

The End of the “One-drop” Rule?: Hypodescent in the Early 21st century

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For well over a century, the so-called “one-drop” rule has played a decisive role in the determination of African-American ancestry. That is, any amount of African-American ancestry, no matter how little or how obscure pre-destines the race of an individual to be African-American; regardless of how he or she might actually prefer to be identified. However, data from the 2010 produced a remarkable 130% increase in the number of persons identifying themselves as African-American in combination with another race, most often White or American Indian. We provide a snapshot of these changes in Table 1, below.

This dramatic increase in the multiple-race identification of people of African-American heritage signals a profound shift in thinking about the meaning of race for African-Americans. It may even spell the end of ideas about the role of hypodescent in the determination of race. This paper explores this change by looking at the ecological characteristics that might be implicated in this dramatic shift.

African-Americans and the rule of hypodescent

Davis (1991) argues that the one-drop rule has its origins in racist beliefs connected with efforts to prevent racial miscegenation. Specifically, it is related to the idea that the racial superiority of Whites was biologically and culturally diminished by contact with lesser races and the offspring of such unions unsuitable for admission to White society. In 1682, the colony of Virginia declared sexual relations involving Blacks and Whites an abomination. The penalty for this crime condemned the offspring to slavery, if the mother was a slave, or to indentured servitude until the age of 30 if the mother was White (Davis 1991, p31). These laws sought to limit the number of persons with Black and White ancestry but by mid-19th, they had become sufficiently numerous that a category was added to the 1840 census for the enumeration of “mulattoes”.

The end of the American civil war in 1865 erased forever a profoundly entrenched racial hierarchy anchored in slave labor. In the war’s wake followed a period of highly destabilized race relations in which the privileges of Whiteness were undermined and threatened by a newly freed and newly enfranchised African-American population. The real or perceived threats to these privileges caused Whites to respond in a variety of ways. These tactics, ranged from a terrorist campaign waged by the Ku Klux Klan to administrative rules governing who may, and may not lay claim to the privileges of a White birthright.

Table 1: Percent Change in the Number of Black/African American People between 2000 and 2010, by State and Additional Race Response for Selected States

| Race Response: | <u>Black only</u> | <u>Black & White</u> | <u>Black & American Indian</u> |
|---|-------------------|--------------------------|------------------------------------|
| | <u>% change</u> | <u>% change</u> | <u>% change</u> |
| <i>Census Division 3: East North Central</i> | | | |
| Indiana | 116% | 254% | 161% |
| Illinois | 99% | 215% | 128% |
| Michigan | 99% | 204% | 119% |
| Ohio | 108% | 227% | 118% |
| Wisconsin | 118% | 226% | 151% |
| <i>Census Division 5: South Atlantic</i> | | | |
| Delaware | 127% | 278% | 197% |
| DC | 89% | 207% | 129% |
| Florida | 128% | 292% | 171% |
| Georgia | 126% | 323% | 200% |
| Maryland | 115% | 242% | 157% |
| North Carolina | 118% | 332% | 223% |
| South Carolina | 109% | 348% | 182% |
| Virginia | 112% | 254% | 156% |
| West Virginia | 110% | 279% | 161% |
| <i>Census Division 8: Mountain</i> | | | |
| Arizona | 163% | 258% | 204% |
| Colorado | 122% | 215% | 152% |
| Idaho | 180% | 253% | 198% |
| New Mexico | 124% | 208% | 186% |
| Montana | 150% | 254% | 138% |
| Utah | 166% | 229% | 157% |
| Nevada | 161% | 255% | 199% |
| Wyoming | 128% | 257% | 141% |

Source: American FactFinder Census 2000 SF1 data and 2010 Census SF1 data.

