Indiana’s Miscegenation Laws: An Ineffective Racist Agenda

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by

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Abstract

Miscegenation laws have played an influential and explanatory role in Indiana’s perception and attitudes about interracial relationships. Indiana had stringent regulations against such unions, which existed for a large portion of the Hoosier state’s history. Despite the unusually harsh legislations against these couples, interracial marriages continued to occur in Indiana. In fact, some multiracial communities, such as the Longtown Settlement, were created as safe havens for these couples. Although these laws were repealed in Indiana two years before the country abolished them nationwide in 1967, the state has had persistent attitudes against interracial marriage that couples must endure. In the face of the continual growth of such unions, local and national attitudes can be adjusted to greater social acceptance, especially with a clear understanding of the racism that underlies the previous miscegenation laws that outlawed interracial marriages.
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Anti-miscegenation, also known as miscegenation, laws were created throughout the United States, as early as the country’s settlement, with the intent of preventing interracial relationships while promoting white supremacy. The term originated in the 1860s and referenced the “mixture of two or more races.”¹ Miscegenation was a key component of the American attitude towards race relations during the late nineteenth and early twentieth century in both social and political outlooks. Laws dividing the races and preventing interracial marriages have been in place within the United States since early colonial times.² These restrictions were often established because of the notion that interracial unions were unnatural and unacceptable.³ These attitudes continued throughout the history of our country. In a post-Civil War nation, these laws were continued as a way to ensure white supremacy as well as white racial “purity.”⁴ While these laws were eventually outlawed nationwide in 1967, the legacy of the miscegenation attitude has continued.

As early as 1818, Indiana began legally discriminating against interracial relationships with restrictive legislation and similar racist laws existed within the state until 1965. Despite retaining miscegenation laws in Indiana for this extended period of time, black and white interracial couples still existed in the Hoosier state. Communities such as the Longtown Settlement in Randolph County, Indiana were proof that not only did interracial marriage endure

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⁴ Pascoe, “Miscegenation Law, Court Cases, and Ideologies of ‘Race’ in Twentieth Century America,” 467.
in this state despite racist legislation, it thrived and prospered. In recent years, 11% of new marriages in the Midwest were interracial. While black and white interracial unions still do not compromise a majority of marriages in the Hoosier state, they are steadily attaining popularity as Indiana progresses away from their history of legislation that enforced inequality and racism.

**Indiana Laws Enforcing Marital Segregation**

From its earliest conception, Indiana has had laws against slavery. The Northwest Territory banned slavery within its borders with the Northwest Ordinance of 1787 and when Indiana became a state in 1816 it included the prohibition of slavery within its Constitution. Despite this refusal to allow human enslavement within the state, Indiana legislation was quick to discriminate against black individuals, especially in regards to their interactions with white people. By 1818, the Indiana government passed an act that forbade sexual or marital encounters between white and black individuals. This law stated that a black person was anyone who had one-eighth African American blood. In other words, if one grandparent was bi-racial, then their grandchildren were labeled “black” and faced discrimination. The punishment for disregarding this early statute, as dictated by this legislation, was relatively mild- a $100 fine for the white male involved or imprisonment of the white female for ten days. Thus, this early law was actually created to dissuade Caucasian individuals from marrying outside of their own race. This 1818 legislation, while racially discriminating, did not punish African Americans for their involvement in interracial unions.

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These early laws were seen as too lenient, however, and were quickly changed. By 1840, a public marriage of an Indiana white female to a bi-racial man aroused societal disdain, which promoted the strengthening of the miscegenation laws in the state. These reformed laws of 1840 were the harshest miscegenation laws in Indiana’s history. In fact, this statute had some of the strongest penalties for interracial marriage compared to anywhere else in the United States. No longer was interracial marriage simply illegal, it became a felony under this new legislation. Indiana was the first state to make miscegenation a felony which justified southern states to follow suit. Along with facing felony charges, any involved party could receive a fine of between $1000-5000 and from ten to twenty years in state prison. While this law dictated punishment for both the white and black parties involved, African American individuals usually received harsher reprimands. Within a couple of years these punishments were deemed too severe and the legislation was again altered. In 1842, the expensive fines of 1840 were maintained, but the prison sentence was reduced to between one to ten years. In Terre Haute in 1879, William Nelson was forced to pay the full $5000 fine, as well as serve a year in prison for his interracial marriage. Yet, his white wife did not face any criminal charges. The role of the marrying officiate was also further detailed by these new 1842 laws. If convicted, these officiates who supported an interracial union could receive a $500 fine, as well as a permanent end to their career in marrying others. Thus, within 25 years of Indiana’s first miscegenation laws, the legislation was greatly altered to further dissuade such marriages from occurring. By instilling harsher punishments for white and black marriages, society was sending a clear message that these unions were deemed unacceptable.

In 1881, the laws of 1842 were further diminished to limit their severity. Thus, even though interracial marriages were still seen as undesirable by Indiana society, the previous punishments were considered too strict. The previous prison sentence of one to ten years was retained, but the maximum fine was reduced to just $1000. These terms remained within Indiana legislation until they were repealed in 1965. For nearly 85 years, any black and white marriage was subject to the constant threat of being punished by these discriminatory 1881 Indiana statutes. Also, the officiating individual who presided over these interracial nuptials could face misdemeanor criminal charges under this reformed legislation. All of these Indiana laws were very specific that both white woman/black man and black woman/white man relationships were banned within the state. As long as any participant had one-eighth black blood or more, then the union with a white individual was deemed illegal.

What about Other Minority Groups?

At various points in our nation’s history, 40 states have had legislation that prevented black individuals from marrying a white person. Many of these states also held statutes preventing other minority groups, such as Asians, Native Americans, and Hispanics from marrying their white counterparts. Indiana, on the other hand, only prevented the sexual relations and marriage of whites and blacks. African Americans resented these Hoosier rules since they “classify them as inferior and unfit to marry persons they may choose.” Since black and white interracial unions in Indiana were seen as illegal, it illegitimated their children and caused further

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9 Pascoe, What Comes Naturally, 10, 54.

societal tension. People entering into these unions could not gain their spouse’s property through a will nor were they given marital privilege in a courtroom under Indiana law. Even though Indiana legislation only discriminated against black and white unions, Hoosier society did not necessarily support other interracial relationships.

In 1905, the Indiana legislature considered passing miscegenation laws against Filipino individuals. Yet, these statutes never gained widespread support and the proposal was dropped. Individuals with Mexican heritage also faced some racial discrimination under Indiana law; however, it was never illegal for these individuals to marry a member of the white majority. Hoosier courts argued that “all Mexicans are not white persons and some of them are negroes.”

Thus, these Indiana judges ambiguously included some Hispanics under the restrictions of the state’s current miscegenation laws, rather than creating new laws that specifically targeted Hispanics in regards to illegal interracial relations. This legal precedent did not establish guidelines on how to determine whether a Mexican was considered a “negro.” Therefore, some Hispanic individuals were targeted unjustly while other Mexican descendants were able to marry white spouses. During Indiana’s long history with miscegenation laws, the state contemplated outlawing marriages with specific Asian and Hispanic nationalities, yet the legislature never successfully passed these racially-based restrictions.


14 Ibid.
In the 1940s, a court case called into question just who exactly the current anti-black/white miscegenation laws referred to. An Indiana company, the Inland Steel Company, refused to compensate one of their employee’s widows because the company said the relationship was illegal due to the state’s miscegenation laws. While the woman was black, her former husband was Hispanic. The Indiana Supreme Court, in *Inland Steele Company v. Barcena*, actually ruled that this union was legal since the Hispanic man could not be considered white.\(^\text{15}\) This caused further confusion as to which Hispanics were considered “negro” and which were not. This court case demonstrated a continued disregard of minority groups and a clear separation of whites above other racial groups. Through the laws of Indiana, non-black/white interracial unions as well as black/other minority relations were allowed and even given equal political rights to same-race couples, yet society continued to disprove of these multiracial marriages.

**Which Relationship was the Most Undesirable?**

As Indiana society condemned interracial relationships, white women who formed relationships with black men were particularly ostracized. White women who willingly had relations with African American men were seen as a threat to the Caucasian population since they produced mulatto children from these unions.\(^\text{16}\) Despite this public condemnation, out of 95 recorded interracial marriages in 1958-1959, 69 of these contained a white bride.\(^\text{17}\) On the other hand, African American women who married white males did not pose a true threat to white

\(^{15}\text{Pascoe, } \textit{What Comes Naturally}, \text{137, 351.}\)

\(^{16}\text{Dorothy A. Mays, } \textit{Women in Early America: Struggle, Survival, and Freedom in a New World} \text{[Santa Barbara, CA: ABC Clio, 2004]}, \text{214.}\)

supremacy. 18 This was largely due to the idea that white men were simply exploring other options, similar to slave-owning men in the South having sexual relations with their female slaves. Despite this additional bias towards white women who chose to intermarry, children from any interracial union were subjected to societal disdain. These bi-racial children were believed to be biologically inferior and described as “unnatural.” 19 These children were often forced into the black community (as they were typically excluded from the white community) where they faced discrimination from their peers since they were not fully accepted in this culture either. Along with a lack of social acceptance, these multiracial children were subject to discriminatory laws because of their partial black heritage. These children were also denied the right to marry white individuals under the state’s miscegenation laws, especially if their specific heritage was known by society.

