Loving v. Virginia

Taking a Stand for Marriage

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Individual Exhibit

Student composed words on exhibit- 498
Process Paper - 490
One of my main interests is black history and the Civil Rights movement. My love for this steered me in the direction to do a project about a Civil Rights Supreme Court case. When my class was first introduced to History Day, my teacher showed us a list of previous topics. I was looking down the list and saw Loving v. Virginia. I asked my teacher about it and he explained that it was about an interracial couple. It was perfect because my parents are an interracial couple and I never knew it was illegal to marry a different race. Making a connection to my topic would be more meaningful to me.

Doing the research for the Lovings was tough because they were not well-known. My own parents did not know about this until I did this project. I utilized the Library of Virginia. This had many newspapers, documents, photos, and other various resources on the Loving’s court case. While researching, I came across the transcript and the two-hour long oral argument given by the Supreme Court in 1967. Some of my most reliable sources originated from the Loving’s personal photographer, Grey Villet. I came across an amazing book, Virginia Hasn’t Always Been for Lovers, that had court documents, arrest records, interracial laws in states, pictures, and gave good details on the Loving’s story. I was also able to interview Philip J. Hirschkop who represented the Lovings as one of their attorneys. By watching the movie Loving, that was released in November 2016, my understanding of the struggles the Lovings faced deepend. These tools gave me a valuable and respectful understanding of Richard and Mildred Loving.
I selected the exhibit category because I enjoy scrapbooking. I saw some exhibit examples and I was fascinated by how they looked. Also, I wanted to do an exhibit board because I do not have to worry about the internet crashing or accidentally deleting everything. After qualifying for state competition, I decided to build my exhibit out of wood. I bought the wood, cut it, laid it out, and screwed and hinged everything. After that, I typed my narratives, titles, and quotes. Next I found pictures that I printed and made sure they fit. After everything was printed, I put backgrounds on the pictures narratives, then pasted everything to the board. History Day has taught me how to conduct research, analyze, organize, and present the information in a creative manner, as well as life skills such as not giving up, managing my time, overcoming my anxiety and stuttering in an interview setting, and taking a stand for what I believe in.

The Lovings took a stand for their right to marry under the 14th Amendment and challenged Virginia’s anti-miscegenation law. Their 1967 U.S. Supreme Court case, *Loving v. Virginia*, allowed interracial couples to marry and set the precedent for the same-sex marriage ruling in the 2015 *Obergefell v. Hodges* Supreme Court decision.
Annotated Bibliography

Primary Source

Audio


This is the oral argument of the Loving’s supreme court case on April 10th, 1967. The oral argument is two hours and 16 minutes. The court decided unanimously on June 12, 1967. Philip Hirschkop and Bernard Cohen, the Lovings attorneys, explained that they feel that Virginia court robbed the negro race. He briefly explained other issues the state of Virginia has. He talks about how they violated the 14th amendment. Chief Justice Earl Warren explained how these laws were unconstitutional and have run afoul of the 14th Amendment. The lawyers argued the Loving’s case well.

Images


This is an image of 1881 Alabama Supreme Court. The author of this website talked about the Pace v. Alabama case and how the Alabama Supreme Court found the anti-miscegenation laws constitutional. I used this image in the background panel of my exhibit.

This website provided me with an image of the 14th Amendment for my upper left background panel. The 14th granted citizenship, and legal rights under the constitution after the Civil War. When the Lovings were convicted, the judge in Virginia violated the 14th amendment.


This is an image of an African-American man trying to vote but a two white men are holding guns to his head. This image shows different ways white Americans tried to suppress African-Americans to not vote during the election of 1876. I used this image in the background panel about the discrimination African-Americans faced during the Reconstruction Era, despite the 14th Amendment being passed. We also used this image alongside other political cartoons during the Reconstruction Era.


This was one of the few images of Judge Leon M. Bazile. I included his image in the build up lower left section of my panel and included the racially charged statement he issued during the process of appeals of the Loving v. Virginia case.

This image of an African-American man kissing and white woman was the cover of the book. This picture gave me insight to what people thought of miscegenation back when President Lincoln was elected. I used this image in the upper left background section of my exhibit.


