The Historical Construction of Race and Citizenship in the United States

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Acronyms

AIDS	Acquired Immune Deficiency Syndrome
NAACP	National Association for the Advancement of Colored People
USSR	United Soviet Socialist Republic

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Summary

This paper reviews how race has been socially constructed in the United States since the founding of the republic, and how conceptions of racial difference and inequality have affected, and been affected by, prevailing views of citizenship and American national identity.

The American Revolution appealed to universalistic conceptions of human rights deriving from the Enlightenment. But the Constitution of 1789 authorized exclusions from citizenship resulting from the enslavement of people of African descent and the consignment of conquered indigenous peoples to a dependent status. The Naturalization Law of 1790 made a colour bar explicit when it limited the right of naturalization to "free white person[s]". In the 1820s and 1830s, suffrage was extended to all white males, but was taken away from some free blacks who had previously been granted the right to vote.

As the controversy over slavery heated up in the 1830s, 1840s and 1850s, defenders of black servitude relied increasingly on pseudo-scientific racist ideologies. The Supreme Court's Dred Scott decision of 1857 declared all African-Americans—free or slave—ineligible for citizenship. Racism was a national phenomenon on the eve of the Civil War. "Free Negroes" in the Northern states were often segregated and denied legal and political rights; some states and territories even prohibited their entry. But the Civil War made emancipation and the use of black troops essential to preservation of the union and gave African-Americans a claim to equal citizenship that was realized with the passage of the Fourteenth Amendment to the Constitution in 1868. National citizenship was thus made available to anyone born in the United States, regardless of race, except Native Americans living in tribal communities. In 1870, the Fifteenth Amendment outlawed denial of the right to vote on the grounds of "race, colour, or previous condition of servitude". Henceforth, racial difference could not be the explicit basis for a denial of legal and political equality.

Egalitarian constitutional reform did not, however, lead to substantive equality for African-Americans. True citizenship means more than *pro forma* legal equality. It also entails equality of respect and the willingness of an ethno-racial majority to acknowledge in word and deed that members of a minority belong to the nation. Blacks in the South during the Jim Crow era, beginning in the 1880s and lasting until the 1960s, were discriminated against, disenfranchised and terrorized. Ideological racism, aimed not only at blacks, but at anyone who was not definitively white, peaked in the United States in the late nineteenth and early twentieth centuries. Beginning in 1882, most Chinese immigration was prohibited. The fitness of immigrants from Eastern and Southern Europe was also questioned on racial grounds, and immigration laws passed in the 1920s established a quota system based in part on beliefs about the innate characteristics of various peoples. "Ascriptive Americanism" had seemingly triumphed over the universalistic liberalism that had inspired the abolitionist movement and the post-Civil War constitutional amendments. The extension and intensification of racism in the period between the 1880s and the 1920s resulted from an interaction between racial stereotypes already embedded in the culture, and from the tensions associated with class and status formation in a rapidly industrializing capitalist society. Working- or lower-class whites could conclude that racially different, lower-paid workers threatened their economic status; or, alternatively, they could be compensated for their own poverty and lack of opportunity by the "psychological wage" of racial or ethnic status. Established elites could inhibit class conflict by encouraging ethno-racial divisions among the disadvantaged, or they could buttress their status and authority as charter Americans by opposing the immigration of those deemed racially inferior.

Between the 1930s and the 1970s, members of racial minorities and their sympathizers struggled to establish a broader and more enforceable conception of citizenship, one that would realize the egalitarian promise of the Declaration of Independence. The New Deal promulgated a new

conception of social citizenship — "freedom from want" in Roosevelt's idiom — but most blacks were initially denied coverage by the new social insurance policies. The massive migration of Southern blacks to the North, however, restored their right to vote and enhanced their political leverage. At the same time, scientific racism was coming under attack from social and natural scientists. But it was the Second World War and the revulsion against Nazi racism that provided much of the impetus for the racial reforms of the post-war era. The partially successful civil rights movement of the 1950s and 1960s also acquired legitimacy from the strategic need of the United States in the Cold War to compete with the Soviet Union for "the hearts and minds" of recently decolonized people of colour in Africa and Asia. The Civil Rights Acts of 1964 and 1965, and the simultaneous elimination of racially justified immigration quotas, can be attributed to the activation of previously dormant egalitarian ideals at a time when altered circumstances made it appear that the application of those ideals would serve the national interest, as well as the interests of influential groups within the society.

The Civil Rights Acts made the legal and political rights of citizenship more enforceable, but they did not establish the right to equal respect for those who were still regarded by a majority of white Americans as "Other". Furthermore, beginning in the 1980s, the social citizenship adumbrated by the New Deal began to be dismantled, with particularly detrimental effects on racialized minorities. Contemporary statistics showing that a substantially higher proportion of blacks than whites are likely to be imprisoned, unemployed, socially isolated or destitute, reveal that structural inequality associated with race remains a central problem of American society. Although no longer sanctioned by law, discrimination persists, not only against African-Americans, but also against poor Latinos, among other groups. The growth of ethnic consciousness among blacks and the desire of Latino and Asian immigrants to preserve aspects of their culture have made "multiculturalism", rather than simple integrationism or assimilationism, the dominant anti-racist ideology in the United States today.

In addition to surveying the history of race and citizenship in the United States, this paper attempts to place the US constructions of race and ethnicity in comparative perspective. What is special about the case of the United States is the coexistence of a universalistic human rights tradition existing together with a strong historical tendency toward exclusion on racial grounds. France also has a universalistic human rights tradition, but has not erected colour bars to nearly the same extent. Whereas colour-coded racism has predominated in the United States, French ethno-racial intolerance has more often been culture-coded. An even sharper contrast can be made between the US "civic nationalism" with a racial qualification, and the German tradition of straightforward ethnic nationalism that came to hideous fruition in the Nazi era. German identity involved a categorical rejection of Enlightenment conceptions of individual liberty and democratic government to which most white Americans professed adherence, but which did not prevent them from discriminating against those deemed biologically incapable of self-governance.

But American racism has constantly been challenged, not only by its victims, but also by its purported beneficiaries, in the name of universal human rights. The affirmation in the Declaration of Independence that "all men are created equal" has sanctioned major anti-racist reforms in the past and offers hope for the future.

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Résumé

Cette étude porte sur la construction sociale de la race aux Etats-Unis depuis la fondation de la république et sur la façon dont les conceptions des différences et des inégalités raciales ont affecté les idées en cours sur la citoyenneté et l'identité nationale américaine et ont été façonnées par elles.

Bien que la Révolution américaine ait fait appel aux conceptions universalistes des droits de l'homme héritées des Lumières, la Constitution de 1789 a admis que soient exclus de la citoyenneté les esclaves d'ascendance africaine et que soient reléguées dans la dépendance les populations autochtones conquises. La loi de 1790 sur la naturalisation a introduit explicitement la discrimination raciale en limitant le droit de naturalisation aux "personnes blanches libres". Dans les années 1820 et 1830, le suffrage a été étendu à tous les Blancs de sexe masculin mais refusé aux quelques Noirs libres qui s'étaient vu accorder antérieurement le droit de vote.

Lorsque la controverse sur l'esclavage s'est emballée dans les années 1830, 1840 et 1850, les partisans de la servitude noire se sont mis de plus en plus à fonder leurs arguments sur des idéologies racistes pseudo-scientifiques. Dans son arrêt de 1857 sur l'affaire Dred Scott, la Cour suprême déclarait la citoyenneté inaccessible à tous les Afro-américains—libres ou esclaves. Le racisme était un phénomène national à la veille de la guerre civile. Les "nègres libres" des Etats du Nord étaient souvent en butte à la ségrégation, privés de protection juridique et de droits politiques. Certains Etats et territoires leur fermaient même leurs frontières. Mais avec la guerre civile, l'émancipation et l'emploi de troupes noires sont devenus essentiels à la préservation de l'Union et les Afro-américains ont conquis le droit de prétendre à devenir des citoyens égaux aux autres, droit qui est devenu réalité avec l'adoption en 1868 du 14ème amendement à la Constitution. Toute personne née aux Etats-Unis, sans distinction de race, à l'exception des Indiens vivant en communautés tribales, avait ainsi accès à la citoyenneté du pays. En 1870, le l5ème amendement a déclaré illégal le refus du droit de vote pour des raisons liées "à la race, à la couleur ou à un état antérieur de servitude". Il n'était plus possible désormais de se fonder explicitement sur la différence raciale pour refuser aux Noirs l'égalité devant la loi et l'égalité politique.

