

2018

Fear of a Multiracial Planet: Loving's Children and the Genocide of the White Race

Reginald Oh
Cleveland-Marshall College of Law

Follow this and additional works at: <https://ir.lawnet.fordham.edu/flr>



Part of the [Family Law Commons](#), and the [Law and Race Commons](#)

Recommended Citation

Reginald Oh, *Fear of a Multiracial Planet: Loving's Children and the Genocide of the White Race*, 86 Fordham L. Rev. 2761 (2018).
Available at: <https://ir.lawnet.fordham.edu/flr/vol86/iss6/11>

This Symposium is brought to you for free and open access by FLASH: The Fordham Law Archive of Scholarship and History. It has been accepted for inclusion in Fordham Law Review by an authorized editor of FLASH: The Fordham Law Archive of Scholarship and History. For more information, please contact tmelnick@law.fordham.edu.

FEAR OF A MULTIRACIAL PLANET: *LOVING'S CHILDREN AND THE GENOCIDE OF THE WHITE RACE*

*Reginald Oh**

INTRODUCTION

Fifty years after the U.S. Supreme Court ruled in *Loving v. Virginia*¹ that prohibitions against interracial marriages were unconstitutional, strong cultural opposition to interracial couples, marriages, and families continues to exist. Illustrative of this opposition is the controversy over an Old Navy clothing store advertisement posted on Twitter in spring 2016.² The advertisement depicted an African American woman and a white man together with a presumably mixed-race child. The white man is carrying the boy on his back. It is a clear depiction of an interracial family. Although seemingly innocuous, this advertisement sparked a flood of comments expressing open hostility and outrage at the depiction.

The response to the advertisement is a clear reminder that interracial relationships, particularly a white-black pairing, still do not have uncontroverted acceptance in American society. However, I believe what sparked the outrage was not merely the depiction of an interracial couple but specifically the depiction of an interracial *family*. The placement of the child in the photograph with his presumed parents is what provoked such a strong backlash. Telling is this comment: “Old Navy supports the GENOCIDE of the White race! It takes a White mother and a White father to make a White baby.”³ This tweet implicates the underlying fear of interracial families—that their proliferation will lead to the destruction of whiteness and white people as a race.

* Professor, Cleveland-Marshall College of Law. This Article was prepared for the *Fordham Law Review* Symposium entitled *Fifty Years of Loving v. Virginia and the Continued Pursuit of Racial Equality* held at Fordham University School of Law on November 2–3, 2017. For an overview of the Symposium, see R.A. Lenhardt, Tanya K. Hernández & Kimani Paul-Emile, *Foreword: Fifty Years of Loving v. Virginia and the Continued Pursuit of Racial Equality*, 86 *FORDHAM L. REV.* 2625 (2018).

1. 388 U.S. 1 (1967).

2. Old Navy (@OldNavy), TWITTER (Apr. 29, 2016, 8:00 AM), <https://twitter.com/OldNavy/status/726063493955342336> [<https://perma.cc/X5YW-63J2>].

3. Eun Kyung Kim, *Old Navy Ad with Interracial Family Prompts Social Media Outrage—and Support*, TODAY (May 3, 2016, 10:17 AM), <https://www.today.com/style/old-navy-ad-interracial-family-prompts-social-media-outrage-support-t90226> [<https://perma.cc/5HAM-KCVX>].

This Article contends that one main reason for opposition to interracial marriages is the fear of the children produced from those unions. Opposition to interracial marriages is opposition to multiracial children based on the fear that the production of multiracial children will lead to the end or “genocide” of a physically distinctive race of white people. At the heart of white backlash toward diversity, multiracialism, and immigration is a deep-seated anxiety about the destruction of whites as a physically distinct cultural group and the loss of power and privilege such destruction entails. From the white segregationist or nationalist perspective, how multiracial individuals identify themselves is irrelevant. What matters is that the production of racially distinctive multiracial persons and families is steady and ongoing, which these groups believe is leading inexorably to the end of a society dominated by the white race and culture.

