of black and mixed race bodies, representing a wide array of physicality in bodily form. Corresponding directly to the color-coded schema depicted in the infographic in Plate 13 (See Figure 5 below), the photographs featured an assortment of “black” (“full-blooded negroes”), “brown” (“persons with some white blood or descendants of light-colored Africans”), and “yellow” (“persons with more white than Negro blood”) people.



Figure 5 (Ch. 3). "Race Amalgamation in Georgia." Reproduced from the Daniel Murray Collection, Library of Congress. This infographic includes a definition of the color-coding scheme used here and in Plate 54.



Figure 6 (Ch. 3). "African American Woman, Half-Length Portrait." Reproduced from the Daniel Murray Collection, Library of Congress.



Figure 7 (Ch. 4). "African American Man, Half-Length Portrait." Reproduced from the Daniel Murray Collection, Library of Congress.

As Baptiste and Brit Rusert have asserted, the “question of black visibility was central to Du Bois’ thought.”²⁵³ The Paris exhibition, perhaps more than any other Du Bois project, exploited this in the most powerful and obvious ways. Using the photography of Thomas Askew, the Du Bois team provided visible proof of the existence of black, mixed, and racially liminal bodies. Keenly aware that “the several volumes of photographs of typical Negro faces” in the 1900 Paris Exhibit would “hardly square with conventional American ideas,”²⁵⁴ Du Bois would construct a powerful and indisputable counter-narrative that debunked myths of black physical pathology and myths concerning the corrupted state of the racially mixed body. With healthy, vibrant, and physically attractive subjects featured in the prime of life, white America and the world could see for themselves that “pure” black bodies, racially-mixed bodies, and racially liminal bodies were alive and well in America, despite their imagined disappearance by European and American-born white supremacists and racial separatists.

Utilizing the power of photography, the Paris exhibit offered a powerful counter-narrative to the white separatist vision offered by Bryce, Wright, and, especially, Hoffman. Du Bois and company were able to counter this speculative and imaginary picture of a racialized America where the biology of blackness and whiteness existed in separate spheres and, more importantly, was contained in separate bodies. In particular, the numerous racially liminal figures included in the Paris exhibit told this story in perplexing but indisputable physical terms. If blackness was a thing to be contained and controlled, as the white separatist narrative offered by scientists, politicians, and

²⁵³ Battle-Baptiste and Rusert, *W.E.B. Du Bois’s Data Portraits: Visualizing Black America: The Color Line at the Turn of the Century*, eds. (New York: Princeton Architectural Press, 2018), 15.

²⁵⁴ Du Bois, “The American Negro in Paris,” 577.

academics suggested, America was not doing a very good job of it. The Askew photos in the Paris Exhibition made this reality exceedingly clear. Moreover, augmenting the related narrative which statistics brought home through the infographics, the photographs addressed the epistemological uncertainty of race raised by elite white data scientists throughout the decade. While the photos offered visual proof of healthy, vibrant, and biologically diversified black bodies, the infographics provided statistical proof that the survival of blackness over the course three decades of freedom was both “apparent” and “real,” to use John Billings’ and Wright’s terminology. Adding validity to this proof was the fact that this was official U.S. census data, the same data Representative Wheeler had demanded, the same data Carroll D. Wright had helped secure through congressional approval, and the same data Fredrick L. Hoffman had manipulated in order to build a data-driven case for black inferiority, black and white separateness, and the disappearance of the racially mixed and liminal body.

In addition to shattering Hoffman’s assertion that racial mixing threatened the physical stamina and fecundity of the population, “The Amalgamation of the White and Black elements of the Population in the United States” (plate 54) disrupted the notion of two racially separate and distinct Americas. First, it achieved this through artistic visual representation. Using a color-coded schema, the infographic subdivided the black population into “Negroes” and “Mulattoes.” Moreover, it subdivided the “mulatto” population into one category depicted in “brown” and the other depicted in “yellow.” At the same time, the intricate shading of colors made the line between “browns” and “yellows” virtually indistinguishable.

In addition to the striking representation of the African American population in terms of a graded continuum ranging from pure blackness to a thoroughly mixed sense of blackness and whiteness, the “amalgamation” infographic offered a clear and undeniable representation of America’s racially liminal population. This was first represented visually in the way that the “yellow” population straddled the clearly drawn line which divided, in no uncertain terms, the black side of the visual from the white side. Thus, parts of the racially liminal “yellow” population deliberately appeared on both sides of the binary. Moreover, though a gradual movement from bright yellow to a lighter yellow depicted a segment of the population with more and more white biological inheritance, there was no clear dividing line between the two color schemes, indicating a fluidity of racial mixing rather than one marked by discrete categorization. As depicted in the Paris exhibit, the exact place where blackness ended and whiteness began was murky, soft, integrated, imbricated, and markedly unclear. It was liminal.

Secondly, by utilizing the data itself, the infographic disrupted the racial schema incorporated into the 1890 census by visually reimagining a slightly different one that featured a “mulatto” category subdivided into “brown” and “yellow.”²⁵⁵ Moreover, by manipulating the exact same 1890 census data that Hoffman had used, Du Bois and his team placed a significant segment of the “yellow” population on the white, not the black, side of the binary. While the official census data widely circulated in the press indicated a total “mixed-race population” (“mulattoes,” “quadroons,” and “octoroons”) of

²⁵⁵ This, in part, resolved the difficulty created by the inconsistent census categories over the nineteenth century. A general “mulatto” category reflected the racial schema of the census prior to 1890. However, instead of merely collapsing the new “quadroon” and “octoroon” categories into one representing people of mixed race, and company creatively represented these new categories in yellow and then juxtaposed it to the “brown” subdivision of this mixed-race section.

1,132,051, the “amalgamation” infographic showed only 1,113,063 persons included in the mixed-race section on the black side of the binary and clearly represented through the “brown” and “yellow” group of “mulattoes” that constituted of 15% of the total black population.

What happened to the 18,988 people not accounted for in Plate 54’s comprehensive, nuanced, and carefully constructed visual of race in America? Nearly 20,000 people could not have disappeared. Moreover, if the Paris exhibit sought to dispute, rather than accept, the disappearance of the mixed-race body, why would it exclude these numbers, these numerical and corporeal figures? Far from disappearing the 18,988 mixed-race figures from the 1890 census, the Atlanta team simply included them on the white, not the black, side of the binary. These individuals were white as the infographic represented them before the eyes of the world. There is little room for doubt that the Atlanta team of African American professors, students, and scholars, under the direction of the most accomplished sociologist of his day, and, perhaps, the most important race theorist of the late nineteenth and early twentieth century, decided that these people of mixed race belonged on the white side of the binary. Imbedded in this paradigm shift was a deliberate debunking of the myth of white purity. This helped problematize the conception of a population divided neatly along racial lines, and it also suggested that racial impurity could be associated with whiteness as well as with blackness.

We should resist seeing this choice as either arbitrary or irrelevant. There is, in fact, reason to believe that this choice represented not only a novel and innovative reading of the population enumerated by the Eleventh Census but a reimagined and

reconstructed understanding of race in America, a deliberate recasting of the racial categories and understandings of blackness and whiteness imbedded in the racial breakdown of that particular census. In effect, the Atlanta team had remapped the racial landscape of America through this subtle but deliberate paradigm shift.

At the center of this shift was a rebuke of the white separatist and white supremacist ideology inherent in the 1890 census itself. Despite Joseph Wheeler's desire to probe the nation's "hybridity," the 1890 census had imagined, defined, and constructed American whiteness in terms of absolute racial purity while imagining, defining, and constructing American blackness in terms of a graded and degraded lack of purity. While whiteness was defined in terms of the absence of blackness, pure blackness assumed some level racial impurity by qualifying a black person as someone with three-quarters or more black blood. Moreover, though the 1890 census categories acknowledged racial mixing of various degrees, these categories did not, by definition or in application, describe "white" people. Disrupting this model, the Atlanta team recast the nation's racial framework by recognizing and representing its racial liminality. In doing so, it recast and reimagined the country's racial binary, ultimately preserving the existence of two Americas, but clearly demonstrating that the boundary between them – the color line – was not permanent, fixed, or certain. It was, in a word, liminal. This liminality was represented by the "yellow" overlap in plate 54, but it was equally demonstrated by the reconceptualization and representation of these categories altogether. The statistics collected on the variegated racial composition were not static and objective reflections of reality. On the contrary, they could be manipulated in various ways to construct and reconstruct racial categories and American race itself.

When Parisians, Americans, and other tourists from other parts of the globe perused “the exhibit of American Negroes,” they saw a healthy, vibrant, and vital representation of blackness, represented through the captivating imagery of Thomas E. Askew’s stills and the statistical data on race furnished by the U.S. government for more than a century. They also saw the equally vibrant and vital bodies and sound reproductive health of mixed-race people which served to confound and counter various narratives of a corrupted, feeble, sterile, and disappearing racially mixed body, imagined by Hoffman and others as a degraded form of whiteness and blackness. Although they may well have seen two Americas divided along racial lines, they did not see two visually or biologically discrete representations of race, but two racialized nations within a nation, two nations which blended into one another at some indistinguishable and unclear point in the middle of a tall and widening racial landscape.

Slight of Hand: Delegitimizing the Racially Mixed and Liminal Body

As hard as white separatists and white supremacists may have tried, it was hard, if not impossible, to ignore the country’s mixed-race and racially liminal populations. Even Frederick Hoffman found it hard to do so. For one thing, his argument against racial mixing was tied to the notion that “pure blacks” were few and far between and that they were, in fact, disappearing. Moreover, it was impossible to demonstrate the inferiority of mixed race people if he did not, at a bare minimum, acknowledge their existence. Unable to imagine them away, a racial separatist like Hoffman could only delegitimize them by racially marking them and by associating them with the immorality of non-marital or extra-marital sexual activity, as opposed to legally sanctioned marriage. Although blackness, as evidenced by racial mixing, could not be contained biologically, it could be

contained legally and socially by delegitimizing the mixed race body and relegating it to a sphere of illicit and immoral behavior.

At the same time, by recasting white purity in decidedly gendered terms, Hoffman managed to preserve his vision of two racially distinct Americas, part of which envisioned a disappearing and corrupted black race on the one hand while preserving the notion of a wholly intact white race on the other: “Of the original African type few traces remain, and the race is largely a cross between the African and the white male; for no considerable crossing of negroes with white females has ever taken place.”²⁵⁶ Though Hoffman purported to use statistical measurements of the racialized body to access “the truth” about the racial population of race in America, what he actually offered was a reimagined sense of whiteness and blackness, one which presented the former in pristine racialized terms and the latter as something corrupted and diluted, ironically, through the presence of some degree of whiteness.

By continuing to imagine lawful marriage as the principal domain of unadulterated white womanhood and race mixing as the product of adulterated black womanhood, Hoffman could continue to advance the notion of two racially distinct societies while begrudgingly acknowledging the racial mixing upon which his theory of corrupted black pathology was predicated. “We have to face the fact that the races do mix in spite of the effect of the law of similarity which makes intermarriage such a rare occurrence,” he suggested. “The crossing of the white and the colored races in this country is, therefore, not within the lawful bounds of marriage, but outside of the pale of

²⁵⁶ Hoffman, 178.

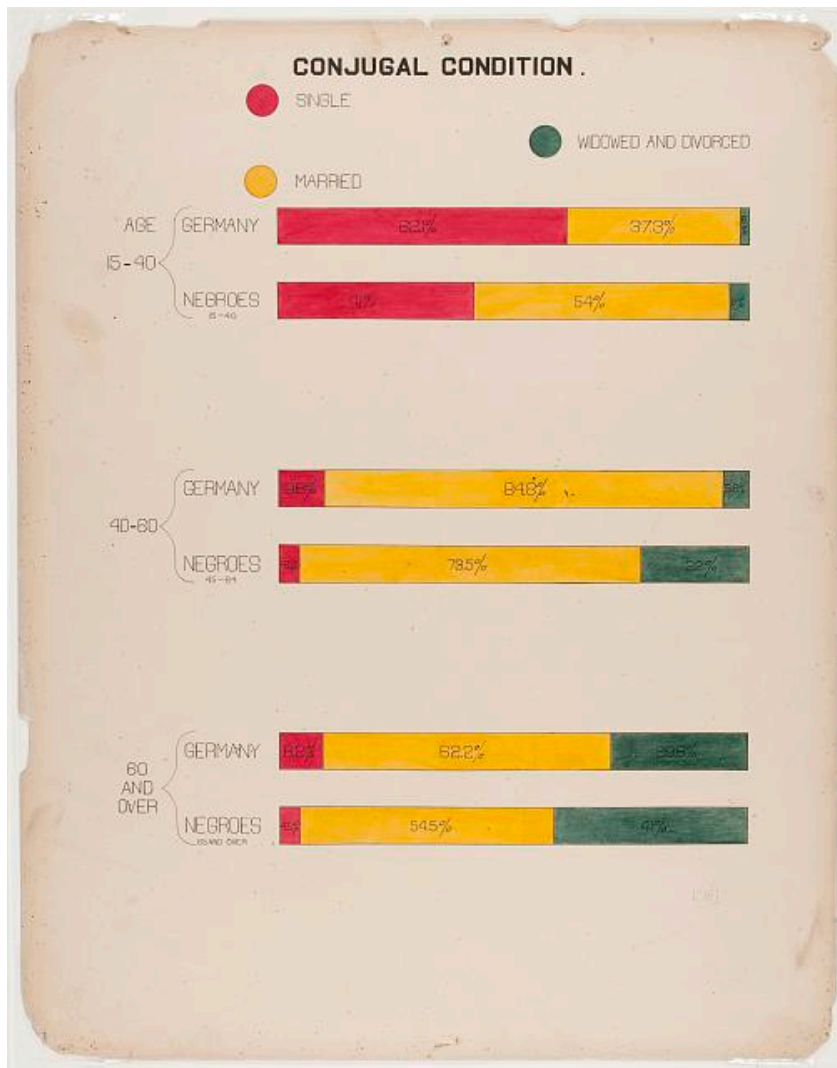
moral law.”²⁵⁷ Despite the recognition that sexual intercourse continued to occur between blacks and whites, Hoffman continued to advance the notion that such unions not only produced physically inferior offspring but led to the moral decay of both races.

As was the case with other white separatist and white supremacist narratives, this one did not go unchecked. Having spent part of his formative years as a student in Germany studying under professors who would influence a generation of progressives and economists, Du Bois held the sanctity of the home and marriage in high regard, thus he too understood the home to be a site of reform and a means by which to counter many emerging social ills which were the products of modernity and modernization.²⁵⁸ Invested in such beliefs, he made a concerted point of decoupling the black community from the stigmas of illegitimacy and immorality associated with non-marital unions and sexual activity. Countering such associations in Hoffman’s work, Du Bois once again used the strategy of comparing black Americans with their counterparts in European nations. In his review of Hoffman’s *Race Traits*, he pointed to the low rates of illegitimacy in specific black communities in the U.S. while comparing them to higher rates in European cities, including Munich, Vienna, and Paris. Once again hitting close to home, another strategically conceived infographic made a direct comparison between African Americans and Germans, this time demonstrating a markedly higher marriage rate for black Americans as compared to whites in Hoffman’s homeland (See fig. 8 below).

²⁵⁷ Ibid, 181.

²⁵⁸ See W.E.B. Du Bois, “The Negro Problem,” 17. See also Du Bois, Review of *Race Traits and Tendencies of the American Negro*, 132.

Figure 8. "Conjugal Condition," plate 10. Reproduced from the Daniel Murray Collection, Library of Congress.



Shawn Michelle Smith has argued that many of the photographs used by the Du Bois team in the 1900 Paris exhibit served to problematize and disrupt white supremacists narratives which “worked to consolidate a vision of white middle-class privilege” while promoting the false narrative of black criminality, particularly the association between black men and sexual violence. At the same time, it should also be recognized that the Eskew photographs demonstrated that middleclass family life was not the sole purview and privilege of white Americans. In fact, the numerous photographs of

phenotypically white African Americans helped reestablish the legitimacy of the mixed-race child and adult as belonging to the home, and therefore the sanctified space of legal marriage. As such, these photographs countered the apocryphal narrative of illegitimacy where the racially mixed and racially liminal body was concerned and, in the process, countered the ongoing delegitimization of such unions through emergent anti-miscegenation laws.²⁵⁹

Figure 9. "African American Woman." Reproduced from the Daniel Murray Collection, Lib of Congress.