Pourtant, cette réforme constitutionnelle égalitaire n'a pas entraîné l'égalité de fait pour les Afro-américains. La vraie citoyenneté est autre chose qu'une égalité *pro forma* devant la loi. Elle suppose aussi l'égalité de respect et, de la part d'une majorité ethnoraciale, la volonté de reconnaître en paroles et actes que les membres de la minorité font aussi partie de la nation. Pendant la période Jim Crow, qui a commencé dans les années 1880 et s'est prolongée jusque dans les années 1960, les Noirs du Sud ont été terrorisés, privés de leurs droits et en butte à des discriminations. Le racisme idéologique, qui visait non seulement les Noirs mais toute personne qui n'était pas incontestablement blanche, a connu son paroxysme aux Etats-Unis à la fin du XIXème et au début du XXème siècles. A partir de 1882, l'immigration chinoise a été dans une large mesure interdite. De même, l'opportunité d'admettre des migrants de l'est et du sud de l'Europe était contestée pour des raisons raciales et les lois sur l'immigration adoptées dans les années 1920 établissaient un système de contingents fondé en partie sur des croyances quant aux caractéristiques innées des diverses populations. "L'américanisme d'attribution" avait apparemment triomphé du libéralisme universaliste qui avait inspiré le mouvement abolitionniste et les amendements constitutionnels après la guerre civile. L'avancée et la montée du racisme entre les années 1880 et 1920 ont résulté d'une interaction entre des stéréotypes raciaux déjà ancrés dans la culture et des tensions inhérentes à la constitution de classes et à l'acquisition de positions sociales dans un pays capitaliste en voie d'industrialisation rapide. Les Blancs de la classe ouvrière ou de situation modeste pouvaient penser que les travailleurs d'autres races, moins bien rémunérés qu'eux, menaçaient leur situation économique ou pouvaient considérer au contraire leur propre situation raciale ou ethnique comme une espèce de "salaire psychologique" compensant leur pauvreté et leur horizon bouché. Les élites en place pouvaient désamorcer le conflit de classes en favorisant les divisions ethnoraciales entre les défavorisés ou consolider leur position et leur autorité d'Américains de longue date en s'opposant à l'immigration de ceux qu'ils considéraient comme de race inférieure.

Entre les années 1930 et 1970, des membres des minorités raciales et leurs sympathisants ont lutté pour imposer une conception de la citoyenneté qui soit plus large et juridiquement mieux protégée, autrement dit qui tienne la promesse égalitaire contenue dans la Déclaration d'indépendance. Le New Deal a promulgué une conception nouvelle de la citoyenneté sociale en proclamant la "libération de la misère", pour reprendre les termes de Roosevelt, bien

qu'initialement la plupart des Noirs ne fussent pas visés par les nouvelles politiques d'assurance sociale. Par leur exode massif du Sud vers le Nord, les Noirs ont cependant recouvré leur droit de vote et gagné en poids sur la scène politique. En même temps, le racisme scientifique essuyait les attaques des sciences naturelles et sociales. Mais ce sont surtout la seconde guerre mondiale et l'horreur inspirée par le racisme nazi qui ont imprimé l'élan nécessaire aux réformes raciales de l'après-guerre. Le mouvement des droits civils des années 1950 et 1960, qui se solda par un succès partiel, acquit sa légitimité parce que les Etats-Unis avaient l'obligation stratégique de disputer à l'Union soviétique "le cœur et l'esprit" des populations de couleur récemment décolonisées d'Afrique et d'Asie. Les *Civil Rights Acts* (lois sur les droits civils) de 1964 et 1965 et, à la même époque, l'élimination des contingents d'immigrants fondés sur la race peuvent être attribués au réveil d'idéaux égalitaires jusqu'alors en sommeil et au fait que, les circonstances ayant changé, la mise en pratique de ces idéaux semblait alors servir l'intérêt national et celui de milieux influents du pays.

Les *Civil Rights Acts* ont rendu plus exécutoires la protection juridique et les droits politiques liés à la citoyenneté mais n'ont pas établi le droit à un respect égal pour ceux qu'une majorité d'Américains blancs considérait encore comme "les autres". En outre, la citoyenneté sociale esquissée par le New Deal a commencé à s'effriter dans les années 1980, ce qui a eu des effets particulièrement désastreux sur les minorités raciales. Les statistiques actuelles, qui révèlent que les risques d'être mis en prison, au chômage, socialement isolé ou sans ressources sont sensiblement plus élevés pour les Noirs que pour les Blancs, montrent que l'inégalité structurelle liée à la race reste un problème central de la société américaine. Bien qu'elle ne soit plus entérinée par la loi, la discrimination demeure, non seulement envers les Afro-américains mais aussi envers les Latinos pauvres notamment. La montée de la conscience ethnique chez les Noirs et le désir des immigrants d'Amérique latine et d'Asie de préserver des aspects de leur culture ont fait du "multiculturalisme", plutôt que du simple intégrationnisme ou assimilationnisme, l'idéologie antiraciste dominante des Etats-Unis d'aujourd'hui.

Outre qu'elle se penche sur l'histoire de la race et de la citoyenneté aux Etats-Unis, cette étude tente de mettre en perspective les constructions américaines de la race et de l'ethnie en les comparant à celles d'autres pays. Ce qui est unique dans le cas des Etats-Unis, c'est la coexistence d'une tradition universaliste des droits de l'homme et d'une forte tendance historique à exclure sur la base de la race. La France a aussi une tradition universaliste des droits de l'homme mais n'a pas introduit la discrimination raciale dans la même mesure. Si, aux Etats-Unis, le racisme s'en est pris surtout à la couleur, en France, l'intolérance ethnoraciale s'est plus souvent focalisée sur la culture. Le contraste est encore plus net entre le "nationalisme civique" des Etats-Unis, avec sa réserve raciale, et la tradition allemande où le nationalisme est carrément ethnique et s'est révélé sous une forme hideuse à l'époque nazie. L'identité allemande impliquait un rejet catégorique de conceptions issues des Lumières, comme celles de liberté individuelle et de gouvernement démocratique, auxquelles la plupart des Américains blancs prétendaient adhérer mais qui ne les empêchaient pas d'exercer des discriminations envers ceux qu'ils jugeaient biologiquement incapables de se gouverner eux-mêmes.

Pourtant, le racisme américain a été constamment contesté, non seulement par ses victimes, mais aussi par ceux qui étaient censés en profiter, au nom des droits de l'homme universels. L'affirmation que "tous les hommes sont créés égaux", que l'on trouve dans la Déclaration d'indépendance, a sanctionné dans le passé de grandes réformes antiracistes et donne aujourd'hui des raisons d'espérer.

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Resumen

En este documento se revisa cómo la raza ha sido construida socialmente en los Estados Unidos desde la fundación de la república, y cómo los conceptos de diferencia y desigualdad racial han afectado, y han sido afectados por, la visión prevaleciente sobre ciudadanía e identidad nacional estadounidense.

Aunque la Revolución Americana fue un llamamiento a los conceptos universales de los derechos humanos que se desprendían de la Ilustración, la Constitución de 1789 autorizó la denegación del derecho de ciudadanía a las personas de ascendencia africana, como consecuencia de su esclavitud, y confinó a los pueblos indígenas conquistados a un estado de dependencia. La Ley de Naturalización de 1790 puso explícitamente de manifiesto las diferencias raciales al limitar el derecho de naturalización a los "blancos libres". En los decenios de 1820 y 1830, el sufragio se extendió a todos los hombres de raza blanca, pero le fue retirado a algunos negros libres a quienes previamente se les había otorgado el derecho a votar.

Al aumentar la polémica sobre la esclavitud en los decenios de 1830, 1840 y 1850, los defensores de la esclavitud de la población negra basaron cada vez más sus argumentos en ideologías racistas pseudo-científicas. Tras el fallo Dred Scott de la Corte Suprema en 1857, se denegó el derecho de ciudadanía a todos los afroamericanos—libres o esclavos. El racismo era un fenómeno nacional cuando estalló la Guerra Civil. A menudo se marginaba a "los negros libres" en los Estados del Norte y se les denegaban derechos legales y políticos. En algunos estados y territorios incluso se les prohibía la entrada. Sin embargo, durante la Guerra Civil, la emancipación y la utilización de tropas integradas por personas de raza negra fueron esenciales para defender la Unión, por lo que los afroamericanos pudieron solicitar la igualdad de ciudadanía, que se les otorgó al aprobarse la Enmienda 14 a la Constitución, introducida en 1868. Así pues, se concedió la ciudadanía nacional a todas las personas nacidas en los Estados Unidos, con independencia de su raza, a excepción de los indios que vivían en comunidades tribales. En 1870, la Enmienda 15 a la Constitución declaró ilegal negar el derecho de voto por motivos de "raza, color, o condición previa de esclavitud". A partir de entonces, la diferencia racial no podría ser la base explícita para la negación de una igualdad política y legal.

