“Our racket’s within th’ law, ain’t it?”: Miscegenation and Literary Form in the Plessy Era

Christopher M. Brown

Abstract

A rhetoric of strangeness marks so many of the texts of the African American literary tradition written during the Plessy era, a strangeness inextricably tied to the law’s effort to maintain the fiction of “separate but equal.” Anti-miscegenation laws, perhaps the most emotionally charged of the many legal attempts to police the color-line, were also some of the most difficult to parse and yet also the most entrenched. And so, it is no surprise that the illogic of the legal predicament in which blacks found themselves was often articulated in literary texts in two related ways: first, through the figure of the miscegenated baby; and second, through the narrative structure of the absurd. This article argues that while the possibility of a baby is usually read to reveal the anxiety of a text’s passing protagonists, in fact many Plessy-era works by African American writers deploy the combination of a troubling black baby and the farce of racial taxonomies as a kind of reductio ad absurdum, satirizing the law’s doomed attempts to protect the “purity” of the white race. An assessment of the law’s affective attachment to whiteness reveals the formal mode of the absurd—read through George Schuyler’s 1931 novel Black No More—as a pointed challenge to the rationale underlying segregation as the law of the land.

* * *

“If then the progeny of the white race be uniformly distinct from that of the black, it may be said to be a law of nature, that a white couple cannot produce a negro or mulatto child. For no experience is more universal than that a white couple always produces white offspring, and never black or mulatto.”

*Watkins and Wife v. Carlton, 37 Va. 560 (1840)*

Babies that trouble the legal order of Jim Crow appear again and again in the African American fiction of the Plessy\(^1\) era, beginning with texts such as the trilogy of “lost child” novels by Pauline Hopkins (Contending Forces, Hagar’s Daughter, Of One Blood), Sutton Griggs’s 1899 Imperium in Imperio, and Charles Chesnutt’s 1901 The Marrow of Tradition. While the possibility of a baby often revealed the anxiety of a text’s passing protagonist that his past will come back to haunt him,\(^2\) by the height of the Harlem Renaissance the profound absurdity of the logic of “separate but equal” brought pointed challenges to the rationale

---

\(^1\) Assistant Professor of English, Wake Forest University.

\(^2\) Plessy v. Ferguson, 163 U.S. 537 (1896).

\(^2\) The fears of James Weldon Johnson’s protagonist in Autobiography of an Ex-Colored Man (1927) are perhaps the most canonical version of this particular anxiety.
underlying segregation as the law of the land, while also invoking the ambivalence of blacks about the possibility of “possessing” whiteness. Langston Hughes’s “Red-Headed Baby,” for example, collected in 1935 in The Ways of White Folks, offers a deaf and bow-legged child suffering in fatherless poverty as the result of an unfulfilling mixed-race liaison, his black mother still eager to renew her affair with a white man surprised to learn that he’s become a father. On the whole, texts that explore the dilemma of interracial relationships during the Plessy era do so through the mode of literary realism popular in the early twentieth century (Chesnutt’s Marrow of Tradition is perhaps the preeminent example). But precisely because of the particular illogics of Plessy’s rationale, another literary form—satire—would come to seem well-suited to the task, and George Schuyler’s provocative 1931 novel Black No More, the subject of this essay, reveled in the absurd anxieties and implications of the color-line by imagining a black baby born to white parents.

W.E.B. Du Bois famously concludes the opening paragraph of The Souls of Black Folk (1903) by noting that “the problem of the Twentieth Century is the problem of the color-line.” Less well-remembered, however, is the riddle of sorts with which the text’s prologue begins: “Herein lie buried many things which if read with patience may show the strange meaning of being black.” The doubled identity that Du Bois goes on to describe—“an American, a Negro; two souls, two thoughts, two unreconciled strivings; two warring ideals in one dark body” (9)—epitomizes the rhetoric of strangeness that marks Souls, and indeed marks many of the texts of the late nineteenth- and early twentieth-century African American literary tradition. In the wake of the United States Supreme Court’s decision in Plessy v. Ferguson (1896) casting its imprimatur on the two ostensibly “separate but equal” legal regimes that had come to govern black and white life in America, Du Bois’s puzzled take on the “strange prejudice” of American law and custom is perhaps to be expected (13). Plessy’s validation of the Jim Crow regime plunged African Americans deeper into a world of illogic, unreality, and unreliability. The “due process” and “equal protection” promised by the Civil War amendments were illusory, and indeed illusions: they seemed a cruel misnaming of the discriminations and inequalities facing black Americans in nearly every aspect of their lives. Disparate treatment of blacks in voting rights, public accommodations, employment, and housing signaled that the irrationality of slave law had been transmuted into something somehow less remarkable but more insidious, an Orwellian landscape where a Jim Crow train car was the “equal” of a first-class car in the eyes of the law.

This catachresis—the radical denuding of the meaning of equality while still insisting on its presence—is born out of the fiction that imagined the separate legal regimes of Jim Crow as constitutionally permissible. Perhaps nowhere was this double identity—and its concomitant irony—more apparent than in the law’s treatment of sexual relationships between blacks and whites as “unnatural.” Thirty-seven states banned sexual

---


4 As Kara Walker’s work so poignantly demonstrates, the law has long ignored the unnatural violence of white desire for black bodies. See, e.g., Ian Berry & Darby English, Kara Walker: Narratives of a Negress (2d ed. 2007).
intimacy between blacks and whites at one time or another since the end of the Civil War. Thirty states had laws against such relationships during the first half of the 1900s. Miscegenation law “kept interracial children slaves during slavery and after slavery bastardized them,” and because interracial sexual relations was the site of reproduction—“and the institution where reproduction was legitimated”—it was policed vigilantly if not rationally. Laws regulating interracial reproduction, then, had as their primary function the privileging of white property—and whiteness as property—notwithstanding the ostensible equality of blacks in the eyes of the Constitution.