²⁵⁹ Shawn Michelle Smith, "Looking at Oneself Through the Eyes of Others: W.E.B. Du Bois's Photographs for the 1900 Paris Exhibition." *African American Review* 34, no. 4 (Winter 2000): p. 581-599. Stable URL: <https://www.jstor.org/stable/2901420>

Figure 10. "African American Girl" Reproduced from the Daniel Murray Collection, Lib. of Congress



Attacking the race, gender, and caste implications of such white supremacist and white separatist arguments which advocated bans on mixed marriages, other influential African Americans pushed back as well. This line of attack emphasized and exposed the concerted imbalance relationship between white males and black females, specifically the imbalance stemming more from white-male privilege. Referring directly to the statistically verified number of mulattoes, quadroons, and octoroons documented in the 1890s, George Mebane, the renowned African American politician and educator from North Carolina, addressed this issue directly in “The Vindication of the Negro” published in 1900. “Every Southern State has laws on its statute-books prohibiting intermarriage

between the races,” he suggested, “yet white men of high social standing, according to Southern ethics, are living with and supporting negro families.”²⁶⁰

By raising the growth of anti-miscegenation laws in the South, Mebane was exposing the fact that the children produced by such relationships were not considered white, and thus not legally recognized and therefore rendered illegitimate. In essence, this represented yet another way of unseeing the racially liminal body, as such children were imagined to be virtually invisible, socially, economically, and politically. Though elite white men had ongoing unions and children with women of color, they often abandoned such relationships in order to pursue sanctioned marriages to white women. While “their social standing,” according to Mebrane, was not damaged, black women and many “fatherless half-white children” were forced to “bear all the odium.”²⁶¹ Mebane not only argued that these white fathers should legally recognize their children, but suggested that such children be statistically and legally considered white.²⁶²

Addressing this same issue five years earlier, Robert Smalls, one of six African American delegates to the South Carolina constitutional convention, had exposed the hypocrisy of his white colleagues as they introduced and then negotiated the banning of legal marriage between whites and blacks. The “Smalls resolution” also took direct aim at unsanctioned, non-marital relationships between white men and black women by proposing that any man engaging in such unions be “disenfranchised.” Moreover, the Smalls resolution also stipulated that the children of such relationships “be legitimized and allowed to inherit property,” thus assuring that they be formally and legally visible.

²⁶⁰ George Mebane, “The Vindication of the Negro,” *The Arena*, November 1900, 11-12. American Periodicals.

²⁶¹ Ibid, 11-12.

²⁶² Ibid, 11-12.

Provoking the ire of many white men in the convention, Smalls pointed out that if whites were to be punished in a similar manner for their non-marital relationships with women of color, the business of the convention would have to cease, as there would not be enough delegates present in order to proceed.²⁶³

In effect, banning marriages between blacks and whites while eliding the issue of non-marital unions between white men and black women was yet another attempt to assuage white anxiety. Delegitimizing and disempowering the offspring they produced through the implementation of marriage bans limited the number of enfranchised and legally recognized whites while maintaining the commonplace white male privilege of engaging in interracial affairs outside of marriage. Simultaneously easing the angst of “numerical supremacy” while preserving the illusion of racially distinct spheres, on paper and in the popular imagination, the emergent marriage laws represented a concerted effort to have it both ways. Elite white politicians could publically proclaim that they were enforcing the separation of the races through the passage of marriage restrictions but continue to engage in relationships which would only add to, not diminish, the country’s racially liminal, racially mixed, and racially disenfranchised population. As Smalls, Mebane, and others made clear, white supremacists and separatists could claim to support a racially distinct future while in reality maintaining the system of caste which had existed since the Antebellum period. And, at a moment when the physical presence of the mixed race and liminal body was only increasing, they legally disenfranchised them and rendered them socially invisible by imagining and constructing them as bodies

²⁶³ “Constitutional Convention,” *The People’s Journal* (Pickens, South Carolina), October 10, 1895. *Chronicling America: Historic American Newspapers*.

existing outside the bounds of the sanctified home, outside of the marriage record, and outside of the white imagination.

Below the Surface: Racial Traits and the Racialized Body

Invoking the work of Frederick Hoffman on the floor of the U.S. Senate in 1903, Ben Tillman proclaimed that “there lie at the root of all social difficulties or problems racial traits and tendencies which make for good or ill in the fate of nations as well as of individuals” and that these “racial traits and tendencies have been almost entirely ignored.”²⁶⁴ Though Tillman professed that he had only recently learned of Hoffman and his work, the ideas of the German-born statistician and researcher had first appeared in 1896 and had been widely endorsed. Frederick Hoffman by no means invented the term “racial traits” or the term’s imbedded notion that abilities, proclivities, or behaviors were connected to heredity and fundamentally linked to one’s physical make-up and lineage, i.e., one’s “race.” However, his use of statistics and the endorsement of his work by everyone from the Prudential Life Insurance Company to the American Economic Association enabled him to pass off such notions as legitimate science and, in the process, convince a considerable portion of the American public that racial traits were indeed the primary drivers of and predictors of one’s character and behavior.

In particular, Hoffman’s work went a long way in shaping, reinforcing, and perpetuating a concept of race which assigned specific meanings to physicality and to the body. Focusing specifically on the black community, Hoffman’s work would play a critical and debilitating role in institutionalizing notions of black pathology throughout American society, beginning in the 1890s and throughout the early part of the twentieth

²⁶⁴ Benjamin R. Tillman, “The Race Problem”(United States, Washington D.C., February 23-24, 1903.) <https://www.loc.gov/item/91898590/>, 19-20.

century. “Out of the new methods and data sources,” historian Khalil Gibran Muhammad observes, “black criminality would emerge, alongside disease and intelligence, as a fundamental measure of black inferiority.”²⁶⁵

In addition to their focus on black physical and moral pathology, Hoffman’s writings specifically focused on people of mixed race and attempted to draw conclusions, represented under the guise of science, about the inherent physical, intellectual, and moral inferiority of individuals possessed any degree of black ancestry, as opposed to pure black and pure white subjects. When it came to physical fitness and vitality, Hoffman argued that “the mulatto” was inherently inferior to “the pure black.”²⁶⁶ Also, in terms of morality, he asserted that the offspring of black and white parents were morally inferior to those born of pure black parents, no matter the child’s “shade of color.”²⁶⁷

While Hoffman asserted that “the mixed race” individual was “physically the inferior of the white and pure black,” he concluded that “the mulatto” was “undoubtedly the superior of the pure black” in terms of intelligence. To emphasize this, he cited the work of Sanford B. Hunt who provided data on the brain weight of those ranging from pure white to pure black. Surpassing even the gradations of race imagined in the census, Hunt’s tables indicated a whole new conception of the racially liminal body. In opposition to the census categories predicated on the relative presence of blackness, however, Hunt’s model emphasized the relative presence of whiteness within the black body. Existing between the polar opposites of “whites” and “pure negroes,” the racially

²⁶⁵ Khalil Gibran Muhammad. *The Condemnation of Blackness: Race, Crime, and the Making of Modern Urban America*. (Cambridge: Harvard University Press, 2010), 21.

²⁶⁶ Hoffman, *Race Traits and Tendencies of the American Negro*, 186.

²⁶⁷ *Ibid*, 182.

liminal body was divided into categories ranging from “three parts white” to “one-sixteenth white.” Despite the fact that the data included only 141 cases and despite the fact that the brain weights cited did not always correlate to increased or diminished degrees of whiteness or blackness, Hoffman presented this as objective proof of the superiority of unmixed racial subjects.²⁶⁸

The concept of racial traits clearly preceded Hoffman’s work and represented a widespread belief in essentialized notions which served to imagine race as an invisible, though immutable, driver of ability and talent, especially intellect. Since race could not always be connected to appearance, especially within the mixed race and racially liminal body, such traits served as proof of the existence of race, whether or not it could be marked or recognized through outward appearances. Moreover, the racially mixed and liminal body was often imagined to carry traits which could be traced back to both sides of one’s racial inheritance. Thus, the racially mixed body often constituted a site in which one set of racially determined traits competed with others.

In an 1893 Op-Ed piece in the *Washington Post*, John J. Ingalls, former senator and President of the Senate, praised Frederick Douglass as a “distinguished representative of the negro race,” as well as “an eloquent, accomplished, and dignified gentleman.” However, the white Kansas Republican and former abolitionist did not think it “invidious nor uncivil” to assert that Douglass’s “distinction” was “not on account of his African blood, but in spite of it.”²⁶⁹ Moreover, Ingalls argued that “the intellectual traits, qualities, and characteristics which gave him renown” were undoubtedly “due to his

²⁶⁸ Ibid, 185.

²⁶⁹ “Looks to Africa for Relief: Ex-Senator Ingalls Says Negro Suffrage is a Dead Failure,” *Washington Post*, May 28, 1893. ProQuest Historical Newspapers.

Anglo-Saxon re-enforcement.” Such remarks are clearly indicative of how deep-seated the belief in biologically essentialist notions of race was, even among white Republicans who saw themselves as advocates for black advancement and rights. At the same time, they demonstrate the ways such notions played out in the context of the racially mixed body and are indicative of the commonly held belief that talent and intelligence were the natural products of whiteness, not blackness.

Following in the footsteps of his colleague Frederick L. Hoffman, Mississippi planter and race theorist Alfred H. Stone argued that mixed race figures, especially those having a large degree of white racial inheritance, were proof of the direct connection between whiteness and intelligence. Citing examples of mulatto figures from Crispus Attucks to W. E. B. Du Bois, Stone would argue that intelligence was inextricably linked not to racial mixing but to the high level of white inheritance these individuals possessed, while, of course, ignoring examples to the contrary. Figures like Frederick Douglass and Booker T. Washington served the agenda of scientific racism by supposedly providing examples of “mulatto” figures who owed their success to their white ancestry. However, racially liminal figures only served to bolster Stone’s claims. In an obvious reference to Charles Chesnutt, Stone would dismiss the “one sixteenth negro blood in his veins” and point to the majority white blood as the progenitor of literary talent in “the most distinguished writer accredited to the negro race.”²⁷⁰ Moreover, Stone argued that assigning a black identity to a talented writer like Chesnutt, whom he saw as more white

²⁷⁰ Alfred H. Stone. “The Mulatto Factor in the Race Problem,” *Atlantic Monthly: A Magazine of Literature, Science, Art, and Politics*, Vol. XCI, January 1903, 659. Hathi Trust Digital Library.

than black, only obscured what he saw as a direct, one-to-one connection between whiteness and intellectual ability.

When it came to the mixed-race body, racial traits were often seen as coexisting, if not competing with one another. As in many areas of American culture and race, the racially liminal body tended to problematize the simplistic connection between outward physical appearance and the deeper “perceptual conception of race” which was thought to extend to “immutable, inner” qualities. In the absence of clear external racial markers, like skin color or hair texture, the process of assigning cultural, social, and political meaning to internal qualities required a more abstract conceptualization of race which required the imagination of racial inheritance existing on some deeper physical level, one which transcended and belied the limits of visual inspection, in order to observe what could not be seen.

As with other aspects of the white supremacist agenda furthered by scientific racism, the belief in racial traits was directly countered and contested. One such attack came from Albion Tourgée, the lead counsel in *Plessy* and the author of numerous anti-racists articles included in his weekly syndicated column, *A Bystander's Notes*, which ran throughout the 1890s. Tourgée regularly invoked the bodily presence of the nation's racial liminality in order to attack white separatist notions of blackness and whiteness and to shed doubt on the influence of race itself. “In the first place the 8,000, 000 colored people in the United States have probably nearly as much Caucasian as African blood in their veins,” he suggested. Challenging notions of racial purity and emphasizing the diverse spectrum of physical appearance among the black population, he added, “More than nine-tenths of them show a visible admixture of it and it grades all the way up, or

down, as the case may be, from the almost invisible trace of white blood to the actually imperceptible trace of colored blood.”²⁷¹ By pointing to this physical and hereditary diversity, Tourgée was attacking the notion that race, in the form of essentialized racial traits, operated on a physical level that extended well beyond the superficial and often misleading external signs commonly associated with blackness or whiteness, such as skin color and other readily observable markers. Moreover, if racial traits were somehow dependent on the imagined possibility of racial purity, it was unlikely that such traits could be biologically based when such purity did not seem to exist.

Attacking scientific racism and the belief in racial traits more directly, Tourgée asserted that “the Bystander has no regard for the pompously declared theories of the purblind scientists who predict a future of unending degradation and inferiority to the colored man of the United States because a hundred years ago he had an African ancestor, utterly ignoring subsequent strains of variant blood and the omnipotence of universal environment.”²⁷² Though Tourgée attacked the idea of racial traits in general and recognized culture and social environment, not race, as the principle shapers of human behavior, the racially liminal body, in his view, seemed to shed the most doubt on this theory. If Americans were so biologically mixed in terms of inheritance, as he acknowledged them to be, it would be impossible for specific traits to be isolated and thus attributed to a particular type of racialized “blood,” especially if the presence of that variable was so small as to be undetectable. Moreover, if race, in the form of black

²⁷¹ Albion Tourgée, “Race Admixture,” *A Bystander’s Notes*, April 15, 1893. Nineteenth Century U.S. Newspapers-Gale.com.

²⁷² Ibid.

blood, could constitute such a powerful predictor of behaviors and ability, it clearly worked both ways.

Though countering such notions of biologically essentialized black inferiority often involved an appeal to racial liminality as a key disruptor of such ideas, the idea of racial inferiority could also be turned upside down by invoking the notion of black purity. This alternative strategy sought to provide contrary examples of gifted and accomplished “pure” black figures whose readily apparent intelligence and unequivocal biological inheritance demonstrated conclusively that “intellectual traits” were not the exclusive product of biological whiteness. Responding to a common white supremacist assertion that black inferiority was demonstrated by the lack of great African civilizations and accomplishments, one African American writer pointed to history in order to demonstrate the achievements of “pure African Negro civilization.” This writer cited examples ranging from Homer’s allusions to “the greatness of the pure African Negro” to the accomplishments of Egyptian civilization. Connecting the past to the present and future, he reminded readers, including “those who would oppose the chariot of the Negro’s advancement,” of the likelihood “that the future may be just as resplendent with his grandeur as the distant bygone.”²⁷³

Demonstrating this approach was a review of a biography on Amanda Smith in the *Southwestern Christian Recorder*. The piece praised the accomplishments of Smith along with three other notable African American female figures, Phyllis Wheatley, Sojourner Truth, and Frances Harper. Though the book held all three women up as exemplary models of intelligence and character, careful attention was paid to delineating

²⁷³ H.T. Johnson, “Taffy on a Stick or the Kindness that Kills,” *The Christian Recorder*, April 3, 1890. African American Newspapers.

their racial inheritance. Indeed, the motivation for this delineation was to demonstrate that “Negro genius” could, in fact, exist and flourish even in the absence of any white heritage and despite her scant “opportunities” and “advantages.” Despite the fact that Smith and Harper were described as being of three-fourths African heritage, the reviewer made clear that “their claim to greatness and goodness” was tied to their “African,” not their white, heritage.

Mirroring these claims about her own genius and mounting a charge against claims of inherent white supremacy, Harper would endeavor to create pure black characters to complement and offset the numerous racially liminal figures in her fiction. Though the phenotypically white characters in *Iola Leroy*, including Harry, Dr. Lattimer, and Iola herself, stood out for their intelligence and integrity, the phenotypically black and racially pure characters, such as Ms. Delany and Reverend Carmicle, demonstrated conclusively that intelligence and potential were not racial traits connected to whiteness, on any level or to any degree. “I was pleased to hear him say that he had no white blood in his veins,” Dr. Lattimer remarks in reference to Reverend Carmicle, who has just proved himself the intellectual superior of Dr. Latrobe, a staunch white supremacist. While Carmicle’s Oxford education helps establish the reverend’s intelligence, accomplishment, and social distinction, the absence of white heredity, on any level, precludes the reader from attributing his standing and intellect to white racial traits.²⁷⁴

Further dispelling white supremacist claims regarding innate biological inheritance and qualities such as character and intelligence, Harper introduced readers to the “more than handsome” Miss Delany who was “more than witty,” “wise,” and

²⁷⁴ Harper, *Iola Leroy*, 227.

“brilliant” and whose “hair” and “complexion” did not reveal “the least bit of admixture.” Like her male counterpart Reverend Carmicle, Miss Delany represented an embodied rebuttal against white supremacist dogma predicated on the biologically based notion of racial traits. As Iola explains to Harry, “Every person of unmixed blood who succeeds in any department of literature, art, or science is a living argument for the capability which is in the race.” And, though Harry’s response “that it is not the white blood which is on trial before the world” did not go as far as debunking biological essentialism altogether, it directly confronted the essentialist logic that would connect racial traits specifically and exclusively to whiteness.²⁷⁵

Augmenting these challenges to the presumption of black inferiority imbedded in the white supremacist narrative of racial traits, the 1900 Paris Exhibit, curated by Du Bois, Calloway, and other African American scholars, would emphasize education, literacy, and black intellectual achievement and thus challenge the biological essentialism perpetuated by race science throughout the 1890s. Discussing the importance of the exhibit, Du Bois emphasized the fact that the number of children attending school had gone from 10,000 to 180,000 in the first few decades after Emancipation. Making another direct comparison to European whites, he demonstrated that literacy rates for black Americans were on a par with those of Hungary and superior to those of Russia. Moreover, he offered the creation of 1,400 works by black authors as evidence of literary achievement. Finally, he pointed to the academic work being done at Hampton, Fisk, Howard, and other black institutions of higher learning throughout the United States.²⁷⁶ Moreover, the numerous photographs of black scholars, of every hue and complexion,

²⁷⁵ Ibid, 198-199.