This is an image of a man from the "White League" shaking hands with a member of the Ku Klux Klan. Between their hands is a skull and below that is a shield which has an African-American man and woman illustrated in it. This image was published in 1874 by Thomas Nast, in the newspaper Harper's Weekly. I used this image in the upper left background section of my exhibit.


In the Virginia Law to Preserve Racial Integrity, "white" persons were defined as those with "no trace whatsoever of any blood other than Caucasian" or "one-sixteenth or less of the blood of the American Indian." Virginia and many other southern states were very persistent and particular on racial identification forms. The southern part of America was very isolated and separate but not equal. I used this in my upper left panel.

Photographer Grey Villet took these images of Richard, Mildred, and their children during his time with them. These images were really helpful because they were the first images I saw of the Loving kids together.

**Interviews**

Herman-Rappe, Traci and Candace. Personal interview. 7 Apr. 2017

Traci and Candace Herman-Rappe are in a same-sex marriage and explained to me how they feel about the Lovings and how much the appreciate them. They are grateful for the Loving’s strength. Traci and Candace said they believed that the Lovings paved the way for same-sex couples/marriages. And it’s also a basic civil right to marry whomever you want. They feel that it’s a comfort knowing that today's LGBTQ youth will grow up knowing that their love and relationships are valued and afforded the same equalities as any other relationship. They believe that everyone should know about this, and the laws before the Lovings Supreme Court. It was compelling seeing views from a same-sex marriage point of view instead of interracial marriage. Doing this interview really made me understand how the government tried to control who you love.
Hirschkop, Philip. Personal interview. 18 Apr. 2017

I interviewed Attorney Philip J. Hirschkop who represented the Lovings. He shared how he became involved with the *Loving v. Virginia* case, and how it has impacted same-sex marriages today. He also talked about the personalities of Mildred and Richard Loving. I used parts of the interview on the right panel to connect how *Loving v. Virginia* has impacted same-sex marriage today.

Jeter, Donna. Personal interview. 13 Jan. 2017

I interviewed Donna Jeter, the niece of Mildred Loving. I asked her questions about Richard and Mildred Loving and what she knew about them. She shared that someone burned a cross in Mildred’s backyard as a hateful gesture because they were an interracial couple and raising biracial kids were tough for their family. She explained the struggles her family faced, and what they did to overcome them.

Law, Karen. Personal interview. 12 Apr. 2017

Karen Law’s parents were an interracial couple and married in 1963 in Colorado. I called and interviewed her. She explained that it was tough going to school being the only person of color. Her parents stayed away from traveling to the south for many reasons. She found out about *Loving v. Virginia* when she was in 6th or 7th grade. At her school, they didn’t teach black history but she had a special teacher that taught beyond their curriculum. She explained anti-miscegenation laws and how her parents fought for their family. She is really informed and inspired about the Lovings.
Journal articles


The article talks about love affairs and marriage of Mildred Loving and her husband Richard Loving. It mentions the impact the Civil Rights Movement and what was going on at the time. The decision of the U.S. Supreme Court invalidated laws prohibiting interracial marriage. Richard Loving also mentions that they didn’t try to lead the national fight for justice, it just happened.


This article discusses the lives and marriage of Richard and Mildred Loving, an interracial couple who challenged the Racial Integrity Act in Virginia. Emphasis is given to topics such as the U.S. Supreme Court Loving v. Virginia, the raising of the children, and the production of the movie "Loving."


I got great information from this journal article. There was a chart of the United States showing which states has legalized same sex marriages before the *Obergefell v. Hodges* the Supreme Court case. Mildred has mentioned that if she won their case that they will help many people across the country.
**Magazine Article**


The magazine “The Couple That Rocked The Courts” was published September 1967, four months after the Supreme Court ruling. It included an exclusive interview with Mildred and Richard, pictures of their family, statements from their family, and the locals of Caroline County.


This Life magazine article included information about the Lovings in Caroline County Virginia, their marriage in Washington, D.C., their arrest, and general information about the case in general. This had images of their families and the people who helped them win their case like Bernard S. Cohen, Robert F. Kennedy, and Philip J. Hirschkop.
Newspaper article


This newspaper article was about the 25th anniversary of Loving v. Virginia. It gave the sheriff’s names that invaded the Loving’s home in 1958 after getting married. This newspaper article interviewed Mildred Loving. Mildred mentioned that being married to a different race didn’t hurt anyone, and if it did too bad.


