Not So Exceptional
Race and the American Ancient Regime

ABSTRACT  Donald Trump’s victory in the 2016 presidential election stunned the political establishment as well as much of the academy, provoking scholars to search for answers to explain this unexpected result. His win is particularly striking considering that he is the antithesis of his successor, Barack Obama. As the nation’s first African American president, Obama embodies the triumph of the idea that “American exceptionalism” and commitment to the nation’s first principles can overcome America’s tragic history with respect to race. American exceptionalism premises itself on the idea that the United States, unlike Europe, lacks an “ancient regime” based on class hierarchy and aristocratic privilege. This article argues that this assumption is false: the United States does have an “ancient regime”—what I call white capitalist patriarchy. This “ancient regime,” unlike the ones in Europe, is based fundamentally on race and white supremacy. I argue that the perpetual cycles of racial progress followed by retrenchment throughout American history are best explained as evidence of the existence of this ancient regime and the reactionary political tradition to which it gives rise. KEYWORDS American exceptionalism, ancient regime, white supremacy, racism, reactionary tradition

We hold these truths to be self-evident, 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. —DECLARATION OF INDEPENDENCE, 1776

Only in America is my story even possible. —BARACK OBAMA, DURING THE 2008 PRESIDENTIAL CAMPAIGN

Barack Obama delivered to black people the hoary message that in working twice as hard as white people, anything is possible. But Trump’s counter is persuasive—work half as hard as black people and even more is possible. —TA-NEHISHI COATES

The oft-repeated line in candidate Barack Obama’s stump speeches during the 2008 presidential campaign refers to the improbable nature of the idea that a black man could be elected president of the United States given the details of America’s ugly racial past. Rhetorically, he did not say it that plainly; rather, he referred to how unlikely “a skinny kid with a funny sounding name” could realistically aspire to the presidency. Nevertheless, his audiences—both those who enthusiastically supported him and those who vehemently opposed him—knew exactly what he meant. In subtly situating his campaign within the broader context of American history, Obama expressed his belief in “American
exceptionalism”—a coherent system of ideas that is shorthand for the common belief that America has a unique historical foundation that profoundly distinguishes it from the rest of the world. This core belief is central to America’s view of itself as a “city on a hill” and the world’s “citadel for democracy” and infuses the nation with a sense of mission that is uniquely American.

Many had hailed Obama’s victory in the 2008 presidential election as a powerful signal that the claims of American exceptionalism were not just words. Rather, the 2008 election ushered in a “post-racial” America where individuals can truly be judged not on the color of their skin but on the content of their character, reflecting not simply a memorable line from a famous speech but a reality in American life. However, those hopes were quickly dashed by the rise of the Tea Party in 2009 and the Republican conservative revival, starting with the midterm elections of 2010 (Bund 2010; Draper 2012; Ornstein and Mann 2012; Skocpol and Williamson 2012; Grunwald 2013). Congressional Republicans spent the entire eight years of Obama’s presidency engaging in historic efforts of obstruction and attempts to sabotage his administration and thwart the president’s every initiative—even when the president embraced ideas that Republicans had traditionally supported.

But nothing signified that the coming racial utopia had not arrived more clearly than Republican Donald Trump’s stunning victory in the 2016 presidential election over Democrat Hillary Clinton, who had been overwhelmingly favored to succeed Obama in the White House. Trump’s victory is especially striking given that he first emerged as a serious presidential contender when he became the most prominent spokesman for the “birther movement”—which contended that Barack Obama was actually born in Kenya, not the United States. If that were true, Obama would not be a “natural-born citizen” and thus ineligible to serve as president. Moreover, many interpreted Trump’s campaign slogan “Make America Great Again” as a “dog whistle” appeal to whites longing for the nostalgia of Jim Crow segregation and a less racially diverse America. In the wake of Trump’s victory, political scientists, pundits, journalists, and average citizens struggled to figure out how they failed to see the 2016 election result coming. Explanations range from the lingering effects of economic insecurity left over from the impact of the Great Recession to mistakes by the Hillary Clinton campaign, to simply naked appeals to race that resonated with a large segment of the American electorate.

While many of these explanations are illuminating, they are inadequate when America’s turn from Barack Obama to Donald Trump is placed within the larger context of American history. The nation’s past is littered with examples of periods of progress for African Americans followed by longer eras of retrenchment. The fact that these cycles of progress and reversal are so predictable raises a fundamental question: Is America as “exceptional” as it believes itself to be? The contention of this essay is that “American exceptionalism”—defined as the belief that the facts of America’s historical development and the distinctive material conditions of the nation’s early beginnings have shaped the nation’s character in a fashion that fundamentally distinguishes the United States from the rest of the world—is misguided. It is not that the discourse around exceptionalism does not reveal important insights about American society and what distinguishes the United States from other countries. Specifically, the theory of American exceptionalism
argues that one of the key contrasts between the United States and its counterparts in the Western developed world is that its European settlers did not find a preexisting "ancient regime" in place that had to be displaced to pave the way for a modern society. With no feudal order to destroy, America was free to develop along a fundamentally different historical trajectory than other advanced Western nations and Japan. Rather, it consistently errs in its explanation of the causes of these differences. This essay argues that, contrary to the theory of American exceptionalism, America does have an “ancient regime,” but it is based fundamentally (but not exclusively) on race (as opposed to the class distinctions that characterized Europe). First, I briefly summarize the literature on American exceptionalism and then discuss how the history of race relations in the United States cuts against one of the fundamental tenets of the theory. Secondly, the essay goes into detail describing the nature of America’s ancient regime. Finally, I conclude with brief remarks about the implications of this revisionist view of American politics.

AMERICAN EXCEPTIONALISM AND THE PROBLEM OF RACE

It is Alexis de Tocqueville who first coined the term “American exceptionalism” to describe the differences he observed in America during his travels around the country in the 1830s in comparison with his native France. Tocqueville (1837: 18) observes that America is the only country in the world to have created a democratic society without enduring a democratic revolution. The democratic ethos that he discovered in his travels throughout the United States in the 1830s was made possible, he argues, because America possessed no feudal order or landed aristocracy that had to be dismantled in order to build a democratic society. “The storybook truth,” writes Louis Hartz (1955: 3), is “that America was settled by men who fled from the feudal and clerical oppressions of the Old World.” Whereas Europe was characterized by large estates controlled by the landed gentry, crowded, overpopulated cities, hereditary monarchies, and established churches acting as explicit pillars of the status quo, those who settled the land that would become the future United States encountered a land free from these encumbrances. With an abundance of land and natural resources seemingly “for the taking,” America held out the promise of a degree of economic and social mobility that would have been unthinkable in Europe.

The theory of American exceptionalism has produced an almost inexhaustible volume of scholarly debate and controversies; the partial list of references listed here barely scratches the surface of the topic (Tocqueville [1837] 1988; Huntington 1968; Hartz 1955; Lipset 1996; Foner 1984; Wood 1992; Kingdon 1999; Kammen 1993; Kaufman 1999; Byers 1997; Wald 2011; Wilsey 2015; Wilson 2015). The “facts” of America’s historical development, these scholars maintain, have given rise to a type of politics that is uniquely American and distinguishes the United States from most other Western industrial nations and Japan. According to this perspective, American politics is distinct from other major industrial democracies by assigning a decidedly smaller role for state intervention when it comes to regulation of the economy. For example, the United States has a less comprehensive system of social welfare benefits than any other Western advanced nation (Lipset 1996; Kingdon 1999; Mickelthwaite and Woolridge 2005). A recent Pew
Research Center poll surveying citizen attitudes regarding the role of government drives this point home. Americans, by a whopping margin of 58 to 35 percent, stated that it is more important that individuals have “freedom to pursue life’s goals without state interference” than ensuring that the “state guarantees [that] nobody is in need.” Americans were also far less likely to believe that “success in life is determined by forces outside our control.” These results testify to the much stronger belief in individualism among Americans that makes the United States an outlier among other Western nations. Another major testament to the decidedly less ambitious role that Americans assign to government intervention in the marketplace is the fact that the United States is the only major Western industrialized country where universal health insurance for its entire citizenry is not guaranteed. The Affordable Care and Patients Protections Act of 2010, the signature legislative achievement of Barack Obama’s presidency, extended health coverage to 20 million Americans but still left millions of the nation’s citizens without insurance. As of this writing, the future of this legislation continues to remain very much in doubt.