Black men who were accused of relations with white women often received the harshest legal convictions possible because of the additional stigma attached to these interracial unions. These harsh penalties were often related to the idea that these men were violating white purity. This notion became so widespread that during the 1856 Indiana state election, Democrats had white women hold signs that said “Fathers, save us from Nigger husbands” in order to promote continued miscegenation. In 1865, in the city of Evansville, two black men were lynched after being accused of assaulting a Caucasian female. In the aftermath of this lynching, the city erupted in massive rioting that targeted the local black population. 20 Thus, while both parties involved in interracial relations were subject to scrutiny and social disdain, black men and their white wives were especially targeted both by Indiana society and the state government.

18 Mays, Women in Early America, 214.
White women who chose to intermarry were seen as just as deplorable as their black spouses in Indiana. In 1840, an Indianapolis white woman, with the full support of her family, chose to marry a mulatto servant. When the public found out about this union, a mob led by respectable social elites threatened physical violence against the couple. While the husband fled the violent group, his wife was paraded throughout the city to be shamed and mocked for her spousal choice. While Indiana government and society did not approve of any interracial unions, they particularly fought against black men marrying white females. Despite this public condemnation, these particular unions made up the majority of interracial marriages in the Hoosier state.\(^{21}\) Thus, despite Indiana’s continued miscegenation laws and societal disdain of interracial marriages, these unions between black and white individuals continued to exist and grow within the state.

**Settling in Indiana**

While Indiana never allowed slavery within its borders, the Hoosier state was not considered black-friendly and certainly was not seen as supportive of interracial marriage. Following Ohio’s black exclusion laws of 1808, Indiana tried to pass similar African American exclusion acts on three separate occasions (which would have made it illegal for black individuals to enter or settle in the Hoosier state).\(^{22}\) While Indiana was unsuccessful in completely excluding black settlers, African Americans were often dissuaded from entering or settling within Indiana’s borders. In 1831, the state passed a statute requiring any black individual in the state to register with local officials and to pay a $500 bond for their time spent


in the community.\textsuperscript{23} This bond was meant to ensure good behavior while the African American individual resided within the state lines.\textsuperscript{24} In the 1850s, legislation was also passed to prevent black individuals from attending public schools, from voting, from testifying in court cases involving white individuals, or from serving in the military.

Despite the many laws against black Hoosiers, these restrictions were minimal compared to what some Indiana officials desired. When creating a new state constitution in 1851, Article 13 was created with the intent of once again discouraging any African Americans from settling in Indiana. In fact, this statute allowed for monetary fines imposed on any individual who encouraged black people to enter the state. Thus, employers were charged large sums of money if they hired blacks onto their workforce. Also included in this legislation was the restriction against allowing individuals to bring their black spouses across state lines. For example, when Arthur Barkshire brought his future wife over from Ohio, he was arrested and fined $10. When Barkshire attempted to fight his conviction, the Indiana Supreme Court decided to maintain his punishment and decided his wife should also face criminal persecution. Thus, Mr. Barkshire was accused of encouraging a black woman to enter the state, whereas Mrs. Barkshire was charged for settling in the state. After the Civil War, in 1881, Indiana judges were forced to declare Article 13 as unconstitutional through \textit{Smith v. Moody}. While previous legislation had attempted to dissuade African Americans from settling in Indiana, Article 13 of the 1851 Constitution attempted to outlaw their entrance into the state by criminalizing any white person who assisted these black settlers. Thus, Indiana intentionally prevented African Americans from enjoying their time in the state, which also greatly limited the opportunities for interracial couples. In a post-

\textsuperscript{23} Pascoe, \textit{What Comes Naturally}, 51, 52.

\textsuperscript{24} Katz, \textit{Black Pioneers}, 89.
Civil War Indiana, Republicans were forced to repeal many of these racist statues.\textsuperscript{25} Despite deeming these acts unconstitutional, society continued to enforce much of this segregation without legal justification.

During the twentieth century, segregation expanded in Indiana through society’s promotion of this division. Blacks were not allowed to stay in the majority of the state’s hotels nor receive medical treatment in a majority of local hospitals. African Americans were also forced to enjoy separate parks and forms of recreation.\textsuperscript{26} Thus, by attempting to dissuade African Americans from settling and participating in many aspects of Indiana life, the state’s government and society was also attempting to limit interracial marriage (since fewer black individuals meant fewer relationships with white persons). Yet, since neighboring Ohio completely excluded blacks from their borders for a short period of time, Indiana often received their cast-offs, despite racist attempts to dissuade their entry into the Hoosier state.

While Indiana passed legislation to ensure that few blacks would settle in this state, the national Fugitive Slave Act of 1850 also posed a threat to African Americans and mulattos within the Hoosier community. This legislation ensured that “no person of color was safe.”\textsuperscript{27} Because of Indiana’s location, any individual with a minimal amount of black blood had a possibility of being kidnapped and forced into slavery (even if they had always been a free person). Those in the southern portion of the state were particularly prone to being captured by

\textsuperscript{25} Pascoe, \textit{What Comes Naturally}, 51, 53, 335.


\textsuperscript{27} Katz, \textit{Black Pioneers}, 69.
slave catchers under the 1850 Fugitive Slave Law.\textsuperscript{28} Any individual caught violating these federal laws by assisting blacks in avoiding capture, faced a $1000 fine and a year of jail time.\textsuperscript{29} Thus, white spouses of captured black individuals could face conviction for trying to maintain their family’s safety. Similarly, any child of an interracial relationship could be forced into slavery due to this Fugitive Slave Act. Thus, people with only a drop of black blood could be forced into enslavement, even if they had never been a slave. Many white people actually had greater stereotypes about mulatto persons than full-blooded blacks and the white majority were often more eager to send these multiracial individuals into slavery. The white community largely assumed that mulatto individuals believed themselves superior to other slaves and were more likely to pollute the white race since they often married spouses of a lighter skin tone. Whites also believed people with mixed descent had a larger capacity for intelligence thus they needed to be controlled with hard labor and a broken spirit.\textsuperscript{30} Not only was the 1850 Fugitive Slave Act utilized to recapture runaway slaves, it was also used to enslave former free persons with any portion of black heritage. Due to its proximity to the South, Indiana individuals of color were especially impacted by this radical federal legislation.

Despite a racist agenda through the miscegenation laws in Indiana, these statutes were rarely enforced to their fullest extent. While some couples were subject to legal punishment, many marriages “went unnoticed unless brought to the attention of the authorities.”\textsuperscript{31} Some other couples chose to marry outside of Indiana’s borders and then return to the Hoosier state, thus

\textsuperscript{28} Katz, \textit{Black Pioneers}, 86.

\textsuperscript{29} Ron Morris, interview by author, Muncie, IN, September 8, 2010.


\textsuperscript{31} Monahan, “Marriage across Racial Lines in Indiana,” 633.
avoiding local legislation. In spite of this evasion of the law by some couples, their marital union was never recognized as valid within Indiana. Despite this lack of recognition of out-of-state intermarriages, one white man, convicted in Indiana for having sexual relations with a black woman, was ordered to marry the woman in Illinois and then return to the Hoosier state.\textsuperscript{32} By marrying out of state, this man was able to avoid conviction for his relationship with his black spouse. Since Illinois had never passed any state legislation against interracial unions, and Ohio and Michigan had repealed their miscegenation laws before 1900, Indiana was surrounded by many neighboring states who allowed interracial marriages to take place within their borders.\textsuperscript{33} Despite this avoidance of Indiana law, this couple could have been criminalized for disregarding their home state’s legislation. Therefore, any interracial couple who evaded Indiana’s miscegenation laws by being married outside of the state’s borders could still be prosecuted upon their return.\textsuperscript{34} While the possibility of prosecution was conceivable, these racial legislations were rarely enforced, particularly as Indiana society grew to accept the rise in interracial unions and some judges issued out-of-state marriages as a solution for bi-racial couples. Although Indiana may have had several racist laws in order to dissuade African Americans and interracial marriage from existing within the state, these laws were often loosely enforced. Thus, many intermarried couples chose to stay in the Hoosier state, despite the unjust miscegenation laws that could have impacted these individuals.

While Indiana’s harsh miscegenation history was well acknowledged, some interracial couples came from out-of-state with the intent of being married in the Hoosier state. While this

\textsuperscript{32} Monahan, “Marriage across Racial Lines in Indiana,” 633.