I used this image of a newspaper article published on June 13, 1967, the day after the Supreme Court decision of overturning anti-miscegenation laws all over the country, in the upper right impact panel. The newspaper was about the case and the opinion of the Supreme Court, and some of the arguments that Chief Justice Earl Warren rejected from the state of Virginia.
“Virginia Ban on Interracial Marriages Goes to Federal Court this Week.” is a newspaper that was presented to the public on January 24, 1965.

Transcripts


These transcripts showed what Chief Justice Earl Warren, Attorney Hirschkop, Attorney Cohen, and R.D. McIlwaine III said during the case. In the beginning of the transcript, Hirschkop says his argument and talks about how Loving v. Virginia is a part of the Fourteenth Amendment. This transcript was helpful because I could see what both sides really argued and what they specifically said to defend their argument.

Videos


This video included the actual interview footage from ABC in 1967. In this interview with Mildred and Richard Loving, it was asking them about their life and some of the things they went through like being arrested. Their attorney, Bernard Cohen is reading the letter Mildred wrote to Robert Kennedy who then referred it to the ACLU.
Websites


The American Civil Liberties Union had a video of the Loving’s impact. It also talks about their story and that the Civil Rights Movement inspired Mildred to write to the ACLU. It talks about their journey through the ACLU and what they had to do and who the ACLU sent for Richard and Mildred’s lawyers.


When same-sex marriages were legalized president Barack Obama had verbally supported the Obergefell v. Hodges court case. He talks about the ruling of same-sex marriages will strengthen the community and support many families. It will offer love to anyone and how America is a place with many different beliefs and possibilities. His speeches influenced many Americans to take a stand for their rights and how America is now after the same-sex marriages.


This website was a very reliable source because the pictures were clear and real and they were taken by the Loving’s personal photographer. Most of the pictures were Richard and Mildred’s family doing casual things with their kids and enjoying their company. When Mildred and Richard were waiting for their Supreme Court trial they went to Virginia to get photos taken by Grey Villet. Even though they were different races the Lovings were just a normal American family.


This website gives interracial marriages and mixed-marriages today. It also tells about mixed-marriages right after the Lovings court case. There were percentages on what race would marry outside their race. They hope that with interracial marriages will blur the U.S. color line. Also it explains how the public views interracial couples. *Loving v. Virginia* supported the *Obergefell v. Hodges case* and the public’s opinions and what they thought about that.
Mixed-race, Marriages Legal across the Country." *Junior Scholastic* 21 Nov. 2016:

In Central Point Virginia Mildred and Richard grew up three to four miles apart. Their community is mixed and white and blacks would help each other with their crops. Mildred’s brother played music at parties Richard would attend. Some people in Virginia disagreed with the mixing communities. Richard and Mildred saw it in their town and that’s why they thought it was okay to get married. Somehow their marriage news leaked and they were arrested and convicted in Virginia.


The website briefly explains Richard and Mildred’s story. It has many pictures of them in their everyday life taken by Grey Villett. Some pictures you can see them with their African-American and white friends. It also gives details of the Supreme Court case.

Web. 05 Dec. 2016.

This report is for the Loving’s 50th anniversary. It briefly tells the Loving story. It also shows an interview of Mildred and Richard before their Supreme Court case. It also focuses on the the 1924 Virginia Racial Integrity act.
Mildred wrote to Robert Kennedy hoping to get help for her situation because she couldn’t afford attorneys. Robert Kennedy is apart of the American Civil Liberties Union. Kennedy assigned Bernard Cohen and Philip Hirschkop.

This website has the comments of the thousands of responses about a new study from the Pew Research Center accepting interracial and interethnic marriages. It was interesting seeing different perspectives of inter-marriage. Most people were accepting, and others thought it was pure wrong for someone to marry the opposite race.

In this article it gave specific details on what Mildred’s letter said to the attorney general Bobby Kennedy. It also talks about when Mildred was 35 she and Richard were driving on a highway and got in a bad car accident right after the Supreme Court decision. Richard died and Mildred lost her left eye. After that she spent the rest of her life going to church and raising her kids. I would be devastated to lose your husband after you fought for your rights to marry.
On this website it had the majority opinion of *Pace v. Alabama* in 1883. In Alabama there was a law that if any man or women live together in adultery or fornication each of the would be jailed. The Supreme Court Chief Justice stated the case and also how wrong it was for the races to mix. The Supreme Court was very racist and wasn’t fair.