This Article is divided into three parts. Part I analyzes the *Loving* decision striking down antimiscegenation laws and examines the segregationists’ justifications for antimiscegenation laws. Next, Part II explores the historical opposition of white segregationists to interracial marriages, families, and children and argues that the principle and practice of endogamy is a central feature of Jim Crow segregation. Finally, Part III examines the present ideology of white nationalism and shows that white nationalists oppose interracial unions and families for some of the same reasons that white segregationists opposed them. Specifically, white nationalists oppose interracial families because they are one of the main factors contributing to the so-called genocide of the white race.

I. *LOVING V. VIRGINIA*

In *Loving*, the Supreme Court held that laws banning interracial marriages violated the Fourteenth Amendment.⁴ The case involved an African American and white interracial couple who challenged their conviction under Virginia’s Racial Integrity Act.⁵ The Act made it a felony for a white person to intermarry with a “colored person” in Virginia and rendered any such marriage void.⁶ Additionally, the statute prohibited interracial couples from marrying outside the state and then living in Virginia as married couples.⁷ Mildred Jeter, an African American woman, and Richard Loving, a white man, violated the statute by marrying in Washington, D.C., and later returning to live in Virginia.⁸

In a unanimous decision, the Court struck down antimiscegenation laws for violating the Due Process and Equal Protection Clauses of the Constitution.⁹ With respect to due process, the Court held that the antimiscegenation statute violated the Lovings’ fundamental right to marry.¹⁰

4. *Loving*, 388 U.S. at 12.

5. *Id.* at 2–3; *see also* VA. CODE ANN. § 20-54 (1950 & Supp. 1960) (repealed 1968).

6. VA. CODE ANN. § 20-54; *Loving*, 388 U.S. at 4.

7. VA. CODE ANN. § 20-54; *Loving*, 388 U.S. at 4.

8. *Loving*, 388 U.S. at 2–3.

9. *Id.* at 11–12.

10. *Id.* at 12.

It declared that “marriage is one of the ‘basic civil rights of man,’ fundamental to our very existence and survival.”¹¹ The Court concluded that “[u]nder our Constitution, the freedom to marry, or not marry, a person of another race resides with the individual and cannot be infringed by the State.”¹²

The Court also held that laws prohibiting interracial marriages violated “the central meaning of the Equal Protection Clause.”¹³ The Court noted that certain racial classifications, especially those used in criminal statutes, are suspect and must be “subjected to the ‘most rigid scrutiny.’”¹⁴ For a statute employing a suspect racial classification to be upheld, it “must be shown to be necessary to the accomplishment of some permissible state objective, independent of the racial discrimination which it was the object of the Fourteenth Amendment to eliminate.”¹⁵ Strict scrutiny required the Court to identify Virginia’s purported interests in prohibiting interracial marriages. Referring to a 1955 Virginia Supreme Court decision upholding the antimiscegenation statute, the Court noted four stated interests: “preserv[ing] the racial integrity of its citizens”; “prevent[ing] the ‘corruption of blood’”; preventing “a mongrel breed of citizens”; and preventing “the obliteration of racial pride.”¹⁶

Without much analysis, the Court summarily concluded that the statute failed to satisfy the interest prong of the strict scrutiny test and held that the interests were illegitimate because they endorsed white supremacy.¹⁷ The Court, however, did not explain those interests and why they were illegitimate.¹⁸ A closer examination of the interests reveals that the primary goal of prohibiting interracial marriages actually went beyond just preventing close romantic relationships between whites and nonwhites. There was something else that concerned segregationists.

In examining the four interests, only one of the interests tied closely with concerns solely about the interracial relationship itself. If the concern was protecting racial pride among whites, it would make sense to prohibit interracial relationships. A white person involved intimately with a nonwhite person may, theoretically, begin to downplay and minimize his or her white racial identity in relating with his or her nonwhite spouse. To keep white persons “proud” of their racial heritage would, therefore, require them to marry another white person.