Many of the texts of the African American literary tradition turn precisely on this relationship between the logic of anti-miscegenation laws and the formal structure of the absurd. As Du Bois’s characterization of the strangeness of the color-line might suggest, representing the problem of miscegenation in literature was often a fraught endeavor. How, for instance, to portray the distance between law and custom regarding rules of race and property? Because “[t]he legal, semiotic discourse of miscegenation [is] not mimetic,” as Eva Saks writes, representations of racial difference often function solely as figures of speech: metaphors premised in competing binaries of blood, which are “mutually constitutive, and equally fictitious” (42). And because the legal cases that so troubled the racial order were often those where no physical difference existed between either party to the interracial relationship, the prospect of reproducing that sameness—of having children—was especially troubling. So it is no surprise that so many of the texts that subvert the logic of miscegenation law feature the figure of the child of the miscegenated relationship—sometimes black, sometimes white, often “mulatto”—as the vehicle of the critique.

George S. Schuyler’s 1931 Black No More is perhaps the most complete literary satire to invoke the paradoxes of miscegenation law. With the delightfully simple premise of a machine that can turn black skin white, Schuyler’s novel enacts the literal incommensurability of the passing subject. This particular incommensurability has produced a richly productive tension in the tradition of black letters, and offers us a way to understand a predominant but under-read thematic in its texts: the laws of racial apartheid as not simply immoral and wrongheaded, but strange and incomprehensible. It goes without saying, of course, that the law’s tortured history with race in the United States is marked by a certain kind of absurdity: the illogic of the commodification of the enslaved body; the division of the antebellum nation into separate free and slave states; caste laws that meant a person was white in North Carolina but a slave in Georgia; the legal fact of Jim Crow. And the double character of the law—its professed neutrality and impartiality in the face of two centuries of legally sanctioned racial apartheid—testifies to the folly of such a thing as “separate but equal.” Satire, which requires that the reader be able to decode it based upon

---

knowledge and values that the satirist and the audience share,\(^7\) revels in the confused double-meanings and hypocrisies of Jim Crow. Indeed, satire depends on a kind of absurdity, and on the distance between two opposing worldviews. Schuyler deploys the form to reveal the failure of these laws to police the color-line. And in particular, *Black No More* satirizes white anxiety over reproducing that color-line. The figure of the black baby born to white parents—a narrative inevitability that propels *Black No More* at every moment—mocks an investment in whiteness (by whites and blacks) that is both sedimented and ephemeral, and through it Schuyler explodes both the conventional form of the passing novel and the logic of separate but equal.

### I. Regulating the Reproduction of Whiteness

Anti-miscegenation laws have been part of the fabric of American culture since its founding, and not until 1967, after the Supreme Court’s ruling in *Loving v. Virginia*,\(^8\) were prohibitions against intimate relations between blacks and whites finally declared unconstitutional. At the time of the *Loving* decision, Virginia’s ban on interracial marriage had been in effect for nearly four centuries; marriage between “whites” and any “negroe, mulatto or Indian” were proscribed by its colonial government in 1691 “for prevention of that abominable mixture and spurious issue [resulting from] their unlawful accompanying with one another.”\(^9\) But as the work of historians and literary critics such as Ariela J. Gross and Werner Sollors has shown, the very racial identity that these laws tried so hard to police was often inscrutable.\(^10\) Again and again, the law’s inability to abide by its own terms—and indeed to decipher a logic of racial difference at all—revealed the fundamental absurdity of anti-miscegenation laws. Parentage, custom, community impression, blood, and perhaps most importantly the ability of a “mulatto” to assume confidently the identity of a “white” person meant that the law had little ability to uniformly identify race in the first place, much less to sort out the messy complications of the progeny of such “mixed” relationships. But try it did, and in the effort ensured its susceptibility to the *reductio ad absurdum* that would come to form the basis of many of the literary critiques of the racial logic of the law.

Notwithstanding the ostensible equality of the races in the wake of the Civil War, the question of how interracial marriage would be regulated by the state did not reach the United States Supreme Court until 1883. Tony Pace, a black man, and Mary Cox, a white woman, were arrested in 1881 and convicted of violating Alabama’s prohibition on “adultery or fornication”—sexual relations outside of marriage—a felony ordinarily punished by a fine and up to six months in jail. The statute, however, provided that adulterous relationships between “any white person and any negro, or the descendant of

---


\(^9\) Act XVI, Laws of Virginia, 3 Hening’s Statutes at Large 86, 87 (Apr. 1691).

any negro to the third generation” would subject violators to a minimum of two years in prison and up to as many as seven years. The Alabama Supreme Court upheld their convictions and they appealed to the United States Supreme Court.

Reading the Supreme Court’s unanimous three-paragraph decision upholding the couple’s conviction, one would be hard-pressed to imagine that only ten years before such a relationship was not even a crime. Before the Civil War, it was a misdemeanor for white and black partners to engage in sexual relations; immediately after the war ended, the Alabama legislature—in a flurry of last-minute law-making—made such conduct a felony (and even criminalized the administration of an interracial marriage). But during Reconstruction, three Republicans were elected to the new state Supreme Court with the support of newly enfranchised black voters. And in 1872, in a decision that hinted at the progressive possibility that a new Southern order propelled by Reconstruction might augur, the court ruled in Burns v. State that Alabama’s anti-miscegenation law violated the Equal Protection Clause of the Fourteenth Amendment and the legal rights extended to blacks by the Civil Rights Act of 1866, including the right to make contracts. (Eleven states repealed their intermarriage bans in the years immediately following the Civil War.) The rationale of the Burns decision defends the individual liberties of all Americans, regardless of race:

> Marriage is a civil contract, and in that character alone is dealt with by the municipal law. The same right to make a contract as is enjoyed by white citizens, means the right to make any contract which a white citizen may make. [This anti-marriage] law intended to destroy the distinctions of race and color in respect to the rights secured by it. It did not aim to create merely an equality of the races in reference to each other. If so, laws prohibiting the races from suing each other, giving evidence for or against, or dealing with one another, would be permissible. The very excess to which such a construction would lead is conclusive against it.