\textsuperscript{34} Cloyte M. Larsson, ed., \textit{Marriage Across the Color Line} [Chicago: Johnson Publishing Company, 1965], 40.
may seem strange, knowing the stringent legislation against such couples within Indiana, some
couples hoped to find the opportunity for a wedding ceremony in a state where they were not
known. For example, a white Kentucky man brought his bi-racial girlfriend into the Hoosier state
for their wedding, since their home state also had strict miscegenation laws in 1885.\textsuperscript{35} While this
couple could have faced criminal punishment in Indiana for entering into their illegal union
within the state’s borders, they hoped their anonymity would prevent them from facing charges.
Despite the risk, the white man applied for an Indiana marriage license under the claim of being
a black male. Therefore, according to Indiana legal records, this couple contained two African
American individuals and did not violate miscegenation laws. After their quick wedding in New
Albany, Indiana, this couple returned to Kentucky, legally married despite violating laws in both
the Hoosier and Bluegrass state.\textsuperscript{36} Many interracial couples found ways to be married within the
state lines of Indiana even with the stringent laws against such unions.

Interracial couples also found a few allies within the Hoosier state. For example, Quakers
within the state were great advocates of racial equality. Indiana counties with a large Quaker
base, such as Randolph and Wayne, were much more diverse than neighboring communities.\textsuperscript{37}
Interracial unions were seen as much more acceptable in these regions, as their Quaker brethren
often promoted equality amongst all. Thus, many interracial couples decided to settle in Indiana,
not only because of the loose enforcement of their racist laws, but also because some neighbors

\textsuperscript{35} University of Kentucky, “Interracial Marriage and State Laws: Calvin Ruff and Libby Lightburn,” Notable
October 20, 2012].


\textsuperscript{37} Ron Morris, interview by author, Muncie, IN, September 8, 2010.
within the state were supportive of their marital unions. Some African American and interracial communities even sprang up around Quaker settlements, including the Longtown Settlement in Randolph County. Similarly, Catholicism argued that bans on interracial marriage were contrary to their religious beliefs about marital unions. While the Vatican never made an official public statement about anti-miscegenation laws in the United States, these religious leaders argued that these racist legislations were "un-Catholic". While Catholicism advocated for equal marital opportunities, it was up to each religious individual to assist and support their interracial neighbors in the pursuit of relationships and marriage. Despite some religions allowing interracial marriage, they rarely provided actual forms of societal support for these unique couples. While these religious groups had limited involvement in defying miscegenation laws, some interracial couples found support in some members of the small Catholic and Quaker populations that were located in Indiana.

While some religious organizations opposed the American miscegenation laws that were impacting society, other groups, including the Protestant majority, were advocating for greater restrictions against interracial relations. For many followers of the varying Protestant religions, they believed that a portion of God's divine plan for humanity was the division of all races. Thus, intermingling was seen as a direct assault on God. Since these religious individuals of the Protestant faith often believed that the bible did not support the intermixing of races, therefore they argued that such unions were a direct sin and not acceptable under any circumstance. The Ku Klux Klan, a radical Protestant organization, argued that God desired the separation of races in order to ensure the continuation of white supremacy throughout the nation. This ideal was one

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of the fundamental foundations of the Klan’s principal creeds, as shown through the organization’s ritual book titled the Kloran. This group argued that interracial unions not only ruined racial purity but would also inevitably lead to the downfall of western civilization. While this racist organization is well-known for its harsh treatment of African Americans, they were particularly angered by the white persons who participated in interracial unions since they argued that these individuals supported the demise of their own race. In fact, many of the Caucasian individuals involved in interracial relationships were publicly humiliated by the Klan by being forced to wear signs that decreed their involvement in bi-racial unions and some whites were even lynched for their choice in marriage partners.

Other religious individuals detailed that the bible supported the segregation of the races. Some argued that the bible stated that black people were proportional to animals, thus interracial unions were seen as a form of bestiality. They argued that because God created the black person to be equal to beasts, God intentionally created white people to be a greater species, ensuring that the two groups remain separate. Some of this ideology existed into the 20th century and was actually used to justify the ending of slavery. These advocates claimed that since slaveholders were often participating in sexual relationships with their slaves, God punished these men by causing the defeat of the South and the permanent extinction to the institution of slavery. While Indiana had some organized supporters of intermarriage, as well as a limited enforcement of the state’s racist interracial restrictions, Indiana was primarily made up of a Protestant majority who actively fought multiracial unions. Therefore, many Hoosier citizens supported the separation of

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40 Romano, Race Mixing, 50, 193, 253, 254.
black and white individuals and even fought for more stringent restrictions against bi-racial couples.

While the Hoosier state was recognized for its political and social disdain for black individuals, Indiana saw a large settlement of African Americans within its borders due to the state’s location. During slavery, some freed slaves (especially slave master’s mistresses and their mulatto offspring) would be relocated to the Hoosier state by their slaveholder. This transfer to Indiana allowed for the continued control by slavemasters (due to proximity of the state to the South), while also allowing freedom to the former slaves. Since Indiana was located near many slave owning states, the former masters of these freed individuals were able to maintain some power in this liberated situation. In the aftermath of the Civil War, many freed blacks began to migrate to the northern states. Indiana was particularly susceptible to black settlement due to its location near the South. Evansville, a southern Indiana city, saw a fifteen-fold rise of black residents during the Civil War and the five years that followed it. This population change was largely due to Evansville’s rising industry, its location on the Ohio River, and its potential for employment. While Article 13 of the 1851 state Constitution forbade black entrance into Indiana, these individuals continued to settle within the state’s borders illegally. By 1881, this discriminatory portion of the state’s Constitution was eliminated, allowing for greater black settlement. As African Americans were freed from their enslavement, Indiana became a prime state for relocation. With this drastic rise in black settlement, the opportunity for interracial unions also increased.

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Similarly, during World War I, a massive migration of African Americans moved northward for industrial jobs and Indiana provided many employment opportunities for these displaced workers. When the number of interracial marriages also climbed after the large settlement of black individuals, there was a social backlash from this change. Because of the large settlement of blacks in Indiana, greater segregation measures were taken throughout society. For example, segregation in schools became extremely tight in the 1920s. While this separation of education was supported by state law, other forms of societal segregation occurred without legal justification. In fact, in 1885 a state law stated that all people were entitled to equal accommodations in public facilities, including restaurants, hotels, parks, and barber shops. Under this law, institutions that enforced segregation were subjected to fines and imprisonment. Due to Indiana’s racist societal attitudes, however, these laws supporting equality from 1885 were rarely enforced. The social support of segregation was also largely due to the rise of the Ku Klux Klan in the 1920s in Indiana government capacities.44 Thus, while African American settlement and interracial marriages were on the rise in the state, Indiana society began to actively fight against this change, causing tensions for Hoosier bi-racial couples.

By the late 1950s, Indiana was the only northern state to retain laws against interracial marriage. Despite these continued legal statutes, within 1958-1959, 95 black and white couples were married out of about 78,000 marriages in the Hoosier state. While this number seems extremely low, the fact that these marriages were recorded on legal documents shows a lack of fear of legal retaliation for their outlawed unions. While legal backlash was less of a concern, societal pressures were still very evident during this time. While outside pressures were still unmistakable, in a study of several Indianapolis couples, “in none of the nine intermarriages

44 Thornbrough, “Breaking Racial Barriers to Public Accommodations in Indiana,” 302, 303, 304.
were the participants ostracized by both of their respective races.\textsuperscript{45} Thus, each couple found general public acceptance by at least one racial group. While interracial couples often faced social pressure in the early to mid-1900s in Indiana, these marriages still existed and grew throughout the state.

In 1960, more than 85\% of Indiana black residents were located in seven counties within the state. These particular counties contained the largest concentration of urban regions, such as Indianapolis, Gary, Fort Wayne, South Bend, and Evansville. While these regions were not free of racism, they were much more accepting of African Americans than the rural "sundown towns" that existed throughout the state. According to sociologist James H. Loewen, "A sundown town is any organized jurisdiction that for decades kept African Americans or other groups from living in it and was thus "all-white" on purpose."\textsuperscript{46} These "sundown towns" were known for their blatant hostility towards black people, as well as strict laws and societal norms that prevented these individuals from staying in the community once the sun had set.\textsuperscript{47} It is well acknowledged that there were at least 94 recognized "sundown towns" in Indiana. Yet, it is believed that this number is actually as high as 229 towns that were "all-white," with fifteen counties that completely excluded African Americans from entering their borders after dark. From 1890-1940, many of these communities advertised their sentiments with racist signs that stated ideas similar to "Nigger, Don't Let The Sun Set on You Here."\textsuperscript{48}


\textsuperscript{46} James H. Loewen, "The Introduction to Sundown Towns," 2, http://sundown.afro.illinois.edu/content/sundown-introduction.pdf [accessed February 9, 2013].