The other three interests, however, go beyond a concern with just the interracial couple. The interests in “preserving racial integrity,” “preventing the corruption of blood,” and preventing a “mongrel breed of citizens” can best be understood in relation to each other. Understood together, the three

11. *Id.* (quoting *Skinner v. Oklahoma*, 316 U.S. 535, 541 (1942)).

12. *Id.*

13. *Id.*

14. *Id.* at 11 (quoting *Korematsu v. United States*, 323 U.S. 214, 216 (1944)).

15. *Id.*

16. *Id.* at 7 (quoting *Naim v. Naim*, 87 S.E.2d 749, 756 (Va. 1955)).

17. *Id.*

18. *Id.* at 11.

interests reveal a preoccupation with the dangers of interracial families, not just interracial couples. Interracial marriages present the opportunity for the “corruption of blood.” The corruption of blood probably meant the mixing of white and nonwhite blood through reproduction. A child born from a mixed-race couple would be a child with corrupted or mixed blood, blood that was no longer purely white. The result of the corruption of blood would be the production of “mongrel” or mixed-race children. Mongrel citizens posed the most dire threat to the integrity of the white race. The fear was that, if left unchecked, the proliferation of interracial families would produce “mongrel” children who would, over subsequent generations, overwhelm “pure whites” and transform everyone into “mongrel citizens.” The result would be the destruction of white racial integrity or purity—in other words, the destruction of the white race itself.

II. WHITE SEGREGATIONIST IDEOLOGY AND A “MONGREL BREED” OF CITIZENS

This Part fleshes out the logic of white segregationist opposition to interracial marriages and the fear of mixed-race families and children. For segregationists, prohibiting interracial marriages was a central principle and part of the larger social, political, and legal system of racial segregation aimed at preventing whites and blacks from interacting on terms of social equality. Social equality is a political concept concerned with “whether persons [of different races] were considered social equals in civil society.”¹⁹ Social equality between the races meant social interactions based on mutual respect. The Jim Crow system of racially segregating social spaces ensured that blacks and whites did not interact on terms of mutual respect and equality.²⁰ It was permissible for a white person to employ a black person as a servant or worker and interact accordingly because such interactions did not imply social equality for blacks. However, it was impermissible for whites and blacks to interact socially in situations where the racial hierarchy was not clear, such as in restaurants, churches, and, especially, schools.²¹

Why not? What was so dangerous about whites and blacks interacting with mutual respect? For segregationists, the danger was that social equality would ultimately lead to the destruction of the white race. Segregationist and former U.S. Senator Theodore Bilbo argued:

If we sit with Negroes at our tables, if we attend social functions with them as our social equals, if we disregard segregation in all other relations, is it then possible that we maintain it fixedly in the marriage of the South's Saxon sons and daughters? The answer must be “No.” By the absolute denial of social equality to the Negro, the barriers between the races are firm and strong. But if the middle wall of the social partition should be

19. JACK M. BALKIN, *CONSTITUTIONAL REDEMPTION: POLITICAL FAITH IN AN UNJUST WORLD* 145 (2011).

20. See Jack M. Balkin, Plessy, Brown, and Grutter: *A Play in Three Acts*, 26 *CARDOZO L. REV.* 1689, 1695–96 (2005).

21. See, e.g., *Turner v. City of Memphis*, 369 U.S. 350, 353–54 (1962) (holding that racial segregation in public restaurants violated equal protection).

broken down, then the mingling of the tides of life would surely begin. It would be a slow process, but the result would be the same. And though the process be gradual, it would be none the less irresistible and inevitable. . . . [T]he Southern white race, the Southern Caucasian, would be irretrievably doomed.²²

To fully understand this segregationist fear that interracial marriages would inexorably result in the doom of the white race, it is useful to examine the role of racial segregation in public schools during the Jim Crow era. Whites opposed integrated schools not primarily for pedagogical reasons but because they thought segregation was essential to protecting the white race from “doom.” In an integrated school system, white and black children would attend classes together, learn from each other, and develop friendships based on mutual respect. Children would be socialized into seeing each other as social equals.²³ And, as they grew older, boys and girls would start to develop romantic interests, and many of them would start to enter interracial relationships.²⁴ These relationships would eventually lead to marriage, and marriage would lead to the increased production of mixed-race children and a decrease in the number of white children.