Sin embargo, la reforma constitucional igualitaria no se tradujo en una igualdad sustancial para los afro-americanos. La verdadera ciudadanía supone algo más que una igualdad legal formal. También conlleva una igualdad en el respeto y el deseo de una mayoría etnoracial de reconocer, de palabra y obra, que los miembros de una minoría pertenecen a la nación. Durante la era de Jim Crow, es decir, desde principios del decenio de 1880 hasta finales del decenio de 1960, se discriminaba, privaba de sus derechos civiles y aterrorizaba a la población negra en el Sur. En los Estados Unidos, el racismo ideológico—orientado no sólo a las personas de raza negra, sino a todo aquél que no fuera definitivamente blanco—alcanzó su punto más álgido a finales del siglo XIX y principios del XX. La mayor parte de la inmigración china, que comenzó en 1882, estaba prohibida. También se cuestionó, por motivos de raza, la conveniencia de los inmigrantes procedentes del Sur y Este de Europa, y las leyes de inmigración aprobadas en el decenio de 1920 establecieron un sistema de cuotas basado, en parte, en creencias acerca de las características innatas de diversas poblaciones. El "americanismo atribuido" había triunfado aparentemente sobre el liberalismo universalista que había inspirado el movimiento abolicionista y las enmiendas constitucionales posteriores a la Guerra Civil.

La extensión e intensificación del racismo entre los decenios de 1880 y 1920 fue consecuencia de la interacción entre estereotipos raciales ya integrados en la cultura, y de tensiones asociadas con el establecimiento de la clase y del estatus en una sociedad capitalista que experimentaba una rápida industrialización. Las personas de raza blanca pertenecientes a clases trabajadoras o más bajas podían llegar a la conclusión de que los trabajadores racialmente diferentes y mal remunerados constituían una amenaza para su situación económica, o si no, podían considerar su estatus racial o étnico como "salario psicológico", para compensar su propia pobreza y falta de oportunidades. Las clases selectas establecidas podrían impedir el conflicto de clases alentando las divisiones etnoraciales entre las clases menos favorecidas, o podrían reforzar su

estatus y autoridad como estadounidenses privilegiados, oponiéndose a la inmigración de las personas consideradas racialmente inferiores.

Entre los decenios de 1930 y 1970, los miembros de las minorías raciales y sus partidarios lucharon por establecer un concepto de ciudadanía más amplio y aplicable—que cumpliera la promesa igualitaria contenida en la Declaración de la Independencia de 1776. El programa conocido como New Deal difundió un nuevo concepto de ciudadanía social en 1933—"liberarse de la necesidad", como diría Roosevelt—pero en un principio las nuevas políticas de seguridad social no contemplaban a la mayoría de la población negra. Sin embargo, la migración masiva de la población negra del Sur hacia el Norte dio lugar a que ésta recuperara su derecho de voto y a que aumentara su influencia política. Al mismo tiempo, los científicos sociales y naturales luchaban contra el racismo científico. Pero, fundamentalmente, el reformismo racial se impulsó a consecuencia de la Segunda Guerra Mundial y la repulsión ante el racismo nazi durante la posguerra. El movimiento de derechos civiles, que tuvo un éxito parcial en los años 50 y 60, también adquirió legitimidad debido a la necesidad estratégica de los Estados Unidos de competir con la Unión Soviética por "las mentes y las almas" de las personas de color recientemente descolonizadas en África y Asia. Las leyes de Derechos Civiles de 1964 y 1965, y la eliminación al mismo tiempo de las cuotas de inmigración justificadas por motivos de raza, pueden atribuirse al resurgimiento de las ideas igualitarias aparentemente olvidadas cuando, al cambiar las circunstancias, pareció que aquellos ideales servirían el interés nacional, al igual que los intereses de grupos influyentes de la sociedad.

Gracias a las Leyes de Derechos Civiles, los derechos legales y políticos de la ciudadanía pudieron respetarse en mayor grado, pero no se estableció el derecho a igual respeto para las personas aún consideradas "distintas" por una mayoría de estadounidenses de raza blanca. Además, en el decenio de 1980, la ciudadanía social anunciada por el programa New Deal comenzó a desintegrarse y sus consecuencias fueron nefastas para las minorías racializadas. Las estadísticas contemporáneas que revelan el encarcelamiento, el desempleo, el aislamiento social y la indigencia de un porcentaje más alto de personas de raza negra que de raza blanca ponen de manifiesto que la desigualdad estructural asociada a la raza sigue siendo un problema central en la sociedad estadounidense. Aunque ya no está sancionada legalmente, la discriminación persiste, no sólo contra afroamericanos, sino también contra la población hispana de bajos recursos, entre otros. La discriminación contra los inmigrantes asiáticos persiste igualmente, pero adopta formas más sutiles. La conciencia étnica cada vez mayor de las personas de raza negra y el deseo de los inmigrantes hispanos y asiáticos de preservar su cultura han dado lugar a que el "multiculturalismo", más que el simple integracionismo o asimilacionismo, sea la ideología antirracista dominante en los Estados Unidos en la actualidad.

Además de analizar la historia de raza y de ciudadanía en los Estados Unidos, este documento intenta ubicar la construcción estadounidense de raza y etnia en una perspectiva comparativa. Lo que distingue el caso de los Estados Unidos es la coexistencia de una tradición universalista de derechos humanos por un lado y, por el otro, una fuerte tendencia histórica hacia la exclusión basada en motivos raciales. Francia también cuenta con una tradición universalista de derechos humanos, sin embargo, no ha erigido barreras de color, ni con mucho, en la misma medida. El racismo que ha dominado en los Estados Unidos, está basado en el color, mientras que la intolerancia étnica-racial en Francia ha sido más bien de índole cultural. Se puede hacer un contraste aún más marcado entre el "nacionalismo cívico" con una calificación racial vigente en los Estados Unidos, y la tradición alemana de tajante nacionalismo étnico que se materializó de una forma atroz en la época nazi. La identidad alemana suponía un rechazo categórico de las ideas de libertad individual y gobierno democrático propias de la Iluminación a las que se adherían la mayoría de los estadounidenses de raza blanca, sin que ello les impidiera discriminar a los que consideraron biológicamente incapaces de autogobernarse.

Sin embargo, el racismo estadounidense ha sido desafiado constantemente, no solamente por las víctimas, sino también por los supuestos beneficiarios, en el nombre de los derechos humanos universales. La afirmación en la Declaración de Independencia que "todos los

hombres son creados iguales", ha sancionado reformas antirracistas mayores en el pasado y ofrece esperanza para el futuro.

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Introduction

Nationalist ideologies have often associated membership in a nation-state (existing or imagined) with primordial ethnic identities. Nations have thus been regarded as extended kin groups or communities of descent (Smith 1984). In the context of European history, the ethnic basis for citizenship was most fully articulated in Germany during and after the process of unification and in the nations of Eastern Europe that emerged within the Austro-Hungarian empire and became independent after the First World War. France and Great Britain have manifested a more complex relationship between ethnicity and citizenship. The former has combined a strong sense of its ethno-cultural identity with the universalistic republicanism fostered by the revolution of 1789, and the latter has been a multinational kingdom under a relatively benign English hegemony. American identity and citizenship have not been based in any compelling and consistent way on the ethno-cultural character of its population. But, more than the nations of Europe, it has made physical "race", especially as represented by differences in skin colour, a determinant of civic and social status.