The lack of a feudal past, it is argued, explains why socialism has failed to gain traction on American soil to the degree that it has in Europe (Hartz 1955; Lipset 1996; Foner 1984; Marx and Engels ([1867] 2004). Part of the appeal of Marxism relies on the sense that an ancient social contract has been violated—namely, the peasants’ right to the “common use” of the land in exchange for their lives of servility to their supposed social betters (Moore 1966; Greene 1971; Piven and Cloward 1982). But in a country where the landless could legitimately aspire to become property owners, where is the appeal in socialism? For Hartz, this dynamic also means that America also lacks a conservative or a reactionary tradition. Without a feudal order to destroy, the Americans have been free to define their revolution as a struggle to limit the arbitrary power of government. The European liberal, by contrast, faced the dual problem of checking the arbitrary power of government while simultaneously preserving democratic reforms against a potential restoration of the old regime by the aristocratic classes. Thus, they could not challenge the absolute monarchies of their day without dreaming of centralizing power themselves (Hartz 1955: 55–58).

The perpetual pattern of race relations throughout American history whereby African Americans make progress toward the goal of racial equality, followed by reversals and long periods of retrenchment, challenges the assumption of American exceptionalism that the United States lacks a reactionary tradition. The American Revolution, for example, expanded the class of free blacks and put slavery in the Northern states on the road to eventual extinction. But while slavery was gradually being abolished in the North, it grew in power and influence in the South and West (Berlin 1975; Kluger 1975; Quarles 1986; Kolchin 2003; Walton and Smith 2012; Sinha 2016; Kendi 2016). Similarly, emancipation and Reconstruction soon succumbed to Jim Crow segregation (Kluger 1975; Quarles 1986; Lofgren 1992; Blackmon 2008; Roedinger 2010; Walton and Smith 2012; Robertson 2017). In response to desegregation and the civil rights movement, Southern whites responded with “massive resistance” campaigns. When those failed to halt the march of black progress, conservatives shifted tactics to the use of the “Southern strategy,” more subtle strategies of voter dilution and vote suppression, and by attacking legislation designed to address legacies of discrimination against blacks as “reverse discrimination”
against whites (Bartley 1969; Phillips 1969; Wilkinson 1979; Carmines and Stimson 1989; Edsall and Edsall 1991; Orfield 1996; Samuels 2004, 2015, 2016; Fauntroy 2006). And the desire to preserve racial hierarchy has historically been at the heart of the American preference for “limited government” and “states’ rights”—whether it was designed to limit the federal government’s power to regulate slavery, to remove federal troops from the South after Reconstruction, or, in the present day, to advance arguments opposing school desegregation and affirmative action (Freehling 1966; Phillips 1969; Bartley 1969; Kluger 1975; Wilkinson 1979; Carmines and Stimson 1989; Edsall and Edsall 1991; Orfield 1996; Samuels 2004, 2015, 2016; Fauntroy 2006; Walton and Smith 2012). In summary, the predictability of these cycles of progress followed by reaction and retrenchment are too frequent for them to be coincidental. Thus, when viewed in this light, not only should Donald Trump’s emergence not have been surprising, it should have been America’s expected reaction to the election of its first black president.

This essay argues that the theory of American exceptionalism so conceived misses the mark because it treats the founding of the United States as if the Founding Fathers were painting on a blank canvas. Tocqueville found the absence of a hereditary monarchy, an established church, and a landed aristocracy—the very things with which he was so familiar in Europe—and concluded that America lacked an “ancient regime.” However, when the Founders declared independence from Great Britain, the new nation’s economy and society had been built on the foundation that slavery had laid—a foundation that had been in place for more than a century. If anything, America’s ideals about universal liberty were engrafted onto a preexisting racist capitalist patriarchy. Therefore, Tocqueville’s deduction is wrong: America does have an “ancient regime,” but it is based more fundamentally on the concept of race rather than on the class distinctions that he was familiar with in his native France.

I begin by tracing the rise of slavery in British North America. The evidence indicates that the institution was central to the development and prosperity of the thirteen colonies: its economic benefits did not accrue only to the South. By reducing Africans to the status of chattel slaves, race made it possible for the debates concerning the rights of men to take place as if they only applied to white men. This essay also considers the implications of viewing American history through the prism of an ancient regime as opposed to seeing racial hierarchy as the “exception” to the norm of the national narrative. Finally, the paper briefly explores the significance of this revisionist understanding of the nature of the American founding to contemporary politics.

**AMERICA’S “ANCIENT REGIME”**

**The Centrality of Slavery**

It is no small matter that when Thomas Jefferson declared “all men are created equal,” chattel slavery of men and women of African descent had been legal for more than a century. Slavery was legal in all thirteen of the English colonies at the outbreak of the American Revolution. In fact, in 1776, there were more slaves in New York than there were in Georgia (Taylor 2012). The issue is not that the academy has totally ignored the
disjunction between the nation’s founding creed and the reality of slavery. To be sure, trying to explain the disconnect between America’s professed principles of liberty and equality and slavery has been a major preoccupation of students and scholars of America’s founding period ever since (Tocqueville [1837] 1988; Myrdal 1944; Davis 1966; Jordan 1969; Berlin 1975; Morgan 1975; Kluger 1975; Franklin 1975; Storing 1986; Wood 1992; Sklar 1991; Lipset 1996; Walton and Smith 2012; Sinha 2016; Parkinson 2016).

However, when slavery (and its legacy in race relations) is usually considered in both scholarly and popular discourse, it is treated as if it is an “anomaly,” “a moral dilemma,” or the “exception” to an otherwise enlightened democratic experiment.

With respect to the development of the English colonies in North America, the institution of slavery is far from being anomalous or incidental. Rather, slavery formed the critical foundation for the prosperity and livelihood of the English colonies who, by 1775, took up arms against King George III. The English colonists who settled the lands that would eventually become the United States were hardly strangers to social inequality. The aristocratic, hereditary monarchy from which they had migrated personified the traditional attachment to inherent, permanent class difference as the social norm. Indeed, if it had been possible for the colonizers to simply transplant the identical social hierarchies that they were familiar with in England, there is every reason to believe that that they would have done so (Morgan 1975; Kolchin 2003).

When Americans normally think about the institution of slavery in America, attention naturally focuses on Jamestown, Virginia, where the first twenty Africans arrived as indentured servants in 1619. Not coincidentally, this was the same year in which the House of Burgesses, the first representative body in the present-day United States, was established: thus, the year 1619 sets black and white on two radically different historical trajectories. But, at that time, the English poor were similarly subject to indentured servitude as blacks. And often, they were cruelly required to work for years beyond the originally agreed upon terms of their contracts. Nor did they always receive the generous grants of land that they were promised at the end of their contracts (Morgan 1975; Kolchin 2003; Isenberg 2017). Thus, it was not inevitable that Virginia would come to base its entire economy on African slave labor.

