7

States of Whiteness

Some States have allowed facts other than physical characteristics to be presumptive of race. If one was a slave in 1865, it is to be presumed that he was a Negro. The fact that one usually associates with Negroes is proper evidence to go to the jury as tending to show that the person is a Negro. If a woman's first husband was a white man, that fact is admissible evidence as tending to show that she is a white woman.

Stephenson (1909/1910, 2: 41)

It is not a fact that in Canada or Australia there is any contempt for the coloured races as such. The two countries are faced with the problem of keeping their civilizations intact and their blood pure while huge migratory populations are knocking at their doors. Their political systems are democratic, giving the same right to every citizen, and they have made no allowances for the incorporation of an alien laboring class such as to be found in South Africa. If immigration were to be allowed without restriction they would be submerged entirely in a few years by the mobile proletariat of Asia, people who have no intimate acquaintance with political institutions in their own countries, and who have a marked tendency to coagulate in large masses that disturb the social balance. And inevitably there would be the racial feuds, embitterments, and exasperations which destroy the felicities of life wherever the races live freely side by side.

Palmer (1919: 558)[1]

These leaders [of the white mob] were perfectly willing . . . to recede to the level of race organization, if by so doing they could

buy lordship over other "races." And they knew from their experiences with people gathered from the four corners of the earth in South Africa that the whole mob of the Western civilized world would be with them.

Arendt (1951: 207)

I have argued in previous chapters for thoroughly rethinking the history of racial identity creation and identification in terms of modern state formation, and the emergence of modern states in terms of racial conception and framing. This refashioning of socio-racial histories suggests a response to the controversy over whether racial thinking marked premodern conceptions of self and society, and by extension whether there is racism in ancient or medieval worlds.

Clearly, discrimination of an ethnocentric variety pervaded premodern worlds. I have argued elsewhere that such ethnocentrisms in some ways served as precursors while failing to amount to modern forms of racist exclusion and subjugation (Goldberg 1993: 2–5, 14–40). In the modern but not in the ancient or medieval worlds, there no doubt is an explicit sense of racial distinction, and racial nomination throughout modernity has underpinned a range of individual and socially organized discriminations, exclusions, and oppressions. The crucial point, however, is that the significance of race and the racist exclusions and oppressions that racial distinction is taken to license are modern state projects. Racist exclusions and oppressions are authorized and legitimated by state commission, and often made possible by state omission. Racial identity is conceived, authored, promoted, and legitimated in good part by state action and speech, and institutional racist exclusions throughout modernity more often than not have been prompted and legitimated as state commitments. This is not to deny that state promotion of race distinctions and exclusions is favored because they often are already circulating in civil society. Once cemented silently into the fabric of state definition and pursuits, however, racist effects are sustained by their routinization in social and state practice, and by state silence and omission. This is absent from premodern state formation. There is no evidence of racial or racist state projects at work there.

Generally, it could be said that the more rigid and formal the racial classification system in a society (whether considered prevailingly

binary as in the United States or tripartite as in South Africa), the more state creation of racial terms is likely and explicit state management would be required. The less formal and more broadly proliferated the racial categories (as in Latin America, and Brazil in particular), the less state implication would seem explicitly necessary in forming, fashioning, and fueling the racial categories.

Of course, social and political imposition as well as legal definition are in considerable part behind defining blacks or whites, First Nations or Indians, Hispanics or Anglos, as "a people" (Hickman 1997), as a group with a more or less coherent identity. Each of these groupings form social collectives – for instance, in the US, South Africa, Britain, or Australia – the *racial* underpinnings for which are very largely state mediated and managed, fabricated and fictioned, displayed and displaced. Racially conceived states are invariably molded in the image of whiteness, to reflect the interests of whites. But "*being* black" or "Indian," for instance, should not be thought of as simply reactive, either in a forced or resistant sense. Blacks, like Jews and Indians, are formative in creating themselves as "a people" before and through and after state imposition and resistance. Black folk fashion an identity in relation but not reducible to the identity created "for" them informally in social culture and more formally through state formation. Black identity – as social identity more or less generally – is one created and recreated for itself in negotiation with the definition and meanings of blackness extended to it by broader social forces and relations. In turn, the sense of a more or less self-fashioned social identity diffused throughout the group influences the more formal state definitions over time.

Racial distinction is adopted as a state practice very early in modern colonial regimes. More or less formalized racial differentiation and identification as well as racist subordination and subjection, however, "elevate" to the level of coherent and designed state projects only by the closing decades of the "enlightened" eighteenth century, though they are clearly in evidence centuries earlier. Why racial historicism took hold in some colonial powers such as Britain around the middle of the nineteenth century and a little later in France and the English diaspora but not – or not so firmly or only much later – in others, such as Germany and Belgium, has to do with a host of more or less directly determining considerations. The distinction follows from different traditions of coercion in state formation, the determining

conditions of capital, as well as with emergent traditions of public morality and the local vigor of abolitionist movements.

The differences between naturalist and historicist socioracial commitments vary with the presence or absence in a state of internal governmental and administrative confidence, with the influence of religious liberalism, with utilitarian powers of capital, and with the visibility and literacy of expressed forms of resistance. The larger and more administratively elaborate the empire at the time, the more heavily engaged in the slave trade, the more likely the colonizers would be dependent paradoxically upon the colonized. And the more heavily colonizer and colonized interfaced with each other, the more difficult it became for those dominating to deny the humanity and historicity of the dominated. The Haitian Revolution (1790–1804), for instance, shattered the complacency of the naturalists. It encouraged a number of slave rebellions throughout the Caribbean and in the adolescent United States, and a steadily swelling stream of writing in the form of an emergent black nationalism. More immediately, as Laurence Thomas (1993: 129–30) has noted, it became increasingly difficult for a slave master to deny the humanity of slaves cooking for his family or caring for his children, or indeed upon whom he was imposing his sexual demands.

Principles and practicalities of governance, racial conceptions and theories, social, political, and economic conditions as well as legal articulations and disciplinary reflections thus weave together to produce specific expressions and manifestations of racial states. The late nineteenth-century complex of material conditions and racial conceptions is illustrative. The slave emancipations by the latter part of the century almost throughout the European sphere of influence sat uneasily with the discovery in various colonial sites of precious metals like gold and diamonds and the attendant push for cheap sources and control of local and migrant labor. Labor demands and the threat of job competition in the wake of abolition and industrialization, alongside fears about spatial pollution and moral (not to mention biological) degeneration, existed in tension with the civilizing missions, calling forth often uneasy alliances between church, capital, and state. As the panics over moral and physical degeneration evidence, the shifting intellectual tensions between naturalistic and historicist presumptions – between claims to inherent inferiority and cultural difference in racial othering – cut across these materialities. Segregationism

is one outcome, prevalent at least formally across a wide swath of settler states at the close of the nineteenth century, of the intersection between such sociodiscursive forces.

Segregating States

Segregationism manifested more or less at the same moment in the American South and in South Africa, in British and French colonial cities.[2] Formalized segregation was a dominant response, in theory and policy, to the interactive conditions of labor demands and political imperatives, changing demographies and legalities, political realities and moral paranoias, shifting discursive terms and disciplinary presumptions. As the Palmer epigraph illustrates, it was a locally specific, if internationally sustained, reaction to the perceived threats of population proliferation, economic and sexual competition, fear of lost authority, however nebulous, and the challenges of social heterogeneity. Segregationism, then, responded to these concerns with the force of sociospatial imposition promoted, if not sometimes prompted, by legal imperative.

Systems of segregation

The Anglo-Boer War in Southern Africa (1899–1902) marks the moment in which these shifts became explicit, indeed, more or less self-consciously contested. The war, fought nominally over continued British colonial rule in the region and so over local settler independence and control of newly discovered mineral sources, was really about the shape of the racial state, and of racially shaped empires, across a changing global map, as Hannah Arendt (1951), if in somewhat problematic terms, makes clear. It was a war – perhaps the first explicitly – between north and south, in global terms, between Anglo-American capital in contest for control with emergent local settler capitals and self-determination, and between naturalist and historicist commitments in racial rule. It reflected the struggle between what at the time was perceived as a hopelessly unsalvageable *ancien régime* of racial rule and an emergent developmentalism taking itself as representing enlightenment. It contrasted the inefficiencies of a physically debilitating and economically inefficient labor supply sustained by

terror and the costly technologies of sociospatial segregation with the promise of an industrialization requiring a proximate, skilled, and more or less steady and stable labor supply. The war accordingly represented the contest between completely color-coded and colorblind social arrangements, between racially configured peasantry and overlords, on one hand, and racially conceived, if denied, demands for proletarianization and embourgeoisification, on the other. More deeply, however, the Boer War sounded the imminent death knell to British colonial aspirations and perhaps the warning bell to colonial regimes more generally that racial colonization would face open challenge and ultimately insurrection, from settlers as much as from indigenous populations, though for diametrically contrasting reasons. The tensions outlined above would soon explode openly onto the world stage. In short, the Anglo-Boer War rendered the shape and content of racial states open, and openly contested, questions.

I am taking the war that closes a century of racial imperialism and opens one of formalized and informal segregations and their antiracist challenges, then, as a visible marker of a deeper set of global shifts, first in racial conception of state formation and more broadly in social arrangement. The Boer War signals the initiation of a long and slow evaporation of global colonialism and the equally tortuous emergence of economic neo- and postcolonialism under the supposedly benign banner of racelessness. But it evidences more immediately the explicit centering of spatial arrangements as a technology of racial configuration, most notably in the form of de jure segregation and migrant labor arrangements. The moment of the Boer War accordingly reveals a shift in state technologies of racial rule. State transformation (Tilly 1994) once again is tied up intricately with racial reconception.