But the backlash to Burns began almost immediately. As legal historian Jessica Roberts notes, Redemption-era resistance to its equal protection rationale made Burns the target of racialized justifications for the continued separation of blacks and whites in the social sphere. By 1877, with its decision in Green v. State upholding the Greens’ conviction for violating the state’s ban on interracial marriage, the Alabama Supreme Court had reversed itself, cunningly avoiding any reference to Burns’s contract equality rationale. Instead, the court held that the state’s police power to regulate marriage justified reinvigorating the state’s ban on interracial relationships: “Who can estimate the evil of introducing into [the

---

11 Pace v. State, 69 Ala. 231 (1882).
12 Pace v. Alabama, 106 U.S. 583 (1883).
13 Burns v. State, 48 Ala. 195 (1872). At issue in Burns was the appellant’s conviction for presiding over an interracial marriage.
14 See Peter Wallenstein, Tell the Court I Love My Wife: Race, Marriage, and Law (2002).
16 Green v. State, 58 Ala. 190 (1877).
people’s] intimate relations, elements so heterogeneous that they must naturally cause discord, shame, disruption of family circles and estrangement of kindred?"

The rhetoric of Green laid bare the anxiety at the heart of postbellum laws against interracial marriage, and the logic of the disparate punishments meted out to interracial couples such as Pace and Cox for their romantic transgressions. Marriage was characterized as more than merely a contract; because of its ability to reshape the racial landscape of the country by sanctioning the amalgamation of the races, the state was justified in deploying its police power for the “common good.” And the common good, of course, meant no mixed-race babies. According to the Alabama Supreme Court’s decision in *Pace,*

The evil tendency of the crime [of adultery or fornication] is greater when it is committed between persons of the two races. . . . Its result may be the amalgamation of the two races, producing a mongrel population and a degraded civilization, the prevention of which is dictated by a sound public policy affecting the highest interests of society and government.17

The decision of the United States Supreme Court to uphold the convictions of Pace and Cox concretized miscegenation law as a foundational component of a resurgent white supremacy at the close of the nineteenth century. As Peggy Pascoe describes, miscegenation law “rested on three animating fictions” that together allowed race-making to become a “routine aspect of American state-making.”18 First, as we see explicitly in the legal reasoning of *Pace v. Alabama,* what Pascoe calls the “constitutional fiction” of miscegenation law allowed courts to reason that because both partners in an interracial relationship were being punished equally, the unequal treatment of interracial relationships vis-à-vis same-race marriages could somehow comport with the constitutional requirements of equal protection. Indeed, the Court merely reproduces the reasoning from below that “the evil tendency of the crime of living in adultery or fornication is greater when it is committed between persons of the two races than between persons of the same race.”19 Not until *Loving v. Virginia* would the Supreme Court finally unwind this logic.

Second, Pascoe describes the “scientific fiction” that racial purity “should be protected” by miscegenation law.20 The scientific racism of the second half of the nineteenth century impressed upon a receptive American audience the notion that racial mixing was not only unnatural but would have catastrophic results: myths about racial descent and mixed-race inferiority riddle the court decisions concerning interracial marriage, and forced judges to invoke stilted legal reasoning to square their desire for racial purity with the law’s abstract demand for formal equality. And finally, describing the widespread notion that such a thing as race could ever be legislated, Pascoe indicts the “popular fiction” that indicia of blood or ancestry or behavior marked any real racial identity

17 *Pace v. State,* 69 Ala. 231, 233 (1882).
19 *Pace,* 69 Ala. at 232.
20 See Pascoe, supra note 18, at 6-7.
at all. As Saks writes, the “difference in blood” that formed the premise of miscegenation law “existed only as a figure of speech,” which is to say, as metaphor. The rhetoric of miscegenation “was not mimetic”—its logic, of course, had no fixed object of representation. Instead, as Saks demonstrates, the law could only feign mastery of the putative signifiers of race. And that, I argue, is the real anxiety at stake in the absurd legal and literary narratives of miscegenation: the inability to know where the progeny of racial mixing will turn up.

II. Passing’s Catachresis

On November 22, 1892, Homer A. Plessy, a passenger on a train of the East Louisiana Railroad Company, was arrested by a train conductor and charged with willfully disregarding Louisiana’s Separate Car Law after he “insisted upon going into a coach used by the race to which he did not belong.” Three years later, in October 1895, Albion Tourgée submitted to the United States Supreme Court his brief appealing Plessy’s conviction for violating Jim Crow train law. Tourgée’s brief is best known for imagining a “colorblind” Fourteenth Amendment jurisprudence, a radical idea in the post-Reconstruction moment and one that Justice Harlan seized upon in his now-famous dissenting opinion. But in the brief’s concluding paragraphs, Tourgée asks the justices to consider a far more transgressive scenario. “Suppose,” Tourgée suggested, “a member of this court, nay, suppose every member of it, by some mysterious dispensation of providence should wake to-morrow with a black skin and curly hair.” At least seven of the justices of the Plessy Court, as the majority opinion attests, seem to have been unable to imagine any such thing, as Tourgée presumably expected. The prose of the brief seems to revel in the gross improbability of its counterfactual: “It is easy to imagine what would be the result, the indignation, the protests, the assertion of pure Caucasian ancestry. . . . What humiliation, what rage would then fill the judicial mind! How would the resources of language not be taxed in objurgation!” Tourgée envisions not simply the objections of men of privilege rejected from their sanctified first-class car, but the failure of reason. Two failures, in fact. First, these men of law, suddenly members of the “unfortunate race,” find their appeals to logic incapable of persuasion, unable to produce a “rational” result. This leads directly to a second, more profound undoing: their confusion and anger and humiliation soon exceeds their mind’s capacity to represent it, to put into words the radical effacement under which they now suffer. And it’s easy to wonder if perhaps Tourgée was scripting not the fictive