In fact, no legal system of bond slavery in England existed. However, that did not mean that the idea of slavery was completely alien to them. Greek and Roman writers of antiquity proffered defenses of slavery to justify the legitimacy of their hegemony over the “barbarians.” Indeed, slavery had long been presumed to be the inevitable result of battles emerging from the development of private property: thus, the losers in these struggles lost their freedom and were subsequently reduced to servitude, even to the point of being exploited in the manner of beasts. Additionally, slavery as a punishment for crime or as a means for paying off debts was commonly practiced in ancient times. Others associated slavery with Biblical passages, such as the Genesis story of Ham—one of Noah’s three sons—who mocked his father’s nakedness and was thereby cursed by his father; therefore, Ham’s descendants are saddled with the so-called “curse of Ham,” marking them for lives of bondage. It is supposed that those in bondage possessed a degree of moral depravity that made them deserving of their fate as slaves.
Furthermore, centuries of warfare between Christendom and Islam had resulted in hordes of men and women taken captive and held as slaves by the warring sides. This perpetual warfare gave rise to the “just wars” theory in Europe, which upheld the legitimacy of enslaving “non-Christians,” “infidels,” and “strangers” while exempting Christians from such treatment. Finally, the Portuguese and Spanish had already taken the lead both in getting involved in the African slave trade and in propagating ideas of inherent African inferiority throughout Europe to justify this increasingly profitable enterprise. Portuguese slave traders began interacting with African tribes during the fifteenth century, transporting thousands of captives back to Europe. In the sixteenth century, they became the primary supplier of slaves to the growing Spanish empire in the Americas. The English, on the other hand, did not become serious players in the African slave trade until the 1600s. Thus, they were comparatively slow with respect to taking advantage of this lucrative business than their Portuguese and Spanish counterparts (Davis 1966; Jordan 1969; Mannix [1962] 2014; Kendi 2016).

Regardless of which source of justification was relied upon, Africans found themselves uniquely susceptible to enslavement by the English, despite the absence of legal slavery in England at the time. Winthrop Jordan (1969: 56) explains it this way:

Englishmen did possess a concept of slavery, formed by the clustering of several rough but not illogical equations. The slave was treated like a beast. Slavery was inseparable from the evil in men; it was God’s punishment upon Ham’s prurient disobedience. Enslavement was captivity, the loser’s lot in a contest of power. Slaves were infidels or heathens.

On every count, Negroes qualified.

The exigencies associated with building new colonies out of the American wilderness interacted with preexisting ideas about social hierarchy to lay the groundwork for the emergence of perpetual black slavery in British North America. These facts would not be confined to the Southern colonies. In fact, the earliest evidence of perpetual African slavery in the English American colonies surfaced not in Virginia (where we would expect to find it), but in Massachusetts. The founding of the New England colonies is usually associated with the Pilgrims and the Puritan settlers who traversed the Atlantic Ocean in search of religious freedom. Having given up on purifying the Church of England from the “heresies” that it inherited from the Catholic Church, these pioneers set out to establish a “Zion in the wilderness” that would be a “city on a hill” for the nations (Barry 2012; Wilsey 2015; Wald and Calhoun-Brown 2018). But the founders of the New England colonies also exhibited from the beginning an exclusionary vision of who was entitled to equal membership in their “chosen nation” and who was not. “Strangers” and “infidels” were, in the founders’ minds, rightly excluded from equal membership within the political community. Africans fit this bill on both counts. In the founders’ vision, there was no necessary conflict between their “New Israel” and the institution of African slavery. John Winthrop, the first governor of the colony and originator of the “city on a hill” metaphor for their burgeoning civilization, expressed no qualms about African slavery; although he personally did not own slaves, he offered no criticisms or admonishments to his sons who derived their wealth from the slave trade (Warren 2017).
In addition, the first instance of a colonial document codifying the institution of slavery in law appears in the Massachusetts Body of Liberties in 1641 (Warren 2017). Section 91 of the amendment read:

There shall never be any bond slavery, villenage, or captivity among us unless it be lawful captives taken in just wars, and such strangers as willingly sell themselves or are sold to us. And these shall have all the liberties and Christian usages which the law of God established in Israel concerning such persons doeth morality require.7

Ironically, the very article which proclaimed that “there shall never be any bond slavery” authorized it in practice because it allowed for an exception—slaves captured in “just wars” or those who “willingly sell themselves or are sold to us.” Wars with the native American tribes were considered “just wars,” making the Indians eligible candidates for enslavement. In addition, slaves captured by virtue of the tribal wars in West Africa were considered captives of “just wars” as well: never mind the culpability of Europeans in supplying the guns and the ammunition to the warring sides that perpetuated these conflicts in the ruthless pursuit of profit. Nor did it prohibit New Englanders from profiting from enterprises directly or indirectly connected to this commerce in human beings, even if it meant that only a negligible number of Africans were imported there compared to the English colonies farther south and in the West Indies (Mannix [1962] 2014; Rodney 1981; Kendi 2016).

This development predated by decades the reduction of the status of Africans in Virginia from a class just as likely to be indentured servants as whites to a condition of chattel slavery. Thus, the very document that Americans view today as one of the earliest antecedents for the Bill of Rights also codified the institution of African slavery that came to be a defining feature of the colonies and the new nation after it won its independence. The fact that this occurred in New England rather than in the Southern colonies testifies to how deeply implicated the entire nation (as opposed to just the South) was in the perpetuation of the so-called “peculiar institution” (Stamp 1957; Grant 1968; Jordan 1969; Berlin 1975; Kluger 1975; Quarles 1986; Kolchin 2003; Melish 2015; Warren 2017). Moreover, it institutionalized what will become a defining American characteristic: the practice of proclaiming universal liberty on one hand (which is reserved for whites) while simultaneously reserving perpetual servitude and subordination to nonwhites.

Other New Englanders followed Governor Winthrop’s lead. In time, Puritan clergy along with their Protestant peers in other sects would rationalize slavery as God’s means of introducing the “heathen Africans” to the virtues of Christianity. A litany of pastors and theologians proliferated theories about how Christian tutelage supposedly transformed Africans into docile (and more compliant) slaves who would be more willing to accept their subordinate status. To overcome the reluctance of slaveholders to allow their slaves to be evangelized, several colonies enacted laws specifically stating that baptizing slaves did not obligate their masters to free them (Davis 1966; Jordan 1969; Kendi 2016).

No one emerged as a more prominent spokesman for both the responsibility of Christian masters to evangelize their slaves and for the view that African slavery was
compatible with Christianity than Cotton Mather, the legendary Puritan ministerial
giant from Boston. The author of over three hundred publications throughout his career,
Mather was easily the most prolific writer that the English colonies produced prior to the
American Revolution. His influence extended well beyond his native Massachusetts. In
1706, he published an essay entitled “The Negro Christianized,” which distilled his views
regarding Christianity and black slaves:

O all you that have any Negroes in your [H]ouses; an [O]pportunity to try, Whether
you may not be the [H]appy Instruments, of Converting, the Blackest [I]nstances of
Blindness and Baseness, into admirable Candidates of Eternal Blessedness. Let not this
Opportunity be Lost; if you have any concern for Souls, your Own or Others; but,
make a Trial, Whether by your Means, the most Brutish of Creatures upon Earth may
not come to be disposed, in some Degree, like the Angels of Heaven; and the Vassals of
Satan, become the Children of God. Suppose these Wretched Negroes, to be the
[O]ffspring of Chem (which yet is not so very certain,) yet let us make a Trial,
Whether they that have been Scorched and Blacken’d by the Sun of Africa, may not
come to have their Minds Healed by the more Benign Beams of the Sun of
Righteousness. (1706: 1–2)

Ultimately, the arguments of Cotton Mather and other ministers who shared his views
evolved into one of the central defenses for the institution of slavery. God, it was argued,
had ordained whites to govern the world: blacks were deficient intellectually and spiritu-
tally and therefore needed the guiding hand of Europeans to lead them. Slavery served
the providential purpose of saving the souls of Africans. However, that salvation only
applied to heaven; meanwhile, while on Earth, conversion to Christianity did not alter
their status as slaves.