Prior to the late nineteenth century, race was considered the outside of Europe or European domain, European *exteriority*, what Europeans or those of European descent considered themselves not to be, the negation of civilized rule and being. Towards the close of the nineteenth century, this dominant concern in conceiving racial conditions becomes *internal* to state formation. Racial governmentality loses the pointed focus of colonial exteriority, thus becoming at once more diffuse. It now concerned the shape and nature of the state itself, the conditions of being of and within the state, the character of its population.

Racial rule in the twentieth century thus concerns itself dominantly with immigration and local urban arrangements, with controlling racial conditions internal to state formation. Concerns about race turn increasingly to the nature – the state – of *the urban*. Initially, this is a shift in racial focus from conceiving race as the outside of civil(ized) society – as its negative space, as the natural landscape of the state of nature – to keeping out those considered racially uncivilized (at least relatively speaking): Out of the state (as in immigration restrictions), out of urban areas (migration restrictions and pass laws), out of white neighborhoods (residential restrictions and removals), in short, out of white space. Over the longer *durée*, however, it has involved a slower shift to the guarded internalization of race, and so ultimately to a new racial governmentality of *containability* and *containment*, to enclosing race within. And these enclosure acts (Dumm 1993) have served to render race the centerpiece of social life, the diseased heart of darkness, even as they have sought at once to render racial conditions invisible in their commitment to make social conditions raceless.

Shifts from exteriority to containability in the technologies of racial rule are those first from the invented discovery of racial outsiderness to keeping racially conceived others out, and then when this proved unsuccessful (for push–pull reasons) to keeping in "dangerous," racially defined populations. Such shifts are not unlike the modes of administering other perceived pollutants of the social body, like lepers and the insane. Governing those characterized as lepers and the insane shifted from islands of insanity and leper colonies to immunologically isolated institutions locally located within urban centers. In the case of race, these transitions may be exemplified in the emergence of spatial segregation in the US at century's turn.

Servicing segregation

In 1900, the prevailing social setting and experience of blacks in the United States was "southern and rural"; for whites it was "northern and urban" (Massey and Hajnal 1995: 531). In 1880, less than 13 percent of blacks lived in towns and cities, while roughly 28 percent of whites did. The typical black urban resident at century's end lived in a ward 90 percent white, and was more likely to share a neighborhood with a white person than a black neighbor. Ninety percent of blacks lived in southern states while 75 percent of whites

lived in northern states, mainly in urban counties. White *exposure*[3] to blacks outside the South was limited, and Jim Crow laws orchestrated contacts in the South. In 1900, then, the physical distance between blacks and whites was a function of the fact that they tended to live in different states and counties. Most blacks tended to reside in relatively few states, the average black American living in a state the population of which was 36 percent black (Massey and Hajnal 1995: 531; Hirsch 1993: 65–6). If *evenness*[4] of racial distribution across state lines were a value, nearly two-thirds of blacks would have had to change their state of residence to achieve it. In southern states a majority of blacks lived on the land in counties significantly black. By the same token, as Massey and Hajnal reveal, if cross-county racial evenness were to have been sought, it would have required nearly 70 percent of all blacks changing their county of residence.

As black migration led to greater racial interaction across state and county lines, blacks became progressively segregated within cities. The more black urbanization expanded, the more racial segregation and restriction of black residents within cities were extended. Thus, by 1930 the spatial location of segregation already had transformed perceptibly from region to neighborhood. Black urban residents tended to live in wards 40 percent black. From 1890 to 1930 black residence in New York surged nearly tenfold from 36,000 to 328,000, in Chicago over twentyfold from 14,000 to 234,000. Chicago neighborhoods just 10 percent black in 1900 were swept by the cold wind of segregation into neighborhoods 70 percent black just thirty years later (Massey and Hajnal 1995: 533–4; Hirsch 1993: 66).[5]

Already in 1940 ethnic white neighborhoods were far from uniform in their ethnic composition. Neighborhoods in which blacks lived tended much more to be overwhelmingly black (Denton 1994: 21). Identifiably "Irish" areas of cities included just 3 percent of the total Irish population, and most of New York's Italians did not live in Little Italy, for instance. By contrast, 93 percent of black people lived in neighborhoods that in the categorical formation of race in the United States can be characterized as majority black. The historical (re)production of contained Chinatowns reinforces the ethnoracial logic at work here (cf. Goldberg 1993: 198, 201). The conditions for the reproduction of European immigrant ghettoes in US cities, accordingly, have never existed in the way they have in the twentieth century for black ghettoes. European immigrant segregation ebbed as

their migration flow waned, and as we shall see they were transformed through "assimilation" over time into *being* white. Black segregation within the boundaries of confined urban space, by contrast, increased not primarily as a result of black housing preferences but of conscious white avoidance and state design (cf. Denton 1994: 22). Means of segregating enactment and enforcement included physical violence, intimidation, and the creation of a dual housing market by way of racial covenants, tax breaks for housing development, state-funded project housing, and so on. So white exposure to blacks was still self-determinedly minimized through ensuring black isolation and containment in urban ghettoes (Massey and Hajnal 1995: 533–4). As Denton concludes (1994: 22), cities became instruments for European immigrant group advancement, but blocks for blacks, their containing isolation, not only residentially but educationally and economically also.

Carceralities of state formation

These newly emergent forms of racial confinement were social spaces, state enabled and sustained, mandated and managed, surrounded symbolically and materially by racially conceived and created sanitizing boundaries. In their interiorities, they are, as Michael Taussig has so provocatively put it in another context, magical and implosive maps of anarchy and containability, "freedom and imprisonment." We may think of them as terrains of repressive liberty, spaces in which the inhabitants are left largely to do almost whatever they find personally profitable or appealing so long as such acts and their material implications, if not quite so straightforwardly their symbolism, are confined within quite strict spatial constraints.

The power of race is magnified here by the fact that it is so obviously everywhere and nowhere. The boundaries of such spaces are visibly identifiable through race as seams of the social fabric. The extent and degree of their material effects are evident to all and yet causally ungraspable. That the causes seem so invisible, so ethereal, makes the racial nature of the spaces seem less real too. Responsibility for their production and reproduction, I will argue more fully in the following chapter, evaporates with historical memory behind the veil that comes to be called colorblindness. Their boundaries in any case are "a cordon that with money and influence could be broached any time

despite its brutal disposition" (Taussig 1997: 56–7), and indeed from both sides of the divide.

These late modern states of confinement differ, as Taussig rightly insists, from that of the panopticon, both actually and metaphorically. *Panoptical carcerality* rests upon an internalized gaze promoted by initially placing the all-seeing social eye at the institutional center. By contrast, the *carcerality of containment* encircles the source of anarchic difference and more or less abandons the spatial internalities to their self-chosen excesses. If panopticism is predicated on the presumption of the self-internalized logic of control, it necessarily fails where increasing numbers of the subjected population explicitly and self-consciously reject the presupposition. The logic of containment is a response to the rejection by the subject population to the given premises of racial rule. It seeks thus to cut off any consequent anarchic influence and implication from effecting or influencing those outside the spaces of confinement. The sought amputation nevertheless is anyway and necessarily incomplete and partial.

The state is deeply implicated in reproducing, if not always initiating, the segregating spatial presuppositions of confinability. De jure segregation enabled the containability that flows from spatial segregation, the latter at once materializing the former. The strategy of containment is implicit within and hidden behind the legal formalities of segregation, though its material possibilities were pursued self-consciously only in the wake of segregation's formal demise.

Formalizing segregation

There is a significant shift in the United States from the pre-Civil War to the post-Reconstruction state conceptions of race. As both Gotanda and Crenshaw indicate, where prior to the Civil War race was taken as a marker of material *status* distinctions, the post-Reconstruction segregationist interpretation marked race in terms of *formal* differentiations constructed by governmental apparatuses (Gotanda 1995; Crenshaw 1995a). This change in racial signs is clearly evidenced in Supreme Court rulings. Thus, in *Dred Scott v. Sanford* (1857) Chief Justice Taney could insist that, because black people were almost universally considered by white people to be inherently inferior, "negroes" were clearly diminished in material and legal status. "Status race" mixes presupposition and perception with material conditions,

the former taken to legitimate relative standing as regards the latter, the latter reinforcing the former.

By the late nineteenth century, by contrast, the state had become much more self-consciously instrumental in its creation of racial categories – as we shall see, for instance, in census counts – leaning increasingly on the claimed neutrality and objectivity of formal racial distinctions. These formal racial distinctions were taken as proof that the state is neutral in its formal treatment of the differentiated groups, considering the groups de jure equal even if de facto dramatically unequal. So the *Plessy* court argues formalistically in 1896 that

> A statute which implies merely a legal distinction between the white and colored races – a distinction which is founded in the color of the two races, and which must always exist so long as white men [sic] are distinguished from the other race by color – has no tendency to destroy the legal equality of the two races . . .[6]

Material elevation and devaluation in reality not only hide behind formal equality in the law but the status differentiations marked by race – in particular, the presumption that whiteness is (a) property (Harris 1995) – are promoted and sustained by the claim to formal equality.

> If he be a white man, [sic] and assigned to a colored [de facto third-class] coach, he may have his action for damages against the company for being deprived of his so-called "property" [i.e., his "reputation" of belonging to the dominant race, in this case the "white race" – and so "belonging" in the first-class carriage]. On the other hand, if he be a colored man, and be so assigned, he has been deprived of no property, since he is not lawfully entitled to the reputation of being a white man.[7]

Nowhere in the decision does the *Plessy* court resort *directly* and *formatively* to status differentiations to sustain racial distinction. Formal distinction is assumed the basis for racial groups identifiable from all others having access, equally, to their own racial railway carriages.