Citizenship and the Colour Bar

The founding document of the American republic declares that, "all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness". If followed literally, the Declaration of Independence of 1776 would have signaled the birth of a nation in which the only qualification for equal citizenship would have been membership in the human race. (Women were then generally subsumed under the category of "men" or "man".) But the Constitution that created the federal union in 1789 condoned exclusions and inequalities based on race and colour. Although it used euphemisms to refer to the institution of slavery, the Constitution accommodated itself to the desire of the Southern states to consign people of African descent to permanent servitude. For purposes of representation and taxation, each slave was to be counted as three-fifths of a free person. Other provisions had the effect of denying the federal government the power to legislate against slavery where it existed under state law.[1]

Also significant for the future of black-white relations was the fact that the Constitution provided no definition of national citizenship that might have precluded the states from discriminating on the grounds of race. The only mention of citizenship in the Constitution is in Article IV, Section 2: "The citizens of each State shall be entitled to the privileges and immunities of citizens in the several States". This clause gave no precise substance to the rights of a citizen and appeared to make national citizenship derivative of state citizenship. The Constitution, however, did give the federal government the power to determine the qualifications for naturalization. Most Americans acquired citizenship by birth in accordance with the British tradition of *jus soli*, which was based originally on the right of the king to command the allegiance of all those who happened to be born in his domain.[2] But it was up to Congress to prescribe the conditions under which immigrants could become citizens. The Naturalization Act of 1790 provided relatively easy terms—two years of residence, "good character" and an oath of allegiance to the Constitution. But the right to citizenship through naturalization was limited to "free white person[s]" (Kerber 1997:841; Smith 1997:159–160). There was no prospect of Asian immigration at this time, and Native Americans within the nation's borders were ineligible for naturalization because the tribes to which they belonged were considered, in the words used later by Chief Justice John Marshall, "domestic dependent nations".[3] It is therefore likely that the restriction was aimed mainly at the free people of African descent who circulated within the Atlantic world.

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[1] Such as federal responsibility to assist in the return of fugitive slaves and to come to the aid of state authorities in times of domestic insurrection.

[2] On the English background of American conceptions of citizenship, see Kettner (1978:13–61).

[3] Marshall's decision in the 1831 case of Worcester versus Georgia was meant to protect the Cherokees against the extension of state law over territories assigned to them by treaties with the federal government. It was not, however, enforced by the administration of

There was no recorded debate on the naturalization colour bar; the Congress was merely following the precedent of several states, which had earlier used the power they possessed over naturalization under the Articles of Confederation to limit the privilege to whites (Kettner 1978:214–216). The lack of controversy was indicative of the powerful consensus that had emerged since the first blacks had arrived in Virginia 171 years earlier that people of African descent belonged to an inferior race unqualified for the social and political rights originally associated with the status of free subjects of the British Crown, and later, with that which was due to citizens of the American republic.[4] That assumption derived initially and primarily from the association of African ancestry with slavery or enslavability, but rationalizing and mystifying the economic incentive to take advantage of African vulnerability were the phobias and anxieties that came to be associated with physical difference and, especially, dark pigmentation (Fredrickson 1998:189–205).

What citizenship meant in the pre-Civil War period is revealed in Supreme Court Justice Bushrod Washington's 1823 enumeration of the rights that were implied in the Privileges and Immunities Clause. Basic among them were "protection by the government; the enjoyment of life and liberty, with the right to acquire and possess property of every kind, and to pursue and obtain happiness and safety, subject nevertheless to such restraints as the government may justly prescribe for the good of the whole". A long list of more specific rights ensued, including "the benefit of the writ of habeas corpus" and equality under the law, "to which *may* be added the elective franchise, as regulated and established by the laws or constitution of the state in which [it] is to be exercised" (Kettner 1978:259, italics added). It would prove significant that access to suffrage was viewed here as a possible concomitant of citizenship, but not as an essential one. In 1823 some states still limited the franchise to property holders and taxpayers, although such restrictions were in the process of being eliminated. White women were citizens for most purposes but were denied suffrage until 1920. The extension of male suffrage in the 1820s and 1830s was exercised in a blatantly racist fashion. In some states blacks with property who had previously possessed the right to vote were disenfranchised at the same time that all white males were made eligible to vote. The political system that was emerging has been aptly described as a "Herrenvolk democracy", a formally democratic political system in which voting and office holding is limited to members of a dominant ethno-racial group (see Fredrickson 1987: 61–64, 90–96).

The Dred Scott Decision

Although the right to vote was not firmly established as a prerogative of citizenship, being denied this right when all other males could exercise it clearly relegated black men to an inequality of political status that made them less than full citizens. The Supreme Court's Dred Scott decision of 1857, which declared that free blacks could not be citizens of the United States, reflected the realities of the time, if not, as was claimed in Chief Justice Taney's decision, the intentions of the framers of the Constitution. The federal government discriminated against blacks in the pre-Civil War period by preventing them from becoming naturalized citizens, carrying the mail, or being issued passports for foreign travel. The states, including the Northern states that had abolished slavery, added to the liabilities associated with race in antebellum America. Together with denying free blacks the right to vote, most states prohibited them from testifying in court against whites, serving on juries, attending common schools, or having equal access to common public amenities or facilities. Some even forbade free blacks from other states from entering their jurisdictions.[5]

As the controversy over the extension of slavery to the federal territories heated up in the 1850s and propelled the nation toward Civil War, both sides invoked white supremacist ideologies to

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Andrew Jackson, which was committed to the removal of the Native Americans from the southeastern states to designated areas west of the Mississippi.

[4] The standard work on the development of anti-black prejudices in early American history is Winthrop Jordan, *White Over Black: American Attitudes Toward the Negro, 1550–1812*.

[5] This pattern is summed up in Karst (1989:48–49). For a full account, see Litwack (1961).

support their positions. Southern defenders of the expansion of slavery used arguments derived from science and the Bible to maintain that the enslavement of blacks was a "positive good" wherever it existed. Northern advocates of "free soil"—those who would limit slavery to where it already existed under state law—sometimes contended that one of the greatest evils associated with the expansion of the South's "peculiar institution" was that it would entail bringing blacks into regions that might otherwise be homogeneously white. To a considerable extent, the Southern cause in the sectional controversy of the 1850s was hierarchical biracialism and that of the North was white homogeneity or total black exclusion. The popularity in moderate anti-slavery circles of schemes to colonize freed blacks outside the United States reflected a belief in the impossibility of equal citizenship for African-Americans. One of those who most cherished the utopian vision of an America without either slavery or blacks was Abraham Lincoln.[6]

The Dred Scott decision, with its formal and categorical denial of citizenship rights to African-Americans, was in effect for little more than a decade. It was overturned in the wake of a civil war that occasioned the abolition of slavery and the enlistment of blacks, including freed slaves, in the army that was fighting to preserve the federal union against the Southern secessionists. Emancipation did not itself entail citizenship, as was evident from the status of antebellum "free Negroes". But military service did. The classical definition of citizenship in a republic, which remained an influential aspect of American republicanism before the enfranchisement of women in the twentieth century, was closely associated with the bearing of arms. He who was asked to fight for the republic also had a right to participate in the deliberations that preceded a resort to arms. According to historian Linda Kerber, "arms bearing for the Union was an experience that came before citizenship and helped set the terms for it. Black men risked their lives for the Union…and the claim that they had bought their rights with their blood suffused constitutional debate and also the discourse of Reconstruction" (Kerber 1998:243).

The Fourteenth Amendment

The Fourteenth Amendment to the Constitution, ratified in 1868, provided the first substantive and potentially enforceable conception of national citizenship. Its purpose was to provide legal equality for the emancipated slaves, most of whom had been loyal to the Union, in order to protect them against the oppressive designs of ex-Confederates, who, under the lenient Presidential Reconstruction Policy of 1865–1866, had passed discriminatory state laws that approximated slavery in a new guise through draconian vagrancy laws and forced apprenticeships applying only to blacks. Section 1 of the Amendment set forth the basic terms: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States. No State shall make or enforce any law which shall abridge the privileges and immunities of citizens of the United States; nor shall any State deprive any person of life, liberty and property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." The intention, clearly, was to establish a birthright citizenship that would include African-Americans. The Amendment was not, however, meant to apply to Native Americans, whose membership in tribes which had made treaties with the United States was thought to place them beyond the direct jurisdiction of the nation and therefore not entitled to its constitutional protections. It is also noteworthy that "equal protection of the laws" was provided to all persons, not just citizens. As a result, aliens, including aliens deemed ineligible for citizenship because of racially discriminatory naturalization laws, could sometimes gain judicial relief from unfair and unequal treatment by appealing to the Fourteenth Amendment (McClain 1994).