To be sure, Massachusetts’s climate and soil conditions, combined with its township
system (which created communities of small landowners), meant that a large plantation
economy similar to the Southern colonies never developed there. The relatively small
contingent of slaves in the colony tended to be domestic servants, longshoremen, and
workers who labored alongside small farmers (Morgan 2015). However, the germane point
is that it was never necessary for New England to develop a large plantation economy in order
for slavery to impact the nature of its development. In fact, there were substantial profits to
be made by merchants, insurance agents, bankers, and other entrepreneurs from associ-
ation with the slave trade. As a consequence, New England emerged as a major source for
supplies, foodstuffs, and other forms of commerce to the British West Indies, colonies
based on the backbreaking labor of harvesting sugar on slave plantations. The region
became a central hub of the “triangular trade” that would develop between the colonies,
the West Indies, and the mother country. In fact, without New England’s deep and
extensive involvement in the slave trade, it is difficult to imagine how the colonies could
have become as wealthy as they became (Kolchin, 2003; Wilder 2013: Baptist 2014;
Kimball 2016; Warren 2017). And the same is true for the Middle Atlantic colonies of
New York, New Jersey, Pennsylvania, and Delaware, which had larger slave populations
than New England. Therefore, it is not coincidental that the first major anti-slavery

With respect to Virginia, Edmund Morgan in his seminal work, *American Slavery, American Freedom* (1975), argues that Virginians settled on the enslavement of Africans as the solution to the persistent problems of the bourgeoning colony—labor shortages, profitability, growing economic demand, and the social unrest from a growing class of landless, disenfranchised poor English indentured servants (both former and current). The task of creating a civilization out of the Virginia wilderness, according to the colony’s masters, required a stable labor force that could be ruthlessly exploited in a manner that was more crude than the drudgery that English peasants were accustomed to. It was difficult to reduce English indentured servants to slavery (an institution that had disappeared in Europe by this time) even though serfs and peasants were accustomed to being treated as the inferiors of the noble class. Despite their obviously inferior social condition, they still had some consciousness of “rights” (no matter how imperfectly they existed in reality). Men who had a concrete basis for believing that they “had it better” in the old country rather than the new represented a constant source of instability and dissent. And if those poor whites joined forces with blacks—as they did in the short-lived rebellion led by Nathaniel Bacon in 1676—it jeopardized the entire security of the Tidewater aristocracy that was developing in Virginia (Morgan 1975; Huggins 1990; Kendi 2016). To head off this possibility, a legal superstructure consolidated itself in the succeeding decades that assigned Africans to the status of perpetual servitude while bestowing legal rights and privileges on poor and landless whites that clearly distinguished them from the blacks. And this pattern was repeated in the other colonies as well (Morgan 1975; Huggins 1990; Kolchin 2003; Kendi 2016). 

After 1670, the importation of Africans into the growing English colonies in mainland North America surged from a trickle to a flood. A plantation economy in the Southern colonies firmly established itself, powered by the harvesting of products such as tobacco, indigo, rice, and cotton, based on African slave labor. Consequently, the diverse economic ripple effects of chattel slavery placed the region squarely within the epicenter of global trade. Smaller numbers of slaves were imported into the New England and Middle Atlantic colonies. But these numbers do not diminish the significance of slavery in underwriting the economic fortunes of the Middle Atlantic and New England colonies. The slave trade represented a boon to the shipbuilding, trading, banking, and insurance industries of the Northern colonies; the wealth it created financed philanthropy, funded colleges, and literally paid the salaries of professors at private colleges such as Harvard and Yale (Wilder 2013; Baptist 2014). Edward Baptist (2014: 3–4) puts it this way: 

*Between the arrival of the first Africans in 1619 and the outbreak of Revolution in 1775, slavery had been one of the engines of colonial economic growth. . . . By 1775, slave ships had carried 160,000 Africans to the Chesapeake colonies, 140,000 to new slave colonies that opened up in the Carolinas and Georgia, and 30,000 in the northern colonies. These numbers were small compared to the myriads being carried to sugar colonies, however. Slave ships landed more than 1.5 million African captives on*
British Caribbean islands (primarily Jamaica and Barbados) by the late 1700’s and had brought more than 2 million to Brazil. In North America, however, the numbers of the enslaved grew, except in the most malarial lowlands of the Carolina rice country. By 1775, 500,000 of the thirteen colonies’ 2.5 million inhabitants were slaves, about the same as the number of slaves then alive in the British Caribbean colonies. Slave labor was crucial to the North American colonies. Tobacco shipments from the Chesapeake funded everyone’s trade circuits. Low-country Carolina planters were the richest elites in the revolutionary republic. The commercial sectors of the northern colonies depended heavily on carrying plantation products to Europe, while New England slave traders were responsible for 130,000 of the human beings shipped in the Middle Passage before 1800.

Thus, the shift to African slave labor stabilized the colonial social structure in a number of ways. Slavery created solidarity between the poor and the slavocracy by establishing the category of “whiteness,” thereby bestowing upon poor whites over time a social status that they could have never achieved had they remained in England. As a result, poor whites now had a vested interest in maintaining the racial status quo and aligning their sympathies in the main with the slaveholding class as opposed to the enslaved underclass. Therefore, the class antagonisms that would otherwise naturally aggregate among oppressed masses who were decrying an unequal and unjust distribution of wealth would be largely redirected toward the caste of Negroes rather than the men of property where those resentments might have otherwise resided. And most assuredly, the privileges of whiteness accrued to white men only—white women had no rights that their husbands or fathers were obligated to respect. In effect, race served as a new form of aristocracy in that it shared its same basic premises—the belief that class differences among men are natural, inherent, and permanent. Those who are members of the favored class are thus justified in monopolizing the commanding heights of status and political power within society: conversely, those who are not in the privileged class (those who are not “white”) are rightly excluded from citizenship in the political community and can be relegated to the status of chattel. Therefore, no matter how trying the hardships that the poor white man might be required to endure in the New World, he could take solace in one certainty: at least he wasn’t black. No matter how poor, the white man derives, to use W.E.B. DuBois’s phrasing, “the psychological wages of whiteness” (DuBois [1935] 1998). Whiteness meant that one can never be a slave.

Not only had the thirteen English colonies in the present-day United States been built on the foundation of slavery, but the appeal to racial animus played a crucial role in maintaining the unity for the “common cause” once hostilities broke out between the colonists and British forces. Robert Parkinson (2016) argues persuasively that, for all of the high-minded debates about “liberty” and “taxation without representation,” mere devotion to these abstract principles was not sufficient to sustain a continent-wide armed struggle against British rule. The colonists were a diverse, often fractious lot in any case. In fact, as the political crisis between them and their colonial subjects deepened, the British overlords comforted themselves in the conviction that the hopelessly divided Americans would never be able to mount a united front against imperial rule. Within this context,
patriot leaders deliberately stoked white fears of slave insurrections and Indian massacres for the purpose of solidifying sufficient public support to sustain the revolution. The ubiquitous circulation of newspaper stories reporting tales of slave uprisings, blacks running to the safety of British armies or English men of war, and British designs to inspire hordes of Native Americans to slaughter decent, upstanding white men in colonial towns served to forge this consensus.11

Hence, it is not coincidental that, when listing their many grievances against King George III, the Founding Fathers inserted into the Declaration of Independence this clause at the very end: “He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian savages, whose known rule of warfare, is undistinguished destruction of all ages, sexes and conditions” (emphasis mine).

