

Earl Lewis, Heidi Ardizzone. *Love on Trial: An American Scandal in Black and White*. New York: W.W. Norton & Company, 2001. xiii + 301 pp. \$26.95 (cloth) ISBN 0-393-05013-0; \$15.95 (paper), ISBN 978-0-393-32309-2.

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Published on H-Law (August, 2002)



Scandal American Style: Race, Identity, and the Rhinelanders of New Rochelle

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When, on a warm September day in 1921, Leonard “Kip” Rhineland and Alice Jones met along the roads of Westchester County, New York, we can be sure that the couple never anticipated the microscopic lens under which their romance would eventually come. In their collaboration, *Love on Trial*, Earl Lewis (Dean of Graduate Studies at the University of Michigan) and Heidi Ardizzone (Visiting Assistant Professor at the University of Notre Dame) apply such a lens to explore the intricacies of perhaps the most notorious annulment trial in American history.

Over the past decade, students and practitioners of history have devoted considerable attention to historicizing race and racial categories. If the overarching theses of this canon can be summed up by the phrase “race is an historical construct with changing definitions and connotations over time,” then few of these works have gone beyond what now appears to be obvious in their analysis. As such, there have been few historical considerations of the intersections of multiple “categories”—including self-perception, nation, gender, sexuality, and the law—in the lives of historical actors.[1] *Love on Trial* is a welcome attempt to fill this analytical void.

Using the infamous Rhineland trial as their backdrop, Lewis and Ardizzone deftly examine shifting categories of race, class, gender, and identity in the twentieth-century United States. *Love on Trial* provides a

critical examination of the trial itself, while devoting considerable space to the importance of the trial in American culture. The only published monograph to date on the Rhineland case, *Love on Trial* is an attempt not only to bring the Rhinelanders’ story to light, but also to consider the case in the context of 1920s America, the period commonly known as the Jazz Age. Although the text is overwhelmingly dependent on contemporary news accounts as source material (primarily because the original trial transcript was unavailable at the time of publication), the authors do not shrink from using other, more seemingly “objective” sources, including cemetery records, birth and death records, court records, and manuscript collections. The authors weave these sources together in an analysis that reads in the jazz tempo of its subject matter.

The “love” in question began on that September day in 1921 and continued for three years—through both forced and voluntary separations—culminating in the couple’s marriage in October 1924. Lewis’s and Ardizzone’s account of the Rhineland affair begins in November 1925, with an account of a trial delay prompted by Leonard’s tardiness. The story proceeds smoothly from the courtroom to an account of Alice’s and Leonard’s wedding. The two had been married on October 14, 1924; following their spartan ceremony, the newlyweds began their married life living in the Jones family home in New Rochelle, New York, with Alice’s parents, George and Elizabeth Jones.

George and Elizabeth Jones had immigrated to the United States from England at the turn of the century. In New Rochelle, the family raised three daughters and enjoyed a modest lifestyle based on George's career as a cab driver. The Rhinelanders, on the other hand, were one of New York's oldest families, real estate tycoons who amassed an extensive fortune participating in the eighteenth-century West Indian trade of sugar and foodstuffs. At the time of their first meeting, Alice had been employed as a domestic and Leonard was a "student" at the Orchard School, a haven for people with "nervous disorders" (p. 80). The two lovers were, however, not only from different class backgrounds: Leonard was from a long-established white family, whereas Alice's father was a man of unspecified nonwhite descent. They seemed an "odd couple" from the beginning of their romance; with Leonard's social ineptitude, stuttering, and apparent shyness, and Alice's cosmopolitan upbringing, one wonders how he and Alice ever jumpstarted the torrid affair that threatened to destroy them both.

Somehow during the first weeks of Alice and Leonard's marriage, the *New Rochelle Standard Star* caught word of the marriage and printed the announcement on the front page of the local paper. The headline that sparked the press firestorm read: "Rhinelanders' Son Marries Daughter of Colored Man." Within days, newspapers from throughout the country picked up the story, and the Jones and Rhineland families were forced to meet the incessant inquiries of the press with guarded comments and skillful evasions. The Jones family chose to retreat quietly into their New Rochelle home; the Rhineland family, headed by Leonard's father Philip, tried to close ranks as well—by pitting Leonard against his new bride. The result was an annulment suit alleging that Alice, by claiming to be white, had lied to Leonard about her racial status—a fact that was all too evident when it became known that her father was of nonwhite (and possibly "colored") descent. How could the daughter of a "colored" man be anything other than colored?

The Rhineland attorneys may well have prevailed had the Jones family not conceded early in the trial that Alice Jones "admits she has some colored blood" (p. 63). The claim was accompanied by the charge that Leonard had known all along that Alice's father was a colored man, and that, by application of the "one-drop rule," Alice was also colored. These charges turned on the widely-held assumption that blackness was visually perceptible; if Leonard Rhineland (or anyone else) could not look at George Jones and his daughters and see that they were "colored", then Leonard must be blind. (Of course, the

corollary to this defense was that if Leonard could not tell that the Joneses were colored, then the possibility exists that race is not visually perceptible.)

