

47: This chapter begins by discussing the check box for "race" on marriage licenses. This required field continued until at least 2019. The apparatus of race including check boxes on everything from college applications to wedding licenses continues unconsciously. It turns out that our habit of constantly inquiring into race originated with Walter Ashby Plecker, Virginia's state registrar of vital statistics from 1912 to 1946, was a doctor with deep ties to both eugenicists and white supremacists.ⁱ

48: Inquiry into race serves to maintain White supremacy. Plecker, a doctor, was especially intent to keep data on all of Virginia's citizenry to discourage intermarriage. Keeping track of even a single drop of non White blood and the racial status of every person kept White supremacy in tact and provided an incentive for white men to rape Black women and to keep their offspring as slaves. Exclusion of Blacks was written into the Constitution itself.

49: But as the slave trade mushroomed, Africans began to be subjected to a distinct kind of servitude: they alone were considered the actual property of their enslavers.ⁱⁱ Mixed race children confused the racial binary between White and Black people and kept officials from easy administration of discriminatory laws.

50: The Virginia House of Burgesses came of with the idea that children born to Black women inherited the status of their mother, not their father. This beautifully perpetuated slavery by keeping as many individuals as possible in it and producing more slaves. This is the same classification system used for domestic animals. It also provided free sexual outlet for White men.

We need notes here to substantiate this summary. Mixed race people confounded the privilege/servitude system

White men enslaved their own children. Exceptions for rape and incest.

We moved from temporary servitude to a racially inherited condition based on the race of one's mother. In turn, there were laws which encouraged sex between married Whites and between black women and anyone. Black wombs were enslaved, gestational slavery. People of ambiguous race messed up this scheme.

Blacks were not protected from being murdered by their White enslaver.

White indentured servants were protected against immoderate "correction."

Protection under the law was parcelled out or withheld in a manner that secured White supremacy. By 1700, the N. American British colonies had set up a rigid hierarchical system. The overturning of Roe v.

Wade deprives Black and Brown women of bodily autonomy. The crime of rape did not exist among slaves. Sex between enslaved persons was the business of the owner. White men could rape their wives and Black women until the 1970's. The difficulty of reporting a rape made legal protection too great a hurdle for Black women.

In the slave narratives 12% referred to experiences of coerced sex by White men.

51: White women could only have sex with White men. This protected White men by securing White women for them alone. At the same time it became possible to over-punish enslaved Blacks resulting in them dying. There was no legal consequence for this. It was illegal to over correct indentured servants. All of this became the foundation of America's racialized caste system.

Black women could be raped without legal consequence by any man. They simply had no autonomy over their bodies.

Rachel A. Feinstein, [When Rape Was Legal: The Untold History of Sexual Violence During Slavery](#) (New York: Routledge, 2019), 2. "...It is reasonable to suggest that the number of white male rapes of enslaved black women during the 246 years of slavery might well have reached into the millions of rapes. And it also seems clear that during this long slavery era many millions of black women were sexually and violently targeted in this or some other way by a large array of elite and ordinary white men—sailors, slavemasters, overseers, other employers, and government officials." —Rachel Feinstein: [The Untold History of Sexual Violence during Slavery.](#)

55. The stereotype of hyper-sexual Black women continued after slavery ended. Moynihan tied economic aid to law enforcement in Black neighborhoods.

56. With Black women having babies who can't be enslaved, Whites are now blaming them for costing Whites lots of money. This led to the collapse of social welfare programs in the 1990's. Crack babies never panned out as a big deal, though it was predicted that they would be a major urban menace. Compare with the opioid "epidemic." Crack babies fared no worse than children who were not exposed to cocaine.

Summary

Dorothy Roberts chapter titled "Race," unpacks the historical background for the sexual and bodily disempowerment of American Black women. The British colony, Virginia enacted several laws that decriminalized slave owner's rape of their enslaved women, while carefully discouraging sex or marriage between a White woman and an African descent man. These laws had the effect of empowering White men by giving them both a free pass to rape Black women with the benefit of owning any mixed-race offspring as slaves. Miscegenation laws kept all other racial mixing to a minimum limiting the number of White persons in society who benefitted from White privileges; and maximizing the number of enslaved

workers. The sexualization of Black women continued after 1830's Emancipation Proclamation, leading to stereotypes of Black family pathology as plausible explanations of poverty rates.

ⁱ Hannah-Jones, Nichole . The 1619 Project (p. 48). Random House Publishing Group. Kindle Edition.

ⁱⁱ Ibid: p. 49.