The term “domestic insurrections” was code language for slave rebellions—a usage that would have been clear to Americans reading those words at the time it was written. Additionally, they attributed to the Indians a degree of barbarism that place them well outside the fraternity of civilized nations. Bad enough that George III had abrogated the rights that they had previously took for granted as Englishmen. But even worse, the king and his agents had encouraged slaves to kill and desert their masters and the Indians to make war on them. This final insult—according to the patriots—constituted the “bridge too far.” Now, the colonies must declare independence. In other words, patriot leaders portrayed the revolution purposely as a “white man’s war” for the freedom of white men. No matter that blacks and Indians were literally present at the first battles of Lexington and Concord and fought heroically at Bunker Hill. Patriot leaders intentionally downplayed or ignored entirely the contributions of the darker races to the success of the war effort. And this is the version of the revolutionary struggle that has been passed down to every succeeding generation. The one-sided nature of the patriots’ propaganda campaign not only achieved its short-term objective, but it spoke volumes about the kind of nation they saw themselves creating—a white man’s republic.

Thus, while the colonists proudly thought of themselves as Englishmen (right up to the eve of the American Revolution), they had developed a society based on a social hierarchy that distinguished them substantially from the one they left behind in the mother country. Slaveholders, wealthy merchants, bankers, and other entrepreneurs occupied the top tiers of the social ladder, owing their status in no small way to the profits (either directly or indirectly) that they extracted from the commerce in human beings. All other poor and working-class whites, middle-class shopkeepers, and small farmers formed the middle tier of society. Blacks were on the bottom rungs. Thus, when the Founders set about the task of constructing a constitutional republic in the wake of their revolution, they were not painting on a blank canvas. Race had come to function in the same way that class did in the Old World in that it conferred certain rights and privileges on those designated as “white” while assigning pariah status to blacks. Race as caste did not abolish class distinctions among whites: instead, it subordinated them to the primacy of racial identity.

By relegating Africans to the status of chattel, the colonists were then free to think of concepts like “liberty” and “equality” in terms that only applied to white people. Thus, the
supposedly universal principles of liberty were defined in a way that meant that they did not apply to black people. In time, these ideas would form the basis for the American Creed and represent the ideological rationale for the nation’s revolutionary struggle from Great Britain.

Race and the Development of the American Creed

Assigning black slaves to the status of chattel freed the English settlers to conceive of the significance of the civilization they were creating solely in terms of what it meant for white people; blacks, on the other hand, experienced what sociologist Orlando Patterson (1982) calls “social death.” They could thereby be rendered invisible, their contributions to American history summarily dismissed as irrelevant, and thus be treated as if they had “no rights which the white man is bound to respect.” Therefore, the same clergy who insisted that the Christian religion represented an effective means of social control when applied to slaves associated the Gospel with liberty when it applied to whites. The pursuit of religious freedom from the Church of England and the Roman Catholic Church by members of the various dissenting sects of mostly Protestants who settled the English colonies enabled Americans to conceive of the founding of their nation as the beginning of a noble experiment. The same thing can be said for those who came for purely economic motivations. These individuals were fleeing class oppression seeking a “land of opportunity.” The fact that the European pursuit of “opportunity” came at the expense of black bodies and the genocide of Native Americans, according to the master narrative, is of lesser importance.

Moreover, there exist significant similarities between the struggles for religious liberty and those of political liberty that, in the American context, permit the marrying of these two streams of thought into a cohesive ideological framework. When men, encouraged by Protestant theology, come to believe that they have direct access to God (apart from the Church hierarchy of priests and saints), it is not a large leap from the individualism that Protestantism promotes in spiritual affairs to individualism in the political, social, and economic spheres of life as well. Thus, from the very beginning, the pursuit of religious liberty in the colonies established in the seventeenth century bore striking resemblances to the struggles for political liberty that would characterize the eighteenth century. Additionally, the religious pluralism of the colonies ensured that no one sect would become dominant enough to become the established church in America. The desire to preserve religious liberty, thus, turns out to be one of the factors that accounts for the unique disposition of Americans to constrain the power of government (Hartz 1955; Tocqueville [1837] 1988; Kingdon 1999; Witte 2016; Barry 2012; Wilsey 2015; Wald and Calhoun Brown 2018). Key aspects of Christian theology—such as the idea of a “covenant,” the Puritan concept of “total human depravity,” as well as ideas inherited from the natural law tradition—meshed well with the republican ideals that would characterize the eighteenth century, namely, the social contract, natural rights, the separation of powers, and checks and balances (Tocqueville [1837] 1988; Corwin 1928; Myrdal 1944; Hartz 1955; Barry 2012; Wald and Calhoun Brown 2018). Having cleared wildernesses, established new governments, and written bills of rights, Americans thought of themselves as the
literal embodiment of the “state of nature” and the “social contract” written about by authors such as Hobbes Locke, Rousseau, and Montesquieu (Hartz 1955).

The absence of one established church reigning supreme over all the colonies also meant that when the American Revolution broke out, organized religion could not be enlisted as an unequivocal pillar of the status quo. Instead, many American ministers explicitly defended the patriots’ cause from their pulpits (Sandoz 1998a, 1998b). The American Revolution, unlike the French Revolution that followed it, did not force the rebellious colonists to choose between religion on one hand and political liberty on the other. French revolutionaries, confronting a Catholic Church that acted as a major institutional embodiment of the ancient regime, turned the revolution itself into a religion. Americans were spared this task, as Hartz observes, because in America “religion was already revolutionary” (41). Furthermore, the fact that they had overcome the most powerful empire on Earth seemed to validate the idea that they were truly “God’s chosen nation” and represented a “new order for the ages” (Wilsey 2015). Finally, both traditions—Christian theology and natural rights theory—claim that their values are universal in application. This synthesis of religious and secular symbols surrounding the nation’s beginnings lies at the core of national identity and American patriotism.

Consequently, the American Revolution symbolizes not just a story of a ragtag band of rebels who had the temerity to defy an empire; instead, it inheres within it “object lessons,” not just for future generations of Americans, but for the world. Thus, Americans do not think of their revolution as simply the struggle to free themselves from a tyrannical British king; rather, they view their revolutionary experience as evidence of the inherent virtue of limiting the centralizing tendencies of government (Tocqueville [1837] 1988; Myrdal 1944; Hartz 1955; Huntington 1968; Lipset 1996; Kingdon 1999; Wills 2002; Samuels 2004). Such is the psychology of an “exceptional nation” who sees itself as a “city on a hill” and the literal embodiment of the social contract theories of Locke, Montesquieu, and Rousseau that its Founders were deeply immersed in.

When fused together, these value systems—“the laws of nature” and “the laws of God”—form the basis for what Gunnar Myrdal (1944: 4–5) calls the American Creed:

These ideals of the essential dignity of the individual human being, of the fundamental equality of all men, and of certain inalienable rights to freedom, justice, and a fair opportunity represent to the American people the essential meaning of the nation’s early struggle for independence. In the clarity of the intellectual boldness of the Enlightenment period, these tenets were written into the Declaration of Independence, the Preamble of the Constitution, the Bill of Rights and into the constitutions of the several states. The ideals of the American Creed have thus become the highest law of the land.