By charging Leonard, instead of Alice, with dissemblance, the Jones family attorneys played on some widely-held assumptions about gender and sex in Jazz Age America. For one thing, the charge that Leonard must have known Alice's background, and yet married her anyway, suggested that Leonard was not a champion of whiteness. The Jones defense team used Leonard's perceived physical, mental, and apparently cultural weaknesses to paint Alice as the wronged party in the marriage. The trial's examination of the sexual relationship between Alice and Leonard also occasioned similar criticisms against Leonard. When Leonard admitted during his own testimony that he had not intended to marry Alice, even while strengthening his efforts to have sex with the young woman, newspapers throughout the nation condemned him for his seeming lack of manliness and respectability.

In *Love on Trial*, Lewis and Ardizzone interlace their accounts of the annulment trial with considerations of the historical context in which it occurred. The story of Leonard's and Alice's love takes on a new character when viewed in the context of the 1920s, the decade that "saw the rebirth and ascendancy of the Klux Klan, the hardening of segregation in the South, and a national commitment to quieter racial times after the summer of race riots in 1919" (p. 22). According to the authors, this charged racial atmosphere accompanied increased efforts toward "the policing of racial boundaries" (p. 22).

Such efforts were evident in the expansion and further codification of Jim Crow segregation throughout the American South. The charge to keep the races separate was also taken up by several state legislatures; these anti-miscegenation laws remained in effect until the U.S. Supreme Court's landmark decision in *Loving v. Virginia* (1967) held such barriers unconstitutional.[2] Although no such anti-miscegenation laws existed in the state of New York, the Rhineland family attorneys assumed that the spirit of the laws would prevail in this case.

Love on Trial tackles such issues of race and identity head-on. According to the authors, the story of Alice and Leonard Rhineland is also a story about the permeability of racial categories across space. At the time of the trial, New York was one of nineteen states without a legal definition of blackness (p. 32). The absence of a positive law declaring Alice "black" made possible the mul-

multiple readings of her legal identity as “mulatto,” mixed, colored, and “of color.” Alice’s parents, raised in England during a period of vast British colonial expansion, may well have raised their three daughters to have an Anglo identity. Alice’s attorneys, at least, made this claim during the case. Never denying the nonwhite ancestry of George Jones, the Jones family also found themselves racially damned by their Anglo consciousness. By admitting that George Jones was “colored”—a term that held an entirely different connotation in the British Empire than in the United States—the Jones family opened themselves up to the dogged “one-drop” rule prominent in segregationist theory, which determined that any person with identifiable African ancestors was thereby “black.”

The book’s subtitle, “An American Scandal in Black and White,” holds multiple meanings in the context of the Rhinelander case. The more obvious connection is the admitted “race” of the claimants. One other possible connection is the “black and white” of the newspaper press—the dailies and weekly papers from Brooklyn to the San Francisco Bay that focused intently on the happenings in the courtroom. In 1925, the Rhinelander case made front-page news in nearly every major newspaper in the United States. The papers printed trial transcripts throughout the case, providing much of the source material for Lewis’s and Ardizzone’s work. The political agendas of these newspapers were exemplified in their coverage of the trial. For example, the *Chicago Defender* (a black weekly) used its coverage of the case to rail against white men of means who take advantage of poor black women. Surprisingly, newspapers in the South unflinchingly supported Kip only until he admitted to having spent considerable time with the Jones extended family—composed almost entirely of people of visible African descent.

Lewis and Ardizzone argue convincingly that the Rhinelander case is critical to our understandings of twentieth-century social and legal history. It is often in this narrative of the history surrounding Rhinelander, and less in the accounts of the trial itself, that the particular strengths of *Love on Trial* become apparent. In a

brilliant account of the multiple meanings of race embodied by famed performer Al Jolson (Chapter 7), the authors argue that Jolson’s identity as a Jew, along with his performative identity in “blackface” as a black man, collided to produce a character that exemplified racial ambiguity while strengthening the racist underpinnings of Jim Crow segregation.

Co-authoring a coherent, even-toned text is no easy task, and in this area Lewis and Ardizzone have shown considerable care and ability. Although the prose suffers a bit from ambiguity, the text is above all else readable and impressively researched. At times, however, I wished that the book’s various arguments were set out up front in an introduction. The absence of an introduction tends to privilege the “story” over the “history,” producing a historiographical dilemma further exacerbated by Lewis’s and Ardizzone’s extensive use of newspaper sources.

This work will undoubtedly garner criticism from those scholars (including some legal historians) who believe that academics should write only for other academics. Nonetheless, I found the book not only rigorous, but also refreshing in its obvious appeal to wider audiences. This book will go over especially well with undergraduate students, particularly due to the popular-culture aspects of the analysis. For undergraduate audiences, *Love on Trial* provides exceptional entry into questions of race, class, and the law in the early twentieth century. In the tradition of jazz, the authors do an impressive job of weaving together multiple narratives and perspectives, including their own.

Notes

[1]. Notable exceptions include Michael Gomez’s *Exchanging our Country Marks* (Chapel Hill: University of North Carolina Press, 1998); and Ariela Gross, “Litigating Whiteness: Trials of Racial Determination in the Nineteenth-Century South,” *Yale Law Journal* 108 (1998): p. 109.

[2]. *Loving v. Virginia*, 388 U.S. 1 (1967).

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Citation: Taja-Nia Henderson. Review of Lewis, Earl; Ardizzone, Heidi, *Love on Trial: An American Scandal in Black and White*. H-Law, H-Net Reviews. August, 2002.

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