21 Saks, supra note 5, at 42.
22 Plessy v. Ferguson, 163 U.S. 537, 541 (1896).
24 Indeed, Tourgée may very well have done damage to his client’s cause by even asking the court to indulge such a thought exercise; Plessy, we sometimes forget, was the culmination of nearly twenty years of Redemption politics, and its ruling was a foregone conclusion before the first word was argued to the court. (Indeed, the New York Times only covered the decision under the summary heading “Railroad News.” See Plessy v. Ferguson: A Brief History with Documents (Brook Thomas ed., 1997)).
protestations of judges offended at their unjust treatment as black men in a parallel universe, but instead the reaction of his readers on the bench: esteemed thinkers, the best jurists of their day, very much real and very much aggrieved at the pointed unraveling of their whiteness.

Tourgée’s conceit ostensibly asks the court to put itself in Plessy’s shoes, and to empathize with the plight of the black Southerner, thirty years freed from slavery but still subject to the “assortment of the citizens on the line of race . . . intended to humiliate and degrade the former subject and dependent class.” And yet Plessy was to all appearances a white man: that the “mixture of colored blood was not discernible in him” was the chief reason he was handpicked by the New Orleans “Citizens’ Committee to Test the Constitutionality of the Separate Car Law.” Indeed, the Citizens’ Committee, which conspired with the railroad company to challenge the legality of “separate but equal,” had to arrange to have Plessy identify himself as black to the conductor. These facts would seem to indicate an altogether different hypothetical, that of a white sitting Supreme Court Justice—unchanged in appearance—being accused of possessing the requisite “African blood” to preclude him from riding in the first-class car despite his white phenotype. Instead, Tourgée’s counterfactual not-so-subtly inverts Plessy’s reality. Where Plessy was to every appearance a white man capable of passing, Tourgée’s fiction imagines what—to his audience—was an altogether unimaginable outcome, and one we can surmise the justices understood as such: unthinkable, and indeed incommensurable with their knowledges of themselves and indeed their ignorance of the indignities and very real violence to which black Southerners were subjected.

What, then, is the efficacy of Tourgée’s hypothetical? Perhaps we might better understand it not as fantastic, but instead as something much more commonplace at the close of the nineteenth century and emblematic of precisely the stakes of any such interracial relationship during the Plessy era: as miscegenated progeny, black mirrors of white fathers. Indeed, the mixed-race child is the subject of myriad legal and literary texts in this moment, troubling the logic of a legal regime that insists on naturalizing segregation while at the same time denying the reality—and ubiquity—of interracial relationships. It is in this moment, and perhaps only in this moment, that the unspoken contexts of Plessy v. Ferguson are made manifest: sexual relations between the races and the law’s attachment to—and the impossibility of—ordering the world through race. Tourgée’s alchemy—reproducing “black” Supreme Court justices from white ones—satirizes the Court’s unspoken logic: that miscegenation represented a direct and immediate challenge to the system of legal apartheid. For Tourgée—and for black writers leveraging the same reality—the ability to impose upon the reader an impossible knowledge made the specter of the black baby a fantastically productive metaphor for white anxiety about the law’s inability to police the color-line.

25 Brief in Support of the Petitioner, supra note 23, at 121.
26 Plessy, 163 U.S. at 538.
The majority opinion in *Plessy* does not reference Tourgée’s hypothetical, or the specter of the black baby born of seemingly white parents. Stephen Best’s study of the aesthetics of chattel slavery, however, links the “logical, temporal, and cognitive constraints” of the jurisprudence of equal protection in the wake of the Reconstruction Amendments with a poetics of “identity exchange” in the legal pleadings, literature, and film of the turn of the century, and reads the Tourgée hypothetical as such.27 Best argues that in the counterfactual, the doctrine of separate but equal “arguably encounters its correlate legal and logical form”; that is, in the oxymoronic character of intentionally imagining something as that which it is not—Jim Crow train cars as interchangeable with white, first-class cars—the *Plessy* majority implicitly acknowledges the impossibility that the law faces in accommodating its own racialized attachments and desires. The counterfactual, Best continues, “replicates the deepest structure of metaphor.” Metaphor insists on a “false identity” between its terms of comparison, leveraging the “frisson” between “A is B” and “A is not B” to reinforce a point of commonality otherwise lost in the “radically different contexts in which [the metaphor’s terms] are normally embedded.”28

Passing novels do just this, of course. Passing is its own peculiar kind of counterfactual: the intentional misnaming of a social identity. As such, Best suggests passing is a kind of catachresis, the intentional use of a word in a way that is not correct. Catachresis describes an unnamable identity, a rhetorical gesture that Nancy Bentley has noted as present in the insistence of kinship that marks many of the texts of the African American literary tradition despite the distortion of black family structure by centuries of legal exclusion.29 Catachresis, as Bentley describes it,

mark[s] its distance from conventional denotations of proper usage, [and] open[s] a gap or space of knowing for knowledge that lies outside normative definitions . . . wherein strained or illogical language is necessary to name that which has no name, supplying words for a truth or experience lying outside the intelligibility of existing linguistic norms.

This kind of incommensurability—the passer as a figure consisting of two dueling identities, each unintelligible to the other—makes the passing text (literary, legal or otherwise) the ideal lens through which to view the absurd double logics of miscegenation law.