> The power to assign to a particular coach obviously implies the power to determine to which race the passenger belongs, as well as the power to determine who, under the laws of a particular state, is to be deemed a white, and who a colored, person.[8]

Reputation, a status distinction if ever there was one, is derivative of the formal distinction between racial groups established in the legislated classification schemes.

Formal equality of course is supposed to veil substantive inequality, and thus may be said to legitimate it. The legal consciousness which the US Supreme Court helps to promote, sustain, and diffuse as the national common sense becomes instrumental in the reproduction of a broad though always challenged consent in the racial status quo. So, the judiciary is implicated in ideologically legitimating in the name of the state the differential quality of social facilities to which each group has access: first-class carriages or schools or university classes in the case of whites, third-class facilities literally in the case of blacks. And yet the judiciary serves not only an ideological function. Through its coercive instrumentality, it helps initially to make possible, to promote and extend, the racially differentiated quality of such social facilities.

This process of formalizing racially segregated space, first and foremost instrumentally and then ideologically, is born out also in colonial cities in the first decades of the twentieth century. Urban spaces like Dakar and Johannesburg, Leopoldville and Algiers were formally divided between Native and European cities. It is revealing to conceive of this conscious division of urban space, alongside the policy of indirect rule that dominated at least British colonial policy at this time, as a means of institutionalizing and extending racial segregation for settler colonial societies.

Cultivating Whiteness

In the colonies, all Europeans presumptively were more or less white. This presumption is revealed by the contrast of the moralizing phrase "he's gone native." The "gone" in "gone native" is of course ambiguous. Literally, it meant the person referenced had become native, had assumed the codes and mores, the lifestyle, of the indigenous. More extensively, though, it also indicates a moral judgment expressed about the person having "gone," having abandoned Europeanness or whiteness. This identification of Europeanness and whiteness reveals that whiteness here is considered a state of being, desirable habits and customs, projected patterns of thinking and living, governance and self-governance. So, in claiming the person gone in this latter sense,

not only is the judgment expressed that he or she was lost but also that the person had lost his or her way (of being), indeed, had lost his or her mind, and so had become irrational. At the same time, rendering the characterization in the present tense – "going" native – indicates the possibility of a return to one's senses, to rationality, and to the virtues of European calling.

Now if all Europeans were supposed prima facie white in colonial settings, it was not quite so "at home." Working-class English, for instance, migrated to the colonies and became white where they might not be so fully regarded in English cities like Manchester, Birmingham, or London. The transformative logic at work here mirrored that of the European immigrant experience to the United States, where immigrants "got caught up in this racial thing" (Barrett and Roediger 1997: 3, 15). As Malcolm X famously remarked, the first word non-black immigrants learned upon disembarking in America is "nigger." Colonies elevated the European proletariat to the property of whiteness by making at least the semblance of privileges and power, customs and behavior available to them not so readily agreeable in their European environments.

The urban English working class at "home" in the latter half of the nineteenth century, however, were quite explicitly identified with immigrants and degraded races. As we witnessed in chapter 3 above, Thomas Carlyle led the way in equating the English urban working classes with degraded West Indian slaves. By the end of the century there was widespread equation of Britain's urban poor as much with "savage tribes" of Africa as with East European immigrants, most notably "Hottentots," "Bushmen," and "pygmies" (Bonnett 1998). In 1902, Rider Haggard captured a widespread bourgeois sentiment in bemoaning the effects of migrations from countryside to city, from the rural sites of "real" Englishness to cosmopolitan degeneracy, as leading to "nothing less than the deterioration of the race" (Haggard 1902). Built into whiteness accordingly is a set of elevated moral dispositions, social customs, and norms from which the working class, like immigrant and black "stocks," are taken to be morally degenerated (Bonnett 1998). Whiteness, then, is deemed definitive and protective of the well-bred national stock, defended against the perceived internal threat of working-class mores, tastelessness, and lack of social standing as much as from foreign invasion, whether Continental[9] or colonial.

This "motility" of racial characterization and identification, as Ann Stoler (1997) puts it, reveals at once the racial mobility of the European working and immigrant classes. Racial motility makes evident accordingly not simply the cliched constructedness of whiteness but more pressingly the relative lack of fixity in racial derogation and elevation. Working and immigrant classes might be devalued from or promoted into the relative privileges, powers, and properties associated with normative middle-class whiteness according to the political, economic, and cultural demands and interests of place and time. Built into this racial motility as an inherent presumption, then, are an implicit critique of racial naturalism and the embrace of racial historicism. In principle anyone could assume the standards of whiteness, though in fact not quite. Whether or not would depend on one's group history, legacy, education, and capacity for self-determination. John Stuart Mill, as we have seen, initiates the polite liberal Victorian embrace of historicism, from status to formal race, and from color-bound degradation to race-neutral indifference and status as well as property maintenance in the name of formalized racelessness.

The racial urban

Embedded in these shifts – from status differentiations to formal(ized) racial divisions, from racial rule imposed from the northern metropoles to the viciousness of its local settler variety, from slave driven to proletarianizing economies – is, as I have hinted, the relative shift in focus from race as a largely rural to race as a prevailingly urban concern. As the twentieth century unfolds, racial concerns lie less with agricultural labor supplies and stock theft, with skirmishes over slave rebellions and wars over broad territorial claims or control. Rather, they are directed to urban ecologies, to migrant and immigrant influx into cities, to town turf, manufacturing and mining labor supply, protection of skilled white workers, school access, housing stock, and a sense of social elevation. The concerns over race increasingly become those about the nature and discipline, aesthetics and morality of public space, about who can be seen where and in what capacity. Thus the moral panic over miscegenation was driven not simply by the disturbed imaginary of mixed sex, with the feared moral degeneracy of black bodies consorting with white, though it was clearly that. Increasingly such panic was expressed as anxiety regarding mixed

offspring, and so the make-up and look, the peopling of and demographic power over public space.

These transformations in concern are reflected clearly in the dramatic emergence of intellectual and academic interests in the disciplines of urban sociology and anthropology in the first decades of the new century, initially fashioned around questions of race and culture. The change in comprehending race from biology to culture is exemplified in the work of Franz Boas in the early decades of the twentieth century. Boas claimed to show a shift in shape and size of skulls in the offspring of immigrants moving from the European countryside to American cities as a function of changing environment and diet.[10] This reconceptualizing of race as culturally conceived accompanies the transition from a colonial to a metropolitan set of foci by the 1920s. The new racial urbanism, its intellectual variant reflecting significant social shifts, is exemplified most clearly in the work of Robert Park and the Chicago School. From this point on, the mainstream social science of race increasingly attends to questions of urban poverty and its effects on urban ecologies alongside the individualizing social psychology of intelligence and attitudinal testing. At the same time, racism is identified as a concern about pathological individual prejudice.[11]

No longer a product of or reducible to a social setting considered the outside of white space – colonies, plantations, or rural counties rather than cities – those deemed racially other were to be conceived and comprehended in different terms than before. Where black people in particular had been the object of scientific fascination, considered as different in their very physical constitution, as natural products of naturally different and distinguishable environments, they could – indeed should – now be observed close at hand. Blacks became viewed as products of urban arrangements the determining conditions of which were not unrelated to the very conditions producing the observers' metropolitan ecologies also. The focus thus shifted, slowly and imperceptibly at first, but by the 1930s quite evidently, from measuring bodies and heads to the racial mappings, sociologically and psychologically, of urban spaces, of "the city beautiful." Not unrelatedly, the colonial condition in Africa, Asia, and the Americas came under fire more or less at the time the governance of colonial cities was called increasingly into question. Here "urbanity" assumed the general "measure" of civilization, standing for fine breeding, well-mannered

gentility and cultivation, and the capacity for rational deliberation. Those not white, or capable of being considered or made white, failed for the most part by default.

Restating whiteness

It is clear, then, no matter for the moment the specific differences between national experiences, that from the later nineteenth century on there is something distinctively new in the manifestation of whiteness. The decades leading up to and the decades following the close of the century mark a qualitative shift in the production and conception of whiteness. From roughly the sixteenth century to abolition in the later nineteenth century Europeans and those of European descent were self-elevated as (relatively) privileged and powerful, (more) civilized and superior, whether as a function of blood or historical progress. Superiority and power, civilization and privilege were taken as givens, as mostly unquestioned, a simple fact of racially predicated life. The state of course had a role, looming increasingly large across time, in enabling and establishing, maintaining and managing the possibility of this mania. The state was instrumental in defining and refining, projecting and policing who should count in the class of the privileged, propertied, and powerful and who could not, in defining whites and blacks (or more generally and negatingly non-whites), their possibilities and prohibitions. But there is a sense in which the state was taking itself simply to codify the nature of things, making explicit what was in any case taken for granted, as the state of being. Thus Justice Taney could write, well along the way of this project and with just a hint of self-doubt, that

> [Negroes] had for more than a century before been regarded as beings of an inferior order, and altogether unfit to associate with the white race, either in social or political relations; and so far inferior that they had no rights which the white man was bound to respect; and that the negro might justly and lawfully be reduced to slavery for his benefit . . . This opinion was at that time fixed and universal in the civilized portion of the white race. It was regarded as an axiom in morals as well as in politics, which no one thought of disputing or supposed to be open to dispute; and men in every grade and position in society daily and habitually acted upon it in their private pursuits, as

well as in matters of public concern, without doubting for a moment the correctness of this opinion.[12]

By the mid- to late nineteenth century, in the aftermath of slavery, whiteness had very clearly begun to be challenged – in colonial and settler societies, if not yet quite so emphatically and more slowly in the metropoles. With abolition and the changed conditions it represents, with the tearing apart of the world that slave-based colonization reflected and the increasingly assertive resistance to racial subjection and domination, confidence in the positions of whites, in their givenness, waned. In the face of these challenges, whiteness no longer could be so safely assumed, white superiority so easily taken as a given of nature. Whiteness, in short, needed to be renegotiated, reaffirmed, projected anew. To be sustained it had to be reasserted; to survive, inevitably in altered form as the conditions for its sustainability had altered, it had to be insisted upon. Its re*state*ment required commensurably altered terms. It is from this point on – from the point at which labor needs shift, racial conceptions transform, capital formation and modes of accumulability alter, moral dispositions and cultural conceptions turn – that state racial design is reconceived.