The Fourteenth Amendment did not by itself eliminate the racial qualification for naturalization, which continued to be restricted to "free white person[s]". Recognizing an inconsistency in its overall reconstruction policy, in 1870 Congress altered the immigration laws by extending the right to become naturalized citizens to immigrants of African descent. By

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[6] See Fredrickson (1987, chapters 2, 3 and 5). On Lincoln's racial views, see Fredrickson (1988:54–72).

adding blacks rather than extending the right to all immigrants, Congress appears to have deliberately made Asians the only non-whites who were "aliens ineligible for citizenship". Beginning at the time of the 1849 gold rush, Chinese immigration to California had been proceeding apace. Since these newcomers differed physically and culturally from the native white population—besides being non-white, they were also non-Christian—they were the targets of a xenophobic reaction that was particularly strong on the West Coast. They were welcomed only by employers, especially railroad builders, who wished to take advantage of their services as labourers who could be hired more cheaply than whites. The discrimination and abuse they encountered on the West Coast did not arouse much sympathy in the East. The stereotypes of the Chinese as filthy, diseased heathens willing to work for wages no white man would accept, circulated nationally and created a set of negative and destructive images (Miller 1969; Saxton 1971). According to the racialized anthropology or ethnology of the mid-to-late nineteenth century, both blacks and Chinese were naturally inferior races lacking the innate capacity for self-government and democratic citizenship that all white males allegedly possessed. But because of their usefulness to the union cause in the Civil War and to the Republican Party during Reconstruction, blacks were granted a dispensation—a temporary immunity—to state-sponsored prejudice and discrimination. The Chinese could make no such claims on influential segments of white opinion.

"Ascriptive Americanism"

The period between the end of Reconstruction in 1877 and the First World War saw the triumph of a broad-gauged racism that included not merely people of colour but also sub-categories of Europeans. It was the heyday of what political scientist Rogers M. Smith has called "ascriptive Americanism"—the belief that what fully qualified someone for American citizenship was a bloodline that stretched back to northwest Europe (Smith 1997). The process of invidious differentiation began with the Chinese Exclusion Act of 1882, the first legislation that prohibited a specific racial or ethnic group from entering the country. By the 1890s Southern states were segregating African-Americans by the force of law, a practice that the Supreme Court in the notorious 1896 Plessy versus Ferguson decision found to be compatible with the Fourteenth Amendment. (Its supposition was that separate facilities could somehow be made equal. It was not until the 1954 decision in the case of Brown versus the Board of Education that the Court recognized the falsity of this assumption.) One by one, between 1890 and 1910, Southern states effectively nullified the Fifteenth Amendment, passed in 1870, which prohibited denial of the right to vote "on account of race, colour, or previous condition of servitude". They did so by establishing qualifications for suffrage that made no mention of race but were clearly intended to be used (and were in fact used) to deprive most Southern blacks of access to the ballot box. The brutal lynching of African-Americans for real and imagined crimes, or simply for violations of racial etiquette, became routine in many parts of the South and occurred occasionally in the North as well. By the turn of the century the power of white prejudice had made a mockery of the Fourteenth Amendment's promise of equal citizenship.[7]

The racialization of immigrants from Southern and Eastern Europe began in the 1890s with the rise of the immigration restriction movement and culminated in the discriminatory quota system implemented by the Immigration Act of 1924. It has been alleged by some historians that immigrants from Italy and parts of the Austro-Hungarian and Russian empires were not considered to be "white" when they first arrived.[8] This may be true in some cases. There were questions about whether Sicilians in southern Louisiana should go to white schools, black schools, or separate schools of their own. But in general, the racism directed at the "new immigrants" was not colour-coded. There were, in fact, two distinct systems of hierarchical racial classification that were operative around the turn of the century. The one that was based primarily on colour—white over black, brown and yellow—could rationalize the total exclusion

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[7]   A good recent summary is in Litwack (1998).

[8]   See, for example, Jacobson (1998).

or legalized segregation of the stigmatized group. The one that associated the cultural characteristics of certain European nationalities with their genetic makeup—and also at times found a physical correlative in non-chromatic features like head shape—won less popular adherence and had a more limited impact. Many nativists—opponents of immigration on primarily cultural grounds—believed that a more or less coercive programme of assimilation could turn Italians, Greeks and Slavs into good Americans, provided that there were not too many of them to deal with. Most did not advocate prohibition of immigration from Southern and Eastern Europe or the segregation or disenfranchisement of those already in the country. They merely contended that allowing such people to enter the country in large numbers endangered the national culture and the quality of the nation's breeding stock, or gene pool; hence their numbers should be reduced to manageable proportions. At the level of popular invective, Jews and Italians were sometimes distinguished from "white men". But no one seriously doubted that they were members of the same white or Caucasian "great race" as old stock Americans. It was the importation from England and Germany of the notion that "the little races" of Europe could be ranked—with Nordics, Teutons and Anglo-Saxons possessing characteristics superior to those of Latins or Slavs—that informed the racist ideology of the upper class leaders of the immigration restriction movement.[9]

Anti-Semitism also reared its ugly head in the United States in the early twentieth century. Although less virulent than the variety that had emerged in France, Germany, Austria and Czarist Russia, it became acceptable in elite circles in the East and Midwest and led to at least one notorious lynching in the South.[10] The type of racist anti-Semitism that came to hideous fruition in Nazi Germany and the Holocaust did not become politicized in the United States in the way that white supremacy did, at least in the Southern states. But it did result in a pervasive pattern of discrimination in access to higher education, certain professional and business opportunities, housing, social clubs, and hotels or resorts. It was not pigmentation, even in a symbolic sense, that inspired American anti-Semitism. Hostility derived from two principal factors: the traditional Christian belief that Jews were religious and cultural subversives, and resentment at the competitive success of Jews in some lines of endeavour (which led to the charge that they habitually engaged in sharp business practices). Prejudice against Jews in the United States may have been more intense and durable than that directed at Italians, Greeks and Poles, but it did not approach the virulence of anti-black and anti-Asian sentiment (Higham 1984: 95–174).

In the early twentieth century, Japanese immigration to California aroused fears that the United States faced a "yellow peril". As a result, the Japanese government was induced to voluntarily limit the emigration of its nationals to the United States in return for the promise of better treatment of those who were already in the country. But the "Gentleman's Agreement" of 1907 did not prevent the state of California from passing a law in 1912 that denied Japanese immigrants the right to buy land in the Golden State. Asian immigrants were not only denied access to naturalization, but were also deprived of the "equal protection of the laws" supposedly guaranteed to "all persons" by the Fourteenth Amendment. The Darwinian conception of a "struggle for existence" among the races aroused fears that evolutionary success—"survival of the fittest"—would go to the most prolific race rather than to the most intelligent and moral. The teeming masses of Asia were regarded as a serious threat to white hegemony throughout the world. Within the United States, once Asian immigration had been curtailed and it had been determined that the black population was not increasing faster than the white, the most pressing concern became the fact that Southern and Eastern European immigrants had larger families than old stock Americans. It was in this context that President Theodore Roosevelt warned of "race suicide". One solution was for the native-born to have more children; another was to curtail further immigration of people of inferior stock, a goal that was accomplished in 1924.

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[9]   The classic expression in an American context of this form of racism is Grant (1916).

[10]   Leo Frank was lynched by a Georgia mob in 1915, after he was accused of murdering a white Christian woman who worked in the factory that he managed.

Racism and Xenophobia in the Early Twentieth Century

What lay behind the multitargeted racism and xenophobia that crested in the early twentieth century? The stresses and strains of a rapidly modernizing society would seem to provide a large part of the explanation. Anxieties and insecurities always intensify at a time of massive social and economic transformation. In around 1900, the United States ceased to be a predominantly agricultural and rural society and became principally urban and industrial. Consequently, time-honoured ways of life, sources of authority and prestige, and even ways of making a living were being threatened. The class and status system was being reconstructed in a way that created new winners and losers.

One of the most persuasive psychosocial explanations of intensified racism is that people who feel threatened by forces that they cannot control or even understand tend to scapegoat the ethnic or racial Other. The most compelling example is the way that losing the First World War heightened German anti-Semitism and gave the Nazis a focused demonology that they could exploit in their drive for power. The nature of the sense of threat or danger to native-born white Americans from a specific group—blacks, Asians, or "new immigrants"—differed in each case, but the mechanism was the same. The Other was blamed for one's own failures and inadequacies, whether cultural, sex-and-gender related, or simply economic. Native-born white workers, at a time of bitter and often violent conflict between labour and capital, had good reason to fear the use of blacks and Asians by employers as strikebreakers or replacement workers. But they succumbed to racism when they disparaged the notion of extending the boundaries of the working class to include workers with a different skin colour and attributed their co-operation with union-busting employers to innate servility rather to the pressures of economic circumstances.[11]

In the South, the increasing numbers of whites who were losing ground economically as a result of the vicissitudes of the cotton-based economy eventually turned on blacks rather than mobilizing *with* blacks against the landlords, merchants, banks and corporate enterprises who were exploiting the landless proletarians of both races. In the words of W.E.B. Du Bois, "the white group of workers, while they received a low wage, were compensated in part by a sort of public and psychological wage. They were given public deference and titles of respect because they were white. They were admitted freely with all classes of people to public functions, public parks, and the best schools"(Du Bois 1970:700). The economically dominant middle and upper classes obviously benefited from encouraging divisions among the disadvantaged, but it would be simplistic to view them as nothing more than self-interested and cynical manipulators. They also saw the world in racial and ethnic, as well as class, terms, and they could imagine themselves to be philanthropists rescuing the masses of their racial compatriots from degrading associations, such as when they supported improved public education for whites only. Elite whites in the South could afford to be more paternalistic in their treatment of blacks than the poorer whites who were competing with them economically. But this did not mean that they were less racist. Their own self-images as gentry with roots in a slaveholding class required that they be surrounded by blacks who could be forced to play the role of child-like servants and dependants.[12] In the North, members of the old Anglo-American elite deflected the "status anxiety" arising from new wealth onto the immigrants who were allegedly threatening their cultural hegemony as charter members of America's "cultivated classes" (Solomon 1956.)