²⁷⁶ Du Bois, “The American Negro in Paris,” 577.

contested the false connections scientific racists made between biology and intelligence, regardless of whether one's black biological inheritance was minimal or dominant.

As biologically tethered racial essentialist conceptions of race continued to occupy the country's imagination throughout the 1890s, they were often met with counter-arguments, including those which used the pure black body or the racially liminal body as rebuttals to beliefs in inherent white superiority and racial traits. The false narrative of racial traits were also countered by arguments demonstrating that environment, not biology, accounted for talent, intelligence, and character. In *A Bystander's Notes*, Albion Tourgée emphasized the role of socialization and "environment" in order to counter the biological essentialism passed off as science. "The simple fact is that in such an age as this the most important scientific thing in regard to a people's political capacity is not their remote descent but their immediate environment and actual impulse and tendency," Tourgée argued. "The most marked feature of the American negro's character is his determination to make himself the equal in intelligence, power, and civilization of the white man."²⁷⁷ While asserting the importance of environment in order to contest what he viewed as the hegemonic imaginary claims of science, Tourgée took on scientific racism as a whole. Countering claims of inherent inferiority and the assertion that African Americans were inherently unfit to govern, he characterized such discourse as "a pretend scientific truth" and pointed to the imaginary nature of such "pseudoscience" as being more a product of the imagination than of fact. Thus, he described such argumentation as "a maggot bred by diseased fancy."²⁷⁸

²⁷⁷ Albion Tourgée, *A Bystander's Notes*, July 19, 1890. Nineteenth Century U.S. Newspapers-Gale.com.

²⁷⁸ Ibid.

Figure 11. "Nine African American Women, Full-Length Portrait, Seated on the Steps of a Building at Atlanta University." Reproduced from the Daniel Murray Collection, Library of Congress.



Throughout the decade, the concept of racial traits made race less visible but perhaps even more powerful in the public imagination. However, as this conception of race took firmer root under the guise of scientific racism and statistical measurement, it was often challenged by arguments which pointed to socialization and environmental factors as greater predictors of human behavior, ability, and potential. At the same time, the biological essentialism of racial traits was also countered by arguments which appealed to the presence of the racially pure or racially liminal body as tangible proof that the connection between white biological heredity and ability was a fallacy and a fantasy.

Chapter Conclusion:

In 1936, W.E.B. Du Bois began drafting an article entitled “Miscegenation.” In the fragmented draft of this unpublished article, he reflected, “There long persisted a legend born of slave propaganda that people of mixed blood were less fertile than the parent stock.” Citing Charles Davenport, a prominent figure in the American Eugenics movement, he would conclude, “There is no lack of fecundity in the Negro-White crosses nor deficit viability.” Forty years after Frederick Hoffman attempted to demonstrate the physical inferiority of mixed-race people, such ideas were still being discussed among influential scientists and academics. To a large degree, this fact demonstrates the power and sustainability of scientific racism and the narratives it constructed. This also points to the lasting influence of Hoffman’s work, in particular, and in the dominant influence of this ideology which took hold in 1890s America. Though Hoffman and other practitioners of racialized data science were often challenged by other cultural figures, such theories continued to hold sway and gain momentum throughout most of the early twentieth century.

Equally represented in the 1936 draft of “Miscegenation” is the topic of intelligence testing. In this piece, Du Bois documented the work of Melville J. Herskovits and other social scientists who were in the process of dismantling yet another of Hoffman’s insidious theories, the notion that “racial traits” predicted intelligence. Though Hoffman can no sooner be credited with originating this idea than he can be for conceiving of the “mulatto hypothesis,” he was responsible for advancing these destructive and specious notions under the guise of science and the belief that statistical data collection and analysis could somehow get to “the truth” of race,

succeeding where the naked eye and the power of raw observation had failed. Once again, the challenges mounted to such ideas in the twentieth century would go along way towards shattering myths of physical and mental white supremacy, yet it is important to note that such battles had also been fought, albeit unsuccessfully, in the 1890s.

Citing a study of intelligence tests performed on “white and colored children” in Kentucky in the same draft, Du Bois alluded to the fact that the results of this experiment had likely been suppressed because they failed to support the patently false narrative of white supremacy, as well as the underlying belief in biological racial essentialism. This anecdote once again points to the influence of “data science” on the racial imagination, but it also demonstrates, to some extent, how little the scientific imagination had advanced since Joseph Wheeler, John Billings, and Carroll D. Wright had made a very prominent and vocal case for collecting an overwhelming amount of nuanced data as a way of gaining a more objective understanding of race in America. Sadly, science had progressed very little in the nearly fifty-year span between the initial calls for a more nuanced collection of racial data and the drafting of this unpublished article. Though the belief in statistical measurement had expanded exponentially, the most prominent scientific minds of the country could not shake the belief in white racial superiority that ultimately clouded their findings and fueled the feverish pursuit of their object of study. As it did for their predecessors, the data just seemed to support what they wanted to believe in the first place, rather than providing a path to any form of verifiable scientific findings.

Finally, as its title would suggest, this scant and fragmentary document also touched upon another key trope connected to the 1890s and the “race problem” discourse

which characterized the period. Also on the mind of Du Bois was the reality of the country's undeniably mixed-race population. As in the 1890s, practitioners of scientific racism and even legitimate scientists continued to be stymied and perplexed by the racially mixed and racially liminal body. "Most American students have the curious habit of studying Negroes in America indiscriminately, without reference to their blood mixture," Du Bois reflected, "and calling it the study of the Negro race."

More than fifty years after John Billings' lectures in 1889, the ill-conceived and ill-fated task of scientifically locating and isolating the variable of racial purity within the racially mixed body would prove illusive still. "There were some efforts to distinguish between degrees of white blood but usually these were based crudely on mere skin color," he lamented. In the 1930s, as in the 1890s, racially liminal figures continued to confound the scientific investigation of race, the quest for racial purity, and the even more elusive quest for empirical proof that the specious narrative of race and racial superiority did exist. While white supremacist narratives bolstered by data science would continue to thrive, the racially liminal body would continue to shed doubt on their veracity. Fortunately, a new generation of social scientists were already in the process of dismantling the hegemonic structure of this ideology, though, perhaps, unwittingly failing to realize the battles that a previous generation had already fought in this arena. Modern historiography has rightly credited prominent intellectuals of the 1930s for their important work in this regard.²⁷⁹ However, it should be noted that the project of contesting biological essentialism fortified through data science was not a new and novel

²⁷⁹ See Pascoe, 124-125. See also David Roediger, *Working Toward Whiteness: How America's Immigrants Became White, the Strange Journey from Ellis Island to the Suburbs* (New York: Basic Books, 2005), 23, 66.

endeavor in the 1930s. This battle had been waged decades before, though the hegemonic narrative of white supremacy and racial separatism would prevail and gain steady momentum throughout the first decades of the twentieth century.

Chapter 4

Racial Liminality and the Future of Race in America: Reimagining the Boundaries of Racial Caste.

Scholars have long established the relationship between the rise of Jim Crow and the upward mobility of African Americans in the late nineteenth and early twentieth century. More than just a legal system of racial segregation, the laws, policies, and customs associated with Jim Crow served as a deterrent to the considerable economic and social progress enjoyed by many African Americans in the decades following Emancipation. “Brick by brick the Jim Crow system became a powerful instrument of oppression,” F. James Davis contends, “denying Southern blacks the American dream of upward mobility through education and effort, until by 1910, the pattern was well established.”²⁸⁰ Similarly, Grace Elizabeth Hale contends that white identity formation in the South was motivated by the anxiety created by black economic power and standing. “Whites created the culture of segregation in large part to counter black success,” she explains, “to make a myth of absolute racial difference, to stop the rising.”²⁸¹ Such factors underscore the extent to which Jim Crow segregation represented not merely a benign separation of blacks and whites on the basis of race but the ongoing creation and maintenance of a racial caste system.

As Glenda Elizabeth Gilmore maintains, the system of racial caste created by white supremacy and patriarchy in the 1890s represented both social and economic hierarchies intended to reinforce the subordinate “place” of African Americans. With the

²⁸⁰ F. James Davis, *Who is Black? One Nation’s Definition* (University Park, P.A.: Pennsylvania State University, 1991), 56.

²⁸¹ Grace Elizabeth Hale, *Making Whiteness: The Culture of Segregation in the South, 1890-1940*. (New York: Pantheon Books, 1998), 21.

migration of blacks and whites to southern cities for the first time, whites became “threatened by African American visibility in urban space.”²⁸² Though racial differences were increasingly imagined and depicted in starkly contrasted visual terms, the construction of race as a function of heredity continued to hold equal sway. At the same time, race was increasingly imagined to exist in immutable biological form below the surface of the skin in the form of racial traits. Bolstered by the purported backing of statistical evidence, such longstanding notions of biological racial essentialism gained an air of authenticity through this latest incarnation of scientific racism.²⁸³

Despite the sustained growth of the Jim Crow racial caste system, the exact boundaries between whiteness and blackness remained open to question and still considerably unclear. In spite of the growing importance of race as a means of establishing and maintaining a hegemonic social and economic order, there remained more questions than answers regarding exactly where and how the lines of this system were to be drawn. Clearly, one longstanding construction of race was the one-drop rule, or “the doctrine of hypodescent,” which defined blackness and whiteness in the strictest terms of racial purity, where anyone with any amount of black ancestry would be relegated to a wholly unequal non-white racial status, resulting in what Erica C. Cooper refers to as “a rigid two-tiered racial hierarchy.”²⁸⁴

²⁸² Glenda Elizabeth Gilmore, *Gender and Jim Crow: Women and the Politics of White Supremacy in North Carolina, 1896-1920* (Durham, NC: University of North Carolina Press, 1996), 3, 96.

²⁸³ Khalil Gibran Muhammad. *The Condemnation of Blackness: Race, Crime, and the Making of Modern Urban America*. (Cambridge: Harvard university Press, 2010), 23.

²⁸⁴ Erica C. Cooper, “Crafting the Color Line: The Development of Racial Identity in American Jurisprudence,” in *Race in America: How a Pseudoscientific Concept Shaped Human Interaction*, ed. Patricia Reid-Merritt, vol. 1 (Santa Barbara, C.A.: Praeger, 2017), 111.

As Cooper maintains, the one-drop rule would come to dominate American conceptions of race from the 1930s through the 1980s, thus further institutionalizing and solidifying the country's racial caste system. Adoption of the one-drop construction of race would lead to an increased rigidity in this system since relegation to an inferior racial status became permanent, not only for those individuals who possessed some degree of black heritage but for their progeny as well. "The one-drop rule made it impossible to ever whiten a family line," she maintains, "whereas in the past after three, four, or five generations an individual or family could become white."²⁸⁵ Thus, the institutionalization of hypodescent as a way of determining who was black and who was white hardened the lines of racial caste by essentially eliminating the possibility of upward mobility for future generations.

Though this rigid, powerful, and onerous construction of race would come to characterize the legal and social formation of whiteness and blackness for most of the twentieth century, the lines of race remained comparatively less fixed as the nineteenth century drew to a close and the new century emerged. Even throughout the first decade of the twentieth century, courts in various states continued to reject one-drop arguments and definitions of race while others, toward the end of the decade, would begin to lend more and more credence to this particular construction of race and caste.²⁸⁶ In the absence of a universal adoption of the one-drop rule throughout the 1890s and past the turn of the century, the racial status of many racially mixed and racially liminal figures remained concertedly ambiguous, often fluid, and subject to change. Moreover, in the

²⁸⁵ Ibid, 111.

²⁸⁶ Cooper, 112.

absence of a universally adopted definition of race which would determine the status of subsequent generations, the future of race and caste in America remained far more open.

Influenced by what was widely acknowledged as the nation's mixed-race composition and often perceived as the increasingly blurred division between blackness and whiteness, many questions remained moving forward. Would Jim Crow legislation continue to curb such mixing, or was it merely a temporary response to the documented economic and social gains made by African Americans? Would this increased mixing lead to the disappearance of one or more racial groups, and perhaps even to the elimination of race as a means by which to order the country's social and economic hierarchy? Would it actually compound the already onerous effects of race and class experienced by African Americans? Would the presence of racially mixed and racially liminal figures continue to problematize the stark racial differences imagined and reified by Jim Crow? Would those on the margins of blackness and whiteness navigate the very real, but still relatively porous, caste system by becoming white in future generations? Would those who could not be neatly and definitively categorized as black or white become permanently white or permanently black in perpetuity, or would this group remain an isolated racial "type" with no fixed place on either side of the inequitably constructed color line? Might this group of racially liminal Americans come to constitute an entirely new race and nation, or force the country to look beyond race and possibly even confront and embrace its longstanding and increasing diversity?

Throughout the 1890s and well into the following decade, white, black, and racially liminal figures eagerly and openly confronted such questions concerning America's racial future and the future of its caste-based social order. Though the most

rigid incarnation of that order loomed on the horizon, key cultural figures predicted alternative racial futures in which the lines of race and caste would be drawn in a number of divergent ways, leading to an array of imagined alternatives to both the present moment and the then unknowable future, neither of which remained readily fixed or universally understood.

Focusing on the role of racial liminality, this chapter examines the racial futures predicted and imagined by five prominent cultural figures of the period. These include J.W. Gaines' and Charles Chesnutt's related but divergent future scenarios predicated on and characterized by racial amalgamation, Kelly Miller's prospect of a coexistent tripartite racial society, Alfred Holt Stone's white supremacist reconfiguration of the color line, and Albery A. Whitman's plan for a separate and distinct race of "octoroons" and "quadroons." Whether utopian, pessimistic, or even dystopian, all of these scenarios are significant for the ways they reimagined the future of race and racial construction in the decades to follow, yet they are equally important for what they reveal about the openness and possibility that existed in the present moment. In the context of an American racial present which was becoming increasingly separate and concertedly more unequal, this chapter documents the ways the present and future trajectory of the country's racial caste system still remained ill-defined, open to interpretation, and filled with both dire pessimism and glimpses of hopeful possibility.

Imagining Racial Disappearance through Amalgamation:

From the mid-1880s and well past the turn of the century, the subject of racial amalgamation represented a dominant theme in public discourse as white and black writers discussed the absorption of one race into another. W.C. Elam, a prominent white

Republican figure in Virginia politics, enthusiastically endorsed the idea of amalgamation. “The merging and absorption of the colored man in the common American blood will also be thus promoted and hastened,” he suggested. “Men of other races soon lose their identity among us, and sooner or later the Negro, himself, notwithstanding his color will lapse into the indistinguishable general tide.”²⁸⁷

In a letter to the *Christian Advocate* two years later, John C. Bender predicted that amalgamation would make race irrelevant. “In about 900 years from now the color of the *Negro* will disappear,” he suggested, “and there will be no *Negro* race here and all the descendants of the white families then living in the United States will be mixed with a trace more or less of Negro.” Emphasizing the racially mixed character of the American population historically, Bender pointed to the numerous racially liminal figures who had already become white. “One-half of one percent of the old citizens of the United States who have resided here until 1808, have a trace of Negro blood which has passed the color line, and they are regarded as white.”²⁸⁸

Though Ben Tillman, the former governor of South Carolina turned U.S. senator, denounced and strongly feared the effects of racial amalgamation, he also understood and openly acknowledged the relationship between race and caste while viewing the wholesale mixing of blacks and whites as an imminent threat to white supremacy. On the one hand, he argued that “absolute equality before the law” and “equality of opportunity” would lead not only to amalgamation between the subordinate race and “the governing race in any community,” but absorption “into the other race” and consequently the loss of

²⁸⁷ W.C. Elam, quoted in “The Future of the Negro,” *New York Age*, May 22, 1886. Nineteenth Century U.S. Newspapers.

²⁸⁸ John C. Bender, “The American Negro’s Future.” *Christian Recorder*, August 23, 1888. African American Newspapers.

its superior social standing, the loss of “caste.” Yet, despite his concerted apprehension regarding racial amalgamation, Tillman also acknowledged that the lines of race and caste contained a certain degree of flexibility. Though racial amalgamation would spell the end of the race-based hierarchy he so vehemently defended, he also suggested that some individuals and families could ascend in the racial order by becoming white in future generations.²⁸⁹

In 1896, J.W. Gaines, freedman, AME preacher, and author, openly denounced what he perceived to be widespread racial amalgamation and sounded the alarm about the impending disappearance of the “negro race” due to the reality of race mixing, especially in his native South. Born into slavery on a Georgia plantation, Gaines taught himself to read and pursued a life in the ministry. Having been ordained in 1865, he would become an instrumental minister in the AME and play a significant role in the building of three Georgia churches²⁹⁰ and the founding of Morris Brown College.²⁹¹ He would also author three books, including his seminal work, *The Negro and the White Man*, published in 1897.