Segregationists feared that school integration would normalize social relations between whites and blacks, especially romantic social relations, and over time, there would be an exponential increase in mixed-race children and a decrease in the number of white children. If social equality existed between the races, interracial relations would be entered into freely and physically distinct white people would decrease in numbers until eventually they would disappear. For segregationists, the ultimate result in a society that granted social equality to blacks would be the doom or extinction of the white race.

Accordingly, segregationists like Senator Bilbo contended that the only way to protect the integrity and continued existence of the white race was to prevent “the two races from meeting on terms of social equality”²⁵ and to prevent the “Southern white man” from “becom[ing] submerged in the black mass about him.”²⁶ Senator Bilbo feared that the white South would end up like South American colonies in which white colonizers failed to maintain racial purity. He noted that the Spaniards who conquered the native peoples of South America did not “expel[] them as the English did in North America” but rather “they ruled over them and married their women.”²⁷ According to Bilbo, the result of intermarrying in South America was a degraded race of people and proof that “the mingling of the superior with the inferior will result in the lowering of the higher.”²⁸

22. THEODORE G. BILBO, TAKE YOUR CHOICE: SEPARATION OR MONGRELIZATION 55 (1947).

23. See Anders Walker, *Legislating Virtue: How Segregationists Disguised Racial Discrimination as Moral Reform Following Brown v. Board of Education*, 47 DUKE L.J. 399, 401 (1997).

24. *Id.*

25. BILBO, *supra* note 22, at 49.

26. *Id.* at 51.

27. *Id.* at 52.

28. *Id.* at 57.

Senator Bilbo's views about social equality and the dangers of interracial relationships was not an extremist view in the Jim Crow South; rather, it was the prevailing one. In a case about racial segregation in schools, the Mississippi Supreme Court declared, "To all persons acquainted with the social conditions of this state and of the Southern states generally it is well known that it is the earnest desire of the white race to preserve its racial integrity and purity"29 The court observed that the Mississippi state constitution prohibited interracial marriages only between whites and racial minorities, not interracial marriages between different racial minority groups.³⁰ The court also asserted that "[w]hen the public school system was being created it was intended that the white race should be separated from all other races."³¹ Accordingly, it concluded that the clear "dominant purpose" of those constitutional provisions "was to preserve the integrity and purity of the white race."³² The court then held that a Chinese American child could not attend any school designated for white children because her exclusion was necessary to protect the purity of white children.³³

In the Jim Crow South, a central principle underlying the entire system of racial segregation was the principle and practice of endogamy.³⁴ Endogamy is the practice of marrying in group.³⁵ Sociologist Robert Merton has observed that in a racial caste society marked by social stratification, "the endogamous norms are rigid."³⁶ The dominant racial group in a racial caste society like the Jim Crow South requires its members to practice endogamy to reinforce the superior position of the group.³⁷ Thus, during Jim Crow, because whites justified their superior position in the racial hierarchy based on their whiteness, they strictly enforced racial endogamy to preserve whiteness and required whites to marry only other whites.

Whiteness has both physical and social components, and endogamy helped to preserve both aspects by operating as the primary mechanism for preserving the biological or physical identity of its members and for inculcating white racial consciousness. As a genetic or physiological mechanism, endogamy produced and reproduced the shared physical attributes that define the white race and its members. Thus, marriage between whites would produce identifiably white children. Endogamy ensured that the physical attributes of whiteness were passed from one generation to the next. As a socializing mechanism, endogamy in the context of racial segregation operated to instill race consciousness in whites. Endogamy, then,

29. *Rice v. Gong Lum*, 104 So. 105, 108 (Miss. 1925), *aff'd*, 275 U.S. 78 (1927).

30. *Id.*

31. *Id.*

32. *Id.*

33. *Id.* at 110.