From this point on, then, whiteness explicitly and self-consciously becomes a state project. To say that it is a state project is not to say that the state had been absent from earlier racial manifestations nor that whiteness was now a product only of state definition. Rather, it is to say that from this moment the state explicitly, deliberatively, and calculatingly takes the lead in *orchestrating* the various instrumentalities in the definition and materialization of whiteness. From the closing decades of the nineteenth century the making of whiteness flows in and through and out of the state.

This reformation of whiteness is factored around the state(d) project to manufacture people – indeed, peoples – in the mold of whiteness. Being white was considered to carry certain properties. It was not only that one either naturalistically had them or not, but they could be manifested – discovered or developed – in one, depending on one's breed, one's national geographic origins, one's breeding. In the long wake of slavery and the demise of slave labor, in and for the sociospatial sake of segregation, whiteness had to be made – explicitly, by design – much more self-consciously as a project of the state. And once made, it had constantly to be restated, maintained, and remade.

Slavery gave way to segregated space. Segregated space was more nebulous at its social boundaries than slave space. So segregated boundaries had to be established and enforced as much through definition of identity as directly through marking space on the ground itself. Add immigrants and migrants, miscegenation and intermarriage, and the borders become even more porous. With the remaking of whiteness through segregation and segregation through the renegotiation of whiteness came the well-documented transformation of ethnic immigrants like the Irish and Jews, and the working class generally, into whites (Roediger 1991; Saxton 1992; Allen 1994; Ignatiev 1995; Sacks 1995).

Under colonialism, as I pointed out in the previous chapter, racial rule in the colonies was about managing heterogeneity while in the metropoles it was about maintaining and securing homogeneity. In the closing decades of the nineteenth century, heterogeneity in the metropoles – including American towns and cities – was becoming palpable, and so undeniable. Thus emerged a shift to reestablishing and reimposing the artifice of homogeneity in the name of whiteness. This growing heterogeneity – the product of migrations from south to north, and east to west – alongside the increasing authority of historicism as an assumption about racial otherness undercut the easiness with which white superiority and natural homogeneity could be assumed.

Homogeneity thus was reestablished symbolically, categorically, through the cohering artifice of whiteness, the refashioning of who could belong and who does not. Whiteness became not just a racial but the national identity. In Australia, at the same time, white workers more or less violently mobilized against Asian labor immigration by demanding wages "fit for white men." The new Federal Parliament responded in 1901 by enacting the White Australia Policy that excluded all non-European migration for the most part until 1973 (Castles and Miller 1998: 57, 76). Vance Palmer offers evidence in the epigraph to this chapter that this was a policy receiving strong support from Britain. As Balibar has made clear, then, race gave to nation both its specificity and its globality, both its criteria of exclusion and exclusivity and its universal connectivity (Balibar 1990).

This culture of racial manufacture and remaking is revealed most clearly in the spectacle of racial contrast of Europeanness and Africanity, of civilization and presumptive primitivity recirculated between world

fairs and international expositions in "European space" as the century closes. Consider the state culture of whiteness-by-negation as revealed in the case of the Royal Belgian Museum for Central Africa. The Museum, established by King Leopold in the wake of the wildly successful International Exposition he sponsored in 1897, was fashioned around the "authentic" display of a displaced African village recreated in the suburbs of Brussels. Here Europeans could find themselves in the mirror of their negation, of what they took themselves not to be (Anderson 1991; Goldberg 2002a).

Racial borders

More broadly, then, modern colonial and settler states were involved initially in shaping the ebb and flow of migration and its conditions from European metropoles to the colonies, and policing the counterflow in more restrictive terms, especially in the case of permanent residential settlement. As Hegel indicated in 1821, colonial migration was seen as a solution to Europe's perceived overcrowding and overproduction problems (Hegel 1821/1972, Addition to #248, p. 278). By the end of the nineteenth century, metropolitan states had become concerned to restrict counter-migrations identified precisely in ethnoracial terms not just from the colonies but from the southern and eastern peripheries of Europe to the opportunity-filled centers of "the West" also. The overriding concern was to preserve the artifice of homogeneity, sociobiological as much as cultural.

This concern with polluting the body politic, as I have elsewhere called it (Goldberg 1993: ch. 8), is exemplified by the English immigration restrictions imposed the day after war was declared on Germany in 1914.[13] The Aliens Restriction Act of 1914, extended after the war by the Aliens Restriction Act (Amended) of 1919, denied entry to Britain to anyone deemed by the Home Secretary to be contrary to "the public good." Targeted were Germans obviously, but also Austro-Hungarians, Turks, and increasingly Africans first from German colonies and then more generally, including Afro-Caribbeans. The British restrictions were modeled on the Natal Act of 1897, which devised a method "to place certain restriction on immigration" pioneered by the colonial regime of Natal, then a colony in Southern Africa, later a province in the Union of South Africa. "Racially neutral on its face," the Act necessitated "knowledge of a European language

which an immigration officer judged to be sufficient" (Dummett and Nicol 1990: 118ff.). It was designed to exclude all but Englishmen and its rationale, mimicking the formalizing logic of "separate but equal," was widely adopted throughout the colonies, as it would later be in Britain itself.

Concerns with racial hygiene, eugenic population formation, and "well bred races" (Voegelin 1933/1997) underpin also the terms of the increasingly restrictive immigration laws in the United States. The Immigration Restriction Act of 1924 limited European immigration to 2 percent of already present national stocks as evidenced by the 1890 census count. The Act thus privileged Northern and Western Europeans over those from Eastern and Southern Europe, especially Jews, even as it studiously avoided reference to any specific European national or racial groups. It was not so careful with those of Asian heritage, however, explicitly extending the existing exclusion of Chinese, formalized in the Congressional Act of 1882 forbidding the naturalization of "Chinamen," to extend also to all Japanese immigration.

A series of US naturalization cases between 1890 and 1925 bears out in fascinating if painful detail the judiciary's struggle over racial admission and belonging, and so explicitly over the scope and character of whiteness. The courts found themselves torn between preserving the conceit that in 1790 "the United States were a more or less *homogenous* people who . . . had come from what has been termed 'Northern Europe' "[14] and the interpretation of laws obviously at odds with rapidly expanding heterogeneity. That national admittance is filtered in the name of naturalization already predisposes the process to racially fashioned principles. The naturalization cases grapple openly and tortuously with whom are to count as white, and therefore naturalizable as American citizens. The language of exclusion is explicitly and for the most part unapologetically racial, the significance heightened against the background of America's imperial expansionism at the time.

In 1790, Congress had delimited citizenship to "free white men." This was extended in the wake of the post-Civil War amendments in 1870 to "aliens of African nativity and to persons of African descent." The prevailing deliberations in the wake of this amendment and the increasing heterogeneity effected by rapidly expanding immigrant populations thus concerned whether those outside the Western European frame should count as white. Court after court pained over

initial Congressional intent in its naturalization restrictions to free white men, and did so explicitly in the context of prevailing scientific theories of race.

Significantly, there is almost no troubling of who might qualify as African or of African descent. I have found but one contentious court claim to naturalization on the basis of invoking African heritage, and significantly no court appeals by the immigration and naturalization apparatuses of the state that an already naturalized citizen should have their naturalization revoked because of a misrepresented claim to African descent. Africans or those of African descent apparently could be assumed self-evidently – "naturally" – classifiable as such. The District Court of Eastern New York troubled briefly in 1938 over whether to grant naturalization to a man "half African and half Indian by his mother and fully Indian by his father" on the basis of his being "of African descent." The Court ruled that because the petition would be denied were the man one-quarter white and three-quarters Indian the same logic must be applied in this case.[15] While the 1870 amendment resulted in increased Afro-Caribbean naturalization, the courts nevertheless continued to reveal and reify the degraded status of people of African descent. "To refuse naturalization to an educated Japanese Christian clergyman and accord it to a veneered savage of African descent from the banks of the Congo would appear illogical . . . yet the courts of the United States have held the former inadmissible and the statute accords admission to the latter."[16] As the San Francisco Board of Education insisted in 1906, it

> is determined in its efforts to effect the establishment of separate public schools for Chinese and Japanese pupils . . . for the higher end that our children [sic] should not be placed in any position where their youthful imprecisions may be affected by association with pupils of the Mongolian race. (Quoted in Stephenson 1909/1910, 8: 700)

The artifice of American homogeneity was refashioned accordingly both (and relatedly) through the reinvention of whiteness and the making of pan-ethnoracial formations. In assuming Americanness immigrants became white, and took on whiteness in being Americanized (Barrett and Roediger 1997: 6, 27). Those Americans determined to be not white were likewise herded over time into administratively contoured racially referenced groups.