Citing several causes, including the seduction of young and impressionable black women by more sophisticated and privileged white men and a growing sense of colorism and light-skinned privilege within the African American community, Gaines decried what he understood to be the inevitable process of racial amalgamation which would eventually spell the disappearance of pure black subjects and lead to the disappearance of

²⁸⁹ Benjamin R. Tillman, “The Race Problem” (speech, United States Senate, Washington, D.C., February 23-24, 1903).

²⁹⁰ “A Distinguished Churchman Passes to Reward,” *Nashville Globe*, January 19, 1912. Chronicling America.

²⁹¹ “Bishop Gaines Dead: Prominent in Educational Work for the Negro Race,” *Evening Star Washington, DC*, January 13, 1912. Chronicling America.

blackness altogether.²⁹² Pointing to the existence of “one and a quarter million of mulattoes in the South,” and discounting those with “traces of white blood in their veins,” he suggested that amalgamation was already much more a reality of the present moment than a mere vision of America’s racial future:

While I am in favor of preserving the racial integrity of my people, and deplore miscegenation in all its phases, I am not blind to the fact that amalgamation is no longer a theory, but well-nigh an accomplished fact; and if the interblending of the races keeps up in the same ratio it has gone on in the past, it will be totally consummated in the not distant future. The African negro will no longer appear as a factor in American civilization, but in his stead will be the mulatto, the product of mixed white and colored blood.²⁹³

Gaines not only envisioned the blending of blacks and whites resulting in a mixed-race, “mulatto” population, he also predicted the disappearance of blacks as a whole as the population of the country became more and more white through racial mixing.²⁹⁴

Though race amalgamation could often be presented as a panacea for racial injustice, Gaines did not see it in those terms. On the contrary, he understood “miscegenation” both through legal marriage and illicit, extramarital relationships as compounding the inequities and problems endured by the black community. For one thing, he understood the threat which legal marriage posed in the minds of Southern whites who wanted no such openly recognized sanctioning of mixed-race unions. “It is the policy of the colored people, as well as their desire, to live in peace and harmony with their white brethren,” he asserted, “and in my judgment nothing would so excite the animosity of our white neighbor as the agitation of legalized miscegenation.”²⁹⁵

²⁹² W. J. Gaines, *The Negro and the White Man* (1897; repr., 1969 New York: Negro Universities Press, 1969), 205. Hathi Trust., 153-157.

²⁹³ Ibid, 152.

²⁹⁴ Ibid, 162.

²⁹⁵ Ibid, 166.

Secondly, he understood the paradoxical and hypocritical underside of this position that resulted in the commonplace extramarital relationships initiated by white men. Such relationships, he argued, not only undermined the moral integrity and virtue of African American women, but they perpetuated the illegitimacy of the offspring such unions produced. In addition to the financial disenfranchisement this created, this practice also had profound social and psychological ramifications as well. “Branded with bastardy, going forth without recognized parentage,” he argued of the illegitimate child, “he carries with him the consciousness of his tainted birth, which, if he be human, must wound his pride and fester like a wound in his bosom.”²⁹⁶

Moreover, the ubiquitous presence of racially mixed people, in Gaines’ view, resulted in the creation and perpetuation of a caste system of colorism within the African American community. Light-skinned subjects benefitted from the common associations made between white racial inheritance and ability, he maintained, and were thus given preferential treatment and better jobs while darker blacks were largely relegated to manual labor. Cognizant of more than just the unfairness and inequity this caused, Gaines understood the larger ramifications of this when it came to the belief in in-born racial traits. “It has even come to pass that many believe the pure negro incapable of any high degree of civilization,” he suggested, “and the evident progress of the colored race since emancipation is attributed by these to admixture of white blood in their veins.”²⁹⁷

Emphasizing what he saw as race mixing’s tendency to compound, rather than alleviate, the caste system which kept African Americans economically subservient to whites, Gaines raised the prospect of a reordering of society wherein social status might

²⁹⁶ Ibid, 158.

²⁹⁷ Ibid, 159.

override the race prejudice of the country. “Would money thus convert our despised people into honorable citizens, give them kindly recognition at the hands of their white neighbors,” he asked, “and take from them the stigma which has so long marked them with dishonor and shame?” Continuing in this vein, he added, “Would wealth cure all the evils of our condition, and give us the cordial recognition we ask from them?”

Though he partially answered such questions by asserting that African Americans were indeed capable of producing and securing wealth and attaining economic parity with whites, he ultimately concluded this line of inquiry by reemphasizing the insidious role that racism played in perpetuating the system of class inequality. “If we knew of any chemical preparation by which we could change the color of our skins and straighten the kinks of our hair, we might hope to bring about the desired consummation at once,” he sardonically quipped, “but alas, there is no catholicon for this ill, no mystic concoction in all the pharmacies of earth to work this miracle of color.”²⁹⁸ Ultimately, Gaines would conclude that the power of economic advancement was no match for the power of race prejudice, specifically one defined in overtly physical and visual terms. And, while amalgamation tended to extend some economic privilege to individuals of lighter skin, it only served to reinforce and deepen the realities of caste for those who did not.

Three years after the publication of Gaines’ book, Charles Chesnutt would publish a series of essays on racial amalgamation which would become known as “The Future American.” Not unlike Gaines, Chesnutt saw American society not as one neatly divided along racial lines but as one which had already begun a wholesale process of amalgamation. And, though he saw this process as being more gradual than Gaines did,

²⁹⁸ Ibid, 217-218.

he did not necessarily foresee a future in which blackness would be subsumed by whiteness. In fact, Chesnutt predicted that blacks, whites, and “Indians” would be melded into one “future American race.”²⁹⁹ Predicting an increase in interracial unions, Chesnutt believed that “in three generations the pure whites would be eliminated,” leaving “no perceptible trace of the blacks” and creating “a composite and homogeneous people.”³⁰⁰ In fact, Chesnutt predicted that blacks, whites, and “Indians” would be melded into one “future American race.”³⁰¹

Though Chesnutt and Gaines both predicted a future America characterized by large-scale amalgamation, the two would come to radically different conclusions as to what this meant for the future of African Americans and the future of race itself. Where Gaines saw a compounding of the caste problems stemming from color, Chesnutt believed the creation of this future America, one in which racial distinctions would be indiscernible, would not only blur the boundaries between blackness and whiteness, but would eventually make both race and racism irrelevant: “There would be no inferior race to domineer over; there would be no superior race to oppress those who differed from them in racial externals”³⁰² Unlike Gaines, Chesnutt believed that the inevitable economic and social prosperity of African Americans held the key to lessening “caste prejudice.” Thus, he argued that “the steady progress of the colored race in wealth and

²⁹⁹ Charles W. Chesnutt. “The Future American.” *Boston Evening Transcript*, 1900. (Rpt. in *Charles W. Chesnutt: Essays and Speeches*. Ed. Joseph R. McElrath, Jr., Robert C. Leitz III, and Jesse S. Crisler. Stanford, CA: Stanford UP), 122-123.

³⁰⁰ Ibid, 125.

³⁰¹ Ibid, 122-123.

³⁰² Ibid, 125.

culture and social efficiency” would “materially soften the asperities of racial prejudice and permit them to approach the whites more closely.”³⁰³

Whereas Gaines concluded that racism was likely to negate any possibility of social and economic parity between blacks and whites and even compound the oppressive effects of caste, Chesnutt understood economic and social advancement as a means of combatting and even overcoming racism and the economic disparity it produced. Despite a deep-seated awareness and conviction that Jim Crow segregationist policies were intended to perpetuate a racial caste system which mirrored that of chattel slavery, Chesnutt believed that such legislation and policy did not represent a permanent condition and would be overcome in time. “But assuming that the present anti-Negro legislation is but a temporary reaction, then the steady progress of the colored race in wealth and culture and social efficiency will, in the course of time, materially soften the asperities of racial prejudice and permit them to approach the whites more closely, until, in time, the prejudice against intermarriage shall have been overcome by other considerations.”³⁰⁴

Moreover, in Chesnutt’s view, Jim Crow policies, as well as oppressive violence against African Americans, was evidence of black economic success already being achieved. Thus, he argued that “outbreaks of race prejudice in recent years are the surest evidence of the Negro’s progress.”³⁰⁵ At the same time, he argued that racism and segregation only served to encourage racial amalgamation. In such a caste based system which prevented people of color from advancing economically, the gravitation towards

³⁰³ Ibid, 132-133.

³⁰⁴ Ibid, 133.

³⁰⁵ Ibid, 134.

and even transition to whiteness was highly incentivized, rather than discouraged. Thus, race prejudice not only pointed to black economic advancement, in Chesnutt's estimation, but it represented a causal factor which would continue to promote racial amalgamation and assimilation. "If it is only by becoming white that colored people and their children are to enjoy the rights and dignities of citizenship," he averred, "they will have every incentive to 'lighten the breed,' to use a current phrase, that they may claim the white man's privileges as soon as possible."³⁰⁶ In addition, Chesnutt, like other prominent figures of his time, recognized the tenuous distinctions between races which racially liminal figures inevitably served to bring into view: "It is only a social fiction, indeed, which makes a person seven-eighths white a Negro; he is really much more a white man."³⁰⁷

Among those segregationist policies which Chesnutt saw as temporary and fleeting were laws prohibiting legal marriage between blacks and whites. However, like other segregation laws, he saw this as a mere barrier which would slow but not stop the inevitable process of racial amalgamation. First, he understood that interracial unions were indeed occurring and would continue to occur despite their legal prohibition.³⁰⁸ Second, understanding racism as a particularly American problem and a "local" problem relegated mainly to the South, Chesnutt believed that Jim Crow segregation and racial violence would actually garner public sympathy for blacks among whites in the North. Moreover, he also pointed to the lack of consistency in laws from one state and region to another, pointing to a mixed-race couple in New Jersey, for example, found guilty of

³⁰⁶ Ibid, 134.

³⁰⁷ Ibid, 134.

³⁰⁸ Ibid, 132.

“living in adultery,” though they escaped jail time by assuring the judge that they would get legally married.³⁰⁹

Though Chesnutt grappled with the social factors which deterred or delayed what he saw as the complete amalgamation of whites, blacks, and indigenous peoples, he ultimately saw the creation of a “future American race” as an inevitable outcome, though it would not be achieved immediately. More important, he believed that this amalgamation would lead to an end of race prejudice and caste, ultimately as a necessary condition of maintaining a civilized society. “There can manifestly be no such thing as a peaceful and progressive civilization in a nation divided by two warring races,” he asserted, “and homogeneity of type, at least in externals, is a necessary condition of harmonious social progress.”³¹⁰

Kelly Miller and the Emergence of a Tripartite Racial World:

Nine years after Charles Chesnutt had predicted the emergence of an American race, mathematician, astronomer, physicist, and sociologist Kelly Miller would articulate a very different conception of the racial future. The son of a free man of color and an enslaved black woman, Miller took advantage of the basic education he received through the Presbyterian church and moved on to Johns Hopkins and eventually Howard University where he studied physics, astronomy, and mathematics before obtaining a law degree. He joined the Howard faculty in 1890³¹¹ and would continue to chair its sociology program throughout his career. Also serving as dean of the College of Arts and Sciences, Miller would apply for the presidency of the famed institution, though he was

³⁰⁹ Ibid, 135.

³¹⁰ Ibid, 135.

³¹¹ Dedication to Kelley Miller, *Journal of Blacks in Higher Education*, 36 (Summer 2002):1. <https://about.jstor.org/terms>.

ultimately rejected by the all white board. Miller would go on to write for over one hundred black-owned publications, would serve as assistant editor of the *Crisis* under Du Bois' leadership, and would eventually have his own feature column in the Pittsburgh *Courier*.³¹²

Not unlike Chesnutt, Miller openly acknowledged the racial heterogeneity of American society and was well aware of the existence of racial liminality among the population. However, where Chesnutt saw evidence of an emergent homogeneity of race, Miller saw this group as marginal and as likely to be assumed into the larger white population. "It must also be remembered that illicit intercourse between the races is largely limited to the mixed element," Miller asserted, "and there is likely to be very little fresh absorption of the undiluted blacks."³¹³ This observation may have been a product of the rise in anti-miscegenation laws which Miller witnessed throughout his adult lifetime. At the same time, Miller also acknowledged that anti-miscegenation law simply prohibited legal marriages, not "elicit," and unorthodox mixing of the races. However, Miller's view of racial mixing also likely stemmed from the fact that he was a staunch advocate of black America developing into its own social sphere and did not believe that achieving equality or advancing the race would entail intermarriage with whites, as Chesnutt had envisioned.³¹⁴

Miller's views on marriage were also inevitably shaped by the realities of the ever-broadening Jim Crow state and culture of racial separatism. Miller fundamentally believed that white society would continue to draw stricter legal and social lines between

³¹² Ibid, 182-190.

³¹³ Ibid, 541.

³¹⁴ Wright, 189-90.

blacks and whites. At the same time, he saw this not as a universal phenomenon but one tied to circumstances and politics. Where the statistical presence of African Americans posed a threat to the political and social standing of whites, he argued, intolerance of intermarriage would become more of a reality and the lines of demarcation between the three races would become more and more defined. “We are forbidden to prophesy any general fusion of races, by the sure knowledge that when the white race becomes conscious of what it deems the evil of miscegenation, it bars the process both by law and public sentiment,” Miller asserted. “In all the heavy Negro states the laws forbid intermarriage between the races, and, even where there is no law, public sentiment is pronounced and unmistakable.”³¹⁵ Thus, understanding white supremacy’s construction of race as not merely a zero-sum proposition, he predicted that the legal and social system regulating intermarriage and mixed race unions would continue to entail a certain amount of give and take, increasing its vigilance when the superiority of whiteness seemed most threatened.

However, like Chesnutt, Miller also believed that those individuals on the margins of blackness and whiteness would inevitably become white, not simply for financial gain but to escape the in-between and marginalized race and caste status assigned to them by virtue of the American tradition of matrilineal descent. Instead of leading to increased racial mixing, however, the presence of racially liminal figures and their wholesale transition to a white racial status, in Miller’s estimation, would result in an American future characterized by more hardened and more distinct racial lines. “The octoroon and quadroon class will be apt to pass over clandestinely to the white race, in order to escape

³¹⁵ Ibid, 542.

the inferior status of their mother blood,” Miller predicted. “Such transition tends to widen the breach between the races. Rejecting the mythology of racial purity, he suggested that “the white race will take in only such homeopathic dashes of Negro blood as to remain substantially pure.”³¹⁶ Thus, dismissing amalgamation as an imminent possibility, Miller essentially developed what amounted to a racial separatist vision of the future in which distinct races would live and thrive independently of one another. Whereas Gaines had speculated about the disappearance of blackness and Chesnutt had imagined the disappearance of race, Miller’s future was predicated on the disappearance of the racially liminal figure whose presence tacitly disrupted the boundaries of race. With racially liminal figures disappearing into whiteness, the ambiguity and murkiness they presented would disappear as well. With the lines of race more clearly drawn, presumably in more overtly visual terms, race would also be far less constructed along terms of inheritance and lineage and be recast in terms of biological purity.

Despite this vision of racial separatism, Miller did not simply imagine the future of American or global race in binary terms. Though he did not subscribe to any biologically essentialized notions of racial superiority, he did subscribe to the notion that races were subject to historical processes and remained in various states of development. Coupled with a firm belief in the power of Western civilization, he saw the dominance of whites not as the expression of innate superiority but as the product of historical and social circumstances. Having recently witnessed Japan’s defeat of Russia in 1904, he imagined them to be a non-white, Asian country on the rise and more than capable of competing with European nations and extending that dynamic throughout the rest of Asia

³¹⁶ Ibid, 541.

and into Africa. This stemmed largely from their adoption of certain aspects of Western culture and using them to their advantage.³¹⁷

At the opposite extreme, he also engaged in a kind of social Darwinist approach to race survival, predicting either domination, amalgamation, or disappearance. Thus, he also depicted a scenario in which indigenous peoples, not only in the U.S., but in other locales dominated by whites. The product of this race survival paradigm was the prediction of a racial tripartite structure. “After the red and brown races shall have perished from the face of the earth; after the fragmentary peoples have been exterminated, expelled, or absorbed; after the diffusion of knowledge has established a world-equilibrium, there will be left the white, the yellow, and the black as the residuary races, each practically distinct in its ethnic identity, and occupying its own habitat.”³¹⁸ Predicting the imminent disappearance of various groups of indigenous peoples from a number of territories, including American Indians and Hawaiians, Miller predicted that the United States and the world would inevitably be populated by blacks, whites, and Asians who would live in mutually respectful but distinct communities.

Like others of his time, Miller well understood that the separation of humanity along racial lines was concertedly hierarchical in nature, demarcated by lines of caste, not merely separate spheres. Though he referred to, and even seemed to defer to, the temporary “superiority of the European,” he understood that whatever advantages whites possessed were not the product of racial inheritance but a temporary and reversible product of the historical moment. Like many of his contemporaries, he asserted that

³¹⁷ Wright, 188.