\textsuperscript{47} Thornbrough, "Breaking Racial Barriers to Public Accommodations in Indiana," 330.

Thus, interracial couples faced many difficulties by settling in Indiana. They faced miscegenation laws, societal disdain, and blatant racism throughout the state. Although many neighboring states were much more accepting of interracial marriage, many of these couples continued to call Indiana home. These bi-racial couples found some solace in the fact that the state’s miscegenation laws were rarely enforced, and when they were, a conviction was seldom given to its fullest extent. Also, these couples found some support from Hoosier neighbors, such as the local Quaker groups throughout the state. In response to many of the difficulties that these interracial couples faced, many couples chose to settle either in urban areas or in communities made up of other like-minded individuals, such as the Longtown settlement.

Longtown Settlement: A Community of Multiracial Relations

Indiana saw the establishment of several communities throughout the state which provided safe havens for interracial couples and their families. One of these settlements, the Longtown community, flourished as a racially accepting region. In the early 1800s, German immigrants, Native Americans, and African Americans came to the border of Indiana and Ohio and started a local community together. This settlement, located in Randolph County, Indiana and Darke County, Ohio, quickly became a tri-racial region, as Caucasians, Native Americans, and African Americans began to form political, social, and romantic relations. According to W. E. B. DuBois, “the Longtown Settlement became a haven for interracial couples.”

While there is some debate as to its true origin, this tri-racial community was established across the state lines of Ohio and Indiana. One source cites that the community began in 1818 when James Clemens, a black man, purchased land on the state border along with his bi-racial

wife. A differing account states that James Clemens established the land in 1822. Instead, W.E.B. DuBois states that this tri-racial community was settled in 1804, according to his folklore tale “Long in Darke.” While the specific date of original settlement is unclear, it is obvious that this racially accepting community was established well before the Civil War—during a time of tumultuous tensions among individuals with differing skin tones. As shown through a documentary about this tri-racial settlement, “despite this increase in racism, it is clear that racial barriers were still ambiguous and crossable by those of the Longtown community.”

Since this largely agricultural community straddles two different states, it was often separated into the Indiana and Ohio portion of the settlement. By 1865, the Longtown community owned 1300 acres on the Indiana side of the settlement, as well as a couple thousand additional acres within Ohio. The history of the Indiana portion of this community is a little better documented than the unknown date of James Clemens’s settlement in the Ohio portion. Thornton Alexander was the first black settler of this community that only owned property in Indiana. He purchased his land in 1822 and was responsible for greatly expanding the settlement into the Hoosier state. This community, however, was largely settled on the Ohio side of the border, since the Buckeye state had less stringent legislation against interracial and black individuals. Although Randolph County, Indiana held a lesser population of the Longtown Settlement, it does not diminish the interracial relations that were occurring in this section of the

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51 Remembering Freedom: James Clemens and the Longtown Settlement, DVD, directed by Kari Wilhems and Zack Coffman [Muncie, IN: Virginia B. Ball Center for Creative Inquiry, 2010].
community. For example, Mr. Thompson, a white individual, had a black wife on the Hoosier side of this diverse settlement.\textsuperscript{52}

By straddling the border, this community was often able to alter which state they were primarily established in, based on each state’s current attitude toward black and multiracial individuals. By 1849, for example, Ohio had repealed all of their black laws.\textsuperscript{53} Also, as early as 1883, Ohio repealed all of its legislation against interracial marriages.\textsuperscript{54} Thus, the Longtown Settlement was largely based in Ohio because many of the legal sanctions against African Americans had been lifted in this state. Yet, by being located on the border between two different states, individuals could simply relocate to the other state if tensions became too high where they were primarily located. Prior to the Civil War, more African Americans lived on the Indiana side of Longtown. As Indiana began to enforce their racist agenda, however, there was a vast shift of these individuals relocating into the Ohio portion of the settlement. In fact, the Longtown community physically moved the AME church building from Indiana to Ohio in the 1870s because of a surge of enforcement of Indiana laws against black individuals and integrated communities.\textsuperscript{55} While many members of the Longtown Settlement continued to live on the Indiana side of the community, the majority of the population and some public buildings moved to Ohio, in an attempt to avoid the legal prejudices that existed within Indiana.

\textsuperscript{52} "James and Sophia Clemens Farmstead: Darke County, Ohio."

\textsuperscript{53} Katz, \textit{Black Pioneers}, 27.


\textsuperscript{55} Roane Smothers, interview by Allison Troutner, Spartanburg, IN, September 12, 2010.
Up until 1850, this diverse community was referred to as the Greenville Colored Settlement. Yet, it was soon realized that the town needed their own independent name, rather than being associated with the neighboring town of Greenville, Ohio. Meanwhile, the community placed a national ad for a blacksmith to migrate to their humble settlement. A white man named James Long answered the call and moved his family to the community. When he realized he had moved his family to a colored community—in particular one that housed former slaves and interracial couples—he decided to make the best of the situation and chose to stay and assist the region with his specialized skills. The settlement quickly grew to respect this man, especially since many other white men in his position would have immediately declined to live in such a racially-accepting area. Thus, “the people of the community respected Long for making the best of an awkward situation and ask him if they could name the town after him.” Therefore this community, largely made up of multiracial farmers, named their hometown for a white man who was an outsider, which is indicative of the true acceptance and appreciation of diversity with this region.

This community was also often seen as an inclusive area, with little dependence on other towns. For example, the Longtown Settlement housed many educational opportunities for its young, despite laws against integrated classrooms. The first community schoolhouse, the Clemens’s School, was privately funded by community members and it educated “an equal number of white and colored children.” As state laws were altered, several public schools were

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57 “James and Sophia Clemens Farmstead: Darke County, Ohio.”

opened within the community. These institutions continued to educate every child in the settlement, with no regards to their racial identity. One of these establishments, the Edgewater School, was located on the Indiana side of the community. This schoolhouse opened in 1846 and provided integrated classes for both elementary and high school aged children. Despite being publicly funded, this school continued to break Indiana mandates that limited the educational opportunities for African American descendants. When the Edgewater School was closed in the 1920s, the few enrolled students were transferred to schools in Spartanburg, Indiana—a community that was not quite as accepting or friendly towards interracial individuals. While this school transfer occurred before the Brown vs. Board of Education decision in 1954, Spartanburg allowed these diverse students into their classrooms. Since this different town was not adept to multi-racial individuals, Longtowners were often subject to taunts, offensive names, and occasional attacks. Both subtle and blatant attacks were often based on racist attitudes and prejudiced ideas. For as long as they could, the Longtown Settlement actively fought to educate the youth of their community, without regards to the racial differences amongst its students.

Perhaps one of the greatest contributions of the Longtown Settlement to education and racial equality was the Union Literary Institute, which was located within the borders of Indiana. Largely an idea promoted by local Quakers who believed that black and interracial children were not receiving a quality education; they promoted the idea of establishing an institute where anyone who desired an education could obtain one. Together with the Longtown

59 Miller, *The Palestine Book: History of Liberty (German) Township Darke County, Ohio*, 215.

60 Royer and Leavell, *The Longtown Settlement, Darke County, Ohio*, 17, 24.


62 “James and Sophia Clemens Farmstead: Darke County, Ohio.”
community, they raised the necessary funds to make this dream a reality. This manual labor school opened its doors in May 1846 and allowed anyone over the age of fourteen to receive the basics of education (reading, writing, and arithmetic) as well as a vocation. Students were also taught politics, such as how slavery and war contradicted with Christian values. Thus, the Union Literary Institute provided a well-rounded education to its students while also promoting the values (equality, opportunity, and progress) of the community.

Students in the Union Literary Institute were not discriminated against based on their racial heritage, social standing, or gender. No matter their background, each student could still earn a proper education. Thus, this unique school provided a truly diverse educational experience during an age of blatant racism and the continued enslavement of black persons. Some students even came from New England and the Southern states to be educated within this exceptional facility. A few runaway slaves also spent time gaining an education at the Institute before they continued on to freedom in Canada. Thus, the Union Literary Institute impacted much more than just the local tri-racial community. Students from all over the nation sought its guidance and then returned to their respective homes with greater notions of equality and social acceptance.

By 1879, the Union Literary Institute became publicly funded and received new leadership from a board of thirteen trustees from neighboring Wayne County. In 1910, student

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64 Remembering Freedom: James Clemens and the Longtown Settlement documentary
65 Leavell, “The Union Literary Institute.”
67 Miller, The Palestine Book: History of Liberty (German) Township Darke County, Ohio, 216.
enrollment was reduced to less than ten, and the doors were forced to close on this revolutionary school. In its 64 years of operation, however, 543 students received an education from this establishment, with 197 of these individuals being labeled as “colored”.68 This school and the values it promoted were truly radical for the time, especially when faced with the local social tensions that existed within Indiana. The promotion and pursuit of education opportunities for any individual, with no regards to one’s heritage, promoted local equality and the Union Literary Institute even attempted to spread its influence into the larger national stage.