In an 1894 challenge to Japanese exclusion from citizenship, the Massachusetts Circuit Court ruled that the 1790 Congress intended to exclude "the Mongolian race." Later language identified "the Mongolian race" as "Asiatic" or "Oriental." By white was meant only "the Caucasian."[17] Japanese, as too Koreans and Filipinos[18] and "the race of people commonly known as Hindus,"[19] did not qualify as members of "the free white race."[20] In 1919, the California District Court however reversed the exclusion of a Hindu man, citing similar instances in Georgia, southern New York, northern California, and the state of Washington.[21] The Supreme Court nevertheless closed this line of cases, ruling in 1923 that a Hindu, even one of "high caste [and] although of the Caucasian or Aryan race, is not a white person within the meaning of the naturalization laws."[22] That the Court resorted to the narrowed restriction of legal significance ("within the meaning of the naturalization laws") reveals not simply the well-noted making of "whiteness by law" (Haney-Lopez 1996) nor additionally law's imperiousness (Dworkin 1988). It makes evident equally the self-conscious implication of the state in fabricating and fashioning racial homogeneity, in recreating the artifice of a national community by whitening out[23] those deemed not to fit the presumptive national profile (Lowe 1996: 13).

At the same time, there are court rulings that render this teleological homogeneity much more troubled and ambiguous. In an interesting example of judicial race resistance, if not quite race traitorhood, in 1910 the Massachusetts Circuit Court, acknowledging the dramatic extent of race mixture, refused to allow that there is any such thing as "a European or white race" or indeed any "Asiatic or yellow race which includes . . . all the people of Asia." To its credit, the Court refused "to deny citizenship by reason of their color to aliens" though it limited the refusal to those "hitherto granted it." In the context of its decision the Court nevertheless affirmed the definition of whiteness by negation, characterizing as white any person "not otherwise classified as . . . Africans, Indians, Chinese, and Japanese." Whites were left "as a catch-all word to include everybody else." Armenians thus were to count among whites, actually on the evidentiary authority of the most prominent anthropologists of the day,[24] as were Persians whether living in Persia or having long migrated to India.[25]

Syrians, it seems, were the courts' ultimate poltergeist. Determined both by the Massachusetts District Court in 1909 and the Oregon District Court in 1910 to be white,[26] the South Carolina District Court

objected in 1913. Explicitly denying citizenship to Syrians, the Court ruled generally that "all inhabitants of Asia, Australia, the South Seas, the Malaysian Islands and territories, and of South America, who are not of European, or mixed European and African descent" would be "exclude[d] from naturalization." Whites were characterized principally on "geographic" grounds as any "fair-complexioned people of European descent." They explicitly included Celts, Scandinavians, Teutons, Iberians, Latins, Greeks, Slavs, Magyars, Lapps, Finns, Basque, Albanian, "mixed Latin, Celtic-Iberian and Moorish inhabitants of Spain and Portugal" as well as "Greek, Latin, Phoenician, and North African inhabitants of Sicily," "mixed Slav and Tartar inhabitants of South Russia," and "all European Jews . . . of Semitic descent." Alongside Syrians, whites excluded Chinese, Japanese, Malays, and American Indians, exclusions already noted in 1910 by the *Balsara* court.[27] The South Carolina District Court twice reaffirmed exclusion of Syrians in 1914, citing *Shahid* as precedent. The Court rejected the related claims that the decision should turn on perceptual criteria of skin color or other morphological considerations and that whiteness be defined as being of *Caucasian* descent. The correct basis of determination, the Court insisted, is that of "*European* descent."[28] Syrians, it concluded, because "certainly Asiatic," clearly are not.[29]

Syrians objected, claiming humiliation on the at best awkward grounds that in being denied their claim to whiteness they were relegated to the inferiority of a "colored race." The District Court reconfirmed its earlier finding that Syrians are not racially European, adding also the excludability of "Parsees" and "Persians," "Hindoo" and "Malay." It nevertheless encouraged the applicants to pursue that matter to the Supreme Court to "[settle] . . . this most vexed and difficult question."[30] In 1915, the US Appeals Court obliged, overturning the District Court rulings. The Appeals Court pointed out that "Syrians, Armenians and Parsees," many of whom had already been naturalized, had been considered and treated self-consciously by US immigration law over the previous fifty years as white.[31]

We find in the complex of these examples, then, the tensions over racial definition within and between state agencies. As Stephenson summarizes his remarkable survey of US race laws for the period:

> Under the shadow of [US] statutes and the constitution, the legislatures and courts of the states have built up a mass of race distinctions which

> the federal courts and Congress, even if inclined to do so, are impotent to attack. (Stephenson 1909/1910, 2: 37)

The Justice Department, and indeed in some cases the Congress, occasionally are at odds with the judiciary over the scope of whiteness, and even at times over its fact. These cases reveal a struggle, one internalized within the courts, over the face of America, over the boundaries of belonging and the homogeneity of the national constitution, of who could claim a home and claim to be at home. They highlight the ambiguities and ambivalences over the definition of whiteness cracking at the smoothed surface of national commitment just as racial belonging and excludability were taken as givens of national order. Thus, the renegotiation of whiteness recreates no straightforward homogeneity but a troubled hierarchy of internally differentiated and differentially privileged "white races" (cf. Barrett and Roediger 1997; Jacobson 1998). But these cases reveal also, contrary to Anthony Marx, that even though racial boundaries in the United States were most clearly articulated in the dualism of black and white, racial rule in America from the mid-nineteenth century on was never simply binary.

Ambiguous boundaries

If the redefinition of whiteness in the wake of abolition and (im)migratory movements was contested, the reconceiving of blackness was contested and complex also. The one drop rule furnished perhaps the most extreme administrative fix for racial definition, a sort of bureaucratic plastic surgery in the face of these increasingly evident social cracks that came to mark the US following the Civil War and the segregationist attack on Reconstruction. Neil Gotanda reveals that the principle of hypodescent consists of two related decision rules, one of "recognition" and the other of "descent." The former insists that a person will be black if his or her black or African ancestry is visible. The latter claims that a person will be black if known to have a trace of black or African ancestry (Gotanda 1995: 258). Clearly, the rule of descent is designed to plug the hole thought to be left by the rule of recognition.

Now if white supremacy could no longer safely be assumed as a given of nature, it had to be reset in place by the state, reified in the

edifice of social structure. And the one drop rule was taken as the cement. Social order was to be resettled by administrative fiat, homogeneity reestablished by state imposition, white supremacy recreated by decree. Just as the onslaught of lynching at the time might properly be read in part as "the denial of the black man's newly articulated right to citizenship and, with it, the various privileges of patriarchal power" (Wiegman 1995: 83, 90), so the one drop rule would provide segregationism with its principle of administrative operationality. "Separate but equal" was to be reduced to rote application. At the very moment the racial state, in the US as elsewhere, seemed in more or less unsalvageable crisis, it was able to reinvent itself through definitional (re)assertion. The slave state is dead; long live its racial legacy.

Or so the story has gone (cf. Hickman 1997 for a clear example of this prevailing position). Even at its height, at its most authoritatively insistent, ambivalence marks "one drop" statability. Ambivalence, in this scheme of things, one might say is that space between arrogance and self-doubt, between power's self-denial and its immobility, between the celebrated assertion of privilege and the sheer despair over power's conceits. If Louisiana was at the center of white assertibility, segregationism, and hypodescent, racial definition, design, and order (ing) were in question there almost as much as in sites less amenable to the extremes of the racial state. *Plessy v. Ferguson*, after all, initiated in 1892 in the Louisiana courts as a challenge to the 1890 state law restricting "colored races" to separate railway cars from "white races." Homer Plessy, a man classified in the 1890 US Census as "octoroon" but "negro" in the 1900 Census, was arrested for insisting on sitting in a first-class car reserved for whites. If the one drop rule can be said to have a place of baptism, Louisiana is a pretty strong candidate for its annunciation. But this nominating site of segregation is also a state of considerable racial ambivalence, revealed not least by the ambiguities in its legal administration of racial rule.

Thus, in 1908 the state of Louisiana had enacted an edict insisting "that concubinage between a person of the Caucasian or white race and a person of the negro or black race is . . . a felony" punishable by imprisonment not less than one month and not more than a year "with or without hard labor." Curiously, while cross-racial marriage had been outlawed by the state in 1894, cohabitation between white and black, "including even the pure-blooded negro," was "not forbidden

except in concubinage." "Proximity to negroes" was considered otherwise "unavoidable" in the public spaces of railway cars, whereas cross-racial cohabitation was a matter of private and so voluntary choice.

Octave Treadaway, a man characterized as "octoroon," and a white woman who revealingly remains anonymous were arrested for engaging in "concubinage." The lower courts acquitted them on grounds that the law did not apply explicitly to an octoroon person, and the District Attorney's office appealed to the Louisiana Supreme Court.[32] The sole question addressed by the Supreme Court was whether an octoroon is "a person of the negro or black race within the meaning of the statute."

The Court acknowledged that the "science of ethnology" at the time deemed a person "Caucasian or negro in the same proportion in which the two strains of blood are mixed in his veins." "Octoroon" accordingly would not count among "negro." The rule of hypodescent admittedly, thus, was not a scientific but a popular one, and the Court revealed via a comprehensive survey of dictionary and nationwide popular and legal usage the identification of "colored" and so "octoroon" with "negro." This said, the Court admitted that the concubinage act, when originally presented to the Louisiana Legislature, had included a clause, explicitly struck by the Legislature as an outcome of its deliberations, defining "a person who is as much as one thirty-second part negro shall be . . . a person of the negro race." The Court concluded as a consequence that the Legislature intended thus to exclude "mulattoes" and "quadroons" from the scope of the concubinage act, no doubt because it might just apply to some of its own members or their relatives. The defendants' acquittal was upheld and, as Octave Treadaway's name ironically suggests, he walked away able to voice his freedom for another day at least where less fortunate "transgressors" of racial morality at the time had paid with their lives.