**III. George Schuyler’s Future American**

The fiction evident in cases like *Plessy* is that the law somehow *could* police the reproduction of racial identity. And perhaps nowhere are representations of that future revealed more fully than in the literature of the Harlem Renaissance. Critic Sonnet Retman has suggested that “[i]f we take into account the satire of the Harlem Renaissance and its often absurdist and violent truth claims, an alternative genealogy of that period emerges,” one that

---


28 Id. at 224.

foregrounds the “vagaries of race as commodity in the marketplace.” And while the notion of “whiteness as property” is certainly not new, the recognition that the ironies of the Plessy era are under-read in texts of the Harlem Renaissance is not widely discussed. In 1931, George S. Schuyler published perhaps the most comprehensive satire in the history of the African American literary tradition. Skewering the racial logic that privileged white skin over black, Schuyler’s novel Black No More: Being an Account of the Strange and Wonderful Workings of Science in the Land of the Free, A.D. 1933-1940 invents a machine that undoes the phenotypical markers of race: it turns black skin white. If Plessy embodies the “conception of the race-marked body as a readable text which represented race and, upon fulfillment of the relevant conditions, crime,” then Schuyler’s novel represents the racialized body as an enigma. And embedded in Black No More is an equally insistent critique of the law’s complicity not only in perpetuating the value of whiteness as property in the way the Plessy decision enables, but also in fostering white anxiety around miscegenation. And it is in the critique of the logical absurdity of the law’s policing of the color-line that Schuyler’s conceit is most devastating. In both its (re)production of, and resistance to, the miscegenated body, the law caricatures its own professions of formal equality and racial freedom. Not surprisingly, then, the figure through which Schuyler levels his reductio ad absurdum is the unlikely black baby born to white parents.

Black No More tells the story of Max Disher, a 1930s Harlem charmer who is the first patient—Schuyler might say customer—of Dr. Junius Crookman, the inventor of a revolutionary technology that “undoes” black skin. Recognizing a commercial opportunity of magnificent proportions, Crookman founds Black No More, Inc., a “biotech” startup, and collects fifty dollars each from the thousands and thousands of those who possess the “negroid features” and “ebony” phenotype (3) that signal racial difference in 1930s America. Max’s “change” is successful and he quickly passes into whiteness, infiltrating a white-supremacist group in the South—not to expose its members or to uncover the horrors of lynching, à la Walter White, but instead to profit on the anxiety of whites by selling his (insider) knowledge about how to respond to the “crisis” of the pollution of America’s “pure Anglo-Saxon” bloodlines. So successful is Dr. Crookman’s formula that dozens of sanitariums are opened and millions of dollars collected. Soon, few “unchanged” blacks remain in the United States and white apprehension about the ability to discern “true” racial identity reaches a fever pitch. By the end of the novel—because

---

31 As texts like Nella Larsen’s Quicksand and Carl Van Vechten’s Nigger Heaven demonstrate, the legal and political context of the Harlem Renaissance enabled an occasional aestheticized ironic sensibility.
32 George S. Schuyler, Black No More (Ishmael Reed intro., 1999) (1931). Black No More is also notable in that it assumes both a classical generic form—satire—and a radically new one: it is acknowledged to be the first work of science fiction by an African American.
33 Sollors, supra note 10, at 75.
34 See Harris, supra note 6.
those who’ve received the treatment seem almost “too” white—the signifiers of racial purity become inverted and dark skin is privileged as the mark of racial purity.

As literary critic Gene Jarrett describes him, George Schuyler, more than any other black cultural critic or writer during the 1920s and 30s, “sought to undermine the protocols of racialism, cultural pluralism, and racial realism that [Alain] Locke promoted in New Negro modernism and during the Harlem Renaissance.”35 A contrarian by nature, Schuyler resisted the renewed interest in black-authored works during the Harlem Renaissance and worried that the insistence on such a thing as a “black aesthetic” shared a central premise with segregationists and even white supremacists: an essentializing belief in racial difference.36 It is not surprising, then, that Black No More has as its primary focus the overwhelming anxiety that marks the first three decades of the twentieth century to secure whiteness “as a personal and national trait.”37 It asks again and again what constitutes an ostensible racial and cultural identity, how whiteness is (re)produced over and against a purported black racial difference, and what are the absurd consequences for—and produced by—cultural and political institutions that work to maintain the distinction. Of course, a black desire to be understood as white can signal many things. As Jane Kuenz describes the novel,

[T]he desire for whiteness is made analogous to the hope for the kind of participation in the cultural, economic, and political affairs of the nation denied by definition in the racial discourse of the period; in short, wanting to be white means wanting to be a free and democratic citizen of the nation, to be included in the conceptual realm of “America,” access to which in the novel’s present is seemingly, and in many ways practically, limited to whites alone.38

And for Max Fisher, whiteness signals, above all, access to white women. Max’s path to whiteness begins when his romantic designs on a dashing white woman named Helen are rebuffed after they meet at an uptown nightclub on New Year’s Eve. From this moment, Max declares it his life’s ambition to marry the “tall, titian-haired girl who seemingly had dropped from heaven or the front cover of a magazine” (5). Juxtaposing divine (white) beauty with the conventions of the cover girl, Schuyler begins Black No More


36 His very public 1926 debate with Langston Hughes in the pages of Nation magazine made this point clear: Schuyler’s essay “The Negro-Art Hokum” rejected the notion that black writers and artists collectively produced such a thing as “Negro art,” famously observing that the “Aframerican is merely a lampblackened Anglo-Saxon” shaped by the same political and cultural forces as anyone else living in America. Hughes’s essay in response—“The Negro Artist and the Racial Mountain”—rebuted what came to be understood as the thrust of Schuyler’s argument, “this urge within the race toward whiteness, the desire to pour racial individuality into the mold of American standardization, and to be as little Negro and as much American as possible.” See 122 Nation 692 (1926).