Since the Supreme Court’s ruling legalized same-sex marriage, President Obama has verbally supported the court’s decision. This website gave quotes from the president on the Supreme Court ruling and the White House projecting the rainbow flag in celebration for same-sex couples.

This website had five quotes reacting to the Loving’s case. In some quotes the people were prejudice. But in some they thought it was a big step in the Civil Rights Movement. It was interesting to see different views on interracial couple. There was a various amount of opinions. Even the president Kennedy added a quote about the Loving’s case.
Gallup, Inc. "In U.S., 87% Approve of Black-White Marriage, vs. 4% in 1958."


On this website it gave many percentages mixed couples and mixed-marriages. It talks briefly on how older Americans would least likely approve of interracial marriages. It also has a graph that shows how as the years go on more people approve of interracial marriages.


This documentary explains the Loving story amazingly. It shows pictures and videos that weren’t ever released to the public until the documentary came out. It really goes into detail on how the Loving’s life was before their court case.

"Loving Decision: 40 Years of Legal Interracial Unions." 5 Dec. 2016. Web

. 05 Dec. 2016.

This amazing website gives Cohen’s argument of the case before the Supreme Court. He talks about how the state is ignoring a very important subject which is interracial marriage. It also gives judge Leon Bazile quote during the Loving’s first court case in Virginia.
"Loving v. Virginia in Historical Context. Crossing Borders, Bridging Generations."


The newspaper article "Justice upset all bans on interracial-marriages." It talks the Loving's Supreme Court case and the decision. The article talks about the background of interracial marriages and how Virginia banned their first law in 1691. They wanted to prevent the "abominable mixture and spurious issue." Virginia and other southern states were very concerned of their white superiority.


During the trial Virginia claimed that there is scientific evidence that children that have interracial parents are harmed. This video also gives really good Grey Villet pictures. It also states that on the Loving’s 40th anniversary Mildred supports same-sex marriages and said lesbians and gays should marry.


This website shares Richard and Mildred’s arrest warrants. Also it gives Virginia’s health bulletin from 1924, the newspaper article, and many official documents. It was really cool seeing Richard and Mildred’s arrest warrant and seeing how people wrote back then and what words they used to describe Richard and Mildred.

In this article it gives quotes of judge Leon M. Bazile. He was the judge with convicted and banished Richard and Mildred Loving from Virginia just because they were an interracial couple. His quote is what he said in the Virginia court. It also gives the laws of virginia and what section they are in. Chief Justice Earl Warren gives the court opinion and also concurring Justice Potter Stewart.


In this video I found out how prejudice people were about interracial marriages. They gave thoughts and opinions on interracial marriages. But as they year goes on more and more people are becoming an interracial couple and breaking the segregated boundary. The acceptance of interracial couples in America increase throughout the years.


On this website it showed the newspaper article that was written about the Lovings during the time the lovings were in DC. It also has some articles that were written before the Loving’s case about miscegenation laws and trying to prevent any race from mixing. It also shows the registration form of virginia in the 1940s and 1950s. It mentions that the white race should have no trace of mixed blood unless it’s one sixteenth native American.

This page talks about the Loving’s Virginia court and their arrest. Mildred was pregnant when she was thrown in jail. The police let Richard out first because he was white. It talked about their arrest fees. Judge Leon M. Bazile mentioned to the Lovings, that as long as you live you will be a felony.


In the Encyclopedia of Virginia it shows the opinion of judge Leon Bazile. This document was recorded January 22, 1965. His opinion was preconceptions and racist. He said it was unnatural and unlawful. He mentions on how God placed us on separate continents for a reason, and that he did not intend for the races to be mixed. He convicted and banished the Lovings from Virginia. Then after that the Lovings had to Live in D.C with Mildred’s aunt for the next five years.

This website reiterated the transcript of the 2015 *Obergefell v. Hodges* case. However, this article highlighted important quotes comparing the loving case with same-sex marriages. The article was helpful because it discussed the meaning of the justices' opinions on obergefell v hodges in an easy-to-understand way.