³¹⁸ Kelly Miller, “The Ultimate Race Problem,” *Atlantic Monthly: A Magazine of Literature, Science, Art, and Politics*, April 1909, 542, HathiTrust.

“discipline” and “efficiency” were keys to overcoming the effects of white supremacy; however, he placed a concerted emphasis on education. Thus, he argued that “racial, like individual, superiority depends upon knowledge, discipline, and efficiency, which may be imparted largely by education.” Clearly confronting the essentialism of scientific racism’s emphasis on racial traits, he pointed to the mitigating power of socialization, education in particular. “The powers and forces of nature are not enchanted by any sorcery of race, but yield their secret and mystery to the application of knowledge.”³¹⁹

Though Miller envisioned a nation and world wherein the current racial caste system could be inverted, one in which the three major races would co-exist, albeit in isolation, he did not rule out other possibilities. Bridging the gap between polygenesis and monogenesis, Miller envisioned a racially distinct world where racial harmony paradoxically rested on a recognition of each other’s humanity. “We can only prophesy amity, peace, and good will among these types, who will more fully appreciate than we do now that God has made of one blood all nations to dwell upon the face of the earth, within assignable bounds of habitation.”³²⁰

Miller would end his essay with the possibility that the stark separation of races would be not an unfixed end, but rather a temporary transition towards a more unified conception of race, one not completely antithetical to the one Chesnutt and other proponents of the amalgamation strategy envisioned, albeit on a global scale. “Whether this will be but a stage in the ultimate blending of all races in a common world-type transcends all of our present calculable data,” Miller conceded, “and must be left to the

³¹⁹ Ibid, 3.

³²⁰ Ibid, 542.

play of the imagination.”³²¹ Therefore, despite his clear acknowledgement of the Jim Crow system he was forced to endure and the ensuing racial separatism he imagined in the near future, he also held out hope for a vision of the future that was broader and more inclusive, and more hopeful.

Alfred H. Stone: A White Supremacist Challenge to the Doctrine of Hypodescent:

Throughout the 1890s and into the first decade of the twentieth century, people of color, such as Charles Chesnutt, J.W. Gaines, and Kelly Miller, offered competing and varied depictions of America’s racial future. At the same time, white Southerners with vastly different political agendas also confronted the reality of America’s mixed-race past, present, and future and offered their own visions, albeit with far different ramifications. A staunch white supremacist and adherent to scientific racism, Alfred Holt Stone would reject the idea that racially mixed and liminal people were black. At the same time, he refused to see them as white. However, by expanding the concept of racial liminality, Holt would reinscribe what he imagined to be the distinct, essential, and clear-cut difference between the races.

Before 1900, Stone remained mostly anonymous beyond the Mississippi delta where he was a considerably successful cotton planter and self-taught race theorist with no formal education. However, after developing a relationship with Walter F. Wilcox, an economics professor at Cornell University, Stone became involved in the American Economic Association and would soon become an influential race theorist on a national scale.³²² After Wilcox helped convince Carroll D. Wright³²³ to hire him at the Carnegie

³²¹ Ibid, 542.

³²² James G. Hollandsworth, Jr., *Portrait of a Scientific Racist: Alfred Holt Stone of Mississippi* (Baton Rouge: Louisiana State University Press, 200), 106.

Foundation, Stone was given the task of writing a report on the economic progress of African Americans since slavery.³²⁴ Maintaining a position with the Carnegie Foundation and an active membership in the A.E.A., Stone became a national figure and spokesman on race until returning to Mississippi in 1919 and serving in a number of prominent positions, including four terms as the state's tax commissioner. Unlike the amalgamation scenarios presented by Chesnutt and Gaines, Alfred Holt Stone dismissed the notion that America's racial distinctions would disappear through a continued mixture of whites and blacks. However Stone contested not only the one-drop doctrine but the tacit assumption that people of mixed race were *de facto* members of the black community.

Fully entrenched in the paradigm of scientific racism and steeped in Southern traditions of white supremacy, Stone argued that assigning mixed-race figures to the black population undermined, not strengthened, the present and future economic and social caste which was tethered to unequivocal racial difference, especially a concerted belief in racial traits. Tacitly sharing the anti-racist view that racial in-betweenness presented certain challenges to the imagined line between blackness and whiteness, Stone decried the disruption that racially mixed people presented to the black and white racial caste system he imagined, idealized, and sought to preserve. Though other commentators on America's racial future imagined the disappearance of one racial group or another, Stone imagined the disappearance of the "mulatto" in an effort to reestablish the clear lines of racial caste fortified by racial essentialism.

³²³ Carroll D. Wright having left the census bureau was now involved in a number of endeavors including his new role at the Carnegie Foundation.

³²⁴ Hollandsworth, 177-180.

Racially liminal, and racially mixed people in general, presented an obvious problem for Stone when it came to his belief in biologically inherent white racial superiority. Many whites had argued that the natural intelligence of mixed race people was the biological product of white, not black, inheritance. Though Stone would not have disagreed with this premise, he extended this line of thought one step further by rejecting the premise that “persons of mixed blood,” many of them “more white than black,” should “be identified with the negro.”³²⁵ In order to make the claim that blacks were biologically, thus innately, inferior to whites, Stone asserted that people of mixed race were not actually black. Instead, he asserted that the undeniable intellectual achievements of mixed race people clouded the inherent racial differences between blacks and whites as manifested in “certain persistent, ineradicable distinguishing characteristics.” In particular, Stone sought to minimize, if not refute, the claim that the literary and academic achievements of prominent mixed-race people, including Booker T. Washington, W.E.B. Du Bois, and Charles Chesnutt, demonstrated black equality, the assertion that “in all essential particulars the white man and the black are by nature equally endowed.”³²⁶ Following the commonplace notion that intelligence and academic achievement in mixed race subjects was attributable to white, rather than black, inheritance, Stone asserted that “the mixed blood is far superior to the negro.”³²⁷

³²⁵ Alfred Holt Stone, “Is Race Friction between Blacks and Whites in the United States Growing and Inevitable?,” *American Journal of Sociology*, 13, no. 5 (March 1908) 679.

³²⁶ Alfred Holt Stone, “The Mulatto Factor in the Race Problem,” *Atlantic Monthly: A Magazine of Literature, Science, Art, and Politics*, June 1903, 658-659, HathiTrust.

³²⁷ Alfred Holt Stone, quoted in Raymond Patterson, “Mulatto and Negro: Their Final Separation as Solution to the Race Problem,” *Washington Post*, July 2, 1903. ProQuest Historical Newspapers.

At the same time he unequivocally rejected the tacit assumption that mixed-raced subjects were members of the black community and asserted that they were a separate race onto themselves, “a hybrid that is neither the one nor the other.”³²⁸

Though Stone focused on racially mixed and liminal figures, his core objective was not to assert the intellectual inferiority of race mixing. On the contrary, the goal was to weed out examples which obscured what he imagined to be, distinct and obvious differences between pure blacks and pure whites. Rejecting claims that the intellectual achievements of mixed-race individuals constituted proof of blacks’ potential equality with whites, Stone sought to divorce these “hybrid” subjects from what he imagined to be the majority pure black population, thus allowing him to demonstrate, scientifically, the innate disparities between blacks and whites, which he believed were often obscured by the presence and example of mixed-race people:

It would certainly seem to be the part of wisdom to frankly recognize the negro’s own racial characteristics, and honestly study them, but this cannot be done so long as in our consideration of the problem of what is best to be done for him we continue to confuse the great mass of American negroes with the exceptional mulatto types, and point to the accomplishments of the latter as evidence in support of crass and preconceived notions as to the capacity of the former.³²⁹

Having discounted the clear and undeniable talents of individuals with various degrees of black inheritance, Stone hoped to establish the inherent inferiority of what he understood to be the pure black majority.³³⁰

³²⁸ Stone, “The Mulatto Factor in the Race Problem,” 659.

³²⁹ Ibid, 660.

³³⁰ As might be expected, Stone seemed to conveniently ignore the marked intellectual achievements of those African Americans who did not seem to be of mixed race backgrounds. Though he was well acquainted with the work of Kelly Miller and even cited him in his own work, Stone did not address the clear and obvious problem that people with darker complexions and remarkable intellect posed to his theory.

More significantly, establishing innate racial inferiority for most black subjects, Stone sought to confirm what he understood to be their natural and permanent place in the racial hierarchy, and more precisely, the Southern caste system. In addition to his attempts to establish the inherently inferior intellectual capacity of “negro” subjects, Stone also attributed certain personality traits to blacks, thus justifying their place as exploited, but content, laborers. “He is docile, tractable, and unambitious, - with but few wants, and those easily satisfied,” he argued of “pure” blacks, in contrast to whites and “mulattoes” in 1903.³³¹ He would express this view in even starker terms a few years later: “In many respects, the negro is a model prisoner – the best in the country.”³³²

By erasing the implicit challenges that the achievements of mixed race individuals posed to the scientific racist beliefs in biologically and racially determined capacities and traits, including but not limited to intelligence and ambition, Stone could both advance the argument for black racial inferiority and morally justify the place many African Americans still occupied in the longstanding racial caste system, decades after slavery. Describing what amounts to a white supremacist utopia conforming to the “Lost Cause” ideology which sought to sanitize the brutalities of chattel slavery, Stone described race relations in his native Yazoo Valley (Mississippi) as peaceful and mutually agreeable, free from the racial violence which seemed to haunt the rest of the South, including riots, lynchings, or sexual violence.³³³

Moreover, Stone attributed this purported racial tranquility to the rigid maintenance of hierarchies carried over from the Antebellum past. “I answer that our

³³¹ Stone, “Mulatto Factor,” 660.

³³² Stone, “Race Friction,” 692.

³³³ Alfred Holt Stone, “The Negro in the Yazoo-Mississippi Delta,” *American Economic Association*. (Feb. 1902): 239- 251. American Periodicals.

freedom from this curse is merely incidental to the general relations obtaining between the races, and properly ascribable to the general station and character of the white population,” he argued, “to the persistence of the same relative status between the masses of the two races that existed when the one was the master and the other the slave.”³³⁴ Implicit in Stone’s insistence on a black and white binary imagined in unambiguous racial terms was the steadfast belief in a racial order with no room for uncertainty in terms of racial belonging and especially in terms of the acceptance of one’s position in that order. By their very presence, individuals of mixed race called such a rigid dichotomy of race into question, but more importantly, according to Stone, they presented a challenge to the prevailing hierarchical racial order, the order of caste.

Once again, the presence of racially mixed and liminal bodies would present a formidable challenge to Stone’s agenda of white supremacy and unquestioned dominance. “There is a large and steadily increasing group of men, more or less related to the negro by blood and wholly identified with him by American social usage, who refuse to accept quietly the white man’s attitude towards the race,” he asserted.³³⁵ On a strictly biological level, Stone feared the doubt that the sheer intelligence demonstrated by mixed-race people and their inclusion in the “black race” might mean for the assertion of innate black inferiority. At the same time, the intelligence of mixed-race people posed an equally formidable threat to white dominance in the form of political activism and the assertion of black rights.

Believing that the racial harmony he imagined to exist in the Yazoo Valley was dependent on the inequitable and unambiguous relationships between blacks and whites

³³⁴ Alfred Holt Stone, “The Negro in the Yazoo-Mississippi Delta,” 247-248.

³³⁵ Stone, “Race Friction,” 694-695.

as well as clearly marked physical and social difference, Stone also believed that people of mixed race were the primary agents of racial discontent beginning to be asserted in other parts of the South. “The cry that goes up over the ‘the lack of opportunities under which the negro labors,’ and the ‘injustice of race distinctions,’ does not proceed from the negro,” Stone claimed. “It is the voice of the mulatto, or that of the white politician, that is heard.”³³⁶ Thus, his reasons for divorcing mixed-race people from the black community included the objective of nullifying any voiced opposition to the *status quo*. “When free from white or mulatto influence the negro is of a contented, happy disposition,” he asserted.³³⁷ Thus, Stone advanced the idea that race-based political discord could be ameliorated or altogether eliminated by separating blacks from “mulattoes.”

Unlike other white supremacists who fantasized about the disappearance of black bodies through amalgamation or emigration scenarios, Stone openly and soberly acknowledged the South’s dependence on black labor. Thus, he viewed such schemes as not advancing the agenda of white economic, social, and political supremacy as did others; rather, he understood that the rigidly race-based hierarchical ordering of southern society depended on the disproportionate presence of black bodies who represented a cheap and abundant source of labor. Describing what he understood to be an idyllic social structure in his native region, he asserted that the only “negro problem” was “how to secure more negroes.”³³⁸ Further acknowledging the crucial importance of black labor and expertise to the cotton-based agricultural economy of the South, he suggested that

³³⁶ Stone, “The Mulatto Facto in the Race Problem,” 661.

³³⁷ Ibid, 660.

³³⁸ Stone, “The Negro in the Yazoo-Mississippi Delta,” 239.

African American labor was “necessary to the continued prosperity of the South,” and he openly admitted the impossibility of finding any other laborers who could “take care of a cotton plant as the American negro.”³³⁹

Because of the South’s dependence on black labor, imagining away blackness, either through amalgamation or emigration, would not serve Stone’s agenda. However, severing blackness from racial in-betweenness did. Thus, in sharp contrast to the present and future amalgamation which Chesnutt and Gaines had described and predicted, Stone hopefully imagined that, if anything, race mixing was clearly diminishing. Imagining society structured along clear and unambiguous lines of racial caste left little room for racial liminality or ambiguity. Thus, Stone asserted, “The mixture of the races is quite evidently dying out, at least at present, and this increases the importance of the mulatto and renders it easier for them to assume actual leadership.”³⁴⁰

On one level, Stone sought to preserve a rigid binary and caste order by eliminating any sense of racial liminality in the population. Such racial liminality, however, now included all people of mixed race, not just those who may have appeared white. On the one hand, he saw figures like Du Bois, who possessed “mental attainments and social equipment” that more closely aligned them with “the Anglo-Saxon than with the negro masses” as closer in ability and nature to whites than to blacks. Though he came close to making the claim that racially mixed people were more white than black, he did not seem to make that assertion either. That would, of course, lead too far in the direction of acknowledging social equality, which Stone would resist at all costs. Instead,

³³⁹ Stone, quoted in Raymond Patterson, “Mulatto and Negro: Their Final Separation.”

³⁴⁰ Stone, quoted in Raymond Patterson, “Mulatto and Negro: Their Final Separation.”

he would inevitably imagine all mixed-race people to occupy a distinctly liminal space between blacks and whites, the emergence of new and distinct racial type, somehow neither black nor white:

This composite type which we poetically call 'black,' but which in reality is every shade from black to white, is slowly developing a consciousness of its own racial solidarity. It is finding its own distinctive voice, and through its own books and papers and magazines, and through its own social organizations, is at once giving utterance to its discontent and making known its demands.³⁴¹

Realizing the fact that though racial mixing and certainly racial marriage could disappear, racially mixed people would not. Thus, Stone theorized them into a space of more or less permanent liminality, neither black nor white, though clearly both. In the interest of imagining a society demarcated in the clearest racial terms, Stone would expand, not contract or eliminate, racial liminality in stark contrast to the rest of the nation. Alluding to the fact that the United States Census had foreclosed on the nation's racial liminality it had so openly acknowledged a decade before, Stone would lament, "It is a matter of regret that in organizing the twelfth census it was determined to attempt no separate enumeration of the mulatto element of our population, - using the term in its popular sense, as denoting all persons having any admixture of white and negro blood."³⁴²

In direct contrast to his colleague and predecessor, Frederick Hoffman, and his benefactor and boss, Carroll D. Wright, Stone understood racial liminality to be an essential element of the project of constructing absolutely distinct and certain differences between blackness and whiteness in the form of a clear, recognizable, and stable binary of race. Like other white supremacists, including the Tillman brothers, Stone, perhaps,

³⁴¹ Stone, "Race Friction," 695.

³⁴² Stone, "The Mulatto Factor," 658.

believed that racial liminality could be operationalized to meet the ends of his agenda of maintaining and even strengthening the lines of racial caste. Allowing and in fact expanding that liminality between blackness and whiteness allowed the line between “black purity” and “white purity” to be theoretically possible, even if it was not entirely so in practice.

Between “the Cabin’s Hate and the Mansion’s Scorn”: Transcending and Escaping the Binary in Albery Whitman’s Imagined Future:

Imagining a binary of race which conceived of whiteness and non-whiteness as two distinct categories with little or no room for murkiness or in-betweenness, Alfred H. Stone’s view of America’s future featured two distinct races with no room for those Americans of mixed black and white ancestry, regardless of degree. Though Stone argued that “mulattoes” were not black, he clearly did not argue that they were white either and clearly imagined them to lie outside the rigid racial caste system he desired and imagined for the immediate and distant future. And, while he clearly viewed mixed-race people as a racial category unto themselves, he remained silent in terms of what would become of this large and omnipresent group and, in the process, he tacitly imagined them out of existence altogether.

