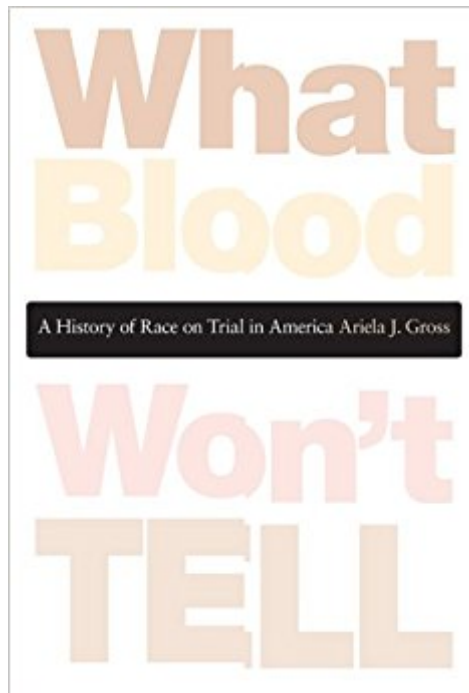




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# What Blood Won't Tell: A History Of Race On Trial In America



## Synopsis

Is race something we know when we see it? In 1857, Alexina Morrison, a slave in Louisiana, ran away from her master and surrendered herself to the parish jail for protection. Blue-eyed and blond, Morrison successfully convinced white society that she was one of them. When she sued for her freedom, witnesses assured the jury that she was white, and that they would have known if she had a drop of African blood. Morrison's court trial—and many others over the last 150 years—involved high stakes: freedom, property, and civil rights. And they all turned on the question of racial identity. Over the past two centuries, individuals and groups (among them Mexican Americans, Indians, Asian immigrants, and Melungeons) have fought to establish their whiteness in order to lay claim to full citizenship in local courtrooms, administrative and legislative hearings, and the U.S. Supreme Court. Like Morrison's case, these trials have often turned less on legal definitions of race as percentages of blood or ancestry than on the way people presented themselves to society and demonstrated their moral and civic character. Unearthing the legal history of racial identity, Ariela Gross's book examines the paradoxical and often circular relationship of race and the perceived capacity for citizenship in American society. This book reminds us that the imaginary connection between racial identity and fitness for citizenship remains potent today and continues to impede racial justice and equality.

## Book Information

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## Customer Reviews

Starred Review. Through a close reading of racial identity trials in America, this book offers an eloquent contribution to ongoing debates over affirmative action, identity politics and the

construction of a colorblind society. Historian Gross argues that racial identity trialsâ "court cases in which outcomes turned on determining a person's race and their concomitant rights and privilegesâ "provides an excellent basis for viewing the construction of whiteness and assessing the volatile category of race in American society. The author rigorously examines select cases including the outcomes of suits for freedom by onetime slaves like Abby Guy, who in 1857 convinced an all-white male jury that she was white and thus deserving of freedom. Upsetting the familiar notion of the one-drop rule in determining racial identity, Gross shows that in such cases the notion of what constituted race was itself as much in play as whether a particular individual could be identified (through some unstable combination of expert and common sense opinion) as one race or another. The social performance of identity is key, and enduringly so, as Gross periodically underscores by reference to various modern debates and trends. (Oct.) Copyright Â© Reed Business Information, a division of Reed Elsevier Inc. All rights reserved.

Challenging the presumption of many scholars of the dominance of the one-drop rule in conferring black status, Gross argues that despite the rule, in court and by custom, racial boundaries were much more fluid and flexibleâ "yet, primarily in the service of white supremacy. From slavery through the Jim Crow period to the twentieth century free-white phase, Gross focuses on several prominent trials involving racially ambiguous individuals or groups that challenged the one-drop rule and reflected the depth of the racial hierarchy. The drawing of lines between whites and blacks in associating slavery with race pushed middle- and lower-class whites to identify more strongly with white elites. Drawing legal lines between Indians and blacks racialized both groups, undercut any potential alliance, and helped facilitate the loss of Indian lands. For immigrants, the line helped facilitate the identification of America as a white nation, and undercut a potential alliance based on class. Gross also reflects on how this history of race determination fits into current efforts at a color-blind approach that ignores the significance of race in American culture. --Vernon Ford

Everyone interested in race, US legal history, citizenship, or immigration should read this book. It manages to combine close readings of freedom trials in the antebellum US, naturalization cases at the turn of the century, battles over the "freedmen," or members of African descent, of the Cherokee, Seminole, Choctaw, Creek and Chickasaw tribes, Mexican American fights against segregation, and the ways race was used to limit Native Hawaiian land rights, and provides new information and perspectives on each. This fine book shows the way that race was not defined solely or even primarily by science or descent, but was defined importantly by the "common sense"

intuition of those in the dominant race that the subject deserved inclusion and citizenship. The very flexibility of this common sense notion, however, allowed concepts of race to shift to exclude new groups in new ways as laws and times changed. It conveys these insights in a style that is a pleasure to read, and full of fascinating stories and facts (like the common viewpoint that a white person could be known by the high arches of her feet, or the sad reality that a South Asian man committed suicide when the Supreme Court reversed an earlier determination that South Asians were legally white and could become citizens of the United States). Highly recommended!