But the founding documents are not simply historical landmarks. Rather, they are transformed into sacred texts. It is telling, for example, that the Constitution is usually referred to with not just with a capital letter (denoting it as a proper noun) but also often without the prefix “the US”—as if simply referring to it as “the Constitution” is sufficiently descriptive enough. In other words, there is no need to distinguish the US
Constitution from the Australian or the German constitutions. This public philosophy, thus, takes on the character of what Robert Bellah (1967) calls “civil religion.” The American Creed, therefore, transforms the United States into more than a mere country; rather, America is an idea—one based on the “self-evident” truth that all men are created equal. To the extent that the nation’s political consensus surrounding the virtues of its first principles permits no viable ideological challengers, the American Creed occupies a status that is functionally equivalent to the role that the theory of the “divine right of kings” played in justifying hereditary monarchies. To question this “truth” is un-American and tantamount to treason. All of these factors give rise to a distinctive American ideology that is at the core of national identity and infuses Americans with the belief that the United States has a unique mission that distinguishes it from other nations in the world (Myrdal 1944; Tocqueville [1837] 1988; Lipset 1996; Wilsey 2015; Wald and Calhoun-Brown 2018).

Having conceived of the nation in such universalistic terms, Americans face an immediate problem in explaining how a nation “conceived in liberty” could also be characterized by chattel slavery, an institution which appears to make a mockery of its supposed first principles. This point has never been lost on America’s critics. “How is it,” protested the English man of letters Samuel Johnson, “that we hear the loudest yelps of liberty from the drivers of negroes” (Greene 1977: 454)? Nor were the implications of the colonial conflict with the British king lost upon African Americans—who saw the war as the opportunity to advocate for their freedom and/or to simply take it outright (Grant 1968; Jordan 1969; Berlin 1975; Quarles 1986; Klinker and Smith 2002; Sesay 2014; Sinha 2016). The American reply in the main was simple: racism. The laws of nature and the universal principles of liberty simply did not apply to Africans and their descendants in America. The same Thomas Jefferson who penned the Declaration of Independence also wrote Notes on the State of Virginia in which he openly opined about the supposed inferiority of blacks. While claiming his ideas were “speculative,” he nonetheless shared the view of most of the prominent Enlightenment thinkers who held that black inferiority had been proven by “reason” (Kendi 2016). Therefore, there was no necessary conflict between the doctrine of inalienable rights while simultaneously denying those same rights to African Americans. Even those who disputed the presumed inferiority of the African race and opposed slavery often found it impossible to conceive of blacks as equals; thus, many “abolitionists” favored ending slavery and then returning blacks to Africa (or some other place) because they could not envision America as a multiracial democracy (Jordan 1969; Franklin 1975; Freehling 1990; Walton and Smith 2012; Kendi 2016; Sinha 2016).

The point of this discourse is not to argue that the nation’s failure to live up to its ideals with respect to blacks has not been a source of deep moral crisis and embarrassment and created a sense of guilt for many white Americans—including the Founders themselves. Nor is it contended that the American Creed has not been used, and used effectively at times, as a rhetorical and intellectual tool to challenge racial oppression in America. Far from it. In fact, America’s assertion that it is exceptional makes it uniquely vulnerable to the charge of hypocrisy with respect to its race relations. It is not
coincidental, for example, that Martin Luther King drew inspiration for his famous “I Have a Dream” speech from the Declaration of Independence, not the Communist Manifesto. African Americans and their white allies have—from prior to the American Revolution to the present day—utilized the values of the “American Creed” to challenge white supremacy (Du Bois 1903; Myrdal 1944; Brotz 1966; Grant 1968; Berlin 1975; McCloskey and Zaller 1984; Klinkler and Smith 2002; Samuels 2004; Walton and Smith 2012; Sesay 2014; Kendi 2016; Sinha 2016). Rather, the fact that Americans view their nation as exceptional makes it difficult for them to think critically and honestly about the nation’s flaws—especially as they concern race. America is good, regardless of whether its “goodness” is viewed in religious terms (“the city on a hill” metaphor) or as the secular “beacon for democracy,” or as a synthesis of these two images. Even when Americans do admit that the United States has failed to live up to its ideals with respect to African Americans, they overwhelmingly tend to view these failings as “anomalies,” “moral dilemmas,” or “exceptions” to an otherwise noble political experiment (Tocqueville [1837] 1988; Myrdal 1944; Kluger 1975; Storing 1986; Lipset 1996; Samuels 2004). The fact that challenges to the national narrative tend to be viewed as “radical,” “revolutionary,” “controversial,” or “divisive” testifies to the strength of the nation’s a priori commitment to white supremacy.

Thus far, this essay has argued that slavery played an integral role in fostering the development and prosperity of the colonies, North and South. Race served in America many of the same functions that class served in the Old World in defining social distinctions among men. Thus, the “individualism” that Tocqueville observed in America results from more than simply the combination of the nation’s settlement patterns and the material conditions that the new arrivals confronted on American soil. Rather, racism gave whites the luxury to think of themselves as atomistic individuals as opposed to being defined by class and social station. By pitting poor whites against blacks, slavery ensured that the wealthy mercantilist and capitalist elites who were emerging in the colonies would not face the same level of class resentment that they might have ordinarily expected in Europe. The argument advanced here differs substantially from the conventional interpretation of the history of the United States informed by the assumptions of American exceptionalism. The following section considers some of the implications of viewing American history through the prism of racial hierarchy acting as America’s ancient regime.

**VIEWING AMERICAN HISTORY THROUGH THE LENS OF THE ANCIENT REGIME**

When the Founders proclaim in the Declaration of Independence that “all men are created equal,” their words presume a social consensus on the doctrine of white supremacy. Although Morgan (1975: 386) is writing about Virginians, his words apply to all of the colonies when he writes:

Racism made it possible for white Virginians to develop a devotion to the equality that English republicans had declared to be the soul of liberty. . . . And by lumping Indians, mulattoes, and Negroes in a single pariah class, Virginians had paved the way for
a similar lumping of small and large planters in a single master class. Virginians knew that the members of this class were not in fact equal, either in property or virtue, just as they knew that Negroes, mulattoes, and Indians were not one and the same. But the forces which dictated that Virginians see Negroes, mulattoes, and Indians as one also dictated that they see large and small farmers as one. Racism became an essential, if unacknowledged, ingredient of the republican ideology that enabled Virginians to lead the nation.

Viewing American history through the prism of the nation possessing an “ancient regime” has numerous implications. First of all, it demands a reconceptualization of the perpetual pattern of “two steps forward, one step back” of black progress toward the goal of full equality. While many of these “one step back” reversals have not led to the total repealing of the gains of some African Americans, they have the effect of creating new forms of oppression that entrap the masses of black people. Many of these new structures—while they usually do not outright abolish constitutional amendments or civil rights law—have the effect of nullifying the hard-earned rights of African Americans. Therefore, nullification has the same effect as outright abolition.

For example, the Civil War ended the system of plantation slavery to be sure; however, new structures of domination replaced the old ones. Scores of African Americans were swept up in the convict-lease system for minor (and often fabricated) charges and sold as forced laborers to coal mines, lumber yards, railroads, factories, and farm plantations, effectively re-enslaving them despite the enactment of the Thirteenth Amendment (Blackmon 2008). Similarly, even though the Fourteenth Amendment supposedly bestowed upon the newly freed slaves equal rights under the law, the Supreme Court would hand down decision after decision that effectively nullified those rights by hamstringing the federal government’s power to enforce the rights claims of black citizens against their state governments and the impact of private acts of discrimination meted out against them (Kluger 1975; Lofgren 1992; Samuels 2004, 2015; Walton and Smith 2012). The same argument can also be applied to the Supreme Court’s 1954 ruling in Brown v. Board of Education, which declared racial segregation in public education to be unconstitutional. However, sixty-five years later (as of this writing), public education is increasingly separate and unequal for students of color—thus, while Brown may be the “law on the book,” Plessy v. Ferguson remains the reality for the majority of minority schoolchildren (Orfield 1996; Ogltree 2005; Fauntroy 2006; Darling-Hammond 2007; Reardon et al. 2012; Orfield et al. 2012; Kucsona and Orfield 2014; Samuels 2004, 2016). These developments are thus understandable not simply as the result of “white backlash,” “white rage,” “the Southern strategy,” or “dog whistle politics.” Rather, they are the result of an American reactionary tradition intent on preserving the nation’s ancient regime (Phillips 1969; Edsall and Edsall 1991; Fauntroy 2006; Lopez 2014; Anderson 2017).