38 Kuenz adds that Schuyler’s “knack in Black No More for occupying both sides of his argument with Hughes—on the one hand representing race as a cultural construction while on the other showing the progressive loss of something looking very much like ‘black authenticity’—is enabled by just this elision of whiteness in the United States with the United States itself.” Id. at 188.
by highlighting the sad fact that black Harlem had been brainwashed by “America’s constant reiteration of the superiority of whiteness” (Preface, xix). And yet Schuyler is at pains to emphasize the irrationality, the illogic, and the very absurdity of racial convention even in marking Helen as the archetypical fair-haired maiden: upon her arrival at the Honky Tonk Club, Max and his sidekick Bunny cannot decipher whether she’s a “high yallah” or a “cracker” (6). Unsullied whiteness reads as a kind of holy grail, but one recognized—on the lower frequencies, at least—as elusive, mythic, and ephemeral. Max’s confidence—here and throughout the novel—is misleading, of course. Again and again in Black No More, Schuyler mocks the logic of racial caste and the technologies of racial discovery that undergird the law’s efforts to police the color-line. The satire reaches absurd heights in its treatment of the anxieties of miscegenation. Max has a dream that he successfully courts Helen, and “sit[s] beside her on a golden throne while millions of manacled white slaves prostrated themselves before him” (9). But that is followed immediately by “a nightmare of grim, gray men with shotguns, baying hounds, a heap of gasoline-soaked faggots and a screeching, fanatical mob.” Only in Dr. Crookman’s machine—a “sure way to turn darkies white”—does Max recognize a way to render his race illegible: “No more Jim Crow. No more insults. As a white man he could go anywhere, be anything he wanted to be, do most anything he wanted to do, be a free man at last” (10). The Black-No-More machine enacts precisely the catachresis of Tourgée’s Plessy counterfactual: Schuyler has Max inhabit a false identity, and a literal misnaming (Max becomes Matt), that reproduces the absurdity of the color-line. The progeny of Max’s miscegenated relationship—the inevitable black child that Helen will bear for him—mocks the inability of the law to police both the literal and symbolic orders of Jim Crow.

Schuyler’s protagonist vacillates between a seemingly earnest striving for whiteness—embracing the “feeling of absolute freedom and sureness” that Max feels as he strides through Times Square—and a more insidious motivation, one that Schuyler employs as a running gag throughout the novel. Now that his blackness is illegible, Max is free to chase white women: to desire them, to court them, to sleep with them, to marry them. And notwithstanding the many tectonic shifts for whiteness that accompany Dr. Crookman’s miracle invention, it is the anxiety of Schuyler’s “ofay” characters around the prospect of miscegenation that most pointedly undermines racial difference. Reporters besiege Max after he emerges from the Black No More sanitarium, and their first questions after the procedure are about whether he will marry a white woman (20). He immediately tries to seduce Sybil Smith, a white reporter who interviews him and is also keen to write a story about being seduced by a black-man-turned-white (21). Visiting a midtown cabaret, Max revels in the fact that she is the “only one in the place that’ll know I’m a Negro” (21). Schuyler’s conceit inverts the logic of Amy Robinson’s formulation of the “passing triangle,” where every racial pass involves three figures: the passer, the dupe, and the “in-group spectator,” someone of the same race who recognizes in the passer the essence of
their identity but keeps the secret, enabling the pass. Here, Sybil is notably what we might call an “out-group spectator.” Though she is complicit in the trickery of Max’s new identity, she—like many to come in the novel—has both a financial investment in, and an affective attachment to, his newfound whiteness.

*Black No More* mocks this reproduction of (false) whiteness. And notwithstanding Schuyler’s earlier insistence in “The Negro-Art Hokum” that there exists no “essential” blackness, it is precisely Max’s racialized character that makes him so attractive, again and again, to the whites—both men and women—that he seduces. Blacks, in contradistinction to white culture, are revealed to be joyful, restrained and refined, even sensuous, easygoing though not light-hearted about the seriousness of their political predicament. Max observes whites, on the other hand, to be “noisy, awkward, inelegant” (23), seeking out the company of uptown blacks, desiring their nightlife and frivolity but somehow unable to assimilate it. Reading these intimate moments between black and white characters, it is difficult not to see in them a kind of satiric revision of a (white) miscegenation narrative. Where *Plessy* and *Pace* produce legal narratives of white preservation, *Black No More* describes failed white affective attachments to blackness: white characters romantically attached not to a deceitful passing figure reproducing whiteness, but to blacks who’ve crossed the color-line in plain sight—an open secret of sorts. The miscegenated unions in *Black No More* belie the law’s insistence that consenting interracial sexual relationships are somehow corrupting, that social relations between black and whites are necessarily unequal, and that whites are duped into relationships with blacks. The efficacy of Schuyler’s satire lies in undoing the reproduction of whiteness as a privileged legal subject position: where miscegenation jurisprudence unfailingly managed to consolidate the power of racial difference for white hegemony, *Black No More*’s narrative of miscegenation ironically and inevitably (re)produces blackness.

Dr. Crookman’s Black-No-More machine ensures that the progeny from the sexual relationships enabled by his new race paradigm can only be black. “But is the transformation transferred to the offspring?” is the question immediately on every reporter’s mind at the announcement of his invention. “As yet,” Crookman tells them, “I have discovered no way to accomplish anything so revolutionary but I am able to transform a black infant to a white one in twenty-four hours” (12). Crookman and his partners understand immediately that “[t]here’ll be hell to pay when you whiten up a lot o’ these darkies and them mulatto babies start appearing here and there” (13). And of course there is. Strong editorials begin appearing in the papers, mostly in the South, decrying the unwitting participation of white fathers in their daughters’ undoing:

> THE OFFSPRING OF THESE WHITENED NEGROES WILL BE NEGROES! This means that your daughter, having married a supposed white man, may find herself with a black baby! Will the proud white men of the Southland so far forget their traditions as to remain idle while this devilish work is going on? (32).

