

“Loving”: Outlawing Love and Marriage

Kathy Winings
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I am a romantic. Like many romantics, we like to believe that when two people share a deep and abiding love, there should be no problem why they cannot have a happy marriage. Unfortunately, we have come to see this is not always the case – especially when the two people are racially diverse. This is because we still live in a world that is racially charged and racially divided. Racism seems to be one of the most intractable problems to solve. Our inability to see “the other” as an equal, as our neighbor and as fully human, has plagued us since the beginning of the human race.



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Nowhere is the challenge of racism more evident than in the movie “Loving,” written and directed by Jeff Nichols, and nominated for two Golden Globes in acting. “Loving” tells the story of an interracial couple living in pre-civil rights, 1950s Virginia, who ultimately became the center of a landmark U.S. Supreme Court decision that addressed the unconstitutionality of the anti-miscegenation law of Virginia and those of 24 other states (*Loving v. Virginia*).

Richard Loving (Joel Edgerton), a white construction worker, and his wife, Mildred (Ruth Negga) a black woman, begin their arduous legal journey with the simple act of getting married in 1956 and creating a home in rural Caroline County in northeastern Virginia. Though they are legally married in the District of Columbia, their home is in Virginia and such an act is illegal under

Virginia’s anti-miscegenation law.

It does not take long before news of their interracial marriage spreads, resulting in the couple’s arrest in the middle of the night after local police raid their home. When their case comes before the judge, the Lovings are given two options if they want to avoid prison: divorce immediately or plead guilty and leave their home and family in Virginia and not return for a minimum of 25 years. Though expecting their first child, the Lovings plead guilty and move to Washington, DC – leaving behind everyone they love and hold dear.

The move to Washington feels like exile in a foreign land to Mildred, without family and friends to support them in this emotional and trying time. Ultimately, the desire to have her mother-in-law deliver her baby is too strong for Mildred to resist. This leads the Lovings to surreptitiously return to Virginia for the birth. However, soon after their first son is born, the couple is quickly re-arrested and facing a prison term. Due to their attorney’s quick thinking, the young family is given one last chance to leave Virginia with a harsh warning from the judge ringing in their ears. This time, they stay away long enough to see their second son and first daughter born – nine years.

In 1963, inspired by the civil rights movement, Mildred writes U.S. Attorney General Robert F. Kennedy,

who she feels might offer hope of returning to their loving family and home in Virginia. He refers her to the American Civil Liberties Union (ACLU). She is surprised when she receives a phone call telling her the ACLU is interested in helping the Lovings fight Virginia's racist law. A simple man, Richard has little faith that anyone can help them. Though reluctant to meet with the ACLU attorney, it takes an accident, in which their son is nearly killed chasing a baseball into the street, to urge the Lovings to begin the first step on the journey that eventually takes them to the U.S. Supreme Court.

1151 Neal St.
N.E. Wash. D.C.
June 20, 1963

Dear sir:
I am writing to you concerning a problem we have.

5 yrs ago my husband and I were married here in the District. We then returned to Va. to live. My husband is white, I am part negro, & part indian.

At the time we did not know there was a law in Va. against mixed marriages. Therefore we were jailed and tried in a little town of Bowling Green.

We were to leave the state to make our home. The problem is we are not allowed to visit our families. The judge said if we enter the state within the next 30 yrs., that we will have to spend 1 yr. in jail.

We know we can't live there, but we would like to go back once and awhile to visit our families & friends.

We have 3 children and cannot afford an attorney.

We wrote to the Attorney General, he suggested that we get in touch with you for advice.

Please help us if you can. Hope to hear from you real soon.

Yours Truly,
Mr. & Mrs. Richard Loving

Mildred Loving's actual 1963 letter to the ACLU, written upon the advice of Attorney General Robert F. Kennedy

The plan is to return to Virginia and appeal the initial decision that forced them to leave their home. When the judge does the expected and denies the appeal, the Lovings' attorney begins the legal battle in earnest. The media tells their story and soon all America knows their faces. The issue of interracial marriage and

racism is at the forefront of the news and reaches into thousands of homes. After the Virginia State Supreme Court also refuses to grant a hearing of the Loving's case, the ACLU brings it to the highest court in America.

On June 12, 1967, in a unanimous decision in *Loving v. Virginia*, the U.S. Supreme Court finds that Virginia's anti-miscegenation law violates the Due Process and Equal Protection clauses of the 14th Amendment. Going further, Chief Justice Earl Warren, in writing the decision, makes it clear that the anti-miscegenation laws are in fact racist and serve only to further perpetuate white supremacy; a truly landmark decision against racism in America. The Lovings are finally free to live their dream in Virginia with their families and friends without fear of imprisonment.

In an almost understated manner, director Nichols presents the emotionally charged and egregious racist rhetoric of the 1950s and 1960s. At the end of the day, this is a film about a man and woman who simply fall in love and who want, like all married couples, to raise their children in this loving environment and grow old together in peace. It is because of this understated presentation that the viewer comes to recognize the power of the racist fears and attitudes that were held by everyday people in an average rural American town. Nichols gives us a human face to this insidious problem that is relatable.

In Mildred Loving, we get a glimpse into the heart of a simple, unremarkable woman who loves her husband and her three children; a woman who has dreams that her sons and daughter can grow up and be free to become anyone they wish – maybe even President of the United States. Richard Loving shows us the heart of a simple man who is able to accept those who may look different on the outside but are the same nonetheless with the same fears, loves and concerns as everyone else. Though Nichols does not show us the violent side of racism – the lynching's, killings and inhuman acts of violence that history has recorded – he provides just as strong and emotionally charged insight into it. Sometimes we need more of that.

At a time in which Hollywood fills the movie screen with stark images of our inhumanity against one other, we are more effectively moved by challenges to our everyday lives and experiences that we subconsciously accept as the norm. That is exactly what Nichols does in "Loving."

The film certainly satisfied the romantic in me because it reinforces the conviction that anyone can dare to tackle Goliath and win – even if Goliath is racism and hatred. At the end of the day, love does win out. When their attorney asks Richard what message he would like to convey to the Supreme Court justices, he responds simply, "Tell them I love my wife." After all is said and done, isn't that what life is all about – love?

"Loving" (rated PG-13) is currently in select theaters. Running time: 123 minutes. Written and directed by Jeff Nichols; main cast: Joel Edgerton, Ruth Negga. See IMDB for full details.

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Photo at top: *A scene of Richard and Mildred Loving with the first of their three children, Sidney (Courtesy Focus Features).*