Such social pressures and tensions help to explain why there had to be scapegoats, but they do not fully explain why particular racial or ethnic groups were chosen to play this role. Pre-existing stereotypes, such as the image that arose before emancipation of African-Americans as natural slaves or the view of the backward and immoral Chinese (sent back by Christian missionaries before the era of immigration) helped to pre-determine their selection as targets of prejudice and discrimination. It also gave the stereotypes the kind of substance that could

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[11] Montgomery 1987:25, 46, 81–87 and passim.

[12] For an excellent general account of race relations in the post-Reconstruction South, see Williamson (1984).

intensify the hostility or contempt that they aroused. The social construction of race should be viewed as a complex process in which the immediate contexts provided by structural relationships interact with the cultural legacies of earlier relationships or contacts to produce a licence to hate or denigrate the Other.

The period between the First World War and the 1970s saw a sustained and partially successful struggle to expand the meaning of substantive American citizenship to cover groups previously excluded and to include rights and privileges not previously extended to those born or naturalized in the United States. The achievement of women's suffrage in 1920 strengthened the connection between citizenship and suffrage. The granting of United States citizenship to all American Indians in 1921 was a mainly symbolic act that had little or no practical effect on the lives of Native Americans who lived on impoverished reservations, but it did, at least, universalize birthright access to American nationality. After the discriminatory restriction of immigration in the 1920s, the status of those who had previously arrived from Eastern and Southern Europe or were the children and grandchildren of foreign-born parents gradually improved. This process has somewhat misleadingly been called "whitening". What is undeniable is that many "white ethnics", as they later came to be called, emphasized their own pigmentation as a basis for gaining acceptance as Americans (Barrett and Roediger 1997). The Democratic Party of the 1930s, which under the banner of the New Deal greatly enhanced the role of the federal government in social and economic affairs, appealed to the white ethnics and represented their interests as part of a coalition of minorities that constituted a new majority. It also promulgated a new concept of social citizenship by entitling most working Americans to old age pensions and unemployment benefits.

African-American voters were part of the New Deal political coalition. The large numbers who migrated to the North in the 1910s and 1920s regained the right to vote, thereby creating an incentive for urban politicians to provide favours or benefits in return for their support. Congressmen whose margins of victory might depend on the "Negro vote" were likely to vote for federal anti-lynching legislation, or against the confirmation of notoriously racist nominees for Supreme Court judgeships.[13] The New Deal was more responsive to black interests than any political movement since the Radical Republicans of the Reconstruction era had amended the Constitution to provide citizenship for blacks, but still fell far short of providing equal citizenship for African-Americans (Sitkoff 1978; Kirby 1980). Because the white South was also part of the New Deal coalition, the Roosevelt administration did not openly challenge the Southern pattern of segregation and disenfranchisement or even support federal legislation against lynching. Furthermore, the exclusion of servants and farm labourers from the protections of social security denied the benefits of the new social citizenship to much of the black population.

The Second World War and the Cold War

Although there was not substantial advancement in the cause of civil rights for African-Americans during the 1920s and 1930s (apart from some Supreme Court decisions against flagrant denials of equal justice), the intellectual justification for the differential treatment of racialized groups came under attack. A new school of anthropologists attributed human diversity to culture rather than genetics, and studies of human intelligence began to question the notion that there were significant differences in the intellectual endowment of various "races" (Stocking 1968:195–233; Barkan 1992). But it was not until the Second World War that ideological racism was challenged to such an extent that it became intellectually disreputable — a necessary precondition for an assault on legalized white supremacy. Gunner Myrdal's classic study of the status of African-Americans, *An American Dilemma*, published in 1944, won considerable acclaim for its contention that discrimination against blacks was in contradiction to

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[13] In 1931 the nomination of Judge John Parker was rejected by the Senate, in part because he had once declared that blacks should not have the right to vote.

"the American creed" of equal rights and opportunities for all (Myrdal 1944). This argument only made sense if blacks were included among the "men" or full-scale human beings to which the Declaration of Independence applied. Those racists who viewed blacks as innately unqualified for full citizenship were put on the defensive during and immediately after the Second World War because of the similarity of anti-black ideology to the anti-Semitism of the Third Reich. The call of the National Association for the Advancement of Colored People (NAACP) for a double victory over Nazism abroad and racism at home resonated with many Americans.

Revulsion against Nazi racism was not by itself sufficient to make racial equality under the law and at the ballot box a high national priority for politicians and policy makers. It took the competition with the Soviet Union for "the hearts and minds" of Africans and Asians in the 1950s and 1960s to create a climate of opinion conducive to the achievement of equal legal and political rights for blacks in the United States. The initial effect of the Cold War was to retard the struggle for civil rights. During the McCarthyite "red scare" of the late 1940s and early 1950s, progressive causes of all kinds fell under a cloud of suspicion that they were communist-inspired. By the late 1950s and early 1960s, however, paranoid fears of domestic subversion had receded and the international rivalry between the United States and the United Soviet Socialist Republic (USSR) had become a struggle to gain influence over the decolonized new nations of Africa and Asia. In this context, policy makers began to realize that the practice of Jim Crow social politics was an enormous propaganda liability. Historians and political scientists have recently documented what was long suspected: the success of the civil rights movement in the 1960s depended heavily on "reasons of state", as they were perceived by influential cold warriors. Just as the need to preserve the union against the secessionists had made emancipation seem necessary a century earlier, the need to defend the "free world" from Soviet communism gave impetus to the struggle for African-American legal and political equality that came to fruition in the Civil Rights Acts of 1964 and 1965.[14] Highlighting such pragmatic considerations is not meant to imply that the agency of black protesters and demonstrators was unimportant. It was when non-violent resisters confronted and exposed the hatred and injustice of the Jim Crow regime—as in Little Rock in 1957 and Birmingham in 1963—that the headlines around the world put the United States in the embarrassing position of preaching democracy but conspicuously failing to practice it.

The year 1965 can now be seen in retrospect as a high point of racial egalitarianism in the United States. In that year the effective and enforceable Voting Rights Act made African-Americans full citizens of the polity. In the same year a new immigration law was passed that abolished discriminatory national quotas. Both actions had significant results. Access to suffrage led to a rapidly growing number of black elected officials, including a substantial number of congressmen. The end of racial and ethnic qualifications for immigration made it possible for large numbers of Asians and Afro-West Indians to come to the United States and become naturalized after five years. This influx, and the legal or illegal entry of millions of Mexicans and other Latin Americans, created a greater degree of racial and ethnic diversity than the nation had ever known. Some analysts have predicted that by the mid-twenty-first century the United States will have a "non-white" or non-Euro-American majority—a demographic situation that already exists in California.

The Ideal and the Reality

Do these developments mean that the United States has achieved the egalitarian dream derived from a literal reading of the Declaration of Independence and has ceased to be a society permeated by racial prejudice and discrimination? What has happened since 1965 makes it clear that formal legal and political equality does not automatically entail equal citizenship. Full citizenship requires more than extending formal rights; it should also mean that the newly

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[14] The impact of the Cold War is demonstrated in Dudziak (2000); and Klinker and Smith (1999).

included are accorded enough respect to make them feel that they truly belong to the nation. As the French revolutionaries understood, a democratic republic requires fraternity as well as legally acknowledged liberty and equality. If a minority is generally disliked or resented, it will be discriminated against in an extra-legal or *de facto* fashion unless the government acts vigorously to protect its members.