34. Cf. Robert K. Merton, *Intermarriage and the Social Structure: Fact and Theory*, in *INTERRACIALISM: BLACK-WHITE INTERMARRIAGE IN AMERICAN HISTORY, LITERATURE, AND LAW* 473, 475 (Werner Sollors ed., 2000) (defining endogamy). See generally Reginald Oh, *Regulating White Desire*, 2007 WIS. L. REV. 463 (discussing the role of endogamy in Jim Crow society).

35. Merton, *supra* note 34, at 475.

36. *Id.* at 483.

37. *Id.*

played a central role in producing whiteness and reinforcing white dominance in a racially stratified society. And, as the next Part discusses, the principle and practice of endogamy is still culturally alive and thriving today.

III. WHITE NATIONALISM AND THE GENOCIDE OF THE WHITE RACE

Fifty years after the U.S. Supreme Court ruled that laws banning interracial marriages are unconstitutional, there has been a significant increase in the number of interracial marriages, and there is less social stigma attached. However, as the response to the Old Navy ad depicting an interracial family suggests, there is still cultural resistance and barriers to interracial marriages and families, particularly to those involving white and black persons.³⁸ In examining race relations and the status of interracial marriages today, the reality is that the opposition to interracial marriages, families, and mixed-race children is still strong and even systemic.

In 2018, white segregationist ideology has been replaced by what is known as white nationalism. White nationalism is a racial ideology that advocates racial separation and the creation of a “white ethnostate.”³⁹ While white nationalism has its roots in white segregation and supremacist beliefs, according to political scientist Carol Swain, those who claim to be white nationalists explicitly distinguish themselves from white supremacists. She contends that “the concept of ‘racial nationalism’ captures their core beliefs in racial self-determination and self-preservation better than any supremacist or segregationist label.”⁴⁰ According to a self-identified white nationalist, “White supremacists are generally an embarrassment to White Nationalists.”⁴¹ He defines a white supremacist as a “White who wishes to subjugate other races by force, ordinarily by military conquest.”⁴² White nationalism, on the other hand, is a “defensive” ideology that seeks the creation of a white nation-state precisely to remove “any possibility of White dominance of other races, as well as the plausibility of the accusation that Whites wish to dominate others.”⁴³ Thus, white nationalists speak of separation rather than segregation. Don Black, a former Ku Klux Klan member who now identifies as a white nationalist, asserts, “We are separatists. We believe that we as white people, as European-Americans, have the right to pursue our destiny without interference from other races.”⁴⁴

White nationalists deny charges of racism, contending that they seek what other ethnonations already have—a state primarily inhabited by and identified with one race of people. Richard Spencer, a prominent white

38. See *supra* notes 2–3 and accompanying text.

39. See *White Nationalist*, SOUTHERN POVERTY L. CTR., <https://www.splcenter.org/fighting-hate/extremist-files/ideology/white-nationalist> [<https://perma.cc/2TTU-XRWC>] (last visited Apr. 13, 2018).

40. CAROL M. SWAIN, *THE NEW WHITE NATIONALISM IN AMERICA: ITS CHALLENGE TO INTEGRATION* 16 (2002).

41. Yggdrasil, *What Is White Nationalism?*, YGGDRASIL’S WN LIBR. (1996), <https://www.whitenationalism.com/wn/wn-06.htm> [<https://perma.cc/XW2R-QL39>].

42. *Id.*

43. *Id.*

44. SWAIN, *supra* note 40, at 20.

nationalist, contends that white nationalism is about protecting the “heritage, identity, and future of people of European descent in the United States, and around the world.”⁴⁵ White nationalism, then, speaks of nationhood based explicitly on race. They “draw upon the potent rhetoric of national self-determination and national self-assertion in an attempt to protect what they believe is their God-given natural right to their distinct cultural, political, and genetic identity as White Europeans.”⁴⁶

There are several key aspects of white nationalism. First, while it is commonly understood to be an ideology opposed to immigration, it is much more than that. It is a broader ideology that is a response to the real and perceived cultural and political threats to white people and their racial identity.⁴⁷ It views whites as a race of people under attack by various forces.