---

Here Schuyler invokes perhaps the most infamous of race-baiting commentaries, Rebecca Latimer Felton’s speech to the Georgia Agricultural Society in 1897, in which she pronounced—in the most inflammatory terms—that the greatest dangers facing young white women were black rapists, and that “if it needs lynching to protect woman’s dearest possession from the ravening human beasts[,] then I say lynch, a thousand times a week if necessary.” Alexander Manly, a prominent black newspaperman and editor of the North Carolina Wilmington Daily Record, responded in print in 1898, defending the actions of black men and noting by way of explanation that most interracial relationships, in his experience, were the result of sexual advances by white women. On November 10, 1898, Wilmington erupted in racial violence, its mostly black political leadership was ejected from office, and an unknown number of blacks were killed by marauding whites; Manly’s office was burned to the ground and he barely escaped the city with his life. Schuyler slyly intimates here that the racial mixing that caused so much consternation in the minds of white southerners at the turn of the century would continue unabated, though this time the racially-motivated violence that will conclude Schuyler’s story is, ironically, white-on-white.

Critic Harryette Mullen suggests that black anxiety about interracial relationships often results in asexual technologies of miscegenation in racial passing narratives, such as Schuyler's Black-No-More machine, which allows for black assimilation without physical consummation. Miscegenation without sex, Mullen argues, gives blacks the chance to assume the cultural and political privilege of whiteness without the threat of retributive violence. But Schuyler notably marks sex at the center of Max’s move into whiteness. Assuming the alias Matthew Fisher, he journeys to Atlanta in search of Helen. To his surprise, he finds life as a white man “dull” (43); searching for the “happy-go-lucky, jovial good-fellowship of the Negroes,” he discovers that the only black people who will pay him any mind are prostitutes. And while Black No More spends considerable energy narrating the “unreasoning and illogical color prejudice” of white southerners, Schuyler’s implication that black women are no strangers to the sexual company of white men suggests that the uproar over interracial unions is a false one. What is authentic, according to Schuyler’s conceit, is the anxiety that these relationships will no longer be policed by a legally-enforced color-line, and indeed that the children of such relationships will reveal them to be commonplace. Max finally finds Helen at a meeting of the Knights of Nordica, a newly-minted white supremacist organization of which her father, the Reverend Henry Givens, was founder and Imperial Grand Wizard. Having sniffed out the opportunity to win both Helen’s hand and a few dollars, he professes a membership in the New York Anthropological Society and offers to speak at Rev. Givens’s first meeting on the “superior intellectual and moral qualities” of white skin and the dangerous implications of Black-No-More, Incorporated, for the sisters and daughters of the Knights in attendance. Schuyler’s diction here mocks

41 Harryette Mullen, Optic White: Blackness and the Production of Whiteness, 24 Diacritics 77 (1994).
42 Literary critic Bernard Bell observes that the plot of Black No More and Max’s triumph in particular illustrate Schuyler’s ambivalent admiration for the “successful manipulation of color prejudice and capitalism” on the
the membership’s faith in the “Word of God, the sanctity of womanhood and the purity of the white race,” as Max’s vigorous speechmaking seduces his listeners, their rapturous applause reminiscent of the “religious orgies of the more ignorant Negroes” (55). Emboldened by the sexual energy of his audience, Max professes his interest in Helen to Rev. Givens, whose enthusiastic response renders him a salesman: “‘Heh! Heh! Heh!’ chuckled the Wizard, rubbing his stubbly chin. ‘Like to meet her?’” (56). Schuyler turns Helen’s father into little more than a pimp, his membership into a throbbing mass, each desperate to consummate a relationship with the once-black Matthew Fisher.

Max, of course, is complicit—even duplicitous—in the (re)production of these interracial sexual relationships. And when he finally wins Helen’s hand in marriage, the stage is set for Schuyler to deploy the literal progeny of these miscegenated relationships, mocking America’s ineffectual legal, social, and political efforts to “maintain” the color-line. Babies will come, Black No More assures us, notwithstanding the myriad laws aimed at preventing them. The legal landscape narrated by Schuyler here is grounded in historical reality, and yet still reads as part of the satire that frames the novel. A report prepared by the presidential commission assigned to investigate the legality of Black-No-More machines determines

that it was illegal in most of the country for pure whites and persons of Negro ancestry to intermarry but that it was difficult to detect fraud because of collusion. As a remedy the commission recommended stricter observance of the law, minor changes in the marriage laws, the organization of special matrimonial courts with trained genealogists attached to each, better equipped judges, more competent district attorneys, the strengthening of the Mann Act, the abolition of the road house, the closer supervision of dance halls, a stricter censorship on books and moving pictures and government control of cabarets (118).

As decades of legally-sanctioned racial discrimination have made plain, social custom trumps law, and the law, it seems, cannot stem the coming tide of babies.

Not long after treating its first customers, the Black-No-More machine is quickly responsible for accounts that begin to appear in papers across the country, describing the revelatory births of black babies to seemingly white parents: “WEALTHY WHITE GIRL HAS NEGRO BABY,” cry the headlines (88). And Schuyler demands that we understand this to be nothing new: “For the first time the prevalence of sexual promiscuity [between the races] was brought home to the thinking people of American. Hospital authorities and physicians had known about it in a general way but it had been unknown to the public.” Crookman’s race-erasing technology had given cover to the longstanding existence of interracial sexual relationships, and given the lie to the law’s absurd insistence that it could police the intermixing of the races. Soon Black-No-More “lying-in” hospitals begin to crop up, available for prospective mothers to have their (potentially black) babies and turn them white, if necessary. Helen’s predictable pregnancy imperils Max’s whiteness and its accoutrements: property, wealth, sexual relations with a beautiful white woman (by this

logic, a kind of property and wealth in its own right).