By any objective standard, African-Americans continue to be greatly disadvantaged in comparison to their white compatriots. Blacks in the United States are now more residentially segregated from whites than they have ever been; they earn on the average only about three-fifths as much as whites, are twice as likely to be unemployed, and have only about one-eighth as much property or net worth. More than half of all of the convicts in American prisons are African-Americans. They also fall far below general American standards in such indices of well-being as life expectancy, infant mortality, unwed motherhood and susceptibility to AIDS.[15]

A major reason for this disparity is of course the cumulative disadvantages resulting from a long history of enslavement and racial oppression. The current call for "reparations" for the damage inflicted by slavery is based on a belief that African-Americans have been the victims of a man-made historical disaster for which the entire society should assume responsibility. Clearly, enslaved blacks made an enormous contribution to the economic growth of what became the richest nation in the world, a veritable "land of opportunity" for native and foreign-born whites. Simple justice might seem to require that the white beneficiaries of the uncompensated toil that laid the foundations for national growth and prosperity should be taxed to pay the debt.

But there is little or no chance that the white majority would be willing to make the sacrifices required. Affirmative action policies in employment and education would be another way to begin to overcome the handicaps resulting from past discrimination, but the courts have held that "racial preferences" are not justified. The failure to use race-specific policies to rectify historically created racial inequity and inequalities could mean the indefinite perpetuation of these inequalities. Black degradation confirms the prejudices of whites who lack an adequate understanding of American history, and engenders alienation and bitterness among blacks, who may rightly feel that they are still not accorded the respect and advantages that substantive citizenship should entail.

But the current circumstances of blacks and other racialized minorities, such as Mexican-Americans, are not merely the cumulative residue of past injustice. The partial dismantling of the welfare state is depriving the poor, who are disproportionately black and brown, of access to the social citizenship adumbrated by the New Deal. Furthermore, active discrimination in access to housing, employment, loans, medical care and education persist. The anti-discrimination laws are either inadequately and inconsistently enforced or fail to cover some of the more subtle ways in which racial bias is expressed. The circumstances of African-Americans have certainly improved somewhat in the last half-century. To a much greater extent than in the past, high achievers can rise to positions of power and prestige. For the growing African-American bourgeoisie, the privileges associated with class can, to some extent, overcome the liabilities associated with race. But poorer blacks, confined to inner-city ghettos from which the middle class has largely fled, suffer from a double handicap of race and class that is extraordinarily difficult to overcome.[16]

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[15] Valuable summaries of the current status and condition of African-Americans include Hacker (1992); Massy and Denton (1993); Patterson (1997); Oliver and Shapiro (1995); and Shipler (1997).

[16] The racial impact of class disadvantage is emphasized in the work of sociologist William Julius Wilson. See especially *The Declining Significance of Race: Blacks and Changing American Institutions*, and *The Truly Disadvantaged: The Inner City, the Underclass and Public Policy*.

The Hispanic Experience

The social construction of a "Latino" or "Hispanic" ethno-racial category has differed in significant ways from the racialization of African-Americans. Since 1848, when substantial numbers of Mexicans were incorporated into the United States as citizens under the terms of the Treaty of Guadalupe Hidalgo, Mexican-Americans have, for the most part, been officially classified as white. But the extent to which they have been discriminated against, segregated, and discouraged from voting—particularly in the southwestern United States, where virtually all of them were concentrated until quite recently—belies that designation and has rendered them socially, if not legally, people of colour. The current census categories of "Hispanics" and "non-Hispanic whites" suggest that Latinos without obvious Indian or black ancestry are still white in some sense, but may nevertheless be treated as the Other. It is difficult to determine the extent to which the prejudice against Latinos, in general, and Mexican-Americans and Puerto Ricans, in particular, is "racial" (based on the phenotypic effects of varying degrees of Indian or African, as well as Spanish, ancestry) or cultural (resulting from the fact that Latino groups have been more prone to maintain their ethnic and linguistic distinctiveness than immigrants from Europe). The "greaser" stereotype applied to Mexicans suggests revulsion at their physical appearance, and the current agitation for "English only" laws highlights the alleged threat to Anglo-American culture from the persistence of Spanish as the *lingua franca* of Latino communities.

The pan-Hispanic identity affirmed by Latinos themselves is primarily cultural. (What else could it be, given the great diversity of ancestries and phenotypes?) Latino intellectuals have been in the forefront of the campaign for multiculturalism in the United States. Noting that the American concept of individual rights does not normally include the right to remain culturally distinctive, they have advocated a new "cultural citizenship" that includes the right to be different without being denied the respect and recognition that full citizenship should entail (Flores and Benmayor 1977). A question remains, however, as to whether pan-Hispanic identity is a natural outgrowth of cultural commonalties or a defensive reaction against the tendency of Anglo-American society to merge all Latinos together and "racialize" them. Yet the differences between Mexicans, Puerto Ricans, Cubans, Dominicans, Central Americans and South Americans might seem, from an objective perspective, to outweigh the similarities based mainly on language.

The Asian Experience

In the case of Asian-Americans, the racializing tendencies of American society and the group solidarities that they may evoke are even more evident. Asians or "Mongolians" were one of the primary classifications of the racist anthropology that originated in the eighteenth century and culminated in the early twentieth. Yet the groups currently considered Asian in the United States are culturally quite diverse. They include not only Japanese, Chinese, Koreans and Vietnamese, but also the South Asians who were often regarded as Caucasians or Aryans by earlier generations of physical anthropologists. The killing a few years ago of a Chinese-American mistaken for a Japanese by unemployed auto workers who blamed Japanese competition for their plight, shows how easily racists can disregard ethnic or national distinctions. But pan-Asian defensive solidarity seems to be somewhat less developed and less urgently advocated than the movement for pan-Hispanic identity. Anti-Asian prejudice has declined considerably since the turn of the century panic about the "yellow peril"—most precipitously in the years since the internment of Japanese-American citizens during the Second World War (perhaps the most blatantly racist act of the United States government since the Civil War).

Currently Asians still suffer from subtle forms of discrimination, such as the glass ceilings preventing Asian engineers employed by large corporations from moving from production to management as readily as their white counterparts. But in comparison to African-Americans and even Mexican-Americans, Asian-Americans appear to be on the way to being assimilated by the Euro-American majority. On the whole, they seem less insistent than Latinos that there

be respect for their cultural distinctiveness. (The diversity of languages among them deprives bilingualism of its capacity to serve as a rallying point.) Furthermore, high rates of intermarriage between Asians and whites and the apparent freedom of their offspring to choose their own racial identity creates the possibility that the privileged American race of the future will be of mixed European and Asian ancestry.[17] Despite the current absence of a strong trend in this direction, it is also possible to conceive of a growing tolerance of cultural diversity and an increasing acceptance of Latinos as full-fledged members of American society. Were it not for the continuation of a massive influx from south of the border, second- and third-generation Mexican-Americans might currently be in a position analogous to that of Americans of Italian descent in the decades after immigration restriction. (During the period between the 1920s and the 1940s, most Italian-Americans inhabited a social and cultural world of their own, but were nevertheless being assimilated economically and politically.)

The African-American Experience

Harder to imagine is conferring on African-Americans the degree of respect and recognition that would make them full and equal citizens in substance as well as in law. No other ethno-racial group was enslaved for two-and-a-half centuries in what became the United States, or, despite the attainment of *de jure* citizenship in 1868, was subjected to such an elaborate and comprehensive system of legalized discrimination and segregation. There is a long history of the incorporation of groups that initially inspired hostility and discrimination but which were able to exploit their putative whiteness to gain entry at the expense of the perennial Other: the African-Americans who remain to the present day the principal "negative reference group" against which white—or non-black—America persists in defining itself.[18]

Racism, Culture and Nationalism in Europe

Our understanding of the social construction of race and citizenship in the United States can be enhanced if we expand the kind of comparative perspective that was briefly invoked at the beginning of this paper. France and Germany are two European countries that have dealt with ethno-racial diversity in ways that are often contrasted. The United States is often paired with France as an exemplar of "civic nationalism", while Germany is designated as the prime exponent of "ethnic nationalism".[19] The American pattern, as we have described it, is actually a peculiar hybrid of these two types. What is distinctive about it is the coexistence of a universalistic affirmation of human rights and a seemingly contradictory set of exclusions based on race or colour. Although the egalitarian ideals expressed in the Declaration of Independence, Abraham Lincoln's Gettysburg Address, and Franklin D. Roosevelt's Four Freedoms speech seem to apply to all humankind, the America that was experienced by blacks, Indians, Asians, Mexican-Americans and, at times, even by some categories of immigrants from Europe, was often one of racialized hierarchy. One way that Americans were able to ignore this blatant contradiction was to define the Other as sub-human or inherently child-like, and thus incapable of self-governance or democratic citizenship. Liberty and equality could continue to be celebrated, but as the prerogative of the *Herrenvolk*, or at least its male members, rather than as a universalistic recognition of the rights of humanity.