Ultimately, the Longtown Settlement not only promoted racial peace within its own region but its citizens also worked to promote national equality. Many members of the Longtown Settlement actively participated on the Underground Railroad, with the desire to aid former slaves in obtaining their freedom. Because of the town’s collective heritage, however, they were often targeted by slave hunters. On several occasions, hordes of these men would descend on the settlement, and attempt to search homes for individuals without freedman papers. Thus, even the townspeople of Longtown were not safe if they could not procure the proper identification. Longtown residents resented this discrimination and they often posted armed men at every intersection within the community when they were forewarned of impending visits from slave catchers.69 Members of the Longtown community also joined in the effort to fight slavery and inequality by supporting the Union side of the Civil War. At least 38 members of this small rural settlement fought in the war within the ranks of the various regiments of colored troops, yet this number may be as high as 80 enlisted Longtowners.70 In a local newspaper, prominent

68 Royer and Leavell, The Longtown Settlement, Darke County, Ohio, 17, 23.

69 Ohio Historical Society. The Underground Railroad in Darke County, Ohio. Seibert Microfilm Collection [Columbus, Ohio: Ohio Historical Society, 1898].

70 Leavell, “The Union Literary Institute.”
members of the Longtown community stated "resolved, that is the duty of every able-bodied colored man in the country to enlist in the national army to fight for his country’s flag, for the annihilation of human bondage, and for the establishment of universal freedom." Thus, members of the Longtown Settlement experienced first-hand how different races could peacefully co-exist and create greater social development; therefore, they publicly advocated for national equality and the ending of slavery.

The peak of the Longtown community was reached in the 1880s, with an estimated population of nine hundred individuals. This farming community saw the acceptance of all heritages and promoted the existence of interracial unions. The settlement faced inevitable decline, however, as many of its youth were forced to leave the region to pursue higher education or employment opportunities outside of Longtown. In the aftermath of the Civil War, this community also saw an increase in local racism and was often subject to taunts from the Ku Klux Klan. The settlement also faced discrimination from neighboring towns, such as Hollansburg and Palestine, Ohio, who referred to Longtowners as “half-breeds.” This region, however, overcame many societal pressures and became not only a safe place for diverse families, but a place where they could thrive in the Midwest (a region that typically fought against interracial marriage and non-traditional families).

Despite the promotion of racial equality within the Longtown community, skin color still played a role in this diverse region. Parents of the Longtown community often encouraged their children to marry light-skinned or white individuals. In fact, it was often looked down upon in

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71 Remembering Freedom: James Clemens and the Longtown Settlement documentary.

72 “James and Sophia Clemens Farmstead: Darke County, Ohio.”
the community if a light-skinned person chose to marry one of their darker-skinned peers. Among the fourth and fifth generations of Longtowners, many chose to leave the settlement and "pass" into white society. These individuals were able to do so because of generations of interracial relationships, causing continued lighter complexions amongst each new generation.\textsuperscript{73} As the community became better established with time, a greater majority of their population consisted of light-skinned individuals. While Longtown fought for their existence which was primarily based on racial acceptance and interracial relations, the community itself was not without its own internal prejudices based on skin color. Despite its own racial limitations, that often aligned with social pressure, this settlement continued to promote a national shift towards equality for all.

The Longtown Settlement prospered because of the people who lived there. It became a region of education, social acceptance, and hope for a brighter future in a pre-Civil War world. While the region was not without its own societal limitations, the community’s mere existence shows how some interracial unions were able to exist and prosper in Indiana. It also displays how some Hoosiers accepted and worked to protect interracial marriage within their communities, despite racist legislation that controlled the region. Longtown’s legacy is still visible through its members, since many of these individuals are products of generations of interracial relationships of black, white, and Native American ancestry. Descendants of Longtown still live in the region and host an annual reunion which unites hundreds of former Longtowners and their families. In 2010, this diverse community celebrated their 154\textsuperscript{th} homecoming. This community has seen the rise and fall of Indiana’s most racist and discriminatory laws, along with the decline of these unjust statutes. Despite the environment of

\textsuperscript{73} Royer and Leavell, \textit{The Longtown Settlement, Darke County, Ohio}, 26, 27, 28.
Indiana’s government and majority of Hoosier society, the Longtown Settlement stood the test of time and continues to promote equality and the acceptance of all racial backgrounds.

**Defining and Identifying Interracial**

The definition of what constituted an interracial marriage varied by state. In Indiana, anyone with one-eighth African American blood was considered black. Yet, not all interracial marriages were regarded as a bi-racial union particularly when many individuals hid their true racial identity. Some African Americans, who were a byproduct of interracial relations, were able to “pass” as white because of their light skin tone. These individuals often severed relations with their past and families, and entered the white community ascribing a new racial identity to themselves. Many of these individuals chose to “pass” because they had been discriminated against all their lives, and had been placed into black communities because they were less accepted in white society. While growing up, they were often forced to deny their white heritage. These children often struggled to adjust to the emotional and social tensions that surrounded their families.⁷⁴ It is estimated that from 1941-1950, over 15,000 African Americans permanently “passed” into the white population each year in the United States.⁷⁵ Thus, for those individuals who had hidden their true racial past, their marriages to white spouses were never recognized for their illegal interracial component. Therefore, the numbers of interracial marriages in the United States are skewed since many of these unions were unacknowledged.

It is unknown exactly how many interracial marriages existed in Indiana since many of these unions were between two people who were publicly perceived as being white (similarly,

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some couples ascribed themselves as both individuals being black). Not every individual who attempted to pass as white, however, was successful. A woman named Gladys moved to Richmond, Indiana and procured employment as a white individual. Yet, another employee exposed Gladys’ heritage. Gladys had been raised in a “colored settlement”, and when her employers discovered that she was the product of an interracial union, she was promptly fired for her secret racial identity. Thus, even when a person entered into the white community and pretended to have a pure Caucasian heritage, they were still not free from racial prejudice and the threat of legal discrimination. While “passing” was well recognized, it also faced opposition in the black community. While some individuals supported the passing of their brethren (since it created greater opportunities for those who successfully passed), many black leaders denounced the choice to “pass” into white society. Dark skinned individuals often resented their friend’s ability to enter white society without major retributions. Black leaders also often promoted the notion that people who had “passed” were lonely and unhappy in their false identities.

After a lifetime of being socialized as a bi-racial individual, facing discrimination and societal tension, the idea of an unhappy multiracial individual was not only associated with passing. While these individuals certainly faced many trials, the concept of the confused and unfortunate mulatto was often promoted in popular culture. Literature and film portrayed an individual who was torn between two worlds, and forced to exist in only one of these realms. At the same time, individuals “may rework some of the views for his or her own purposes.” Thus, “passing” became a form of reworking one’s situation to hide themselves from racism.

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Some individuals chose to “pass” back and forth across the racial barrier, in an attempt to best suit one’s needs. Some individuals would “pass” into white society on special occasions—such as to obtain better travelling and eating accommodations, attend theater or musical events, or to gain use of better restrooms. Other people chose to “pass” as a source of personal amusement and revenge on the suppressive and racist white population. By hiding oneself amongst the majority, an individual was able to overcome a lifetime of socialization while in disguise, despite a constant attention to the threat that surrounded them due to their false identity.

Supporting Miscegenation Laws in the State

When Indiana feared that their miscegenation laws were not stringent enough, they eagerly rallied support for stronger legislation. In 1840, an interracial marriage in Indianapolis was publicly criticized which spread fear throughout the state about the existence of these unions. Thus, the government and public rallied together to declare this marriage and their future children as illegitimate. Legislation was then passed to impose greater punishment on all individuals who chose to enter into these illegal unions. Thus, state legislation was altered whenever Indiana society feared that interracial unions were posing a threat to their community. Occasionally, some couples were arrested in their beds because of their varying racial heritage. Particularly in times of increased recognition of interracial marriages, such as a large black migration or a public court case against a bi-racial relationship, society would often band together to expand and enforce legislation against these unions. These periods of strict

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enforcement rarely lasted long since Indiana infrequently focused on ending or preventing interracial unions.

Court cases about interracial unions often set the precedent for how society and the government reacted to these relationships, as well as the continued endorsement or recognition of the legislation of the time. In 1870, a court case in Indiana had a lasting impact throughout the nation. When Thomas Gibson, a one-eighth black man, married Caucasian Jennie Williams in southern Indiana they thought they were protected by national laws. Both the federal Civil Rights Act of 1866 and the Fourteenth Amendment were believed (at least by some individuals) to allow interracial marriage. Gibson even went as far as to publish his marital bliss in the local newspaper because he believed that these federal laws overruled any state restrictions on interracial marriage. Ten days after the Gibson wedding, local authorities indicted the couple based on Indiana’s miscegenation laws from 1842. Yet, the local judge dismissed the case due to the federal legislation that he also believed protected the couple. The Indiana Supreme Court then intervened, arguing that “if the federal government can determine who may marry in a state, there is no limit to its power.”82 Thus, local authorities were forced to convict Mr. Gibson for his marriage.83 This court case was later utilized by other states to defend their racist legislation and allowed for the highlighting of state miscegenation laws as superior to federal regulations.