I had to read it for class but it was an easy read and full of interesting info.,

Fascinating and informative survey documenting how race trials reflected varying attitudes and definitions of "race". At times trial decisions were/are based on science, pseudoscience, flawed concepts of "race", "common sense" (or non-sense), genealogy, or social "performance". And the results also varied by state, and were heavily influenced by the prejudices of the time and location and composition of the jury, or the background and personality of the judge. But outcomes can be viewed as generally maintaining and reinforcing the dominant white power structure. The book parallels, in reciting various race trials, the historical narratives elaborated in (recently deceased) Prof. Ron Takaki's works. It was almost worth going through the whole book to find, on page 305, a reference to a 1987 Supreme Court opinion by Justice Byron White: "...racial categories have no scientific basis, modern or otherwise [and]... the real test of whether a group is a 'race' is whether it has suffered racial discrimination - whether it has been 'racialized', as the academics would say...'racial classifications are for the most part sociopolitical, rather than biological, in nature'". That's what this book demonstrates about the cited race determination trials.

Ariela Gross has performed a great service by writing a book that can be used a reference for anyone (teachers, journalists, etc.) who THINKS they know about racial classification in the U.S. Gross does not do everything well. Frank W. Sweet has written a more comprehensive account of U.S. racial classification trials:Â Legal History of the Color Line: The Rise And Triumph of the One-drop Rule; Lawrence R. Tenzer has written a better book on the political importance of antebellum white slaves:Â The Forgotten Cause of the Civil War: A New Look at the Slavery IssueÂ and Virginia Dominguez has written a comprehensive account of racial classification among Louisiana Creoles (a group that Gross neglects)White by Definition: Social Classification in Creole Louisiana. What Gross has done is combine accounts of racial classification trials involving Latinos

(especially Mexicans), Indians, Asians, native Hawaiians, Armenians, Arabs, as well as the usual Anglo part-black mixed-race people. Gross even includes the Melungeons, Lumbees and others formerly called "tri-racial isolates" (See *Walking Toward The Sunset: The Melungeons Of Appalachia* (Melungeons: History, Culture, Ethnicity, & Literature) and *The Melungeons: The Resurrection of a Proud People : An Untold Story of Ethnic Cleansing in America*). This really impressed me, because most American historians on "race" are totally ignorant of those groups, don't understand their importance, and rarely mention them. If you read this book, you will overcome any "Imitation of Life" image of what it means to have your "whiteness" challenged. The so-called "one drop" myth is mainly a 20th century invention; "whiteness" has always been an evolving and contradictory concept. "Black blood" was not only legally allowed in the "white race," but the "performance" of whiteness (exercising the rights of whites and socializing with whites) was usually more important in a racial classification trial than degrees of "black blood." Because immigration was legally restricted to "whites," (assumed to be European), immigrants who did not come from Europe (Arabs, Armenians, Asians, part-Asians, etc.) had to "prove" in court that they were "white." This subject has been covered in detail by Ian Haney Lopez: *White by Law: The Legal Construction of Race* (Critical America Series). Mexicans were made citizens by treaty (regardless of race) when the U.S. took Mexican territories after the Mexican-American War. This was a major contradiction because few Mexicans are really "white" compared to European-Americans (They are a mixture of Indian, Spanish and African). Their legal whiteness was usually combined with a de facto "racial" segregation from "other" whites. Neil Foley has written extensively on this subject: *The White Scourge: Mexicans, Blacks, and Poor Whites in Texas Cotton Culture* (American Crossroads, 2). Gross should be praised for including the Mexican-American effort to be labeled "white" in the same book with part-black Anglos and other groups. Most historians try to act like these groups have nothing in common. The major flaw in the book is the Conclusion, in which Gross indulges in a fashionable and politically correct rant against those who believe that racial classifications should not be asked for or legally enforced (affirmative action, the census, etc.). Her Conclusion contradicts the evidence of her own research. Skip the Conclusion and enjoy the rest of the book.

This book was based on a great inaccuracy that these people were tri-racial or mixed blood. They were no more mixed race than 40% of the people of NC, SC, VA, or TN. These so called isolates or tri-racial people are not mulatto or Indian. This book was not based on original documents or sources or thought, but was cut and pasted from the heap of mistakes, misjudgments, prejudices of many misinformed writers. It is a great work of politically correct misinformation. The people wrongly

accused of being black, mulatto, Indian, or mixed are in fact Imazighen/Berbers from North Africa that came to America on Spanish and Portuguese ships as slaves, soldiers or settlers. The Imazighen have very black hair, sometimes wavy/curly, blue-green eyes often, and varying degrees of dark skin. Unlike Indians the men have heavy body hair. Unlike Blacks they have thin lips and long, straight noses. To advance in academia one must write PC conformant hogwash!

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