In the post-Reconstruction South, this meant redoubling efforts to prevent Black-White contact. In 1883, the Supreme Court nullified the 1875 Civil Rights Act and this precipitated a flood of Jim Crow legislation across the South aimed at segregating Blacks from Whites, and further subordinating the Black population (Woodward 1957). By 1910, Jim Crow style segregation was fully in place and states took up the issue of who was subject to these restrictions. One by one, southern states passed legislation mandating hypodescent as a nominal requirement; Virginia was the last to adopt this legislation in 1930 (Davis 1991 p.55). Coincidentally, the Census Bureau dropped “mulatto” as a category of race after the 1920 census.

For much of the 20th century, the one-drop rule came to be embraced by Whites and Blacks alike as the fundamental benchmark for determining who is, and is not African-American, normatively as well as in law (Davis 1991). The courts upheld this practice as recently as 1982 in a widely publicized case. Susie Guillory Phipps understood her race and her family’s race to be White. When she learned that she was officially classified otherwise, she sued the state of Louisiana to allow her to change her legal records. The court ruled against her and in favor of Louisiana. In the following year, Louisiana was the last to repeal its hypodescent legislation (Desmond and Emirbayer 2010). Normatively, the one-drop rule remains intact in many quarters. As recently as 2010, when asked how he completed his census form, President Barack Obama, a man of Black and White parentage, replied that he identified himself simply as African-American (NYT need cite).

Factors affecting multiracial identity

There are two bodies of research that can be invoked to illuminate the substantial increase in the numbers of persons identifying as African-American in combination another race (s). One literature focuses on the phenomenon of ethnic switching.¹ The other body of research addresses the contingencies that influence the acquisition of multiracial identities. In particular, how the offspring of inter-racial unions are assigned singular or multiracial identities by their parents.

The literature devoted to ethnic switching focuses mostly on the Native American population in the United States and Canada. However, this phenomenon also has been observed Australia, New Zealand, and elsewhere. This first evidence of ethnic switching was observed in data obtained by the 1970 decennial census for American Indians and Alaska Natives (Passell 1976). Passell observed a significantly larger than expected increase in this population that could not be explained by the difference in fertility over mortality.² He speculated that the civil rights movement and its emphasis on “ethnic pride” might have influenced some individuals who formerly identified with another race in earlier censuses to switch their race to American Indian. This phenomenon was subsequently observed in the

¹ This is also referred to as ethnic drift, ethnic mobility, and ethnic shifting. All of these terms describe the same behavior whereby individuals change their ethno-racial identity to another.

² He also assumed that immigration into the US was negligible and could be ignored in his analysis.

1980, 1990, and 2000 censuses (Passell and Berman 1986, Snipp 1989, Eschbach 1993, Harris 1994, Passell 1997). The 2000 census allowed respondents to report two or more races and this, along with the numbers who reported only one race yielded a landmark number of 4.1 million persons identifying as American Indian or Alaska Native; the largest number since the 18th century (Thornton 1987).

In 1997, the Office of Management and Budget adopted rules allowing individuals to report more than one racial heritage and the 2000 census was the first official implementation of this rule (Snipp 1989). However, other surveys such as the National Health Interview Survey (NHIS) and the National Survey of Adolescent Health (ADD Health) incorporated questions allowing the reporting of more than one racial heritage prior to the 1997 ruling (Harris and Sim 2002). There were two significant outcomes arising from these measures. One was a return to an earlier sensibility pre-dating the one-drop rule that recognized the possibility of mixed racial heritages. The other was a spate of research that continues unabated focusing on the causal antecedents connected with reporting two or more races.

Much of this research is based on 1990 census data. Overall, the results show that factors affecting single-race identification operate at many levels and that knowledge of a person's parent's races is not enough information to adequately predict the person's racial identification. Personal, family and social context factors must be taken into account as well, regardless of the specific racial groups involved (Xie and Goyette 1997; Kanaiaupuni and Liebler x; Roth 2002). Connections to a group's homeland—whether through language use, residence, or birthplace—are positively related to identification with that group (Xie and Goyette 1998; Liebler 2001, 2004; Kanaiaupuni and Liebler x; Liebler and Kanaiaupuni 2003/4; Roth 2002; Qian and Lichter x).

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