Despite Thomas Gibson’s conviction, the man who married him, Pastor Green McFarland, was never punished for willingly uniting Gibson’s illegal union, despite state laws that also condemned this man for his involvement. As this pastor continued to marry individuals


83 Ibid., 64.
of differing racial backgrounds, he was eventually confronted by authorities. Pastor McFarland was arrested later in 1870 for marrying a black woman to a white man, and all three individuals faced criminal conviction. Unlike Thomas Gibson, however, all three participants were acquitted of their charges. Their lawyer managed to provide a convincing argument that the federal Civil Rights Act of 1866 nullified any state legislation, and allowed for marriage as a civil contract under its regulations. The Democratic judge ruled that Indiana’s interracial marriage laws were unconstitutional and all three of the accused were set free. Despite this successful court case in the fight for bi-racial couples, Thomas Gibson’s earlier case became the precedent for future court action against interracial unions. The Gibson case also demonstrated that marriage was largely seen as a state, and not a federal, issue.84 After the addition of the Fourteenth Amendment, however, six different states ended their miscegenation laws, citing that federal legislation allowed for equal protection for all.85 In fact, “the Fourteenth Amendment of the Constitution of the United States gave to the Negro all the privileges and immunities of United States citizenship, and guaranteed to him the equal protection of the laws.”86 This clearly showed that the Hoosier state had a different outlook than some national trends involving federal protection of equal rights towards marriage (regardless of race).

Indiana maintained that it was a state’s duty to regulate marriages, citing that marriage was neither a legal nor political right and therefore outside of the Fourteenth Amendment. Thus, the Hoosier state continued to promote their own miscegenation statutes. Indiana also cited that

84 Pascoe, What Comes Naturally, 48, 56.


their miscegenation laws were without discrimination since they equally related to both white and black persons involved, therefore they argued that it fell outside of the clauses of the Fourteenth Amendment. As long as both races were equally punished, they believed it was a justified and fair law.\textsuperscript{87} Also within the Gibson case, the state Chief Justice Buskirk affirmed that "the people of this State have declared that they are opposed to the intermixture of races and all amalgamation."\textsuperscript{88} While some court cases were acquitting interracial couples, the Gibson case was more reflective of the state’s position in society and government in regards to interracial marriage.

In promotion of the state’s miscegenation laws, Indiana courts often used God and the concept of "natural law" to support the constitutionality of these discriminatory laws. An example of this occurred in 1871 when an Indiana judge stated "[t]he natural law which forbids their intermarriage and that social amalgamation which leads to a corruption of races, is as clearly divine as that which imparted to them different natures."\textsuperscript{89} Thus, the interracial couple in question was convicted for their choice to disobey nature by getting married. Despite the many laws against African Americans and interracial marriages, many of these racist Hoosier laws were never strictly enforced. Therefore, many of these statutes did not fulfill society’s goals of excluding the growth of colored individuals in the Midwest.\textsuperscript{90} In 1873, 1875, 1885, and 1895, there were statewide pushes amongst the black community to fight the miscegenation laws, but

\textsuperscript{87} Reuter, \textit{Race Mixture}, 98, 99.

\textsuperscript{88} Pascoe, \textit{What Comes Naturally}, 73.


\textsuperscript{90} Katz, \textit{Black Pioneers}, 89.
each were unsuccessful in creating change.\textsuperscript{91} Thus, while convictions for interracial marriages were not widespread and some citizens even fought against the state’s miscegenation laws, court cases and society often supported the continuation of these racist statutes. Particularly as attitudes became more racist towards interracial marriage, legislation was increased to reflect these ideas. In the 1950s, as social science continued to development, the psychological theory of multiracial marriage stated that these unions were composed of mentally deranged individuals. These scientists argued that a psychological disorder inspired people to enter interracial relations. They especially emphasized that the Caucasian participant was an attention-seeking individual who had an unstable mental state since they chose to cross the racial barrier. On top of supposed mental difficulties, these couples were also seen as a threat to society and culture, as well as being seen as social deviants. Because of this perceived deviance and instability, these couples were subject to losing their homes and careers, being socially persecuted, as well as becoming physically harmed.\textsuperscript{92} As the scientific community publicly denounced such unions, Indiana society used these arguments to continue to push against interracial couples.

As science professionals argued against interracial relations, literature of the time was also denounced such unions. While many literary sources were blatant in their disgust with the existing interracial relationships, and the possibility of a future increase in such unions, other published works cleverly disguised their true message that denounced bi-racial relationships. For example, one of the most popular pamphlets about miscegenation, "Miscegenation: The Theory of the Blending of the Races, Applied to the American White Man and Negro,” was seen as one of the most progressive and radical literatures that promoted interracial marriages during the

\textsuperscript{91} Pascoe, \textit{What Comes Naturally}, 56, 70.

\textsuperscript{92} Romano, \textit{Race Mixing}, 54, 55, 127.
Civil War. This widely read pamphlet, however, was actually written by a few Democrats who were attempting to show the flaws of interracial relationships and how Republicans supported this social decay. In an ironic and satirical manner, this pamphlet stated that God made all races equal since they all descended from Adam and Eve, mulattos were superior humans, America would gain power if everyone had a mixed heritage, and that it is only natural that humans should marry their opposites in skin tone. Many of these arguments are done in such a way that their outlandish claims that supported equality and interracial marriages were meant to be seen as mocking of abolitionists and Republicans. Perhaps the most peculiar claim, as seen at the time, was "what will you do with the negro when he is free?" This is the answer, and the only answer: 'We will take him into our societies, into our churches, into our schools, into our social circles, into our families; we will receive him as our younger brother.' The authors were ultimately trying to get Americans to question what would happen now that slaves had been emancipated. It argued that President Lincoln, and the Republican Party, were promoting the mixture of races, something that the Democratic authors argued would lead to the ending of society and government as we know it. Even amongst the abolitionist community, many of the claims in this pamphlet were seen as extreme. Yet, since the true authors were originally unknown, this pamphlet was first dispersed amongst individuals who supported black equality and the ending of slavery, which stirred rampant controversy. Eventually it was realized that this

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95 Ibid., 53.
pamphlet was a hoax, and it was actually re-published in order to be read by people who wanted to fight the social changes that were occurring amongst the races. 96

As the educated community declined support of interracial marriage, the African American community also showed little support for the battle against miscegenation laws. While the leaders of this community were quick to show that they didn’t condone any legislation that was racially biased, they emphasized that they were much more focused on Civil Rights rather than promoting interracial relationships. 97 While it was not a primary goal of the black community to fight for such unions, they also acknowledged that such relationships could allow for economic or social mobility for the involved African American individual. Interracial unions were also seen as a way for black individuals to challenge their inferior social status. The black community may have recognized the possibility of advancement for individuals involved in interracial marriages, but they typically chose not to promote such unions in lieu of a larger battle for equal racial rights.

Despite this limited public support for multiracial relationships, whenever the white community banded together to fight or criticize interracial relations, the black community would usually unite to fight the racial discrimination enforced by the white majority (even if it meant supporting these unions). While the black community was generally wary of publicly supporting these marriages, they were especially uneasy when prominent black leaders chose to enter into these relationships, as they saw it as counterproductive to the larger Civil Rights goal. For example, Walter White, a leader of the National Association for the Advancement of Colored People (NAACP) was greatly revered because he chose to marry a woman with a much darker


97 Romano, Race Mixing, 96.
complexion than himself. Yet, after a divorce from his first wife, White chose to marry a
Caucasian woman. He received harsh ridicule for his choice to intermarry due to his prominent
leadership role in the Civil Rights Movement. Members of the black community feared that
Walter White's second marriage would enforce a national stereotype that all black individuals
desired the opportunity to marry a white person.98 They also feared that the attention he received
for his interracial relationship would detract from the African American Civil Rights cause that
he was fighting for.

Of course, members of the black community were not only against interracial marriage
amongst popular black leaders. Many African Americans also hoped to dissuade their friends
from intermarrying because it was believed that these individuals took all their resources with
them, and permanently left the black community. Others, such as Black Power advocates,
believed that interracial marriage were impeding black advancement and saw these unions as a
form of denying a person's African American heritage. Black Power advocates were also wary
of multiracial offspring since they believed that these individuals had divided loyalties.
Supporters of Black Power also believed that black/white bi-racial individuals did not promote
the cultural unity that this radical group was hoping to portray to the world.99 Other black
individuals, such as W. E. B. DuBois, believed that mixing races should be avoided at all costs,
since it was seen as another opportunity for a white person to control a black individual.100

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98 Romano, Race Mixing, 96, 97, 99, 104, 121.

