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What Comes Naturally: Miscegenation Law and the Making of Race in America.

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Pascoe, Peggy. *What Comes Naturally: Miscegenation Law and the Making of Race in America*. New York: Oxford University Press, 2009.

In *What Comes Naturally*, Peggy Pascoe examines the implementation of American miscegenation law. She argues that miscegenation law “laid the foundations for the projects of white supremacy and white purity,” (p. 14). In doing so, Pascoe argues that the production of miscegenation law also was produced through an amalgamation of various processes from the decisions of local courts to assertions of white male property rights.

In chapter one, Pascoe opens with a discussion of the original motivations for the production of miscegenation law by colonial Americans. Those motivations were the justification of African enslavement and the prevention of slave wives gaining a foothold by which to claim their master’s property. In the context of Reconstruction, this notion of protecting white male property rights manifested itself in the protection of interracial marriage as a means to assert the will of white male property owners.

Chapter two analyzes the dismantling of the defense of interracial marriage by first placing marriage under the jurisdiction of state law and then by making interracial marriage illegal at the state level. This is the process that occurred in Indiana and served to stigmatize any interracial romantic involvement as illicit sex, the court decisions made there also served as legal precedents by which southern states sidestepped the Fourteenth Amendment.

In chapter three, the concerns of white male property owners again motivated the expansion of races which were included in miscegenation laws. The myth of the constitutionality of miscegenation laws was perpetuated by Western states that expanded the list of races that were supposedly treated

equally by way of equal punishment to that of whites who broke the law.

Chapter four examines the haphazard methods by which courtrooms attempted to enforce miscegenation. This chapter serves to demonstrate that the need to definitively classify the race of defendants led to an ultimately futile effort to create definitions and indicators of race.

Chapter five examines the shift in the responsibility of delineating race definitions to the issuers of marriage licenses, and again emphasizes the confusion and arbitrary nature with which race was classified.

Chapter six details the rise of organized opposition to miscegenation law by the NAACP in the first decades of the twentieth century and explains the NAACP’s unwillingness to challenge miscegenation laws outside the North as resultant from fear that public outrage would hamper the NAACP’s ability to challenge other forms of segregation.

Chapter seven goes on to detail the cases by which miscegenation law would first be declared unconstitutional by state courts, opening the way for challenges to miscegenation law by way of repeal by state legislatures. Pascoe emphasizes, however, that these successes failed to gain traction in the South or address the notions of illicit sex.

Chapter eight chronicles the softening of cultural support for anti-miscegenation which made possible the Supreme Court decision to declare miscegenation laws unconstitutional under the Fourteenth Amendment.

Chapter nine finishes the book by observing that the *Loving* case was misconstrued as advocating colorblindness and has since been harnessed to argue for the end of discrimination in all forms but has also been retooled to serve the rhetorical devices of conservative Americans.

The importance of *What Comes Naturally* in understanding the roots of

American racism cannot be understated. Pascoe illuminates the importance of miscegenation in the maintenance of white superiority. The economic and gender analysis Pascoe offers also serves to make her book essential reading for students of American race relations.

Nicholas Langer