In 1881, Tony Pace a black man and Mary Cox a white woman lived together in Alabama and were arrested because of their sexual relationship violated the state's anti-miscegenation laws. Both were sentenced to two years in the state penitentiary.


This website gave me the image of protesters in the fifties protesting about the race mixing in the U.S. They were in Little Rock Arkansas and they looked furious. They believed in white supremacy and wanted to preserve the white race. I can imagine the protesting could have gotten violent but it was for a good cause. It was crazy seeing that people actually cared that much about races mixing.

This website shows a picture of the *Pace v. Alabama* judges. *Pace v. Alabama* confirmed that Alabama’s anti-miscegenation laws were constitutional. This ruling was rejected by the Supreme Court in 1964 in *McLaughlin V. Florida* and in *Loving v. Virginia*. It also gives information on the miscegenation laws and the decision of the *Pace v. Alabama* case. This picture is used in my background information.

"The Warren vs Roberts Court's: Separate and Unequal Views on Marriage Equality."


This article talks about the decision of same-sex marriages. The Loving case was unanimous but the *Obergefell v. Hodges* was a 5-4 decision. It claims that the court’s leadership is very different than the court in the 1950s and 1960s. In 1958, 94% of the U.S. was against inter-marriages and races mixing. It talks about how life is and how the public is after the 2015 court decision.
Secondary Source

Books


This book has shaped the Loving’s experience into a story for younger audiences. This book is honest about the Loving story, and has simplicity. It gives specific details on the Loving’s Supreme Court Case. It also has very important quotes. There’s important information on the civil rights movement and what was going on during the time. It also mentions the public views on interracial couples and marriages.


This book written by Karen Alonso was about Mildred and Richard Loving’s journey to be able to live as married couples legally in Virginia and how their case impacted the United States. Mildred talked about their marriage, the arrest, the ruling to get them out of Virginia, and the United States Supreme Court case. From this book, I was able to find many images of Mildred and Richard Loving to place on my exhibit board.

Newbeck has quotes from some of the explanations on why the laws was necessary and the thinking was behind it. It gives other state’s miscegenation laws, when they were ruled and when they were outlawed. When slavery was around it gave the exact laws of inter-couples and what would happen if a white master had a kid with an African-American slave. It talks about how *Loving v. Virginia* was not just about inter-marriage, it was about how our nation defined people in terms of race.


In this book it talks mainly about the Loving story. It gives background information about what happened before the Loving’s court case. The first part of the book discusses segregation, the Civil Rights movement, separate but equal laws, and Supreme Court cases that were based on segregation. The book provides maps and graphs on when and where inter-marriage was banned.

Peter Wallenstein wrote this book about race, the history of miscegenation, and Loving v. Virginia. This book was a really great source because it talked about the many things that happened before Loving v. Virginia involving race, marriage, and other cases that had something to do with miscegenation. This book talked about Loving v. Virginia in a different way and it connected the case to many different situations that happened around the world and how it affected America.

Magazine Article


This article was my first type of research on my topic. This gave me an understanding on what Loving v. Virginia was. This gained my interest to keep researching on this topic. It also had many pictures and graphs that helped explain life after the Loving decision. The quote “Tell the court I love my wife, and it’s not fair that I can’t live with her in Virginia” is in this magazine. I used this quote for my title for my main argument.
Websites


This website gave Mildred’s biography. She was born in 1939 and died in 2008. She was shy and soft-spoken. She became a reluctant Civil Rights activist. She had 3 kids, and a big family in Virginia. She didn’t mean to be apart of monumental event, she just wanted to be married freely. It gave information of the laws and how long it's been around. It also had information on Richard and Mildred’s hometown of Central Point Virginia. It tells about their community and how different races hung out and how it is diverse.


There is a live transcript of a host of a radio station talking about different types of marriages, interracial marriages and same-sex marriages. The interracial couples and marriages have increased by 28% over the past decade. There is a couple on the radio that talks about their marriage and what type of marriage they have.

This website explains the laws of interracial marriages in the South. During the time, 30 states banned interracial marriages. Judges said it was marrying another race was unnatural. This website also has the picture of the book “what comes naturally.” I used this in my background panel.