The State of Louisiana v. Treadaway et al. reveals not simply that the principle of hypodescent was hypocritical but that at most it was unevenly assumed and applied, and at least in contest with more ambivalent competing assumptions and applications concerning everyday racial interactions. This complexity in state racial conception and circulation was hardly restricted to Louisiana. Virginia, like states throughout the South, outlawed miscegenation, nevertheless legally allowing marriage "between a white man and a woman who is of less than one-fourth Negro blood though it be a drop less."

Gilbert Stephenson's comprehensive survey of state definitions of race throughout the US in 1909 reveals the checkered assumption and implementation of the one drop rule even in state regimes supposed most driven by its logic. Thus

> Alabama, Kentucky, Maryland, Mississippi, North Carolina, Tennessee and Texas define one as a person of color who is descended from a Negro to the third generation inclusive, though one ancestor in each generation may have been white. Florida, Georgia, Indiana, Minnesota, Missouri and South Carolina declare that one is a person of color who has as much as one-eighth Negro blood; Nebraska and Oregon say that one must have as much as one-fourth Negro blood in order to be classed with that race. Virginia and Michigan apparently draw the line similarly. (Stephenson 1909/1910: 43)[33]

Shortly after this Alabama nevertheless ruled that a person "descended on the part of the father or mother from negro ancestors, without reference to or limit of time or generations removed" would be Negro (Wallenstein 1994: 407). "Colored" of course was often, but not exclusively, used to exclude those of mixed racial descent from claiming whiteness.[34]

The application of hypodescent, as much socially as legally, however, is better understood as a pragmatic application of racial regulation than as an absolute requirement of racial rule. The supremacy of whiteness, viciously presumptive as it no doubt was for many, was not without its contradictions and contestations, its ruptures and restrictions, its self-doubts and slippages, its contrary desires and choices, responses and resistances. And these faultlines required the imposition of the state to mediate and manage, minimize and mask even their most minute manifestations.

Hickman herself (1997: 1227–8) cites a series of cases from 1885 to 1911 that bears out the dubitability of generalizing the one drop rule or taking it too literally. In 1885, Isaac Jones successfully appealed his conviction and almost three-year sentence for feloniously marrying a white woman on the grounds that he was less than "one quarter black" as required by the Virginia statute. The Court explicitly declared Jones a "mulatto of brown skin" and his mother "a yellow woman" while admitting his "blood quantum" amounted to less than that statutorily necessitated.[35] In North Carolina, a white man in 1910

tried to annul his marriage because his wife "was and is of negro descent within the third generation," thereby avoiding his spousal and child maintenance responsibilities. The Court ruled that the husband was unable to prove his wife was at least "one-eighth negro," as statutorily required, because he could not establish without doubt that her great grandfather "was a real negro of unmixed blood."[36] The following year, again in Virginia, two children were initially removed from a white mother on grounds that their stepfather was part negro. The man had married his white wife after the children's father had died, leaving the family destitute, and the defendant had cared well for his new family. The children were returned after her new husband's mother insisted that she was only one-eighth black and his father had been white, making the man at issue one-sixteenth black, too little for the law even if more than sufficient for the one drop rule.[37]

Thus, as the rights and privileges of citizenship were revised in the face of a perceived crisis of national identity and identification, not all would be able to qualify. Some "self-evidently" were not white, some clearly failed to qualify racially under the various naturalization laws and their amendments and found themselves forced into pained choices, many were deemed simply "racially unacceptable," and even when recognized as white some were positioned as less so than others. There were obviously tensions between state agencies – the immigration service, on one hand, running up against the judiciary on a range of cases, and lower courts in contrast with higher jurisdictions. One jurisdiction might be at odds judicially with another. Thus racial covenants might not be implemented in Manhattan while in Los Angeles in 1944 there were neighborhoods that legally prohibited occupancy by any "persons other than Caucasians'" (Hickman 1997: 1167).[38] Legal realism is intimately wedded to racial realism (cf. Bell 1995). In the end, the power of judicial (re)definition (in the hand of the upper courts especially) can be seen in the business of recreating and regulating the contours of whiteness, of continuing to massage the boundaries of national belonging and the definition of citizenship.

The reinvention of whiteness bridging the close of the nineteenth and opening of the twentieth centuries accordingly was not simply about the undertaking to maintain "a bulwark against undesirable Others without" and the "minimizing [of] perceived 'difference' among the varied peoples and races within," as Jacobson (1998: 233) would

have it. This imputation so obviously blurs the sordidly subtle complexities of segregationism, the contradictions within the rule of hypodescent, and the checkered derogation assigned to racial distinction, as well as the ambiguous racially driven responses to immigration as to warrant no further comment. The sociolegal refashioning of whiteness upon which I have dwelled at length here was a response to the perceived threats of growing heterogeneity within that flowed from imperial and international engagement, and by the consequent challenges to the presumed supremacy of whites – in numbers and power, abilities and political domination, opportunities and access.[39] It was, in short, nothing more nor less than a transforming pragmatics of rule through and by race.

State Stocktaking

The modern state, I have argued, has been deeply implicated in composing, managing, and promoting racial distinction. Modern state rationality is disposed to racial classification schemas as modes of administration and social management. Such formalized distinction through racial classification has been central to the regulatory imperative of law's rule and administrative arrangements in modern states. Racial classification has informed the law of racial division and rule, even as such classification schemas were shaped by the commands of legal logic. Segregationism, as we have seen, was suggested and sustained by a complex and shifting set of racial terms. These profiles of racial distinction were conjured and circulated by state census apparatuses, as borne out variously in the United States and South Africa, among other places.

The bureaucracy of census taking is a central administrative technology – what I have elsewhere only half mockingly called racial administrology (Goldberg 1997: 31) – in managing the racial state. As a mechanism for national stocktaking at different historical moments, the state census is particularly revealing of how a racially managed state formation conceives and applies its racial comprehension and regulations, contrasting "majority" and "minority" in state formation (Appadurai 1996: 130–1). Activated in the shift from family, kinship, and local community as modes of social control to a focus on the abstraction of "population," modern census taking since the late

eighteenth century has presumed race, implicitly or explicitly, as its centerpiece in demographic accounting. Emerging out of colonial regimes, the modern census developed as a more or less comprehensive state mechanism to map population size, shape, distribution, quality and flow of labor supply, taxation and conscription pools, political representation, voter predictability, and the necessities of population reproduction. The census circulates revised and reworked popular categories of racial conception throughout the national population under the license of state authority. It thus lends the authority of the state to racial distinction while marking the "state imagination" (Appadurai 1996: 117) in deeply racial terms. A brief consideration of census taking accordingly may reveal shifts in racial nomination at different moments in national history tied to refashioned projections of population predictability and state stability, class order and political control.

I have written at length about the history of racial counting in the US census (Goldberg 1997), and I do not intend a detailed rehearsal of these arguments here. It is worth pointing out in light of the preceding section nevertheless the increasing proliferation in categories of blackness from the 1880 to 1890 censal counts. Thus the category of "Mulatto" that was listed beneath "Black" from 1850 to 1880 fractured into additional qualifiers of "Quadroon" and "Octoroon" in 1890, only to be collapsed into the singularity of an unqualified blackness in the interests of hypodescent by the 1900 enumeration. In 1910, however, the uncontainability of distinction in the face of undeniable population proliferation led to the reintroduction of "Mulatto." "Mulatto," in turn, was listed beneath the category "Black" until 1930, when both disappeared in favor of "Negro." It was perhaps in the face of these shifting designations along with Congressional concerns over immigration that the Census Bureau in 1923 explicitly redefined the categories of "white" and "Negro": "White," the Census Bureau insisted, "refers to persons understood to be pure-blooded whites." By contrast, "a person of mixed . . . white and Negro . . . is classified as a Negro . . . regardless of the amount of white blood."[40] Negro, in turn, object of the critical effects of Black Consciousness, gave way again principally to "Black" from the 1970 count.

Responding to demographic presence from the importation of "coolie" labor, "Chinese" first appeared in the 1870 Census and was joined by "Japanese" in 1890. A series of questions was added to the latter census about naturalization for those persons not born in the

United States. These questions were expanded in following census counts to include those about "mother tongue" and the ability to speak English. The 1929 instructions required enumerators to report a married woman as having the same citizenship as her husband. "Mexican," "Filipino," "Hindu," and "Korean" were added in 1930. Mexicans were initially presumed racially not to be white, unless explicitly and "accurately" claiming white descent. When both the Mexican government and the US State Department protested, this was altered to presumptive whiteness in 1940. The category disappeared altogether from the census count in 1950, to be replaced later by the supracategory "Hispanic," first appearing in the 1980 enumeration. "Hindu" and "Korean" disappeared after 1940, the latter alone to reappear from 1970.

We find in the example of these changing US censal categories of race one constant. This is the administrative imperative to track the threat of heterogeneity, and to massage the boundaries of whiteness and negritude, expanding or contracting them in response to the pragmatics of the perceived threat of demographic politics. Where the culture of whiteness – the norms and values, presuppositions and practices, the social and political order for which it stood – was considered threatened, racial administrology sought to soften the effects by contouring its boundaries, by "the illusion of bureaucratic control" (Appadurai 1996: 117). Throughout the history of US racial enumeration, whites have always been counted as a racially coherent and undifferentiated group. The concern invariably has been either to suppress the challenge by legally limiting its possibilities or to stave off the consequences by reshaping its grounds. The effects are most clearly evidenced in the shaping of voting districts (Guinier 1994; Peterson 1995).