Not completely antithetical to Holt’s understanding of the future was the somewhat related notion that racially liminal figures, who seemed to fit in neither the black or white world, would need to escape the racial limbo into which they had been forced and ultimately constitute a new race and nation, even if doing so required the founding of a new community beyond the national borders of the United States and beyond the boundaries of American racial construction. At the same time, there remained the prospect of an American future wherein social, cultural, and economic

divisions based on race would become less and less important, a vision of the nation's future wherein the ever-increasing diversity of the country's racial make-up would be recognized and embraced while black and white Americans might unite around their common national identity and their shared adherence to Christianity while possibly transcending racial caste through the common republican values of hard work and economic progress.

Despite the fact such scenarios seem to sit in direct opposition to one another, each represented much more than just the utopian and far-fetched dreams of Albery Allson Whitman, a significant, but often overlooked, poet, preacher, and politician, himself a phenotypically white, culturally black subject who both identified as a person of color and also as a member of a distinct race of "octoroons" and "quadroons." This steadfast leader in the African Methodist Episcopal Church, groundbreaking poet, racial visionary, and highly mercurial figure took practical steps towards mobilizing an expatriate group of racially liminal Americans who would pursue their own vision of founding a new race and nation in Central America. At the same time he temporarily managed to bridge the widening social gap between blacks and whites in 1890s America through his culturally hybrid church services. As such, this well respected and accomplished preacher in the AME, who was also regarded as the "Poet Laureate" of the race, occupied a uniquely liminal cultural position between whiteness and blackness and presented various alternatives to the racial present and future, thus challenging the increasingly bifurcated visions of a present and future neatly divided along starkly conceived lines of color.

Published in 1901, shortly before his death, Whitman's last major work *An Idyll of the South* consisted of two full-length poems: *The Octoroon* and *The Southland's Charms*. Though both poems feature themes centered on racial liminality, the former addressed this issue most prominently, as its title might suggest. Though many other literary works of the period featured racially liminal characters and themes, Whitman's clearly stated purpose in this work was to reconceive and reevaluate the experience of "the octoroon" and to present such racially liminal figures as neither black nor white. "In 'An Idyl of the South,' I have aimed to tell the story of an Octoroon," he stated in the preface, "Her life discloses a type," somewhere between black and white.³⁴³

In the "The Octoroon," Whitman would tell the story of Lena, a blue-eyed and fair-skinned slave with "seal-brown locks and cheeks like roses blown" whom he described as "the charm of her delightful race."³⁴⁴ However, in spite of her beauty and moral integrity, Lena is alienated from both white and black society:

White wonder of creation, fashioned in
The moulds of loveliness; kings might contend
On martial fields a prize like her to win,
And yet, the cabin's hate and mansion's scorn, -
She suffered both, betwixt them being born.³⁴⁵

Having no other friends and remaining socially isolated as a light-skinned person of color, Lena has maintained a platonic relationship with Sheldon Maury, the son of her owner whom she has known since childhood. When the two enter into an innocent but romantic union, Sheldon's father sells Lena in order to end the relationship. She ends up at the home of her new owner who immediately attempts to force her into an unwanted

³⁴³ Albery Allson Whitman, preface to *An Idyl of the South: An Epic Poem in Two Parts*. (New York: Metaphysical Publishing, 1901). Google Books.

³⁴⁴ Whitman, *An Idyl of the South*, 12-17. Google Books.

³⁴⁵ Ibid, 35.

sexual relationship. She is able to fend off his advances and escapes with the help of another slave. Learning of Lena's fate, Maury sets out after her and finds her in time to see her take her last breaths.³⁴⁶

In addition to presenting Lena as a new racial "type," Whitman's stated purpose was to defend the integrity of interracial relationships and therefore help remove the stigma associated with those of mixed racial backgrounds, particularly those who appeared white:

Under the established orders and customs of society, marriage is not always possible, not always proper or permissible. What is even more, society may contem [sic], and the law may positively prohibit marriage between different peoples, but, wherever wedlock is not possible, true love is an absolute barrier to any degradation of the sexes.³⁴⁷

This reclamation of the integrity of such relationships, existing inside or outside the legal or religious parameters of marriage, represents a major element of the poem. While Lena's moral integrity remains in tact, Sheldon also remains committed to his feelings for her, despite the fact that Lena's legal status as a slave remains a formidable barrier to their union.

Though Whitman imagined racially liminal figures like Lena to be members of a distinct race unto themselves in his poetry, this notion clearly manifested itself in other areas of his professional and personal life. Despite a long and storied career in the AME and despite his well-earned reputation as an advocate for the black community in numerous parts of the country, Whitman formulated a plan to found a separate nation composed entirely of "quadroon" and "octoroon" American expatriates. In the fall of 1895 and the spring of 1896, Whitman publicized his intentions to lead a group of

³⁴⁶ Ibid, 40-75.

³⁴⁷ Whitman, preface to *An Idyl of the South*, 2.

Americans to the Yucatan Peninsula in order to found a new country composed of a “new race.” This race would include other Americans who shared a similar racial lineage and appearance. They were what one newspaper account described as “that large body of quadroons and octoroons which claims kinship to both races.”³⁴⁸

Not unlike his portrayal of his Octoroon heroine, Whitman envisioned this group of racially liminal figures as a new and distinct race, one physically, socially, and morally distinct from both blacks and whites. “When I speak of my own race, I do not refer to the blacks,” he suggested. “We hold no affiliation with the kinky race any more than we do with the whites. We are a beautiful race, superior to both.” He would go on to explain that his plan would not include most blacks because he rejected what he saw as their acquiescence to whites. At the same time, he expressed a concerted admiration for the Anglo Saxon race but also deemed them morally inferior because of their perpetuation of slavery.³⁴⁹

According to Whitman, the prospect of founding this new nation of racially liminal figures constituted not only of an abstract vision but an imminent reality. He declared that he had commitments from “over five thousand men” and one thousand others who had expressed interest in the plan, which was open to anyone who need only “claim a drop of negro blood of three or four generations ago to be eligible.” Once he had gotten the commitment of ten thousand like members of this new race, they would emigrate to an unspecified Central American country, preferably one which was already embroiled in political conflict. He then planned to establish various businesses and

³⁴⁸ Whitman, quoted in “Our Alberty: The Mulatto Poet, Preacher, Politician Organizing the ‘New Race’ for Emigration,” *Jeffersonian Gazette* (Lawrence, Kansas), March 12, 1896, Newspapers.com.

³⁴⁹ Ibid.

agricultural initiatives to support the new racial colony temporarily. He would then pursue power by aligning with whatever political “faction” presented the greatest promise of success. Whitman’s “new race” would then provide military assistance to that faction and eventually entrench itself in the governance structure of the country while integrating with the ruling class of the native population. “Then seeking accession to our colony, extending our business relations and possibly intermarrying with the better classes in the country selected,” Whitman explained, “we would soon be in shape to control the national election, and the entire government would be in the hands of the new race.”³⁵⁰

Describing his plan as much more than a fantasy, Whitman continued to emphasize the feasibility of its realization. “This is not visionary,” he asserted. “At one time I thought so, but when I broached the subject to men of means, who like myself, belong to no nation, to no race, I found they were with me with their minds and their money.” Claiming to have financial support from individuals throughout the U.S., many of them former slaves such as himself, Whitman declared to have raised as much as one million dollars and hoped to have twice that amount in the coming year.³⁵¹

At least on the surface, Whitman’s vision of a new racial community outside the United States, one which seemed to sever cultural ties with most African Americans, appears to belie most of his work and politics up to that point. On the other hand, Whitman embodied a sense of racial liminality which made him, in many ways, a racially transformative and transcendent figure who both vacillated between cultural engagement with black and white society and, at times, managed to connect the two. On the other

³⁵⁰ Ibid.

³⁵¹ Ibid.

hand, Whitman often capitulated to powerful whites and even, at times, seemed to embrace the Lost Cause white supremacist ideology.

Born into a world of chattel slavery and emancipated at the end of the Civil War, Whitman was entrenched in the struggles and uplift of his fellow freedmen who labored against terrorist violence, the collapse of Reconstruction, and the emergence of the Jim Crow state. Born on a slave plantation in Munfordville, Kentucky in 1853, he worked various manual labor jobs in his home state and neighboring Ohio after Emancipation.³⁵² After relocating to Ohio, he worked in a blacksmith's shop and attended night school³⁵³ before going on to attend Wilberforce University where he prepared himself for a notable and successful career as a preacher.³⁵⁴ For more than three decades, Albery Whitman was a fixture in the AME and remained so until his untimely death in June 1901. In addition to crediting Whitman with building churches in Ohio, Arkansas, and Kentucky, a church colleague, just a few years before his death, described him as "the best poet of his race" and "a prince of preachers."³⁵⁵ Moreover, upon his death an obituary written by a fellow church member declared, "He has passed on, but he will continue to speak to the millions of his people, for the thoughts and sentiments of his soul stirring verses will keep him alive in the hearts of many."

Throughout his career in the church, Whitman's politics and worldview were

³⁵² Blyden Jackson, "Albery Allson Whitman," in *Dictionary of Literary Biography: Afro-American Writers before the Harlem Renaissance*, ed. Trudier Harris (Detroit: Gale Publishing, 1987), 50:263-67. Hathi Trust.

³⁵³ "The Colored Poet Laureate Tells All About the New Era and Roasts ex-Senator Ingalls," *Galveston Daily News* (Galveston, Texas), July 15, 1893. Nineteenth Century U.S. Newspapers.

³⁵⁴ Jackson, 263-67.

³⁵⁵ "A Port, Church Builder, Financier, and Hero, Too," *The Christian Recorder*, July 13, 1899. African American Newspapers.

strongly influenced by his direct association with two foundational, yet oppositional, figures in the late nineteenth century AME, namely Daniel Alexander Payne and Henry McNeal Turner. Influenced early in his career by Payne's conservative politics and belief that African Americans should work within the limits of the American racial caste system, Whitman would later gravitate towards the more radical Turner, who advocated a "militant separatism" and called for blacks to leave the U.S. Whitman's embrace of the elder pastor's more radical politics are most clearly evidenced in his 1884 epic poem, *The Rape of Florida*, which he dedicated to Turner. Moreover, in the preface to this narrative poem which detailed the violent conflict between white supremacist forces and a coalition of escaped slaves and Seminoles, Whitman conveyed a sentiment which strongly disavowed those who would capitulate to white supremacy and preached a more defiant brand of politics while reestablishing his racial identity.³⁵⁶ "I am a colored man," he asserted, "and as such I accept the situation and enter the lists with poised lance." In this same preface, Whitman declared that "the time has come when all 'Uncle Toms' and 'Topsies' must die."³⁵⁷

James Robert Hays has suggested that Whitman sought to distance himself from the politics of accommodation associated with Daniel Payne at this time.³⁵⁸ However, despite his embrace of Turner's separatist politics and support of black emigration,

³⁵⁶ Ibid, 92.

³⁵⁷ Albery Allson Whitman, preface to *The Rape of Florida*, rev. ed. (1885;repr. Upper Saddle River, NJ: Literature House, 1970), 8. HathiTrust.

³⁵⁸ James "Jayson" Robert Hays. "Albery Allson Whitman (1851-1901), Epic Poet of African American and Native American Self-Determination." PhD diss., Florida State University, 2000 ProQuest Dissertations Publishing, 2000/ 3001664. As Hays suggests, Albery Whitman's politics situate him "as a transitional figure between" Frederick Douglass and Booker T. Washington, simultaneously displaying "Douglass' heritage of agitation" and Washington's "voiced reconciliation."

Whitman continued to hold both of these influential figures in high regard. Ten years after the publication of *The Rape of Florida*, in fact, he simultaneously praised Turner's "flaming life and power of Christianity" while equally endorsing Payne's "quiet thoughtfulness." Praising Payne's advocacy of black advancement through higher education, Whitman described his early mentor as possessing "a heart of noblest courage" obscured "beneath the quiet mantle of his piety." In that same piece, he remarked on Turner's "great and furious soul" while suggesting that "no more remarkable character than he" had ever emerged in the church.³⁵⁹

His continued embrace of the mild mannered and politically conservative Payne and his equal engagement with the more radical posture of Turner are indicative of Whitman's prodigious capacity to endorse and embody political and philosophical positions which others might deem as completely at odds. Perhaps this duality becomes even more clear when one considers his capitulation to, if not concerted embrace of, white supremacist politics. Though Whitman remained a defender of black advancement and rights, he also sought the approval of the white community at various points throughout his career.³⁶⁰ His apparent efforts to appease a white readership included a poem dedicated to confederate hero Stonewall Jackson, as well as calls for reconciliation between the North and South.³⁶¹ Moreover, the second full-length poem in *An Idyll of the South* included tributes to confederates Robert E. Lee and George Pickett, whom he praised for their bravery and military prowess.³⁶²

³⁵⁹ Albery A. Whitman, "Bugle Blast No. 1," *The Christian Recorder* (Philadelphia, Pennsylvania), July 5, 1894. African American Newspapers.

³⁶⁰ Jackson, 266.

³⁶¹ Hays, 54.

³⁶² Whitman, *An Idyll of the South*, 97.

It is therefore no surprise that Whitman's embrace of such elite Southern whites often earned him approval and high praise in the Southern press.³⁶³ In fact, Whitman himself admitted, "Going before the people for myself, I have seen that the whites have cheerfully vied with my own race in putting me before the public."³⁶⁴ Moreover, Whitman and his wife Caddie, who often acted as his agent and publicist, gained the recognition and personal acquaintance of various elite white political figures, including Jefferson Davis and daughter Winnie.³⁶⁵

On the one hand, Whitman's continued dedication and service to the black community could not seem more at odds with his clear embrace of unabashed white supremacy. And yet, Whitman may not have understood this to be contradictory at all, just as his embrace of his otherwise oppositional influences within the AME seemed to peacefully coexist in the thoughts and words of this mercurial and enigmatic poet and preacher. Despite the rejection of both a black and white identity embedded in his vision of a new race, Whitman would also envision and promote a paradigm of racial unification in which black and white Americans could, and in some cases did, peacefully transcend the barriers of race which not only maintained and exacerbated the existence of separate racial spheres but promoted the continuance of a racial caste system which ensured the continued subjugation of people of color.

As Whitman traveled the country in the customary and itinerant role of a Methodist minister throughout the 1890s, he demonstrated both a marked desire and an

³⁶³ "An Idyll of the South: The Extraordinary Production of One of Georgia's Negro Poets." *Atlanta Constitution*, July 16, 1899, Newspapers.com.

³⁶⁴ Whitman, preface to *The Rape of Florida*, 7.

³⁶⁵ "Dr. Albery A. Whitman: A Short Sketch of His Life," *Kansas City Grit*, August 24, 1895, Newspapers.com.

uncanny knack for bringing white and black audiences together in support of what he believed to be their shared embrace of Christianity. “I notice in the great gatherings at my tabernacle services that the ‘big white folks’ and the Negroes are getting together in sentiment again,” he suggested in July 1894. “Originally they are the Christians of this country and ultimately they will be found acting together,” he continued. Alluding, perhaps, to the artificially imposed rather than endemic separation of blacks and whites, he emphasized the “natural” rather than the contrived aspect of what he viewed as movement toward racial unity under the mantle of the church. This vision of Christian unity, as Whitman himself attested, not only held the promise of breaking down the social barriers separating black and white communities, but also presented a means by which the realities of caste could be ameliorated. “An exalted Christian life, God helping us to live it,” he proclaimed, “will very soon settle the status of the Negro in this country, and settle it to his everlasting honor.”³⁶⁶

Engaging in more than just a Pollyannaish fantasy of racial unity, Whitman’ was able to operationalize this vision of Christianity-infused racial transcendence in regions of the country where Jim Crow law and culture had already made significant inroads. Credited by one AME colleague as having done “more to put white and colored people in harmony than any man on earth,” Whitman had an unrivaled knack and well-deserved reputation for uniting white and black audiences under the common shelter of his revival tent.³⁶⁷ Writing in the *Christian Recorder* in August of 1894, J. Wilkinson Norris noted the popularity, admiration, and respect Whitman enjoyed in Hot Springs, Arkansas from

³⁶⁶ Albery A. Whitman, “Bugle Blast No. 1,” *Christian Recorder* (Philadelphia, Pennsylvania), July 5, 1894. African American Newspapers.