France, the other classic example of civic nationalism, has also failed to live up to the principles set forth in its charter of universal rights—"*les droits de l'homme*". Initially the French Revolution inspired a consistent cosmopolitanism that went to the point of making foreigners resident in France the legal and political equals of native-born inhabitants. But the wars in which the French republic become embroiled after 1793 aroused a xenophobic nationalism that resulted in the persecution of aliens, and, in effect, made the rights of man the prerogative of a select group

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17 For some figures on the extent of intermarriage among Asians, see Gall and Gall (1993:144).

18 For further development of the case for African-American exceptionalism, see Fredrickson (1998).

19 This dichotomy is set forth in Greenfeld (1992).

designated as citizens. Access to citizenship in the French Republic has not been based strictly on *jus soli*, as in the English and American systems, but was originally based primarily on *jus sanguinis*—the claim to nationality derived from ancestry—as in Germany. The factor that has made France much more hospitable to immigrants than Germany is that birthright citizenship was extended to the third generation in 1851 and to the second in 1889.[20]

The fact that those born in the French colonies of North Africa before independence are considered birthright citizens, and that automatic citizenship comes to the children of all immigrants when they reach maturity, means that contemporary France has made citizenship relatively easy to obtain. But serious proposals to make the second generation meet rigorous standards to qualify for citizenship, as well as the calls for banning immigration from non-European sources emanating from Jean-Marie Le Pen and his National Front Party, demonstrate a persistent French proclivity for xenophobia. But the ethnic side of French nationalism—defense of *la Culture Française* from alien influences—can be distinguished from American racism. No sharp colour line has been drawn in France. In fact, survey data show that the French are less prejudiced against Francophone blacks than against new arrivals from North Africa, who are distinguished from the native French primarily by culture and religion rather than by skin colour.[21]

If one is willing to adopt an expansive definition of racism, one could say that the French version is culture-coded, whereas the American is colour-coded. Of course the French are not completely immune from colour prejudice, and Americans have been known to have xenophobic reactions to cultural difference. But there is a significant relative difference. In general, and especially in recent times, the American "melting pot" has been more tolerant of ethnic and religious diversity than cultural assimilation *à la française*. Exclusion in the American case has normally been based upon colour or some other concept of innate "racial" difference. The French, on the other hand, have been most antagonized by what they take to be a willful resistance to the absorption of French culture. Haitian immigrants have been received much more hospitably in France than in the United States. But strong adherence to Islam has often been deemed by the French to be an insuperable obstacle to assimilation, a view that is shared by adherents of both the dominant tradition of secular republicanism and the minority right-wing persuasion based on Catholic traditionalism (Brubaker 1992:149). Despite allegations of Arab-American support of terrorism and anti-Semitism, the rapid growth of Islam in the United States occasioned remarkably little concern or anxiety before the terrorist attack on the World Trade Center on 11 September 2001. An increase in anti-Islamic attitudes since that time cannot be denied, but America's basic religious pluralism offers the long-term prospect that the celebratory litany of America as the happy home of "Protestants, Catholics, and Jews" will be enlarged to include Muslims.

In apparent contrast to both the United States and France, German identity and citizenship have been rooted in a relatively pure and highly exclusionary form of ethnic nationalism. In France, the revolutionary republican state engendered the nation, and in the United States the founding fathers created a political structure that would give meaning to American nationality in the absence of any distinctive ethnic identity. (The free population of the United States in 1789 was predominantly English in origin, but, having revolted against English rule, Americans could scarcely establish a unique identity based on cultural antecedents.) But in Germany cultural and linguistic nationalism preceded the establishment of a unified nation-state. Furthermore, the German cultural nationalism that preceded the unification of 1870 derived much of its content from the romantic revulsion against the Enlightenment doctrine of universal human rights. In the German conception it was the collective soul of a people—the *Volk[s]geist*—that had the right to self-determination, not the independent rational individuals of democratic political thought.

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[20] Brubaker 1992:43–47, 81–86, and *passim*. See also Weil (1996:74–87).

[21] Horowitz 1992:19. When asked which category of immigrants constituted the greatest difficulty for integration, 50 per cent of French respondents named North Africans and only 19 per cent specified black Africans.

The German immigration law of 1913 carried the principle of *jus sanguinis* to its logical conclusion. Germans living abroad and their descendents had an automatic and perpetual claim to German citizenship, but people born in Germany who were not of German stock could not become naturalized. In the words of Rogers Brubaker, "The 1913 law severed citizenship from residence and defined the citizenry more consistently as a community of descent".[22] During the Nazi era the concept of German citizenship became completely racialized when all those whose families had acquired citizenship in earlier times but who could not claim Aryan descent—mostly Jews and Slavs—were stripped of their German nationality.

Germany's ethno-racial conception of citizenship survived defeat in the Second World War. The law of 1913 remained in effect, although some very recent modifications have made citizenship through naturalization somewhat easier for non-Germanic immigrants. What has not changed is the special eligibility for citizenship of those of remote German ancestry who may have lived abroad for generations—for example the Volga Germans of Russia who left their German-speaking homelands in the eighteenth century. Simultaneously, the children and grandchildren of Turks who came as guest workers 30 or 40 years ago are still regarded as foreigners and face many obstacles if they wish to be naturalized. In 1992, 400,000 Turks who were born in Germany still retained their resident alien status.[23]

The role of race in the construction of citizenship in Germany and the United States can be usefully compared. The unavoidable Enlightenment context for the creation of American nationality made racists assume that the dominant whites stood for humanity in general and were worthy of all of the human rights specified by eighteenth century philosophers. But blacks, Indians, and Asians were "races", which meant that they lacked the attributes needed for exercising the responsibilities of democratic citizenship. A narrower and more ethnic strain can also be detected at certain points in American history—namely, the belief that only those of Anglo-Saxon, Germanic, or Nordic ancestry were qualified to hold the reins of self-government. But the ability of immigrants from the Celtic, Latin, and Slavic regions of Europe to claim whiteness, and thereby distinguish themselves from blacks and Asians, made these more exclusive assertions of racial priority unavailing in the long run. In the German case, the process began not so much with the racialization of the Other, as with the self-racialization of the Germans. They became "the master race", with a right to rule over other Europeans and non-Teutonic Caucasians. This vision was permeated with anti-Enlightenment particularism. Jews became the prime target of German racism because they seemed to represent everything the *Volkisch* Germans rejected—universalism, cosmopolitanism, rationalism, an aptitude for commerce and finance, artistic innovation—in short, modernity.[24]

If Jews were the scapegoats for German anti-modernism, blacks, and to a lesser extent other people of colour, served to buttress the American self-concept as the most modern of nations—the vanguard of human progress. The African-American stereotype, in contrast to the German-Jewish, was of a people incapable of being modernized, rather than of one that was too modern for its own and everyone else's good. When the United States, and particularly the South, evinced signs of social and economic backwardness, it was easy to put the blame on the presence of "primitive" African-Americans. When the United States became an imperial power seeking to transform the world in its own image, it was similarly easy to blame the resistance and recalcitrance that it encountered on the racial deficiencies of "the coloured races".

Conclusion

Nonetheless, there is some hope to be derived from an account of the social construction of race and citizenship in the United States. To contend that race has been socially constructed is also to

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22   Brubaker 1992:114–115. See also Fulbrook (1996:88–105).

23   Brubaker 1992:78; Kastoryano 1996:133–157; Wilpert 1993.

24   The comparison made here between German and American racism is developed more fully in Fredrickson (2002).

maintain that it is not natural or inevitable. What has been constructed can also be torn down or "deconstructed". To some extent this has already happened with the overthrow of legalized segregation, racially motivated voting restrictions, and discriminatory immigration quotas. In this paper I have been very critical of my own country. But I am also proud of the fact that racial injustice has not remained unchallenged. Sustained protest and resistance from its victims, together with their supporters and advocates, has aroused a sympathetic response from at least some of the purported beneficiaries of white supremacy. The national conscience—the desire to live up to the standard of human rights set forth in the Declaration of Independence—has usually needed to be supplemented by "reasons of state", or persuasive claims that the national interest is adversely affected by racism, to become efficacious. But at least it shows that white Americans are capable of recognizing priorities higher than the maintenance of racial privilege. That may be something we can build upon.

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