

Fixed at Birth: Did the Introduction of Racial Identifiers on Birth Certificates Affect Marriage and Education Patterns in the Jim Crow Era?

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The United States differs from many of its peers in the embrace of *racialized* data collection—that is, the routine inclusion of racial identifiers on a wide range of forms and questionnaires, which in turn enable the American state to “count” by race (Anderson 1988) and to “see” its populace through a racialized lens (Scott 1998) across many domains of social life.

Such racial statistics are widely understood as important epistemic and political tools in the struggle for racial equality. More than a century ago, W.E.B. DuBois argued that detailed statistics of Black life could correct “crude” claims about the causes of Black poverty (DuBois 1899, 71). After World War II, race-specific data on segregation and educational attainment were then deployed to build political support for legislation like the Fair Housing Act of 1968, to monitor the law’s impact, and to design new housing and educational policies (Massey and Denton 1993; Simon 2005). Indeed, one criticism that is now leveled against countries like France (which does not routinely collect data on race and ethnicity) is that a lack of racialized statistics makes it considerably harder to detect latent discriminatory patterns and enforce antidiscrimination laws (Simon 2008; Léonard 2014).

Yet the postwar success story—of leveraging racialized data to galvanize support for *de jure* equality and monitor *de facto* patterns of racial inequality—sits somewhat uneasily alongside a longer history of data-driven stigmatization and exclusion. During the Reconstruction era, racialized crime statistics were widely used to paint Black men as pathologically deviant (Muhammad 2010). In the first decades of the 20th century, the addition of racial identifiers on American birth certificates was partly motivated by a desire to “fix” a person’s race at birth, thus making it more difficult for them to pass as White later in life. As Walter Plecker—the head of Virginia’s Office of Vital Statistics—argued, racial identifiers on birth certificates were essential to the enforcement of Virginia’s 1924 Racial Integrity Act, which invoked the infamous “one-drop rule” to distinguish “white” from “colored” Americans, prohibited interracial marriage, and criminalized changes to a person’s racial identity on legal documents (Sherman 1988; Smith 2002).

Racist arguments in favor of nationwide birth registration have featured in recent scholarship on state knowledge and bureaucratic administration (Pearson 2022). However, virtually nothing is

known about the effects that racialized birth registration actually had on the lives of millions of nonwhite Americans who were subsequently born into the Jim Crow era. Did the governmental ability to “fix” a person’s race at birth, and then require birth certificates as proof of racial identity during marriage applications and enrollment in segregated schools, have measurable impacts on lifetime patterns of marriage and education, as well as racial disparities therein?

On the one hand, one may expect that, in the context of institutionalized racism, bureaucratic access to racial identifiers had tangible effects on policy implementation and citizen-state interactions. Welfare systems that were designed *in principle* to exclude nonwhite Americans during the Jim Crow era also did so *in practice* (Katzenelson 2005; Fox 2012). This may explain why organizations like the NAACP were adamantly opposed to the inclusion of racial identifiers on social security application forms after the passage of the 1935 Social Security Act (Igo 2018). Standardized birth certificates (which “fixed” a person’s age alongside their race) have also been shown to have mattered in adjacent policy domains, e.g. by increasing the ability of the Children’s Bureau and of state officials to enforce child labor laws (Fagernäs 2014; Pearson 2015).

However, street-level bureaucrats also have considerable discretionary power to deviate from broad policy frameworks (Lipksy 2010); policy compliance can vary widely across organizations and even within organizations (Gray and Silbey 2014); and individuals may have devised various strategies to “pass” as White or otherwise subvert classificatory systems that had been imposed by the “racial state” (Ginsberg 1996; Saperstein and Gullickson 2013; Cutter 2014; Omi and Winant 2015). As a result, the mere fact of racialized birth registration does not necessarily mean that racial identifiers were routinely considered in city halls and county registrars’ offices—even if statutory requirements mandated their use and prohibited interracial marriage and racially integrated schools.

I investigate the effects that the introduction of racialized birth certificates had on lifetime patterns of marriage and educational attainment by combining two data sources: around 17 million linked census records from the Census Linking Project and the IPUMS Multigenerational Longitudinal Panel (which make it possible to establish individual-level birthdates and birth places and then “follow” those individuals across multiple decades), data on anti-miscegenation laws collected by Washington (2024), and an original dataset containing state-level information about (a) the timing of legislation that mandated standardized and racialized birth certifications, (b) the timing of de facto compliance with this legislation, e.g. measured through membership in the so-called “birth registration area” (defined as states that reliably recorded more than 90% of live births on standardized birth certifications), (c) legislation related to interracial marriage, and (d) legislation related to racial segregation of primary and secondary schools.