And just as in Autobiography of an Ex-Colored Man, it is a racial identity whose effacement is at stake. With Helen pregnant, Max induces a miscarriage—by burning down their home and throwing Helen into a panic—to prevent the arrival of a dark-skinned baby. A second pregnancy proves more difficult to manage, and when Helen’s labor begins Max awaits the inevitable exposure of his past identity, “like a young soldier about to leave his trench to face a baptism of machine gun fire” (150). And indeed, their son is born dark brown and cherubic, what the doctor charitably calls a “reversion to type if any such thing had ever been proved” (150). He offers to “get rid” of the baby and keep the news to himself: “Of course, it’s all in the day’s work for me, you know. I’ve had plenty of cases like this in Atlanta even before the disappearance of the Negroes” (151). Schuyler’s modest proposal strikes even Max as short-sighted, for “[s]urely one couldn’t go on murdering one’s children” (151). Borrowing from Swift’s Juvenalian satire, Schuyler here mocks the absurdist consequences of miscegenation law, but also links them with the freedom from “petty insults and cheap discriminations” that drew Max across the color-line in the first place. Their black baby confirms the inability of racial technologies to ensure the reproduction of whiteness.

Max’s unlikely salvation arrives in the nick of time. Reverend Givens arrives at the hospital with explosive news: a secret report commissioned by the Democratic Party ironically reveals that nearly all the race-baiting leaders of the day possess “Negro ancestry . . . a hidden Negro drop of blood in [their] vein[s]” (153). Helen is distraught, and begs Max to forgive her for “disgracing” their family. But unlike the protagonist in Autobiography of an Ex-Colored Man, Max confesses his own past and admits that “I’m the guilty one” (154). In a story that requires a constant suspension of disbelief, perhaps nothing is less likely than Helen’s acceptance of Max’s racial identity—though the fact that Schuyler finally offers an earnest appraisal of the era’s racial politics through the character of Helen comes close. Max’s entire trajectory in the novel is premised in Helen’s resolute racism, and yet Schuyler finally has her pronounce that “all talk of race and color was damned foolishness” (154). Echoing Tourgée’s counterfactual in Plessy, even Rev. Givens sees the light, admitting that “we’re all niggers now” (155).

IV. Conclusion

Black No More refuses to surrender its satirical form, however, and its conclusion—the darkest moment of the novel—reminds us of just what it really means to be black in America during Jim Crow. Arthur Snobcraft and Dr. Samuel Buggerie, the vice-presidential nominee of the racist wing of the Democratic Party and his dutiful eugenics policy director, respectively, also find themselves “disgraced” by the revelation of impurities in their family trees. They flee from their redoubts in Washington, D.C., and eventually
board a private plane headed for Mexico. But their plane runs out of fuel and they make it only as far as Meridian, Mississippi. Thinking that the news of their black ancestry has preceded them and worried that they will be recognized, Snobbcraft and Buggerie “darken up” with the aid of that old minstrelsy standby, shoe polish, and make their way toward town. They have the misfortune, however, of being black in a space where it remains meaningful: unbeknownst to them, Meridian is a rural town peopled by precisely the voters at whom the race-baiters had aimed their populist pitch. Meridian is proud of its record of violently evicting its few black denizens, by lynching if necessary, though the Black-No-More machine has made finding blacks to Lynch nearly impossible. Snobbcraft and Buggerie stumble upon an evangelical revival in the woods: a reverie hoping for the opportunity to prove that “true” whites remain the privileged race in the South. Their prayers answered, the townspeople jump at their chance, seizing the two men and beginning to enact the ritual violence. As their clothes are torn off to reveal pale skins, Snobbcraft and Buggerie are able to convince the mob they are actually white men. But news of the Democratic leaders’ “compromised” genealogies has spread even to Meridian, and the town gets its lynching at last. Schuyler’s contribution to the canon of literary Lynchings signifies once again on Johnson’s Autobiography, putting both the reader (and the “whitened Negroes” who witness it) in the absurd position of both rooting for and detesting it. Extralegal but also sanctioned by “time-honored custom” (175), the Lynchings depicted in Black No More are portrayed as the inevitable consequence of the law’s insistence on misnaming the civic status of blacks. The scene concludes: “AND SO ON AND SO ON,” marking the novel’s pessimism about the possibility of undoing America’s cynical investment in the double character of the law while also signaling the possibility of a violent denouement in the wake of the collapse of its false logic.

In its last scenes, Schuyler’s novel combines each of its constituent components—white anxiety about miscegenation, satire, and the reproduction of the color-line—both to indict the absurdity of the legal regime that defines the Plessy era and to undo the logic of its reproduction by replicating it again and again. Black No More, in other words, functions as an extended reductio ad absurdum: the legal doctrine of “separate but equal” sets the novel’s characters on a trajectory that ineluctably draws out the fallacies of the many “technologies” of racial divination, with finally black babies being born of white parents and the white leaders of the United States being lynched on account of their blackness. Schuyler is remembered as a racial conservative whose political essays advocated assimilation amidst the high-stakes racial posturing of the Cold War. But Black No More reveals a different Schuyler, one who leveraged the fundamental incommensurability between the racialized black subject and whites anxious to sediment that difference, and embraced the narrative absurdity of the passing genre as the mode for his critique.

43 In the escape from the United States, Schuyler also offers Black No More as anti-utopian, with racial assimilation as an aspiration, but where whites are unworthy of imitation. John M. Reilly, The Black Anti-Utopia, 12 Black Am. Lit. Forum 107, 107-08 (1978).