Now racial classification schemas effected in the hand of the state are a species of "state speech". State speech authorizes not only what is and can be said and done but who are recognized as citizens, as agents of and within the state, and who simply are the objects of state action. The state census is a particularly effective instrument through which to effect these ends. For not only does the census nominate and elaborate the categories of recognition and authorization; by invading virtually every home the census circulates and advertises the categories state formation seeks to license. It thus serves as a medium in the (re)production of common sense. A brief history of South African census taking will serve to illustrate the general point.

Prior to the establishment of the Union of South Africa in 1910, census taking was conducted with checkered regularity under British colonial administration, mainly in the Cape and Natal. In 1879, concerned with issues of colonial administration, demographic distribution, and labor supply, a count only of "Natives" was conducted. In 1891, the British proceeded with a full count, introducing for the first time a range of racial definitions. The categories included "White, Coloured (sic) or Mixed," contrasted with "Other" ranging across "Chinese, Hindu, Mozambique and Malay," but also "Hottentot, Bushman, Bechuana (including Basuto) Fingu and Damara," as well as a separate category for "Kafir (Xosa, Tembu, Baca, Xesibe, and Bomvara)" (*Census Report* 1891/1892: xvii). ("Kaffir" later assumed derogatory connotation in South African parlance, equivalent to "nigger" in the US.) The undertaking was to furnish reliable information regarding urban and rural habitation, mapping relative population densities district by district, town by town.

The categories were streamlined by 1904 to include four general terms distinguished by color: "white, black, yellow, and coloured." Remarkably, the Census Bureau in the Cape admitted that "these groups are by no means scientific," that "as a result of . . . intermarrying – which is every year becoming less exceptional – the border line between the Race Groups is growing more and more confused and less easy to determine." It insisted, nevertheless, that race is still clearly distinguishable "as distinct classes" (*Census Report* 1904/1905: xxi). What emerged here was the concern that would dominate all future census taking in South Africa until apartheid gave way to its afterlife: the dramatic rates of increase in non-white populations relative to whites, most notably in urban areas. Once more, racial census taking was taken up as a tool to administer the perceived threats of racial heterogeneity, to structure demographic arrangements so as to minimize what were considered the degenerative biological, moral, and social effects of racial pollution. Fear of a black world was managed, so far as the perversity of racial logic would allow, by delimiting acknowledgment of its relative size.

The South African Act of 1909 incorporated the two British colonies of the Cape of Good Hope and Natal with the two independent Boer republics, the South African Republic (Transvaal) and the Orange Free State, defeated by the British in the Anglo-Boer War, into the Union of South Africa. The Act of 1909 mandated a census every five

years, starting in 1911. Consistent with the 1904 Cape Census, the 1911 Union Census was careful to determine relative increase of the urban population in racial terms, celebrating the modest increase in relative percentage of "Europeans" as "an improvement" (*Census Report* 1911/1913: xxv). As in the US about this time, interestingly, Syrians were explicitly identified as white.

As a result of the Great War, the next census count was delayed until 1918 and covered only the "European population." The concern was focused explicitly and overridingly on whether whites were declining in numbers relative to "non-Europeans," difficult to do, no doubt, in the absence of tallying the latter. The next full census was reinstated in 1921. Here we find the Census Bureau consumed by a mentality of categorical neatness and scientistic precision, driven by its growing romance with statistics, as evidenced by adding the very term to its formal title. For the first time, graphs and charts supplemented tables throughout the reports, indicative of the "science of population management" being consciously applied to racial differentiation. Belying later characterizations of South African racial categorization as tripartite, the 1921 Census refined racial distinction into four prevailing categories that would dominate South African classification from that point forward: European or white, Coloured or mixed, Asiatic, and Native (Bantu) (in this order). Whites were defined as anyone of European descent; Asians as anyone of "Asiatic origin" and included Japanese, Chinese, Indians, Afghans, Arabs, and notably Syrians (all of whom but the latter had been included in 1911 under "Coloured"); "Natives" referred to "aboriginal tribes of the Bantu race"; and "Coloureds" were any mixed person not belonging to any of the other three racial groups and included "Bushmen and Hottentots" (*Census Report* 1921).

The presiding concern with relative size of the white population (*Census Report* 1921: vi) and "immersion" of whites in the "racial predominance" of non-Europeans "many generations behind the White race in the degree of its civilization" (18) determined prevailing censal concerns with calculations of population proportionality, increase, and decrease. Notable in this regard are the graphic predictions of comparative racial population growth from 1921 to 1971 on the basis of the rates over the preceding fifty years (28). Similarly, the census reports concerned themselves with area distributions, the feminizing of the European population relative to non-Europeans; with urbanization

and population densities; as well as with relative group mobility as a result of railway travel with a view to labor supply. Questions regarding occupation and age as well as familial relationships were simplified for "Natives" on the insulting assumption that the "native mind" would be less familiar with or able to comprehend the complexity of questions generally posed to Europeans. And enumerators were instructed not to argue with those mistakenly insisting on a European form but simply to transfer the information offered later to the racially "applicable forms" (10).

The 1921 *Census Report* identified mixed "Asiatic-African" marriages as an area of concern, offering the potential for the emergence of a bourgeois political class that might challenge white domination. At the same time, on the basis of data available from the 1921 censal count, a report issued in 1923 warned of poor whites "perpetually on the margin of unemployment" (the South African equivalents of Phinehas McIntosh) as "constituting possibly an even greater danger to the State" than racial differentials or mixed marriages (23). Self-consciously harnessed by the Nationalist Party over the following decades, this was the class that constituted the basis for Nationalist electoral victory twenty-five years later and so too the formative class underpinnings for the institutional establishment of formal apartheid. So the 1923 Native (Urban Areas) Act marked the shift in racial concerns explicitly to urban space, seeking to limit influx of African people into the urban areas of South Africa strictly to actual employment and allocation of township housing accommodation in those areas (Posel 2000: 7). Application of this equation would require accurate and ongoing censal counts.

It is evident from later census reports that the Bureau was becoming increasingly statistically sophisticated, if strapped for cash in the depression years of the 1930s. A full account would be concerned to elaborate these sometimes fascinating details. For our purposes though, the next significant developments in census taking occurred after the Nationalist Party assumed power in 1948 and began systematically institutionalizing the specific structures of apartheid. Thus for the 1951 Census racial definitions alter to reflect not the South African Act of 1909 but the apartheid state's Population Registration Act of 1950. So where whites earlier had been defined as being of "pure European descent," now the definition becomes "those who in appearance obviously are, or who are generally accepted as, white persons."

This is taken to exclude persons who, although appearing white, are "generally accepted as Coloured persons." "Natives are those generally accepted as members of any aboriginal race or tribe of Africa"; and "Asiatics" are deemed "Natives of Asia and their descendants." "Coloureds" are defined by negation as those "not included in any of the other three groups." "Natives, Asiatics, and Coloured" are grouped as "non-whites," sometimes lumped together as a way to promote generalized exclusions, sometimes disarticulated, as convenient to state racial formation and control (*Census Report* 1951, 1: v). Racial definition, the categorical underpinnings of administrative apartheid, is reduced to appearance ultimately in the judgment of a government agent.

The intensification of separation in the formalization of apartheid after 1948 (Evans 1997; Posel 2000) can be understood in part as an extended response also to rising urbanization. If the censal counts can be believed, in 1904, 52 percent of "Europeans" lived in urban areas. By 1960 this number had jumped to 63 percent, mainly in the larger cities. In the same period, what was identified as the "Coloured" rate of urbanization increased from 50 to 68 percent, "Asiatic" from 36 to 83 percent, and "Bantu" from 10 to 37 percent. This effectively meant that in numerical terms more black people were living in urban areas than all the other groups combined, and almost twice as many as white people. The apartheid regime was concerned almost above all else with the racial dimensions of urban space, locating black townships very carefully in relation both to white cities and industrial sites. The concern was to maintain separation through "rational planning" of easy transportation access and maximizing the possibilities of police surveillance and control of urban environments (Evans 1997: 299–300). What followed by the 1970 Census count, in terms of group area formation and spatial distinction, were the ethnicization of "Coloured" and "Asiatics" into subgroups (Coloured or mixed, Malay, Griqua, Chinese, Indian, Pakistani) and "Bantu" into disaggregated "tribal" groups (Ndebele, Shona, Tswana, Xhosa, Zulu, Venda, etc.). What this exemplifies once more are the shifting concerns of state racial management increasingly driven by the panicked response to pressed and potentially explosive urban arrangements. In the face of projected population increases of whites at rates significantly lower than for "non-whites," racial administration increasingly concerns itself

with the artifice of maintaining white homogeneity, the managed racial unity (and "purity") of whites no matter ethnic differentiation, and the ethnic disaggregation and dislocation of "non-whites."