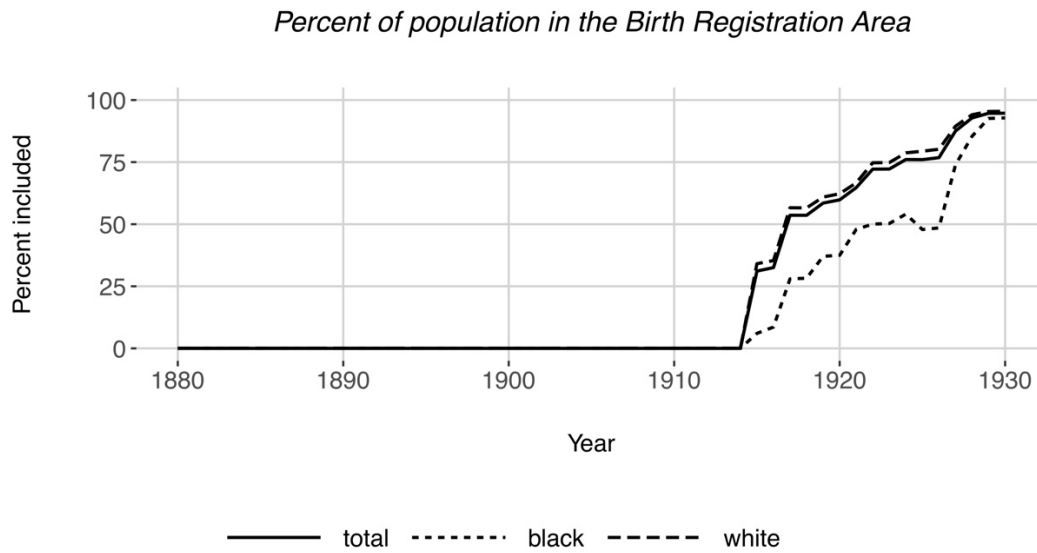


Figure 1: Percent of the US population living in the “birth registration area.”

The research design exploits the staggered adoption of racialized birth certificates across the US—which were virtually absent in 1914 but had been adopted in almost all US states by 1930, see Fig. 1—to estimate the effects that the availability of racial identifiers had on marriage and education outcomes, as recorded on decennial census forms. I adopt a fuzzy event study specification for staggered treatment adoption (De Chaisemartin and D’Haultfœuille 2017; Callaway and Sant’Anna 2021) that can account for delayed and imperfect exposure to a treatment condition—in this case, not all life births in a given state would have been recorded on standardized birth certificates after the formal introduction of such certificates, with the enumeration of rural birth lagging behind urban births (Pearson 2022). In effect, this research design investigates whether marriage and education outcomes differ for individuals born within a given US state (with segregationist laws) prior to that state’s adoption of racialized birth certificates, relative to individuals born within that same state after the adoption of such birth certificates. I hypothesize that differences are larger (or only present) for Black Americans, relative to White Americans, within the same state. The research design is summarized in Table 1.

By specifically investigating the long-term *effect* of racialized data collection on Black Americans (and, more generally, on racial disparities), this study goes beyond research on the (often racist) *motivations* of state officials during the Jim Crow era and/or research on the *politics* of racial classification; it allows us to grasp the *stakes* of racialized enumeration; and it compels us to theorize racialized enumeration within specific historical contexts (e.g., Reconstruction and Jim

Table 1: Research design summary

Component	Specification	Notes
Research Question	Does racialized birth registration affect lifetime marriage rates and educational attainment, and is this effect concentrated among Black Americans in states with segregationist laws?	Effect operates via documentation-as-access mechanism under Jim Crow-era marriage licensing and school attendance requirements
Outcome Variable (Y)	Probability of ever having been married (binary); number of years of schooling completed	Measured at consistent age window across cohorts (e.g. ages 25–35 in 1940 or 1950 census).
Treatment Assignment (Z)	Born in state s in birth cohort $c \geq T_s$, where T_s = year state s enacted standardized birth registration law	Varies at state $\times$ birth cohort level. Assignment is sharp at state level; compliance is fuzzy at individual level.
Treatment Receipt (D)	Individual birth was actually registered (unobserved; proxy via urban/rural status at birth)	Cannot be observed directly in census data. Compliance rates in 1940: ~94% white births, ~82% Black births (Shapiro, 1950).
Covariates	Individual-level demographics (from census data), state-level (e.g., rurality, formerly part of the Confederacy), year fixed effects	Adjusting for potential person-, state-, and year confounders
Data	Linked U.S. census microdata, 17 million individuals; state-level data on birth registration and statutory laws	Birth cohorts ~1910–1930 observed at marriage-eligible ages and during typical schooling years.
Estimator	Staggered DiD event study (Callaway & Sant'Anna 2021) with triple interaction (DDDD).	Preferred over pooled TWFE (cf. Fagernäs 2014), which is biased under treatment effect heterogeneity across adoption cohorts (Goodman-Bacon 2021).

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