99 Kimberly McClain DaCosta, Making Multiracials: State, Family, and Market in the Redrawing of the Color Line

100 Spickard, Mixed Blood, 99.
Civil Rights leaders were also wary of the possibility of interracial relations occurring within this liberal national movement, as members of both races joined together to institute social change. Therefore, these leaders strongly discouraged interracial interactions especially any that contained a sexual component. These leaders feared that these interracial unions would dissuade public support from the Civil Rights cause, since it violated social taboos. Despite the continued attempt to deter these relationships, they still frequently occurred amongst the young volunteers of this social movement. In fact, the Civil Rights Movement increased interracial relations, as many of the young, liberal volunteers were quick to show their support of equality while they were also away from regular parental supervision. Of course, many of these sexual and dating relationships never progressed to marital bliss. Yet, these interactions displayed changing social attitudes about race relations amongst the youth involved in the Civil Rights Movement.

**Move towards Ending Miscegenation Laws**

Before miscegenation laws were repealed, Indiana had begun to slowly enact laws that allowed some equal opportunities for African American residents. In 1945, a state fair employment act was successfully created (but it provided little means of enforcing its statutes). Legal segregation in Indiana public schools ended in 1949. In 1963, the Civil Rights Commission was created in Indiana to enforce equal rights throughout the state. Despite creating laws to support equality amongst the different races in the Hoosier state, it took two more years before interracial couples received equal marital rights (in 1965). While this free Northern state slowly allowed for greater opportunities for people formerly discriminated

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102 Thornbrough, “Breaking Racial Barriers to Public Accommodations in Indiana,” 311.
against, their continued racist legislation against interracial relationships was well recognized throughout the nation.

Indiana stood as a desired example of miscegenation during Southern Reconstruction. Southern states were able to look at the discriminatory interracial legal traditions of the free Hoosier state as a role model for their own legislation. For many, miscegenation laws represented the societal divide between the black political equality awarded during Reconstruction and their actual social equality. Similarly, these laws were seen as a social deterrent and a cultural promotion that interracial relationships were not acceptable.\textsuperscript{103} Therefore, many Southern states saw these laws as a political and social necessity in a post-Civil War world. Indiana’s laws were seen as a justification of continued racism in the United States South. Since Indiana was the last Northern state to retain its miscegenation laws, it also showed that racism was also still very active outside of the South.\textsuperscript{104} Thus, Indiana’s continued legislation against interracial marriage was seen as an example of how successful these laws could be. Other states even modeled their own racist agendas after the legislation within the Hoosier state. These continued racist legislations, however, were starting to decline in popularity during the mid-1900s.

Despite the decline in political and social resistance to interracial marriage, many of these Indiana couples ended their relationships in divorce due to the extreme pressure, conflict, and disapproval they faced daily. In fact, interracial marriages that took place in the middle of the 20\textsuperscript{th} century were much more likely to end in divorce than same-race unions. On the other hand, “interracial couples are today far less stigmatized and their marriages appear to be nearly as

\textsuperscript{103} DaCosta, \textit{Making Multiracials}, 88.

\textsuperscript{104} Pascoe, \textit{What Comes Naturally}, 52, 173.
stable and long-lasting as intraracial ones. Thus, Hoosier interracial couples faced hardship before the state’s harsh legislations were lifted.

As the Civil Rights Movement developed, there was a national push towards equality. In fact, “during the 1960s and 1970s, most American states repealed statutes that defined ‘race’ and set out to erase racial terminology from their laws.” Overall, society was pushing towards laws that ended the continuation of government endorsed white supremacy. Along with these national trends, in 1964, Indiana elected a progressive Democratic legislature and a Democratic governor. Governor Roger D. Branigin charged that the state needed to “catch up” on national miscegenation trends and create a “new Indiana.” Through his public criticisms of outdated nineteenth century laws, this liberal Governor was able to push through legislation that eradicated laws against interracial marriage in 1965. In fact, during that same time, the state also passed fair housing legislations; therefore showing that Indiana was progressing towards a state that promoted equality in all aspects of life. When an interracial couple was evicted from their home in 1978 for being “that kind of people” they were able to sue their landlords because of this new liberal legislation. Similarly, the fair housing laws created punishment for any individuals who harassed an interracial couple’s home, such as with cross-burning, graffiti, and other forms of persecution. Thus, due to the support of progressive state Democrats, Indiana was able to overcome their miscegenation past, only two years before the *Loving vs.*


106 Pascoe, “Miscegenation Law, Court Cases, and Ideologies of ‘Race’ in Twentieth Century America,” 482.

107 Ibid., 481.

108 Wallenstein, *Tell the Court I Love My Wife*, 204

Commonwealth of Virginia court case which nationally mandated an end towards interracially based marriage restrictions.

Indiana and Modern Day Miscegenation

In 1936, it was predicted that 25,000 black-white marriages existed in the United States and 30 years later that number was believed to have doubled.\(^{110}\) Since 1970, the number of interracial marriages within the United States has quadrupled.\(^{111}\) Despite this rise in popularity, society is still not completely accepting of these diverse unions. In the past, proximity to an interracial couple was often the only exposure to these unions, since television and movies largely restricted displaying these relations.\(^{112}\) By 1958, only 2% of white people approved of interracial marriages.\(^{113}\) In the face of this nationwide discrimination against these unions, after the *Loving vs. Commonwealth of Virginia* court case banned miscegenation laws in 1967, a baby boom of bi-racial individuals began and society was forced to acknowledge the rising presence of interracial families.\(^{114}\) Although multiracial children are still a minority group, they are becoming a societal presence in the modern day. Despite this rising prominence, even within the past ten years, a national survey found that two-thirds of white people would not be supportive if they had a family member choose to intermarry.\(^{115}\) Often this disapproval is based on some of

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\(^{113}\) DaCosta, *Making Multiracials*, 90.

\(^{114}\) Korgen, *From Black to Biracial*, 20.

the same racist ideals of the past, such as the safety of the involved parties and whether they would be accepted by society.\textsuperscript{116} Despite this wariness about familial interracial marriage, 73% of Americans stated that they approved of these relationships as a part of our nation’s diverse social structure.\textsuperscript{117} Despite this rising support, more than one in four American persons still does not approve of these multiracial unions. Thus, a large portion of the public is still uneasy about interracial marriage, even though miscegenation laws have been outlawed for 45 years.

Therefore, modern interracial marriage still faces public disapproval and many of these couples are forced to create coping methods for the prejudice they face. For example, some couples pretend that they are not romantically connected when in public, others avoid disapproving communities, some openly confront their despisers, and some couples pretend that such condemnation simply does not exist.\textsuperscript{118} While the low rates of modern interracial marriage is not dependent on the vast prejudice these couples face, it does impact the involved parties. These low levels of black and white marriages are also due to limited exposure to people of differing social situations (such as education and income), which can largely be associated with race. Similarly, these marriages are often limited because they have been socially discouraged from an early age, and from all racial groups, which is then imbedded into the individual.\textsuperscript{119}

While a portion of society is still cautious in their support of black and white marriage, these interracial relationships face other challenges in their rise to social recognition and acceptance. In the modern day, white and black individuals are the least likely of all racial

\textsuperscript{116} Romano, \textit{Race Mixing}, 103.

\textsuperscript{117} DaCosta, \textit{Making Multiracials}, 90.

\textsuperscript{118} Thomas, Karis, and Wetchler, \textit{Clinical Issues with Interracial Couples}, 15.

\textsuperscript{119} DaCosta, \textit{Making Multiracials}, 90, 176.
groups to marry across racial lines. Only 5% of the black population is involved in an interracial marriage, with only 2% of the white population married to a different racial group. Because of social influence and the continued stigma associated with choosing to enter into a marital union with an “outsider”, interracial marriage is still not a commonplace event (consisting of only about 5% of all modern American marriages), especially between a black and white individual. 120

Despite the small population of interracially married couples, a larger number of couples choose to date outside of their own racial group. It is often seen as socially more acceptable to enter into an informal romantic relationship with an individual of another racial group, rather than marrying them. For example, 50% of surveyed college students said that they were willing to date interracially. 121 This is not indicative, however, that these individuals plan to marry these racially differing partners in the future. Often dating is seen as a casual event without a serious commitment. This willingness to date interracially, however, does ultimately show a willingness among the younger generations towards racial assimilation. These younger people are not just racially tolerant; they are also more willing to socially interact with people ascribed as “others.” Therefore, it is generally believed that more black and white marriages will come to fruition in the coming years, as younger generations show greater acceptance of these relationships.