Second, the move from identifying as white supremacists to white nationalists reflects the dramatic change in views of race and racism from the early twentieth century to now. Overt expressions of racism and racial superiority are no longer mainstream. There is societal consensus that racism and discrimination are morally wrong and white nationalists are conscious of operating within that consensus. White nationalism, then, must be understood as a historical response to gains in civil rights for people of color and women in the latter part of the twentieth century. It is a response to the loss of political power, real and perceived, by whites that has occurred since the dismantling of state-sanctioned racial segregation.

Third, although there are some clear distinctions between white nationalism in the twenty-first century and white supremacy from the twentieth century, the core tenets and principles remain the same. Specifically, the same opposition to interracial marriages, families, and children and the same fears underlie white nationalism. White nationalists also oppose interracial marriages because of the threat they pose to the white race. They believe interracial marriages are a key factor contributing to the process of white genocide.

White nationalists perceive both external and internal threats to the white race. The external threat is the influx of nonwhite immigrants into the United States.⁴⁸ The internal threat is liberal political ideology imposing its integrationist, multicultural, and diversity agendas on America and undermining the practice of endogamy among whites.⁴⁹ As a result of both

45. Amanda Taub, “*White Nationalism*,” *Explained*, N.Y. TIMES (Nov. 21, 2016), <https://www.nytimes.com/2016/11/22/world/americas/white-nationalism-explained.html> [<https://perma.cc/GT49-3LGH>].

46. SWAIN, *supra* note 40, at 16.

47. Yggdrasil, *supra* note 41.

48. See generally SWAIN, *supra* note 40; Ray Sanchez, *Who Are White Nationalists and What Do They Want?*, CNN (Aug. 13, 2017, 4:35 PM), <http://www.cnn.com/2017/08/13/us/white-nationalism-explainer-trnd/index.html> [<https://perma.cc/S394-V82C>].

49. See David Lane, *White Genocide Manifesto*, DAVIDLANE1488.COM, <https://www.davidlane1488.com/whitegenocide.html> [<https://perma.cc/EK3R-8M5U>] (last visited Apr. 13, 2018).

threats, “America, they believe, is fast becoming a nation dominated by non-white people.”⁵⁰

This fear of white genocide is what ultimately connects white nationalism back to twentieth century white segregationist beliefs. While the language may be different, both white segregationists and white nationalists are talking about the same beliefs and concerns. White nationalists ultimately espouse a political view based on their belief that the fears of the segregationists are now coming into fruition. The process of “mongrelizing” American citizens, they believe, has been underway for decades and the process is accelerating. The white race is doomed unless they can do one thing—create the white ethnostate. Ultimately, white nationalism is an ideology rooted in fear: fear of not only being dominated by nonwhite people but of ultimately being eliminated and rendered extinct. The core fear fueling white nationalism is the fear of deliberate extinction, or white genocide.

The fear of white genocide is a central concern for white nationalists. This fear can be summed up in a fourteen-word white nationalist mantra: “We must secure the existence of our people and a future for white children.”⁵¹ White nationalists are fixated on demographic changes and the phenomenon of low fertility rates among white women both nationally and globally. They see whites becoming a numerical minority in the United States and have turned their attention to the question of how to increase fertility rates and stave off “genocide.” Thus, they are not only concerned about a future for white children, they are also worried that the future will not consist of any or many white children at all.

How is the white ethnostate a solution to the genocide of the white race? It is about enforcing the norm of endogamy and making sure that whites marry whites and produce white offspring at a sufficiently high rate to grow the white population. Specifically, it is about ensuring that white women adhere to endogamy norms and conduct their “moral duty” to produce white offspring. Through the strict practice of endogamy, white nationalists believe that a white ethnostate will prevent white genocide.