Secondly, acknowledging the existence of an ancient regime solves the riddle of explaining why many poor and middle-class whites keep “voting against their economic interests” when they support the Republican Party whose policies tilt far more heavily toward the wealthy than those of the Democrats (Edsall and Edsall 1991; Frank 2004; Skocpol and Williamson 2012; Lopez 2014). The fact that no Democrat has garnered
a majority of the white vote since Lyndon Johnson in 1964 represents the latest iteration of a dynamic that traces its origin to slavery and the imperative of that system to keep poor whites and blacks separated by the socially constructed fiction of race. Once accomplished, future generations of whites could be called upon at key intervals in American history to deepen and reinforce societal beliefs in black inferiority and white entitlement.

After all, it was poor and middle-class Americans who provided the manpower for the slave patrols, the Confederate army, the Ku Klux Klan, the lynch mobs, and the Citizens’ Council chapters (DuBois [1935] 1988; Bartley 1969; Quarles 1986; Anderson 2017). They were the front-line soldiers who employed terror to keep African Americans out of white neighborhoods; they were also the government agents and bankers who “redlined” black neighborhoods, locking blacks out of the mortgage market and denying their communities investment dollars and economic development opportunities (Brown 2003; Katznelson 2006; Anderson 2017; Rothstein 2018). They were the ones who brutalized black people daring to exercise the right to vote and who crafted newer, more subtle subterfuges to block black access to the polls (or failing that, to nullify the impact of their votes once they were cast) (Kluger 1975; Kossuer 1990; Fauntroy 2006; Samuels 2015; Waldman 2017). They were the immigrants (the “white ethnics”) who, even though they were victims of discrimination themselves, nevertheless adopted the identical racial attitudes toward African Americans held by nativist Americans in hopes of gaining admission into the club of “whiteness” (Golway 2014). In denying blacks admittance to unions, white workers undermined working-class solidarity; meanwhile, capitalist owners exploited African Americans as a “reserve army of labor” and thereby depressed the wages of all workers, not just those of blacks only (DuBois [1935] 1988; Kingdon 1999; Kendi 2016; Robertson 2017). Additionally, white women, though similarly subjected to the tyrannical power of white men, rarely allied with African Americans—more often than not, they too played instrumental roles in enforcing the subjugation of blacks (Davis 1981).

Thirdly, one can conclude that the uniquely American attachment to individualism, capitalism, and a more limited view of the role of the state must be substantially revised to account for the contribution of racism to these predispositions of the American system. American exceptionalism holds that the abundance of relatively cheap land and greater possibilities for social mobility placed the United States on a significantly different plane of political and economic development than its European counterparts. This view does not usually take into account, for example, the fact that the federal government was literally giving land to whites by virtue of the Homestead Act of 1862 while, at the same time, it refused to give ex-slaves “forty acres and a mule” because to do so ostensibly would violate the sacrosanct principle of “property rights” (Kendi 2016). By failing to provide land to the former slaves, they set black people on the pathway to dependency on the sharecropping system and lives of economic vassalage.

Furthermore, during discussions of America’s stronger predisposition for laissez-faire economics and lower taxation when compared to other advanced industrial democracies, the contribution of racism to the “American way” is either rarely acknowledged or not often understood in the proper context. As this essay has argued, the American version of
capitalism depended on the foundation laid by slavery in the colonial period—North and South (Baptist 2014), which was reflected in the infamous Three-Fifths Compromise to the original Constitution. But worse than that, during the post–Civil War period when the Supreme Court was turning the Fourteenth Amendment into a “dead letter” for African Americans (the very group the amendment was designed for), the same Court used those same provisions to create a sweeping array of new rights for corporations. This was despite the fact that nowhere in the legislative history of the congressional debates concerning the Fourteenth Amendment were large monopolistic businesses mentioned by any of the provision’s drafters. These new rights liberated corporations from the power of states and the federal government to regulate them and gave them a free hand to crush workers trying to organize for better wages and working conditions. A new form of this jurisprudence is reasserting itself on the current Supreme Court. When combined with the growing consternation among many Americans about the widening gap between the very wealthy and the average worker, the resurgence of “neo-dual federalism” raises deep concerns that America is increasingly becoming an oligopoly rather than a democratic republic.

Therefore, I argue that, contrary to the assertions of the literature on American exceptionalism, America does indeed have an ancient regime. However, this ancient regime does not manifest itself in the same manner as the ones in Europe. America lacked a feudal past, a hereditary monarchy, an established church, and a hereditary aristocracy. But the logic of America’s history did not require it. Race created new forms of aristocracy in America: it welded poor and middle-class white Americans into solidarity with the wealthy upper classes and allowed the rich to become a new aristocracy based on the dynamic of capitalist accumulation rather than inherited wealth in land ownership and extracting rents from peasants who worked the land. Moreover, this social structure is legitimated by an ideology of individualism and laissez-faire capitalism that marries the nation’s religious values with classical liberalism to forge the American Creed. This essay concludes with thoughts on the implications of this analysis for the current political moment in which we find ourselves.

CONCLUDING THOUGHTS

Alexis de Tocqueville extensively chronicled his observations of the culture he observed in the United States and many of his insights are still analyzed and dissected by students of American politics. However, when he failed to find evidence of an “ancient regime” similar to what he was familiar with in Europe, he made the error of concluding that America did not have one. Because he judged the United States by the standards he knew, he misinterpreted the significance of the very social institutions that were staring him right in the face. And students and scholars of American politics have been repeating Tocqueville’s error ever since. Because he was looking for an ancient regime in America that looked exactly like France, he missed the one that was hiding in plain sight.

White capitalist patriarchy is America’s ancient regime. Racial hierarchy is not simply an “anomaly” or an “unfortunate contradiction” to an otherwise enlightened democratic
experiment. Rather, it is the very foundation from which the Founders could conceive of constructing a republican government in the first place. Thus, given our history, it should not be surprising that the same nation that elected Barack Obama could turn around and elect Donald Trump eight years later. American history is characterized by examples of periods of progress for African Americans, followed by longer eras of retrenchment. The transition from Barack Obama to Donald Trump, therefore, is consistent with this longer pattern of American history. This predictable pattern of political retrenchment against African Americans is not simply the result of the “Southern strategy,” “dog whistle politics,” or “white rage,” but rather, evidence of a reactionary tradition in American politics bent on preserving the nation’s ancient regime.

Furthermore, the fact that the center of gravity of America’s politics favors a much less interventionist role for the state than in other Western democracies means that it is inherently structured against the aspirations of African Americans and other historically disadvantaged communities. These are the very populations who are most in need of systemic government intervention into the marketplace to catch up with white Americans and address the legacy of historical discrimination against them. However, the American tendency to “blame the victim” is particularly pronounced when the subject turns to explaining the unequal status of African Americans in comparison with the majority population. The nation has made great strides in addressing racial discrimination, the argument goes. Consequently, the persistence of black inequality results from failures within black communities themselves. To the extent that the continued existence of racism is acknowledged, it is judged to be primarily “individualized” and “episodic,” rather than systemic and institutional (Kinder and Sanders 1996; Sears and Van Laar 1997; Bobo and Johnson 2004; Bobo et al. 2012; Lopez 2014; Pew Research Center 2016). In addition, elements of the upper class can routinely rally poor and middle-class white voters around policies designed ostensibly to protect the tax dollars of “hard working” Americans from being wasted on government programs seen as primarily benefiting “the lazy and the undeserving”—in racially coded language designed to stigmatize blacks and nonwhites as leeches of the state. Even worse, conservative and conservative-leaning whites can be convinced to support these policies even if doing so also harms their objective economic interests as well: the important thing is not whether the policies make whites better off so much as they ensure that minorities continue to be worse off than whites are.

