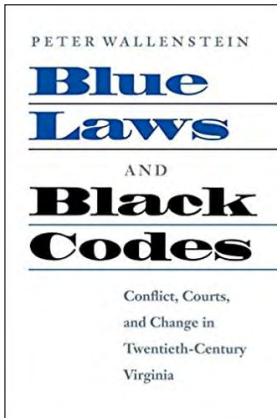


Book Review: Peter Wallenstein's *Blue Laws and Black Codes: Conflicts, Courts and Change in Twentieth-Century Virginia*

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Wallenstein, Peter. *Blue Laws and Black Codes Conflict, Courts, and Change in Twentieth-Century Virginia*. Charlottesville: University of Virginia Press, 2004. 256 pp. ISBN: 978-0813922614.

Peter Wallenstein, an Associate Professor of History at Virginia Tech, has combined several of his essays about topics in Virginia history into a collection called *Blue Laws and Black Codes: Conflict, Courts and Change in Twentieth-Century Virginia*. Because of the nature of the text, each essay can be read independently of the others. Doing so, while acceptable, would severely limit one's ability to grasp Wallenstein's overall argument about the history of Virginia, the idea that traditions change because individuals sought to challenge them.

Wallenstein's collection of essays may focus on actions and events within the Commonwealth of Virginia, but it places those items in the context of both regional and national developments. Wallenstein seeks to explain that

while Virginia was different from other states, it was not unique. For example, during a discussion of the construction of roads and taxes, Wallenstein demonstrates that the decision of the Supreme Court of Virginia may have differed significantly from its colleagues in the south, but it mirrored a similar decision in Nevada.

The first of Wallenstein's essays focuses on the debate over the building of roads, including how to finance them and provide the necessary labor for their construction. Titled "The Case of the Laborer from Louisa: Conscripts, Convicts and Public Roads, 1890s-1920s," it describes the court battle over the labor tax which required all able men to work two days per year on the construction of roads. To supplement the legal discussion, Wallenstein includes segments

from the diary entries of individuals who describe the quality, or lack thereof, of roads in the Commonwealth. The essay demonstrates the need for change in policy as required by the needs of technology. The previously constructed roads were not sufficient to handle the newly arrived automobiles. Requiring untrained men to provide two days of labor no longer sufficed, and the various legal decisions contained in the essay explain the evolution of Virginia's road policies.

Wallenstein's second essay, "Necessity, Charity and a Sabbath: Citizens, Courts and Sunday Closing Laws, 1920s-1980s," details the gradual elimination of Blue Laws in Virginia. These legal acts prohibited various activities on Sundays. Though these laws were certainly not limited to Virginia, Wallenstein describes the legal challenges to the restrictions on Sunday activities. Once again it was the citizens who sought to challenge these prohibitions as they were seen as infringing upon the rights of individuals, and at the same time residents were less inclined to support the restrictions. Here the change demonstrates, as before, that Virginians' attitudes were evolving.

The third essay also involves legal challenges. Titled "These New and Strange Beings: Race, Sex and the Legal Profession, 1870s-1970s," this essay engages the study of changes within the field of law. Wallenstein provides a narrative that accounts for the admission of women and African-Americans to the bar in Virginia. Though not entirely focused on race, this essay provides an

excellent springboard into Wallenstein's next three essays.

While the first three essays demonstrated the ability of Virginia residents to modify the constitutionality of several state laws either through constitutional amendment or through judicial actions, the following three essays primarily focus on the issue of race. Wallenstein seeks to explain the challenges to white political and social superiority within Virginia. Though the courts within Virginia had previously changed or nullified certain state laws, they upheld the various laws that purposely lessened the rights of African-Americans. Wallenstein's fourth essay describes Virginia's attempt at holding on to Jim Crow legislation that effectively segregated African-Americans on public buses and in public housing. It also chronicles the rise of influential lawyers like Oliver Hill, who would ultimately contribute to legislative changes within Virginia that would benefit African-Americans and help to bring the group towards equality.

Wallenstein continues to discuss the challenges faced by racial minorities in his next two essays. The fifth essay focuses primarily on the role of sit-ins. Using the national movement as a backdrop, he explains the significance of the events in Virginia and discusses the relevant cases that made their way through Virginia's courts. Though much of Wallenstein's fourth and fifth essays focused on the interactions of African-Americans and whites in the public eye, his sixth essay examines more private relationships. He

discusses the challenges of overturning laws barring interracial marriage and chronicling the battle Mildred Jeter and Richard Loving fought in order to have their marriage legally recognized via the Supreme Court's decision in *Loving v. Virginia*.

To conclude his text, Wallenstein's final two essays focus on additional changes to the Commonwealth. The first discusses the role of redistricting within Virginia, and explains how this political act played a role in diminishing the political power of certain groups. It also focused on the period in Virginia after the prohibition of poll taxes. The final chapter targets the ju-

dicial system in Virginia, and discusses how it slowly became more diverse.

While each of the eight essays covers a different topic, Wallenstein connects them together in his discussion of the overall legal, political and societal changes taking place in Virginia in the late 19th century and throughout the 20th century. He does an effective job at presenting the concepts within the view of Virginia while at the same time extrapolating the discussion to the south as a region and the nation as a whole. His text is well documented and easy to read. It can be enjoyed by both the scholar and the casual reader.