Moreover, in using the term “genocide” to describe the process by which whites are becoming extinct, white nationalists are implying that this process of extinction is a deliberate process. In other words, white genocide is not a product of natural demographic change. Rather, for white nationalists, it is a product of deliberate, intentional design. White people are being exterminated, not just going extinct. White nationalists believe that the perpetrator of white genocide is the ideology of integration, multiculturalism, and diversity.⁵² Integration, according to leading white nationalist David Lane, “is a euphemism for genocide.”⁵³ By racial integration, or the free intermixing of the races in various social settings, the result is the elimination

50. SWAIN, *supra* note 40, at 17.

51. *White Genocide*, ANTI-DEFAMATION LEAGUE, <https://www.adl.org/education/resources/glossary-terms/white-genocide> [<https://perma.cc/5YAM-VCXW>] (last visited Apr. 13, 2018).

52. *See* Lane, *supra* note 49.

53. *Id.*

of “White schools, White neighborhoods, White organizations and everything necessary for survival as a biological and cultural entity.”⁵⁴

Echoing the concerns of white segregationists, Lane contends, “The inevitable result of racial integration is a percentage of inter-racial matings each year, leading to extinction, as has happened to the White race in numerous areas in the past.”⁵⁵ Lane speaks of whites globally and states that, given that there are “five billion coloreds,” racial integration will lead to whites being “submerged in a tidal wave” of nonwhite people.⁵⁶ This is genocide because it is not the natural result of demographic patterns but the result of “deliberate design” that consciously promotes and encourages racial integration and celebrates diversity and multiculturalism.⁵⁷ That is the danger of calls for diversity and inclusion. It not only allows but encourages the possible development of interracial relationships, thereby facilitating white genocide.

The threat of white genocide not only comes from the ideology of racial integration but from the ideology of gender equality or feminism, especially with respect to reproductive freedom.⁵⁸ Thus, there are strains of white nationalism advocating for a strong paternalism in the white ethnostate, a paternalism dubbed “White Sharia.”⁵⁹ Paternalistic measures would be necessary to ensure that white women do what is in the best interests of the white race—produce white offspring.⁶⁰ With respect to abortion, white nationalists view the issue in utilitarian terms.⁶¹ It is not a moral issue so much as an issue about what tools will ensure the viability of the white race. Thus, white nationalist Greg Johnson has argued that “abortion is good for whites in America”⁶² because most abortions in the United States have been of African American and Latino pregnancies. Johnson notes, “[W]ithout *Roe v. Wade*, the US black population would be 50% larger than it is at present.”⁶³ Because the primary goal of white nationalism is to prevent the white race from being “demographically swamped by non-whites,” the freedom to have an abortion has postponed, possibly by decades, the date when whites would

54. *Id.*

55. *Id.*

56. *Id.*

57. *Id.*

58. See Donna Minkowitz, *Hiding in Plain Sight: An American Renaissance of White Nationalism*, POL. RES. ASSOCIATES (Oct. 26, 2017), <https://www.politicalresearch.org/2017/10/26/hiding-in-plain-sight-an-american-renaissance-of-white-nationalism/> [<https://perma.cc/9QLM-3CNB>].

59. See Sacco Vandal, *In Defense of White Sharia*, COUNTER-CURRENTS PUB. (June 9, 2017), <https://www.counter-currents.com/2017/06/in-defense-of-white-sharia/> [<https://perma.cc/73KP-D54B>].

60. See Minkowitz, *supra* note 58.

61. Greg Johnson, *Abortion and White Nationalism*, COUNTER-CURRENTS PUB., <https://www.counter-currents.com/2016/04/abortion-and-white-nationalism/> [<https://perma.cc/9QLM-3CNB>] (last visited Apr. 13, 2018) (arguing that the white nationalist position on abortion should aim to ensure “white racial survival”).

62. *Id.*

63. *Id.* (emphasis added).

become a numerical minority.⁶⁴ Abortion, in other words, has functioned as a tool for staving off white genocide.

