

Title: Loving v. Virginia

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Source: *Encyclopedia of Civil Rights in America*. Ed. David Bradley and Shelley Fisher Fishkin. Vol. 2. Armonk, NY: Sharpe Reference, 1998. p548-549.

Document Type: Topic overview

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Loving v. Virginia

1967: U.S. SUPREME COURT decision declaring the MISCEGENATION laws of Virginia and other states unconstitutional.

In 1958 Mildred Jeter, an AFRICAN AMERICAN woman, and Richard Loving, a white man, were convicted of violating Virginia's ban on interracial marriages. Exiled to the District of Columbia, they filed a motion against the state of Virginia in 1963, Page 549 | [Top of Article](#) charging that its ANTIMISCEGENATION LAWS violated the FOURTEENTH AMENDMENT. Relying on *Pace v. Alabama* (1882), Virginia's state supreme court ruled the state's antimiscegenation statutes constitutional on the grounds that members of all races were equally subject to punishment if they violated the law. The state also argued that the inferiority of the progeny of interracial couples was a legitimate question, and therefore the state had a rational basis for treating interracial marriages differently from other marriages.

The case was taken to the U.S. SUPREME COURT, which rejected the arguments of the state of Virginia and reversed the convictions. The Court reasoned that the miscegenation statute clearly represented invidious DISCRIMINATION on the basis of racial classification, in direct contradiction to the Fourteenth Amendment. The Court regarded the fact that Virginia prohibited marriage between whites and members of any other race, while allowing intermarriage among members of nonwhite races, as evidence of its intention to maintain white supremacy. Thus, the Court concluded that the antimiscegenation statutes of the state of Virginia violated the EQUAL PROTECTION CLAUSE, in discriminating on the basis of race, and the DUE PROCESS CLAUSE, in limiting the freedom to marry. Marriage is recognized as one of the inviolable personal rights essential to the pursuit of happiness.

—Elizabeth R. Moore

Source Citation

Moore, Elizabeth R. "Loving v. Virginia." *Encyclopedia of Civil Rights in America*. Ed. David Bradley and Shelley Fisher Fishkin. Vol. 2. Armonk, NY: Sharpe Reference, 1998. 548-549. *Gale Virtual Reference Library*. Web. 24 Aug. 2010.

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Gale Document Number: GALE|CX3459600396