³⁶⁷ “A Port, Church Builder, Financier, and Hero, Too,” *The Christian Recorder* (Philadelphia, Pennsylvania), July 13, 1899, African American Newspapers.

blacks and whites. While members of both communities could be seen “crowding around the altar” at his prayer meetings, both black and white men tipped their hats to him on the street and sought his private counsel. In one case, according to Wilkinson, an avowed white supremacist from Mississippi repented after his encounter with Whitman and vowed “to help the race.”³⁶⁸

Another account appearing shortly after the Whitman family moved to Texas in 1894 paints a similar picture of a culturally transcendent figure able to bridge the gaps between the races. Detailed coverage of a typical Whitman revival meeting demonstrated on numerous levels how he was able to attract and reach a mixed black and white audience while creating a social space which transcended the deep-seated divisions of early Jim Crow America. For one thing, Whitman shared the pulpit with a mixed cadre of black and white ministers and created programs which combined cultural elements of both the black and white Methodist church. Code switching throughout his sermons and making the most of his theatrical nuance, Whitman reached his bi-racial audience on an emotional, spiritual, and intellectual level as the service blended “the quaint and cheerful melodies of the negroes” with “the sedate and solemn hymnal music of the whites,” according to the reporter.³⁶⁹ As Whitman himself quipped during his sermon, “The colored man has borrowed his religion; now he’s going to give it back to the white man glorified with negro melody.”³⁷⁰

³⁶⁸ J. Wilkinson Norris. “A Great Representative in the Pulpit.” *The Christian Recorder* (Philadelphia, Pennsylvania), August 30, 1894, African American Newspapers.

³⁶⁹ “In Brer Whitman’s Tent: Strange and Impressive Scenes Out on the Circus Grounds.” *Kansas City Star*, September 7, 1893. Newspapers.com.

³⁷⁰ Ibid.

Defying normative prohibitions against the social interaction between blacks and whites in public spaces, Albery Whitman's tent meetings seemed to create an interracial social space which openly defied the emergent race and gender norms and legal mandates of early Jim Crow society. "Whites and blacks mingle freely," the account noted, adding that it was not uncommon for "a black man and a pale haired white girl... to be found side by side." During these three-hour services which combined music, sermons, and prayer, the one-third white and two-thirds black audiences became even more socially and emotionally enmeshed: "The negroes were already kneeling and standing about the table, and, as the whites came up, they took them by the hand and the penitent tears of two races flowed, each mourner in utter oblivion of race prejudice and lines of caste."³⁷¹

Whitman may not have realized his dream of founding a new nation composed of those on the margins of black and white society, but he did seem to create such momentary encounters wherein the steady encroachment of the black and white binary could be elided, forgotten, and perhaps even transcended, if only temporarily. "I can see in these gatherings that Negroes and whites alike are attracted by a desire to hear the gospel come into our tabernacle and sit quietly together listening alike to the simple preaching of the word," he observed of his own revival meetings.

Known not only for his preaching and for his political speeches, Whitman imagined and embraced a vision of America which recognized the reality of the country's racial diversity in order to problematize and blur the emerging binary even further. Speaking before a predominantly black crowd in Galveston in June 1893, Whitman offered a picture of an optimistic racial future in which racial divisions would be eroded

³⁷¹ Ibid.

and an international and inclusive society would emerge. “Better things await us all, white and black alike,” he mused. “We stand on the threshold of a new era.”³⁷² Speaking to what was described as an audience of predominantly affluent African Americans, Whitman painted a hopeful picture of black economic progress. “We ‘ring out the old’ and we ‘ring in the new,’ he told the crowd, “and, notwithstanding the vinegar and the gal of disappointed politicians, the negro thrives right where he is and the brave and noble white men of the south are not alarmed at his thriving.”³⁷³

Invoking the politics of his early mentor Bishop Payne, Whitman would go on to depict a future in which the obvious caste disparities produced by the ideology of race would be ameliorated through hard work, black economic advancement, and self sufficiency.³⁷⁴ “He must learn to look around for a job – to get a move on him and get away from the idler’s corner,” he suggested in a tone and rhetoric also reminiscent of Booker T. Washington. “He must learn that it is easier to walk five miles and do a day’s work than it is to stand in one place all day and go hungry.” Tacitly acknowledging the hierarchical nature of race relations and demonstrating his embrace of white supremacy, he suggested that “the colored man may learn many things of his white brother,”

³⁷² Albery A. Whitman, quoted in “The Colored Poet Laureate Tells All About the New Era and Roasts ex-Senator Ingalls,” *Galveston Daily News*, June 15, 1893. Nineteenth Century U.S. Newspapers.

³⁷³ Albery A. Whitman, quoted in “The Colored Poet Laureate Tells All About the New Era and Roasts ex-Senator Ingalls,” *Galveston Daily News*, June 15, 1893. Nineteenth Century U.S. Newspapers.

³⁷⁴ As James Robert Hays points out, Payne felt blacks should accept “their place in American society – via education, hard work, and self-reliance,” 92.

including the lesson that “there is more music in a sawmill than in a joubilee [sic] troupe and a great sight better pay.”³⁷⁵

As was characteristic of Whitman in general, this pejorative treatment of African Americans was a direct contradiction of remarks published just a few years earlier in which he contrasted the industry and self-reliance of African Americans with what he saw as the idleness of recent European immigrants. Suggesting that black Americans were incapable of becoming peasants, criminals, or beggars, as he suggested many immigrant groups did, Whitman emphasized the quiet self discipline and “manhood” of African American men as compared to their unseemly European immigrant groups. “Without the howlings of the mobs and a stranger to the murderous secrecies of the Mafia, the Negro stands for... courage and manliness, the peerless exemplar of the illustrious in the human.”³⁷⁶ Consistent with his Republican politics of self-sufficient manhood, Whitman added, “You cannot keep him back. He has thrown away the band show and... piano. He passes from the real and the ‘jig,’ of the slave cabin to the hymn and Symphony of the splendid home of the great.”³⁷⁷ Regardless of how Whitman portrayed African Americans, he remained remarkably consistent in promoting the idea that hard work and initiative represented the keys to reversing the effects of racial caste and achieving parity with whites.

Though Whitman believed that material gain and achievement were essential for economic parity, his vision of an American future in which racial divisions could be

³⁷⁵ Albery A. Whitman, quoted in “The Colored Poet Laureate Tells All About the New Era and Roasts ex-Senator Ingalls,” *Galveston Daily News*, June 15, 1893. Nineteenth Century U.S. Newspapers.

³⁷⁶ Ibid.

³⁷⁷ Ibid.

bridged went far deeper. Referring to what he perceived as the multi-ethnic and international flavor of the Chicago's World's Fair, where he had been a featured speaker, Whitman suggested that the new era would include an exchange of ideas and culture where immigrants and foreign visitors would share "the fruits of their knowledge of all the ages in the applied facts of human skill and ingenuity." With such interaction and exchange, he surmised, there would be less divisiveness. "As a result," he suggested, "a better acquaintance must follow among the different peoples of the human family. The races will henceforth know each other better and like each other better." Rebuking ex-Senator John Ingalls for his recent endorsement of black emigration, Whitman conceived of a future for African Americans wherein American soil might constitute a welcoming and permanent home, not just in the geographical sense but in a political, economic, and social one.³⁷⁸

After crafting this multi-racial, quasi-international, and cosmopolitan vision through politics, Whitman would return to such an American future in his poetry just before his death in 1901. Though *The Southland's Charms*, the second full-length poem included in *An Idyll of the South*, did not exclusively address issues of racial liminality, it clearly invoked the theme that so dominated *The Octoroon*. Once again invoking the racially liminal figure, Whitman combined his vision of a multi-racial, international society - in all its physical but highly gendered beauty and complexity - with the image and depiction of the American "octoroon":

There from the South I saw the blue-eyed blonde,
And from the North the Junoesque brunette;
From Hawaii the olive maiden fond,
The dainty Cuban with her eyes of Jet --And Octoroon whose beauty was beyond

³⁷⁸

Ibid.

Description, in a swirl of glory met,
 Through mazy depths of flow'rs and lace to stream –
 A symphony of lovely forms – My Dream.³⁷⁹

From out of this international and interracial backdrop, the uniquely American image of the Octoroon emerges as a way of connecting both poems in the volume and, perhaps, merging Whitman's imagined new racial "type" with the framework of a more diverse multi-racial picture of the U.S. and of the Western Hemisphere. Though such depictions fell well short of his dream of founding a new racial republic beyond America's borders, such poetic scenes succeed in recasting and resituating the country's new imperialistic role and place in the world while suggesting the possibility of creating a sense of social equality among its new and existing subjects. As such, Whitman presented yet another American future, an alternative not only to the black and white binary fast becoming more and more calcified but one which challenged the emergent binary of whiteness and non-whiteness as well.

Chapter Conclusion:

By the mid 1920s, the ambiguity, murkiness, and inconsistency which had often characterized the boundaries between blackness and whiteness would all but disappear. Addressing the wider cultural and social adoption of the one-drop rule, James Davis asserts that most whites had bought into the doctrine of hypodescent by 1915 and by 1925 both black and white Americans had universally adopted this specific construction of race. No longer just a Southern standard, he maintains, the entire "nation had become firmly committed to the one-drop rule."³⁸⁰ Reflective of the move in this direction,

³⁷⁹ Whitman, *An Idyll of the South*, 126.

³⁸⁰ Davis, 58.

Virginia state law makers passed the Act to Preserve Racial Integrity in 1924. Codifying the doctrine of hypodescent into state law, this legislation was indicative of the nation's firm commitment to the most fixed and stringent definition of race possible. "This act enshrined the 'one-drop rule' into law by defining a white person as one with 'no trace of other blood,'" observes Allyson Hobbs. "Never before had racial identity been defined by such a strict standard."³⁸¹

Motivated by the state's large population of racially liminal figures, who appeared white but who possessed some degree of black (or other) ancestry, this law reflected the longstanding American conception of race as a product of inheritance, rather than something strictly determined by appearance or observable physical characteristics. At the same time, this law and ones soon to follow would reinscribe and solidify the lines of the racial caste system by policing the boundaries of whiteness and the superior status it guaranteed to those who could demonstrate, with absolute certainty, their privileged place in the racial hierarchy.

More than twenty years before Virginia lawmakers officially approved the codification of the one-drop rule, Booker T. Washington had visited the Virginia state capital in February of 1901. On a Monday evening, he spoke to a black and white audience at the Mozart Academy of Music, just a short walk from the grounds of state Capitol itself. Here he spoke to a large crowd which included a majority of the legislature. With African American members of the general public relegated to the "peanut gallery" and whites seated in the orchestra, the President of Tuskegee shared the stage with a number of other African American leaders and a number of prominent white

³⁸¹ Allyson Hobbs, *A Chosen Exile: A History of Racial Passing in American Life* (Cambridge: Harvard University Press, 2014), 128-129.

politicians from around the state, including three judges. Though this speech did not radically diverge from the politics of accommodation Washington had already become known for, it did include a fair amount of satire which took aim at some of the tenants of white supremacist discourse common to the period, including the familiar themes associated with the so-called “race problem.”³⁸²

On this occasion, Washington’s remarks also touched upon the equally familiar and related themes of amalgamation and racial liminality, while also taking specific aim at the belief in white racial purity and the one-drop rule. “99 percent of Anglo Saxon is offset by 1 percent of Negro blood,” he reminded his mixed audience, “but it takes 100 per cent [sic] of Anglo Saxon blood to make a white man, so the talk of absorbing us is out of the question. We’ll sooner absorb you than you absorb us.”³⁸³ On the one hand, Washington’s remark constituted a bold and public challenge to the idea of white purity and the white supremacist assumptions imbedded in the one-drop rule.

At the same time, this remark reminded members of his audience, who were neatly seated on either side of the very public color line drawn by the ever-encroaching Jim Crow culture, that the racial boundaries between black and white were not as starkly nor finitely drawn in the public’s imagination as the seating arrangements in the Mozart Academy of Music might otherwise suggest. And, though the logic of the one-drop rule which Washington called into question was clearly in play and clearly present in the consciousness of his audience, it was not yet a universal certainty in a state where racial

³⁸² Booker T. Washington, quoted in “Professor Washington Here: He Speaks to a Large Gathering,” *Richmond Planet*, February 16, 1901. *Chronicling America: Historic American Newspapers*.

³⁸³ Ibid.

mixing had existed long before the founding of the country and where racially liminal figures had long been openly and widely acknowledged and even recognized as white.

Thus, even past the turn of the century, the public discourse pertaining to America's racial future remained far less established and far less clear, leaving open the possibility of a number of scenarios, one being the wholesale disappearance of whiteness to which Washington alluded. Like many of his contemporaries, Washington reminded his audience that racial purity was indeed a rarity, if it had ever existed at all. At the same time, the separate but unequal Jim Crow seating arrangements juxtaposed to the clearly less segregated stage arrangements might also have reflected the undeniable but not entirely calcified racial caste system of the moment, raising questions as to how it would evolve, or devolve, in the decades ahead. Thus, Washington humorously suggested that the lines of race and caste were not irrecoverably fixed, at least not in any inalterable form.

Would the effects of racial caste be compounded by unabated racial mixing as Reverend Gaines had predicted, or would blackness disappear altogether as he feared? Would the imagined disappearance of racial in-betweenness simply reinscribe the longstanding black and white caste system Alfred Stone would continue to long for? Or, Could caste and race be transcended by hard work and economic progress as Chesnutt, Whitman, and Kelly seemed to believe? Would the dream of escaping the dichotomous racial order die with Albery Whitman in the summer of 1901, and along with it the dream of reordering the caste system around some criteria other than race? Though the answers to all these questions seem clear in hindsight, they would not be clearly settled for another quarter of a century, as the lines of America's racial caste system continued to be

reimagined by those firmly situated on either side of the stratified color line, and by those whose place remained far less certain.

Epilogue

The Disappearance of Racial Liminality

Authoring his infamous Supreme Court ruling, Henry Billing's *Brown* made only a brief mention of Homer Plessy's racial ambiguity by simply acknowledging that "the mixture of colored blood was indiscernible in him." Before finishing, he would also acknowledge the role the law played in determining the race of people like Plessy who defied easy categorization. However, instead of confronting the complexities of this issue directly, *Brown* conveniently chose to see this as a matter to be resolved by individual states, rather than addressing this issue himself or on behalf of the U.S. Supreme Court. Despite the fact that Homer Plessy's physicality and complex ancestry were so central to the case, *Brown* managed to elide such issues by avoiding the uncertainty and inconsistencies that Plessy's racial liminality might have posed to the court's, and the country's, understanding of race and racial construction. And, though acknowledging the fact that race was a matter of legal negotiation for which individual states were ultimately responsible, he quickly averted that issue and determined that Homer Plessy was indeed "a colored man," despite the ways he had been described and despite the various ways he may have understood himself and asserted his racial identification.

Exactly what *Brown* and the rest of the majority based this on is a matter of speculation. What is clear, though, is the fact that the justice, without the benefit of

visually observing the defendant, merely concluded that Homer Plessy was non-white, ultimately appealing to the power of his mind's eye and not to the power of direct observation on any level. Paradoxically, Brown also suggested that race was readily observable but also subject to one's arbitrary assignment, the *ad hoc* assessment of a train conductor or a judge. It was not a matter of family history or one's sketchy knowledge of biological and social lineage as the census had defined it.

Despite a casual acknowledgement of the fact that race was, to some extent, constructed by law, Brown seemed more concerned with asserting the alternative notion that race existed outside the law and in the realm of nature. Dismissing the argument that the Separate Car Act represented a violation of the Thirteenth Amendment, Brown decreed, "A statute which implies merely a legal distinction between the white and colored races – a distinction which is founded in the color of the two races, and which must always exist so long as white men are distinguished from the other race by color – has no tendency to destroy the legal equality of the two races, or reestablish a state of involuntary servitude."³⁸⁴ Though once again eliding the complexities of race and its clear caste implications, he could not seem to resist the temptation to say what he imagined race to be, thus reducing its nuance back to simplistic and regressive conceptions, including the idea that race consisted of neutral and natural categories which were definitive and stable. Ironically, the challenges to such notions which Plessy's racial liminality promised to initiate were lost on Brown and on much of America.

Though it elided many of the most significant debates about race and ignored its overall complexity, the *Plessy* decision would lead to a more fixed understanding of it

³⁸⁴ Henry Billings Brown, qtd. in Brook Thomas, ed. *Plessy v. Ferguson*, 42-43.

and reinscribe many of the earlier notions which had been contested throughout the decade. Most significantly, it would re-instill and affirm the white separatist narrative that clear-cut and immutable distinctions existed between blacks and whites and could remain so. However, *Plessy* was just one seminal event that pointed in this direction. Such bedrock beliefs in absolute racial separatism and absolute white superiority would constitute the core of Frederick L. Hoffman's *Race Traits* which was published a few months after the *Plessy* ruling. By the time the next census was to be enumerated, the "octoroon," "quadroon," and "mulatto" categories would no longer exist, and the population of the country would be reimagined once again as either white or black. The longstanding "mulatto" category would make its way back in 1910, but then disappear for good. Added to this is the tragic reality that nearly all of the 1890 census data was destroyed in a fire. Lost forever is the data which might show how Camelia Parker, Albery Whitman, or Charles Chesnutt were listed in the Eleventh Census. Were they "octoroons," "quadroons," or "white"? We may never know what racial status they were assigned or which one they used to describe themselves.