The account I have sketched here of the administrative management of, by, and through racial states is not simply structural or functionalist, politicist or culturalist, determinist or discursive. These are academic distinctions social experience fails in the end to heed. As the examples of the naturalization cases and census taking reveal, race can be invoked by states – as also by individuals – at different moments and in different ways to promote power, privilege, and property. Race can be so mobilized precisely because social structure and modes of reference, political economy and culture, public and private spheres are already racially conceived and fashioned, shaped and ordered. Whiteness then refers to a structural condition, and (as Roediger notes in response to his critics, 1999: 185–90) is in no way meant to fix absolutely and disrespectfully in privileged and racist place the subject positions and experiences of every particular person classed as white. Race shapes social life as social conditions fashion racial arrangements. So race already offers a vocabulary available to – indeed, often fashioned formatively by – state-making. What race thus brings to state-making, to states that invoke its terms, are the (re)forming, fashioning, and intensifying of (relations of) power, privilege, and property. It provides a set of presumptions that is taken up as an understanding about "given" states of empowerment, impoverishment, and class status, naturalistically or historistically conceived, as well as ideological representations and rationalizations of their normative legitimation.

Racial states, then, are states that historically become engaged in the constitution, maintenance, and management of whiteness, whether in the form of European domination, colonialism, segregation, white supremacy, herrenvolk democracy, Aryanism, or ultimately colorblindor racelessness. These are all states of white rule, where white governance and norms of white being and being white historically prevail. They are states, that is, where whiteness increasingly becomes the norm. Racial states, in short, are states ultimately where whiteness rules. They are states where whiteness is the rule, where the assumptions, norms, and orders for which it stands reign supreme. In historical terms they are states in which white rule prevails and is shored up

by a world racial order of white dominance. White rule rules by going global: colonialism, imperialism, the Third Reich, anti-communism, globalization. It is the globalizing of white dominance, explicitly or implicitly, by design or structurally, economically, politically, legally, culturally. Whiteness, to put it summarily, stands socially for status and superiority, politically for power and control, and economically for privilege and property (C. Harris 1995), culturally for self-assertion and arrogance but also and dialectically for anxiety and a crisis in confidence.[41]

It follows that white states are states the design or effects of which are to (re)produce, manage, and sustain overall the conditions and structures across all dimensions of social, political, economic, legal, and cultural life of the relative power, privilege, and properties of whites. The constitution as singular groups of "Hispanic" in the United States, "Coloured" in South Africa, and "Gypsy" in Europe (Willems 1997) is a product in each instance of state racial management in interaction with group self-formation. This is not to say that particular people characterized as white will be in a position of power, privilege, and property in every dimension *vis-à-vis* those deemed not white. Class and gender (and indeed more recently legal, sociocultural, as well as economic) statuses interact with racial standings to produce particular social positions for individuals that do not necessarily conform to standard(ized) identity placements. Nevertheless, states reproduce as they represent the governing structure of power, privilege, and property in virtue of which white people as a rule (and white men in particular) occupy positions of power, privilege, and property in relation to those not white, locally or globally. The power, privilege, and property in and of white states are revealed in contrast to the relatively less privileged, powerless, and propertyless positions of those who might be considered not white in states of global arrangement not structured to privilege, empower, or property those deemed white. The possessive investment in whiteness (Lipsitz 1998) was not only state created and sustained in the face of transforming social conditions; the contours of whiteness itself were refashioned and reshaped sociolegally in the face of new challenges and charges, both global and local in cause and condition. White privilege reigns whether the social conditions it signifies are taken to be "non-white states" or (in some idealized normative sense) *raceless* states. It is the nature and implications of "raceless" states, then, that call now for consideration.

Notes

1 Quoted in Furedi (1998: 34–5).

2 The pragmatics of segregationism are not inconsistent with assimilationism. Thus French colonial policy could accommodate assimilation of native elites – precisely by rendering them "less native" – while segregating the bulk of the colonized population.

3 Massey and Hajnal (1995: 529) define "exposure" as "the degree of potential contact between blacks and whites within geographic units." Exposure "measures the extent to which group members are exposed to one another by virtue of sharing a common area of residence."

4 Massey and Hajnal (1995: 529) define "evenness" as "the degree to which blacks and whites are distributed uniformly across geographic units." With evenness, "the black percentage of each geographic unit equals the black percentage as a whole."

5 By 1920 a majority of whites had been urbanized while only a third of blacks; by 1950 a majority of blacks were city folk, and by 1960 a greater percentage of blacks than whites lived in cities. Between 1920 and 1980 the blacks living on the land and working in agriculture declined 96 percent, and by 1981 this figure had almost disappeared to 1 percent (Hirsch 1993: 66–7).

6 *Plessy v. Ferguson* 163 US 537, 543, 16 S. Ct. 1138.

7 *Plessy v. Ferguson* 163 US 537, 543, 16 S. Ct. 1142, 1143.

8 *Plessy v. Ferguson* 163 US 537, 543, 16 S. Ct. 1142.

9 Consider the fascinating work on English panics, spanning at least the past century, regarding Continental invasion in considering construction of the Channel Tunnel (Darian-Smith 1999; Pick 1994).

10 See for instance the essays and reviews written between 1910 and 1930, and collected in Boas (1940).

11 As all generalizations go, this one has exceptions, as much in the differences between those bearing it out as in those exceptions proving the rule. Regarding the former, contrast Robert Park's empiricist sociology (Park 1950) with John Dollard's Freudian social psychology (Dollard 1937/1988). For the extent of the material in the social psychology of intelligence, attitudes, and prejudice from the 1920s on, see especially the bibliography in Richards (1997), as well as the analysis at ibid., pp. 65–159. Notable critics who theorize racism as systemic and sustained, "naturalized" and "normalized" conditions of modern political economies – like W. E. B. du Bois and Oliver Cromwell Cox, and even the more liberal centrist Gunnar Myrdal – are anomalies nevertheless proving the rule of the prevailing shift to an urban focus.

12 *Dred Scott v. Sanford* 60, 407; 1857 US.

13 This is not to deny that the renegotiation of whiteness in Britain intensifies after 1945, with the falling apart of classic colonial conditions. The crack in British colonial self-confidence, however, comes almost a century earlier with the Indian Rebellion in 1857, a crack that becomes a gorge in the wake of the Anglo-Boer War at century's turn. It took two world wars and a global economic depression to shatter that self-confidence completely.

14 *In re Sadar Bhagwab Singh* 246 F. 498, 499; 1917 US Dist., emphasis added. As Barrett and Roediger point out (1997: 22), this concern with the threat to homogeneity was not restricted to the courts. Unions like the American Federation of Labor (AFL) defended the admission of immigrant labor from Northern and Central Europe over "the scum" from the "least civilized countries of Europe" precisely because of the supposed implications for urban conditions.

15 *In re Cruz* 23 F. Supp. 774; 1938 US Dist.

16 *Ex parte Dow* 211 F. 489; 1914 US District.

17 *In re Saito* 62 F. 126; 1894 US App.

18 See petition of Easurk Emsen Charr to the Missouri District Court 273 F. 207; 1921 US Dist.

19 *In re Sadar Bhagwab Singh* 246 F. 499; 1917 US Dist.

20 Reaffirmed in 1922 by the Supreme Court in *Takao Ozawa* 260 US 178; 43 S. Ct. 65; 1922 US.

21 *In re Mohan Singh* 257 F. 213; 1919 US Dist.

22 *United States v. Bhagat Singh Thind* 261 US 204; 43 S. Ct. 338; 1923 US.

23 Or indeed in: Filipinos or "Porto Ricans" who provided military service to the US in times of war and were honorably discharged could be eligible for naturalization within a strict statute of limitations. *Petition of Easurk Emsen Charr* 273 F. 209; 1921 US Dist.

24 *In re Halladjian* et al. 174 F. 83; 1909 Cir. Ct. Franz Boas, among a litany of prominent anthropologists, gave supporting evidence in behalf of the successful petition of an Armenian woman the US government was seeking to denaturalize after eleven years. *United States v. Cartozian* 6 F. 2d 919; 1925 US Dist.

25 *United States v. Balsara* 180 F. 694; 1910 US App.

26 *In re Halladjian* et al. 174 F. 834 Cir. Ct. D.; 1909 Massachusetts; *In re Ellis* 179 F. 1002; 1910 US Dist. D. Oregon.

27 *Ex parte Shahid* 205 F. 812; 1913 US Dist.

28 *Ex parte Dow* 211 F. 489; 1914 US Dist.

29 *In re Dow* 213 F. 362; 1914 US Dist.

30 *In re Dow* 213 F. 366, 367; 1914 US Dist.

31 *Dow v. United States* et al. 226 F. 145; 1915 US App.

32 *State v. Treadaway* et al. 126 La. 300; 52 So. 500; 1910 La. The woman arrested with Octave Treadaway is referred to anonymously throughout, where referenced at all, as "et al." or "another."

33 Cited also in *In re Cruz* 23 F. Supp. 774; 1938 US Dist.

34 In his opinion, the judge in *Treadaway* actually cites Stephenson's survey of legislation (*State v. Treadaway* et al. 1910, 15ff.).

35 *Jones v. Commonwealth* 80 Va. 18 (1885).

36 *Ferrall v. Ferrall* 69 S.S. 60 NC (1910).

37 *Moon v. Children's Home Society* 72 S.E. 707 Va. (1911).

38 *Stone v. Jones* 152 P.2d 19 19 (Cal. Ct. App. 1944).

39 Leti Volpp adds complexity to these "fears of hybridity" (801) by surveying the juridical boundaries restricting miscegenation between whites and Asian Americans, most notably Filipinos in California, from 1870 onwards (Volpp 2000b).

40 Cited in Hickman (1997: 1187). Hickman mistakenly claims that the Census Bureau "stopped counting 'mulattoes'" in 1920, which did not in fact happen until 1930.

41 Literary exemplifications of these conflicted states of white being include the fine set of short stories by Alan Gurganus, *White People*, especially "Blessed Assurance" (Gurganus 1991), and John Coetzee's disturbingly insightful novel, *Disgrace* (Coetzee 1999).