Yet, not every individual is open to entering into an interracial partnership. Living in an interracial neighborhood or attending a school with multiple races, greatly increases the possibility of dating or marrying across racial borders. It was also determined that individuals

120 Wilson, McIntosh, and Insana, “Dating Across Race: An Examination of African American Internet Personal Advertisements,” 966, 967, 974.

121 Ibid.
who were considered attractive were more willing to date interracially.\textsuperscript{122} Having a previous marriage that ends in divorce or widowhood also increases the likelihood of a future interracial marriage.\textsuperscript{123} Similarly, black individuals who are most likely to intermarry today are young males, rather than females or older individuals. Previously, interracial marriages largely existed in couples on the lower levels of the socioeconomic scale. Nowadays, these marriages often exist among individuals who have a higher level of education and hold greater economic and social prominence. For example, African Americans with a college education are more likely to intermarry than modern black individuals with a lower level of education.

While Indiana has never had a large population of interracial couples, neither have other states. In fact, “even in states without bans on interracial marriage, marriages across racial lines were extremely rare.”\textsuperscript{124} Thus, social attitudes often dissuaded interracial unions throughout the nation. Today, the growth of interracial marriages varies throughout the country. The Midwest saw 11\% of their population intermarry between 2008 and 2010, whereas the western portion of the nation saw the highest group of interracial marriage with 22\%. Overall, in 2010, 15\% of new marriages were to couples of varying races in the United States.\textsuperscript{125} Thus, some areas of the nation are more accepting of intermarriage, while other regions are less adaptive to the rising diversity amongst married couples.

\textsuperscript{122} Wilson, McIntosh, and Insana, “Dating Across Race: An Examination of African American Internet Personal Advertisements,” 968, 969, 972.

\textsuperscript{123} Monahan, “Marriage across Racial Lines in Indiana”, 637.

\textsuperscript{124} Fryer, “Guess Who's Been Coming to Dinner? Trends in Interracial Marriage over the 20th Century,” 79, 89.

\textsuperscript{125} Hayes, “Study: Interracial Marriage, Acceptance Growing.”
While Indiana is now more accepting of these interracial unions, this state also continues to face local discrimination against multiracial couples and their families. For example, a Fort Wayne native sued her employers (Gene B. Glick Company, Inc.) when they failed to prevent the harassment she was experiencing at work because she had an African American boyfriend. Her co-workers had called her inappropriate names, damaged her car, and even tapped her phone lines. In response, her bosses argued that she should expect harsh comments from everyone around her because of her relationship choices and they failed to prevent any further harassment. Instead, the court system awarded her with reparations and she won her lawsuit. Thus, despite continued localized racism, modern legislation and the judicial system is much more sympathetic to the plight of people who enter interracial unions. Despite this change in legal support, some couples still face discrimination by prominent members of society and even from their own family members. In 1989, an interracial couple in Munster, Indiana wanted to be married. The first minister they approached refused to marry them. The second minister reluctantly agreed, but stated that the local church community would not support this diverse union. Similarly, a bi-racial couple in Hobart, Indiana faced heartache when the bride’s family refused to attend their nuptials in 1999. Thus, Indiana’s interracial couples still face some prejudice in the Hoosier state, although these partners also cite that this discrimination has lessened in the past few years. Areas of Indiana that have been notoriously recognized for their

126 Romano, Race Mixing, 263.

previous racist attitudes, such as the former sundown town of Crown Pointe, are even becoming safer areas for diverse couples.128

Overall, despite the many years since the removal of all miscegenation laws, society has continued to have intense reactions to interracial relationships. As late as 1980, Muncie, Indiana would not issue marriage licenses to multiracial couples. Members of Muncie society admitted that neither the white nor the black community supported these unions.129 In 1986, society continued to widely push against interracial marriage. Three in ten Americans said that these unions “were not acceptable for anyone.”130 Similarly, as recent as 1996, a survey found that 10% of the national population desired a return to miscegenation laws.131 In 2012, 10% of the American population said that the rise of interracial marriages was a societal change for the worse. Despite this continued disapproval of marriages amongst white and black couples, in the same study it found that 43% of the nation said society was improved through the acceptance and growth of these diverse pairs.132 While there is still a clear social movement that opposes interracial relationships, there is also a rising acceptance and approval of these unions.

In response to changing national attitudes, individuals of multiracial descent are pushing for a greater acceptance of their racial background. In previous government censuses and many

128 Teresa Auch Schultz, “Interracial Marriage Gains Acceptance, Study Shows.”
131 Wilson, McIntosh, and Insana, “Dating Across Race: An Examination of African American Internet Personal Advertisements,” 974.
other legal documents, an individual was forced to ascribe themselves to one specific racial category. Multiracial individuals were forced to deny a portion of their heritage, by being forced to identify with only one racial group. This often caused confusion and anguish as they had to deny one or more of their racial affiliations. In response to a national push for change, the 2000 American census allowed individuals to describe themselves with multiple racial categories. As society adjusts to the rise in interracial couples and their offspring, new support groups have been created to offer resources and support for these individuals. These groups, largely began in the late 1980s, promote the idea of identity acceptance, especially when your life includes interracial relations. Thus, the nation is pushing towards greater acceptance of multiracial individuals and greater acknowledgement of the difficulties that these people face. In fact, the 2000 census found 785,000 who ascribed themselves as both Caucasian and African American.

There has also been a change in attitudes about interracial marriage within the black community. In a recent survey, 7.5% of black individuals said that they were unwilling to enter into a relationship with another black person; thus indicating that they were only seeking interracial unions. In comparison, 100% of white participants said they would be willing to enter a relationship with another white individual. Thus, within the black community there is a rising trend for some individuals to only date outside of their racial heritage, indicating that these people are increasing the rate of interracial unions.

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135 Wilson, McIntosh, and Insana, “Dating Across Race: An Examination of African American Internet Personal Advertisements,” 978.
Today, only about 5% of all marriages within the United States are composed of interracial couples.\textsuperscript{136} While this is not a massive sum of multiracial unions, these relationships are playing an ever-widening role in society. It is no longer completely taboo to see an interracial couple in society. Some media sources even capitalize on publicizing these diverse couples through film, televisions, and news. These media sources, however, often portray couples who are unstable and unsatisfied in their interracial union. This public portrayal of discontent often shapes the public stereotype that such unions are never successful.\textsuperscript{137} Yet, as interracial unions gain greater prominence, the racism that these couples face are also being acknowledged on a larger scale. In fact, "in the national probability sample of white women, 43% agreed with the belief that the lack of acceptance of interracial sexual relations is at the root of racial prejudice in America today."\textsuperscript{138} Thus, the acceptance of interracial couples is a form of combating racism within modern American society. The number of these unions throughout the United States is increasing, particularly as society begins to become more accepting of these unions.

\textbf{Conclusion}

When discussing miscegenation, Horace Greeley, a New York Tribune editor, states “It is hard to decide how long this prejudice may continue to influence society; and it will probably continue to be felt long after all traces of it have disappeared from the statute books of all the

\textsuperscript{136} Wilson, McIntosh, and Insana, “Dating Across Race: An Examination of African American Internet Personal Advertisements,” 974.

\textsuperscript{137} Thomas, Karis, and Wetchler, Clinical Issues with Interracial Couples, 16.

While this controversial author was advocating for an end to miscegenation as early as 1872, he also made it clear that he did not personally support interracial unions but only political equality for these couples. Of course, these racially unjust laws were not repealed from American law for almost 100 years after Greeley’s statements in 1967; however, the effects of these laws are still seen on a national and on a local level. Indiana has had a long history of interracial marriage and promoting legislation against these unions. While the state is not unique in its support of anti-miscegenation laws, Indiana retained its legislation for a longer period than the state’s Northern neighbors. Moreover, Indiana enforced its own racist statutes over the more lenient national regulations. Despite these stringent statewide restrictions, interracial marriages continued to take place in Indiana. Some of these couples faced constant strife-societal tensions, family disapproval, public mockery, arrests, and convictions. Other interracial couples were accepted by their communities and found solace in the limited enforcement of the state’s legislation. Similarly, some couples chose to live in communities with like-minded individuals, such as the Longtown Settlement.

While Indiana was slow to repeal their miscegenation laws, they did successfully end the state’s ban on black and white interracial marriage in 1965, two years before such legislation was nationally repealed. Despite the successful removal of these interracial bans, society was still hesitant to accept these couples and their families. Since the repeal of Indiana’s miscegenation laws, interracial marriage is now seen as more acceptable. Yet, a portion of society still blatantly disapproves of these relationships. Overall, the anti-miscegenation laws are a blight in Indiana’s history.

139 Horace Greeley, *Horace Greeley’s Views on Virginia* [Berkeley, CA: Union Republican Congressional Committee, 1872], 2.

140 Ibid.
history since the state maintained these racist legislations even as national trends became more accepting of these diverse marriages.
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