As the century closed, a clear black and white binary would come into sharper view. Spectacle lynchings would continue unabated and work to reinforce highly visualized representations of race through horrific acts of violence committed on black bodies. Captured in photos and promoted through newspapers and postcards, this ritualized violence would spread beyond local towns and create a stark and impactful narrative of racial separatism and white supremacy.³⁸⁵ The emergent and highly portable medium of film would also further this narrative by creating a starkly visual sense of race

³⁸⁵ See Grace Elizabeth Hale, *The Making of Whiteness*.

which represented blackness and whiteness in distinctly contrasted visual terms while avoiding the public display of racially mixed subjects. While this powerful medium would present race in clearly marked and dichotomous terms, it would also begin to shape European immigrants' understandings of themselves in new racialized, white, terms. It would also spread the scientific racist narrative of black criminology and predation.³⁸⁶ Augmenting this representation of race in visual terms was the daily appearance of mass produced print images which narrated racial distinctions and represented race-mixing and sexual contact between blacks and whites as unnatural, illicit, and non-existent, at least in the present.³⁸⁷

As this very visual sense of race gained more and more momentum, an equally powerful and markedly less visual paradigm would further the narratives of racial separatism and white supremacy as well. Reinforcing the narrative of sexual and procreative separation, anti-miscegenation laws would continue to proliferate.³⁸⁸ At the same time, a one-drop construction of race would gain steady cultural acceptance and eventual legal sanction.³⁸⁹ The belief in racial traits would be reinforced through the ideology of scientific racism and the supposed statistical evidence it used to further that belief, especially ones reinforcing black male criminality and violence. Throughout the early twentieth century, these two threads of the American racial imagination, one predicated on the overtly visual and one on the invisible, would work in tandem to create and reinforce a cultural narrative of two racially distinct Americas, what is often referred to as "the black and white binary."

³⁸⁶ See Jacqueline Najuma Stewart, *Migrating to the Movies*:

³⁸⁷ See Werner Sollors, *Neither Black nor White Yet Both*.

³⁸⁸ See Peggy Pascoe, *What Comes Naturally*.

³⁸⁹ See Erica C. Cooper, "Crafting the Color Line."

As these narratives were repeated over and over again through a variety of discourses and media, racial liminality, as a cultural concept, would begin to disappear. Despite the disappearance of racial liminality, racially liminal people did not disappear, though many continued to imagine them as having done so. Compelled by the hardening of legal, “scientific,” and cultural racial boundaries, racially liminal people would likely find themselves more permanently situated on one side of the binary or the other, rendering them far less liminal.³⁹⁰ They would remain part of the public imagination, however, as new generations of writers would begin to explore the lives of racially liminal people through a plethora of passing novels, stories, and films emerging in the early 1910s (and continuing past the start of the twenty-first century and well into the present moment). Reflecting the racial climate of the early twentieth century, many of these texts would reflect a stronger understanding of racial barriers and the transgression of those boundaries as exemplified by their heightened concern with racial “trespassing.” Also characterizing such passing narratives was the imminent threat of racial violence that reminded readers of the very real and dire consequences of such racial transgression, regardless of one’s phenotype.

This broad and imprecise depiction would come to dominate most of the twentieth century and continue to shape American thought for generations. However, most, but not all, of these cultural constructs, would begin to fall too. The stable adherence to scientific racism would be discredited in the academy, though not in the popular imagination or in daily practice. The legal dismantling of the Jim Crow state would begin in the late 1940s and early 1950s. The actual practice of passing, but not passing narratives, would begin

³⁹⁰ See Matthew Pratt Guterl, *The Color of Race in America* and James F. Davis, *Who’s Black?: One Nation’s Definition*.

to fade by mid-century. Legal prohibitions on interracial marriages would be eliminated through the *Loving v. Virginia* decision in 1967, though the 1895 South Carolina ban on such marriages would remain for a few more decades. And, the “one-drop” doctrine would begin to lose legal validation by the end of the 1980s. Thus, one modern scholar editing a collection of academic essays on race has defined it as a socially constructed “system of human classification based on skin color, hair type, body proportions, and other observable physical characteristics.”³⁹¹ Most academics would resist this definition, yet I think it is indicative of how many people today think about and experience race. The racial liminality and the lives of the liminal figures described in this work may serve to remind us that throughout most of our history, it has been so much more.

This modern, visual, understanding of race and the false cultural narratives which prevailed for most of the twentieth century may well have shaped our understanding of our more distant racial past, especially the murky era which existed before the *Plessy* ruling, before the enumeration of the Twelfth Census, before Ben Tillman would read aloud from his copy of *Race Traits* on the floor of the U.S. senate, and before plate 54 and the rest of the 1900 Paris exhibit would be packed up and carefully archived. To understand that past, we must look upon the 1890s through a clear and hopefully less biased lens, in order to see a time when cultural constructions and understandings of race were more nuanced, more discursive, and slightly less hegemonic, but clearly and steadily moving in that direction. Viewing that past through the lens of the racially liminal figure, we can see several fleeting moments of possibility, confusion, negotiation, and even clarity, when fixed understandings of race and dominant cultural narratives of

³⁹¹ Reid-Merritt, Patricia, ed. *Race in America: How a Pseudoscientific Concept Shaped Human Interaction* (Santa Barbara: Praeger, 2017), 2-3

white supremacy, scientific racism, and racial separatism were challenged, contested, and debated, though sadly not defeated. We must strive to understand both the visibility and invisibility of race, as well as the very real ways it has shaped us as a nation.

Bibliography

- Battle-Baptise, Whitney, and Britt Rusert, eds. *W.E.B. Du Bois's Data Portraits: Visualizing Black America: The Color Line at the Turn of the Century*. New York: Princeton Architectural Press, 2018.
- Belluscio, Steven J. *To Be Suddenly White: Literary Realism and Racial Passing*. Columbia, MO: University of Missouri Press, 2006.
- Bennett, Lerone, Jr. *Before the Mayflower: A History of Black America*. 6th ed. New York: Johnson Publishing, 1988
- Billings, John S. "Cartwright Lecture I Delivered before the Association of the Alumni of the College of Physicians and Surgeons, New York, November 14, 1889," *Medical News*, November 23, 1889. American Periodicals.
- . "Cartwright Lecture II, New York, November 21 Delivered before the Association of the Alumni of the College of Physicians and Surgeons, New York, November 14, 1889," *Medical News*, December 21, 1889. American Periodicals.
- Brodkin, Karen. *How the Jews Became White Folks and What that Says About Race in America*. New Brunswick, NJ: Rutgers University Press, 1998.
- Bryce, James. "Thoughts on the Negro Problem." *North American Review*. July 1, 1891. Periodical Archives Online.
- Chesnutt, Charles W. "The Future American." In *Charles W. Chesnutt: Essays and Speeches*, eds. Joseph R. McElrath, Jr., Robert C. Leitz III, and Jesse S. Crisler, Stanford, CA: Stanford UP, 1999. 121-135.
- . *The House Behind the Cedars*. 1900. Reprint, Boston: Houghton Mifflin, 2007.
- . *The Journals of Charles Chesnutt*, ed. Richard H. Brodhead. Durham: Duke University Press, 1993.
- . "What is a White Man?" In *Charles W. Chesnutt: Essays and Speeches*, eds. Joseph R. McElrath, Jr., Robert C. Leitz III, and Jesse S. Crisler, Stanford, CA: Stanford UP, 1999. 68-74.
- . "The White and the Black." In *Charles W. Chesnutt: Essays and Speeches*, eds. Joseph R. McElrath, Jr., Robert C. Leitz III, and Jesse S. Crisler, Stanford, CA: Stanford UP, 1999. 139-145.
- Cooper, Erica C. "Crafting the Color Line: The Development of Racial Identity in American Jurisprudence." In *Race in America: How a Pseudoscientific Concept*

- Shaped Human Interaction*, ed. Patricia Reid-Merritt, vol. 1. Santa Barbara, C.A.: Praeger, 2017, 99-125.
- Davis, F. James. *Who is Black? One Nation's Definition*. University Park, Pennsylvania: Penn State University Press, 1991.
- Davis, Thomas J. *Plessy v. Ferguson*. Landmarks of the American Mosaic. Santa Barbara, CA: Greenwood, 2012.
- Elliott, Mark. *Color-Blind Justice: Albion Tourg  e and the Quest for Racial Equality*. Oxford: Oxford University Press, 2006.
- Du Bois., W.E.B. "Miscegenation, 1936." W.E.B. Du Bois Papers (MS 312) Special Collections and University Archives, University of Massachusetts Amherst Libraries.
- . "The Negro Problem, 1900." W.E.B. Du Bois Papers (MS 312) Special Collections and University Archives, University of Massachusetts Amherst Libraries.
- . Review of *Race Traits and Tendencies of the American Negro*, by Frederick L. Hoffman. *Annals of the American Academy of Political and Social Science* 9, no. (January, 1897): 127-133.
<https://www.jstor.org/stable/1009520>.
- Fabi, Giulia M. *Passing and the Rise of the African American Novel*. Urbana, IL: University of Illinois Press, 2001.
- Fields, Barbara J. "Slavery, Race and Ideology in the United States of America." *New Left Review*. 181 (May/June 1990): 95-118.
- . "Whiteness Racism and Identity." *International Labor and Working-Class History*. no. 60. (Fall 2001), 48-56. <https://www.jstor.org/stable/27672735>
- Gaines, W.J. *The Negro and the White Man 1897*. New York: Negro Universities Press, 1969. Hathi Trust.
- Gilmore, Glenda Elizabeth. *Gender & Jim Crow: Women and the Politics of White Supremacy in North Carolina, 1896-1920*. Chapel Hill: University of North Carolina Press, 1996.
- Ginsberg, Elaine K. *Passing and the Fictions of Identity*. Durham: Duke U.P., 1996.
- Glass, Ernestine Pickens. "Chesnutt's Identity and the Color Line." *Studies in the Literary Imagination*. 43, no.2 (Fall 2010): 71- 84.

- Golub, Mark. "'Passing': Judicial Responses to Ambiguously Raced Bodies in *Plessy v. Ferguson*." *Law & Society Review*. 39, no. 3 (Sep. 2005), p. 563-600.
<https://JSTOR.org/stable/3557606>.
- Gross, Ariela J. *What Blood Won't Tell: A History of Race on Trial in America*. Cambridge: Harvard University Press, 2008.
- Grossman, James. *Land of Hope: Chicago, Black Southerners, and the Great Migration*. 2011. Chicago: University of Chicago Press, 2011.
- Guterl, Matthew Pratt. *The Color of Race in America, 1900-1940*. Cambridge, M.A.: Harvard University Press, 2001.
- Hale, Grace Elizabeth. *Making Whiteness: The Culture of Segregation in the South, 1890-1940*. New York: Pantheon Books, 1998.
- Harris, Cheryl I. "Whiteness as Property: *Harvard Law Review*, 106, no. 8 (June 1993): 1707-1791. <https://jstor.org/stable/1341787>.
- Harper, Frances Ellen Watkins. *Iola Leroy: Or Shadows Uplifted*. 1893. Boston: Beacon Press, 1987.
- . *Trial and Triumph*. 1888. In *Three Rediscovered Novels by Frances E.W. Harper*, ed. Frances Smith Foster. Boston: Beacon Press, 1994.
- Hays, James Robert. "Albery Allson Whitman (1851-1901), Epic Poet of African American and Native American Self-Determination." PhD diss., Florida State University, 2000 ProQuest Dissertations Publishing, 2000/ 3001664.
- Heap, Chad. *Slumming: Sexual and Racial Encounters in American Nightlife, 1885-1940*. Chicago: University of Chicago Press, 2009.
- Hobbs, Allyson. *A Chosen Exile: A History of Racial Passing in American Life*. Cambridge: Harvard University Press, 2014.
- Hoffman, Frederick L. *Race Traits and Tendencies of the American Negro*. 1896. Reprint, New York: AMS Press, 1973.
- Hollandsworth, James G., Jr., *Portrait of a Scientific Racist: Alfred Holt Stone of Mississippi*. Baton Rouge: Louisiana State University Press, 2008.
- Hull Hoffer, Williamjames. *Plessy v. Ferguson: Race and Inequality in Jim Crow America*. Lawrence: University Press of Kansas, 2012.
- Hunter, Tera W. *To 'Joy My Freedom: Southern Black Women's Lives and Labors*

- After The Civil War*. Cambridge: Harvard University Press, 1997.
- Jackson, Blyden. "Albery Allson Whitman." In *The Dictionary of Literary Biography: Afro-American Writers before the Harlem Renaissance*, ed. Trudier Harris. Detroit: Gale Publishing, 1987.
- Jackson, Jr. John P. and Nadine M. Weidman. *Race, Racism and Science: Social Impact and Interaction*. Santa Barbara: ABC-CLIO, 2004.
- Jacobson, Matthew Frye. *Whiteness of a Different Color: European Immigrants and the Alchemy of Race*. Cambridge: Harvard University Press, 1998.
- King, Desmond, and Stephen Tuck. "De-Centuring the South: America's Nationwide Supremacist Order after Reconstruction." *Past & Present*, 194 (February 2007): 213-253. <https://www.jstor.org/stable/25096664>.
- Lake, Marilyn, and Henry Reynolds. *Drawing the Global Colour Line: White Men's Countries and the International Challenge of Racial Equality*. Cambridge: Cambridge University Press, 2008.
- López, Ian Haney. *White by Law: the Legal Construction of Race*. rev. ed. New York: New York University Press, 2006.
- Luxenberg, Steve. *Separate: the Story of Plessy V. Ferguson, and America's Journey from Slavery to Segregation*. New York: Norton, 2019.
- Mebane, George. "The Vindication of the Negro." *The Arena*, November 1900. American Periodicals.
- Miller, Kelly. "The Ultimate Race Problem." *Atlantic Monthly: A Magazine of Literature, Science, Art, and Politics* (April 1909), 542, HathiTrust.
- Morris, Aldon. "American Negro in Paris." In *W.E.B. Du Bois's Data Portraits: Visualizing Black America: The Color Line at the Turn of the Century*, eds. Whitney Battle-Baptiste and Brit Russett, 23-37. New York: Princeton Architectural Press, 2018.
- Muhammad, Khalil Gibran. *The Condemnation of Whiteness: Crime, and the Making of Modern Urban America*. Cambridge: Harvard University Press, 2010.
- Pfeiffer, Kathleen. *Race Passing and American Individualism*. Amherst: U. Massachusetts Press, 2003.
- Pascoe, Peggy. *What Comes Naturally: Miscegenation Law and the Making of Race in America*. Oxford: Oxford University Press, 2009.

- Reid-Merritt, Patricia, ed. *Race in America: How a Pseudoscientific Concept Shaped Human Interaction*, ed. Patricia Reid-Merritt, vol. 1. Santa Barbara, C.A.: Praeger, 2017.
- Roediger, David. *Working Toward Whiteness: How America's Immigrants Became White, the Strange Journey from Ellis Island to the Suburbs*. New York: Basic Books, 2005.
- Smith, Shawn Michelle. "Looking at Oneself Through the Eyes of Others: W.E.B. Du Bois's Photographs for the 1900 Paris Exhibition." *African American Review*, 34, no. 4 (Winter 2000): 581-599. <https://www.jstor.org/stable/2901420>.
- Snellings III, George M. "Louisiana Law on the Nullity of Marriage." *Louisiana Law Review*. 20, no. 3 (April 1960), 562-583. <https://digitalcommons.law.lsu.edu>.
- Sollors, Werner. *Neither Black Nor White Yet Both: Thematic Explorations of Interracial Literature*. Cambridge: Harvard University Press, 1997.
- Stewart, Jacqueline Najuma. *Migrating to the Movies: Cinema and Black Urban Modernity*. Berkely: University of California Press, 2005.
- Stone, Alfred Holt. "The Mulatto Factor in the Race Problem," *Atlantic Monthly: A Magazine of Literature, Science, Art, and Politics*. (June 1903): 659-662. Hathi Trust.
- . "The Negro in the Yazoo-Mississippi Delta." *American Economic Association*
- . "Is Race Friction between Blacks and Whites in the United States Growing and Inevitable?," *American Journal of Sociology*, 13, no. 5 (March 1908) 676-697. <https://www.jstor.org/stable/2762579>
- Tillman, Benjamin R. "The Race Problem." Washington D.C., February 23-24, 1903. <https://www.loc.gov/item/91898590/>.
- Thomas, Brook, ed. *Plessy v. Ferguson: A Brief History with Documents*. New York: Bedford, 1997.
- Wald, Gayle. *Crossing the Line: Racial Passing in Twentieth Century U.S. Literature*, Durham: Duke UP, 2000.
- Williamson, Joel. *New People: Miscegenation and Mulattoes in the United States*. London: The Free Press, 1980.
- Whitman, Albery Allson. *An Idyl of the South: An Epic Poem in Two Parts*. New York: Metaphysical Publishing, 1901.

---. *Twatsina's Seminoles: The Rape of Florida or The Rape of Florida*. 1885. Upper Saddle River, NJ: Literature House, 1970.

Wright, W.D. "The Thought and Leadership of Kelly Miller." *Phylon*, 39, no. 2 (2nd Quarter 1978). <https://www.jstor.org/stable/274513>