

## Bound in Wedlock: Slave and Free Black Marriage in the Nineteenth Century

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The fight for marriage equality in the United States, which made significant progress in 2015 with the Supreme Court ruling that ‘no American can be denied the freedom to marry because of their sexual orientation’, highlighted that access to marriage has long been the privilege of those who conformed to normative ideas of sexuality and domesticity prescribed by the elite and powerful. Campaigns for equal marriage rights throughout time underscore that marriage is much more than a symbol of love between two people, it is rather a legal relationship between state and citizens, and a socio-political assertion of *entitlement* to love and access to the idealised domestic realm of the national body politic. In *Bound in Wedlock*, Tera Hunter traces African-American relationships from slavery to freedom to investigate how unions were shaped by the whims and legislation of white men, but also the creativity and defiance of the people whom the restrictions sought to control as they fought to maintain a sense of family under challenging circumstances.

Key debates within the historiography of slavery have so often hinged on the interpersonal relationships of enslaved people, which have in turn been moulded by the continuing debate over the role and nature of the black family within the United States. Historiographical arguments for ‘agency’ and ‘survival’ have, to a large extent, been rooted in how enslaved people negotiated their relationships with biological or fictive kin. The Moynihan report of 1965 that stereotyped the black family in America as matrifocal and dysfunctional, and furthermore stated that this had originated in the lived reality of enslavement, was part of a long and ongoing process of the monitoring of black families to assess their suitability as citizens. Moynihan’s description of the black family and comparison to the imagined American ‘nuclear’ ideal catalysed a wave of oppositional scholarship to redress the represented polarisation of black and white familial norms. Herbert Gutman, in *The Black Family in Slavery and Freedom*, wrote that the nuclear family was always the ideal in black American history.<sup>(1)</sup> Subsequent scholarship that built on Gutman’s reparative ideology, such as work by Emily West and Rebecca Fraser, documented the lengths that some enslaved people would go to maintain any iteration of the ‘nuclear’ family that could be salvaged under the conditions of enslavement.<sup>(2)</sup>

Hunter provides a valuable contribution to the discussion on tensions that affected the incorporation of the black family into the US body politic. Extensive in scope, Hunter shifts the source base and approach from

chapter to chapter. The first three chapters focus on black experiences of marriage before emancipation, to include enslaved marriages, and marriages that transcended slave-free status. Enslaved people experienced a range of relationship types that were moulded by the multifarious lived experiences of enslavement. The work is impressive in its ability to reframe major events in US history through the lens of marriage. Chapter one includes discussion of the Louisiana Purchase, the closing of the Atlantic Slave Trade, the expulsion of Native Americans, and the acquisition of Texas through their impact on the lives of enslaved people. Recently, there has been renewed attention to the political economy of slavery, most impressively by Daina Ramey Berry in *The Price for Their Pound of Flesh*, and a more forensic study of the interpersonal relationships of enslaved people under these circumstances adds nuance to this debate.<sup>(3)</sup> Similarly, in the second chapter, Hunter shifts the narrative surrounding the Dred Scott to explore the lack of protection for black spousal relationships within the US legal system, rather than to study demands for citizenship.

Major events such as these, in addition to the will of the master, meant that 'marriage' had to be located within a taxonomy of relationships that Hunter terms 'black heterosexual intimacy'. Slavery pushed understandings of marriage to its limit. Thomas Jefferson in *Notes on the State of Virginia* wrote that 'love seems with them [Africans] to be more an eager desire, than a tender mixture of sentiment and sensation. Their griefs are transient' (p. 76). With these words Jefferson sought to absolve slaveholders of guilt despite the widespread separation of families through the domestic slave trade, but despite disruption of separation Hunter finds evidence for a full range of responses that centred on a strong desire to maintain a sense of family, albeit in a more fluid form: extended family, serial relationships, long-distance relationships and stepfamilies were all common when faced with the multiple crises that slavery presented.

Chapters four to six covers the era from Civil War through to the end of the 19th century when the presence of the federal government forced black Americans to again reconfigure ideas of marriage to mediate their relationship with the state. Black couples, whose relationships had often existed in a necessarily fluid form before the Civil War, now had to marry 'Under the Flag'. White Northerners saw that it was their duty to erase the range of black intimate relationships that had existed under slavery, and instead saw these marriages as adultery and bigamy. Black marriage, at this point, became national problems. If the nation was to formally recognise slave marriages, they would need to enfranchise black soldiers and government workers as husbands and heads of households, 'making them miniature sovereigns on par with whites' (p. 167). This marked a starting point for the public performance of black masculinity, whereas black women would continue to be perceived as expendable compared with their men.

Hunter pays close attention to gender roles throughout, and the complexities of black marriage are used to discuss their contested nature and fluidity, both before and after emancipation. Early in the work Hunter states that '[g]ender roles were defined much the same as in the dominant culture', but 'survival dictated that African Americans had to endow tender values and ideas with their own particular inflections' (p. 14). In the slavery era, this was complicated by the interaction of the concepts of freedom and unfreedom within the confines of marriage. When a female spouse was free and the male was enslaved then legal status of freedom/slavery disrupted gendered norms and expectations. Free women in this case were legal owners of property and assets, and gender intersected with race and status in unexpected ways. Hunter described free women who married slave men as being in the 'unique position' of being heads of household, despite being married (p. 97). This was, in a sense, empowering for such free women of colour who maintained legal rights customarily relinquished by married women, and performed roles within the home that their enslaved husbands could not.