Given the importance of reproduction to the survival of the white race, in a white nationalist society, “some abortions should be forbidden, others should be mandatory, but under no circumstances should they simply be a matter of a woman’s choice.”⁶⁵ The goals of promoting the growth of the white race take precedence over a woman’s choice. Thus, whereas Johnson would prohibit most abortions, he would make abortions mandatory in “cases of miscegenation.”⁶⁶

The function of abortion for white nationalists clarifies how the goal of a white ethnostate is a way to enforce endogamy specifically upon white women. In other words, one of the unstated but clearly intended goals of the white ethnostate is to eliminate “opportunities for miscegenation.”⁶⁷ In an all-white nation, whites would have no feasible means of engaging in miscegenation. With that threat abolished, the white ethnostate can more effectively ensure the survival of the white race.

In analyzing some of the key aspects of white nationalism and its goal of creating a white ethnostate, it becomes clear that, like white segregationists, white nationalists oppose interracial relationships because of their fear that the mixed-race people will overwhelm whites in number and eliminate them through intermarrying. While segregationists spoke of opposing social equality, white nationalists speak of opposing integration, diversity, and multiculturalism. Segregationists wanted to eliminate social spaces for interracial relationships to develop through a system of racial segregation, while white nationalists want to eliminate spaces for interracial relationships through ejecting nonwhites from the nation and creating a pure white nation.

CONCLUSION

What are some lessons or conclusions that we can draw from this analysis? First, the examination of white nationalist ideology and its opposition to interracial marriages and families is not merely about examining the views of a fringe racist ideology. While it is an extremist ideology and relatively few people explicitly identify as white nationalists, the reality is that it probably resonates with a significant number of whites. White nationalist views, especially on immigration, seem to have been affirmed at least implicitly by many supporters of Donald Trump in the 2016 presidential election.⁶⁸ Thus, if in fact opposition to interracial families and individuals is a core principle of white nationalism, then that suggests the possibility that a greater number of whites also share similar views. This would help to

64. *Id.*

65. *Id.*

66. *Id.*

67. *Id.*

68. See Joe Sterling, *White Nationalism, a Term Once on the Fringes, Now Front and Center*, CNN (Nov. 17, 2016, 8:30 AM), <https://www.cnn.com/2016/11/16/politics/what-is-white-nationalism-trnd/index.html> [<https://perma.cc/CT2K-2MXT>].

explain the relatively low rates of interracial marriages currently, especially between whites and blacks.

Second, it is important to center the children of *Loving* in attempting to understand continuing and persistent opposition to interracial marriages among whites. Opposition to interracial marriages should be understood more broadly as opposition or fear of multiracial individuals for the threat that they pose to maintenance of white political power. The fear of a “mongrel breed of citizens” is still prevalent in 2018. A complete analysis of cultural attitudes toward interracial marriages should take this into consideration.

However, there is a key difference between segregationist ideology and white nationalism that suggests that we have indeed made significant progress. To be sure, the prevalence and power of white nationalist views can be seen as a discouraging sign of the continuing power of racism. The *Loving* decision clearly has not eliminated the cultural opposition to interracial marriages and families. While segregationist ideology sought to justify a system of state-sanctioned segregation and antimiscegenation, white nationalism is an almost desperate response to the current legal and political system and culture in which overt racism and discrimination are condemned and the norms of racial diversity and equality are affirmed and celebrated.

The bottom line is that *Loving* is the law of the land, and that is not going to change. White nationalism is fighting for its very survival. Its language of genocide and oppression is telling. The white nationalist slogan “You will not replace us”⁶⁹ presupposes a process in which whites are actually being deliberately replaced by people of color in various facets of civil society as the norms of diversity, equality, and inclusion are becoming more firmly embedded culturally, legally, and politically. The fight for racial equality is far from over, but white nationalists are operating as if they are losing, and they are holding even tighter to the principles of endogamy and miscegenation because they can feel their grip on political and cultural power slipping through their fingers.

69. Lawrence Rosenthal, *Will the Rise of White Nationalists Lead Populists to Abandon Trump?*, S.F. CHRON. (Dec. 27, 2017, 9:29 AM), <https://www.sfchronicle.com/opinion/openforum/article/Will-the-rise-of-white-nationalists-lead-12455970.php> [<https://perma.cc/GF9U-H2FG>].