The historiography of American slavery is so often shaped by its socio-political context. While Herbert Gutman and later scholars emphasized the strength of the black nuclear family ideal under slavery, since the 1980s pioneering scholars have challenged heteronormative assumptions that emphasised the black male patriarchal status. Angela Davis and Deborah Grey White, for example, have reminded historians that the lived reality of high mortality rates and separation meant that alternative family structures emerged out of necessity, friendships became familial in nature, and gender roles inside and outside the home had to be flexible.<sup>(4)</sup> Hunter, in a study of heteronormative marriage amongst African-Americans in the 19th century,

makes an unpredicted contribution to this conversation.

Through a strong focus on legal records, Hunter reveals white views of black marriage throughout American history and subsequently of the construction of American heteronormativity: white understandings of black marriages were mediated by ideas of race and racialised sexuality which meant that they were not privy to the protections normally associated with heterosexual convention. This narrative runs through slavery into freedom as white ideas of black marriages both evolved but stood firm in the association of blackness with the 'perversion of domestic ideals' (p. 306).

The turning point for black marriage in Hunter's book came after the Civil War when the federal government embarked into mostly unknown territory, assuming functions that had previously been considered the prerogative of the states. The federal government reimaged the black marriage as the foundation of a labour unit. Hunter stated that '[m]arriage was treated as the infrastructure that would build self-sufficient labor units among the newly freed to perform the agricultural work so important to these new enterprises' (p. 123). This argument constructed by Hunter compares the premise of the sharecropping system with forced reproductive ideologies amongst slaveholders that similarly reduced interpersonal relationships between black men and women to calculations of capital value. Within this sharecropping system, however, women discovered that marriage was yet another form of bondage, a relationship founded in property rights. Post-emancipation marriage that outsiders were eager to inculcate subjected women to stricter submission to men of their own race than they had previously been accustomed to (p. 304). In the epilogue, Hunter does attest to the existence of domestic abuse within black marriages, but further discussion of this would have shifted the central argument away from a representation of heteronormative marriage as an 'ideal' that was deviated from out of necessity rather than choice.

For non-sharecropping women, some gender-norms remained the same. After emancipation, Major General Benjamin F. Butler queried, '[h]ave they not become, thereupon, men and women, and children?', but freed women were still excluded from full access to womanhood as they were told that they had to engage in remunerative labour outside of the home after marriage, whereas black men were able to perform dominant contemporary masculine ideals through gaining freedom as reward for service to the military.

As the 20th century progressed, W. E. B. Dubois stated that 'without a doubt the point where the negro American is furthest behind modern civilisation is in his sexual mores' (p. 261), but in the late 19th-century commentators also rested much hope for racial progress on reforming the individual and group morals reflected in perceived deficiencies in black marriages and families (p. 263). This again feeds Hunter's discussion of marriage as a public vs private performance. Under slavery, marriage held different meanings shaped by the whims of slaveholders, and the desires of enslaved people. After Reconstruction, and into the 20th century, the institution maintained a dual function with prominent black intellectuals constructing marriage as a vehicle for advancing the interests of the group, not just a privilege to be enjoyed by individual couples (p. 17)

Hunter writes intuitively about race and sexuality, but future scholarship could pursue the role of class in the shaping of marital norms. Early in the study Hunter notes that 'the conditions of slavery made marriages distinctive, though in reality they did not look much different from the arrangements of common whites in the South' (p. 13). While the author does endeavour to avoid comparing the marriages of black people to elite white households, there is no real discussion of how they might have been shaped by class rather than racial expectations. This does not, however, take away from how impressive this study is as a synthesis of the primary and secondary material on this topic, with the notes pages confirming the wealth of valuable research and information that has gone into this work. Hunter states that research was based on sources including 'WPA interviews, ex-slave autobiographies, and Civil War Widows' Pensions Claims' (p. 323), but the dominant source material are legal records, and because of this there is often a lost emotional context. Therefore, this book would be well read alongside the work of Heather Andrea Williams, *Help Me to Find My People*, to illuminate the emotional impact of serial marriage and family separation.[\(5\)](#)

The book is an important contribution to the study of the role of marriage in shaping black history through its use as a ‘barometer’ of civilisation – but also how the arrangement that was sanctioned by the white government after slavery was another means of interference into the lives of black Americans. Hunter found that after slavery had ended, domestic arrangements that were more informal in nature still flourished out of necessity: common-law marriage, serial marriage, overlapping relationships, and nonmarried parenting all coexisted, with some individuals moving in and out of different configurations over their lives’ (p. 303), thus indicating that African Americans were more committed to a family ideology rather than wedded to an imposed family structure. A necessary addition to reading lists on slavery and its legacies in the United States.

## Notes

1. H. Gutman, *The Black Family in Slavery and Freedom, 1750-1925* (Oxford, 1976). [Back to \(1\)](#)
2. E. West, *Chains of Love: Slave Couples in Antebellum South Carolina* (Urbana, IL, 2004); R. Fraser, *Courtship and Love Among the Enslaved in North Carolina* (Jackson, NC, 2007) [Back to \(2\)](#)
3. D. Ramey Berry, *The Price for Their Pound of Flesh* (Boston, MA, 2017); E. Baptist, *The Half has Never Been Told: Slavery and the Making of Modern Capitalism* (New York, NY, 2014); W. Johnson, *River of Dark Dreams: Slavery and Empire in the Cotton Kingdom* (Cambridge, MA, 2013) [Back to \(3\)](#)
4. A. Y. Davis, ‘Reflections on the black woman’s role in the community of slaves’, *Black Scholar*, 3, 4 (1971), 2-15; D. G. White, *Ar’n’t I a Woman: Female Slaves in the Plantation South* (New York, NY, 1999) [Back to \(4\)](#)
5. H. A. Williams, *Help Me to Find My People* (Chapel Hill, NC, 2012). [Back to \(5\)](#)

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