The centrality of race to a proper understanding of American politics is a reality that liberals—not to mention the political right—frequently seem unprepared to face. Like most Americans, liberals tend to believe in American exceptionalism as a given and do not see their country as possessing an “ancient regime.” Too often, the left finds itself perpetually surprised that present-day Americans are still dealing with issues of racial inequality “in this day and age” (especially issues that American society should have already “solved” by now). Even though the political left tends to be more sympathetic to the policy preferences of most African Americans, liberals frequently make two fundamental mistakes when it comes to understanding race: they misunderstand the centrality of racism to the nation’s founding, and they then compound the problem by underestimating the capacity of white supremacy to adapt to changing circumstances.
Racism has survived tumultuous changes in American society—the Civil War, Reconstruction, industrialization, the labor movement, the civil rights movement, and even the Obama presidency.

In the current circus atmosphere of corruption, “reality show” antics, incompetence, and multiple investigations that is the Donald Trump presidency to date, it is tempting to believe that all that is required is either impeaching the president or electing a Democratic challenger and American politics will return to some sense of normality. But Trump is only a symptom of the problem—what is more troubling is the politics that made his presidency possible in the first place. One sobering reality that opponents of Trump must face: Given America’s history, there is no reason to believe that the United States is not capable of electing someone even worse than Donald Trump. Liberals must recognize that appeals rooted in the desire to defend white supremacy have historically (and continue to be) central to the opposition to the liberal vision of activist government, an expanded social welfare state, and their vision of a just society. These appeals would not work nearly as well as they have if there were not some “ancient regime” for its propagators to idealize in the first place. Not coincidentally, policy solutions that are most likely to have a more substantive impact on the social and economic plight of African Americans tend to be left of the center of American politics. Strategies designed to revitalize the Democratic Party and/or the progressive left cannot dodge the responsibility of challenging white supremacy head-on if they hope to succeed in the long run. Simply relying on “economic populism” that does not address the multiple ways American politics conspires to pull Americans apart based on race is a recipe for failure.

This task also requires a critical engagement with white voters, many of whom are often susceptible to political appeals based on the “Southern strategy.” Despite four hundred years of history, the color line in American politics has remained stubbornly resilient. Progressives must challenge whites who have voted for Republicans based on racially charged “dog whistle” appeals to honestly examine “what do they have to show for” their dedication to the GOP. This approach requires listening on the part of the left, not just political prescriptions dictated from the top. But in doing so, liberals must offer them a hopeful vision for the future than can transcend racial divisions; the appeal cannot simply be about trashing the conservative philosophy of government. Scholars and practitioners laboring to make full equality for all people in America a reality must start from these premises if they hope to overcome the politics of reaction and place their hard-fought gains on a firmer foundation.

NOTES
2. A few examples will suffice. The Obama administration, in its $1.2 trillion stimulus proposal to jump-start the economy in the midst of the Great Recession, included $300 billion of business tax cuts in hopes of attracting Republican support. Instead, House Republicans unanimously voted against it, and the bill only garnered three Republican votes in the US Senate. When Obama proposed a “carbon tax” in 2009 as part of the proposal to tackle climate change, he was
advocating a plan that had been part of the McCain-Palin Republican platform just in 2008: the Republican platform stated the belief in climate change as not only settled science, but also the conclusion that this phenomenon was caused by human activity. Now, the GOP was embracing the philosophy of “climate change denial” with full force as a justification for inaction. A bipartisan budget committee developed a $4 trillion package that combined spending cuts with tax increases to address the nation’s long-term national debt. But when Obama endorsed the proposal, the Republican members of the committee voted against the very recommendations that they had signed on to simply because Barack Obama was for them. Finally, the “independent mandate,” the requirement that every America be legally obligated to carry health insurance, was originally a Republican idea conceptualized by the conservative Heritage Foundation in 1993 as a counterproposal to President Clinton’s health care bill. This idea was the central pillar of Republican governor Mitt Romney’s universal health care law that was enacted in Massachusetts in 2006. However, now that Obama embraced the independent mandate, the Republicans suddenly “discovered” that the very policy instrument they had championed for years was unconstitutional. After they failed to prevent the bill from becoming law, congressional Republicans and Republican-controlled state governments fought the law all the way to the US Supreme Court. See Ornstein and Mann 2012; Draper 2012; Grunwald 2013.

3. Even after President Obama produced a copy of his birth certificate, many rank and file Republicans still refused to believe that the president is a citizen. Instead, they claimed that the president’s birth certificate was somehow forged and part of a grand conspiracy. As recently as 2014, Donald Trump, in an interview, still entertained a version of this conspiracy theory. Only in September 2016 did he finally state unequivocally that Obama is an American citizen. However, he refused to take responsibility for his role in perpetuating this fiction; instead, he accused Hillary Clinton of being the source of the “birther” movement’s claims.

4. More specifically, 58% of Americans surveyed in the Pew poll agreed that the statement “the freedom to pursue life’s goals without state interference” is more important than ensuring that the “state guarantees nobody is in need.” Only 35% of Americans agreed to the reverse. By comparison, only 38% of British citizens thought that maximizing individual freedom is more important than making sure no one is in need, whereas 55% of the British participants in the survey prioritized taking care of everyone’s needs over individualism. The comparable figure in Germany was 36% in favor of individual freedom first and 62% preferring taking care of everyone’s needs; in France, 36% prioritized individual freedom over taking care of everyone’s needs while 64% of the French thought it more important to take care of societal needs first. Finally, in Spain, 30% of Spaniards considered individual freedom the most important value, as opposed to 67% who said that it is more important to take care of everyone’s needs. Thus, the United States stands out as a major outlier among advanced industrial democracies when it comes to this fundamental belief about the role of government in the economy.

There were similar results when survey participants were asked if success in life is determined by factors outside of one’s control. Only 36% of Americans agreed with the statement that success in life is determined by forces beyond one’s control; 62% of US citizens surveyed attributed success in life to factors within the control of individuals. By comparison, the belief that success in life is controlled by factors outside the control of individuals was shared by 41% of the British, 50% of Spaniards, 57% of the French, and a whopping 72% of Germans who participated in the survey. Fifty-five percent of the British surveyed disagreed with the sentiment that success is determined by forces beyond one’s control. This similar belief was shared by 47% of Spaniards, 43% of Frenchmen, and a paltry 27% of Germans. Thus, Americans are more likely than citizens of other nations to attribute success in life to the efforts of individuals than to outside forces. As a consequence, those who “fail” in life are presumed to be the ones at
fault—and are not deserving of social welfare benefits to compensate for their own failure. See Pew Research Center 2012.

5. The “Southern strategy” has become a staple of Republican politics whereby the GOP has capitalized on the racial anxieties of white voters in order to build winning coalitions. Rather than making naked appeals to racial sentiment that were commonplace in the Jim Crow era, modern-day conservatives disavow overt racial prejudice in favor of a more subtle, less direct form of racial messaging. Opposition to policies perceived to be beneficial to blacks at whites’ expense (such as mandatory busing to achieve desegregation, affirmative action, reapportionment and racial redistricting) are couched in ostensibly race-neutral language using slogans like “states’ rights,” “local control,” “individual responsibility,” “merit,” and preference for “small government.” On the surface, these slogans appear to have nothing to do with race. However, they are intended to act as “dog whistles” that allow whites who feel besieged by their declining economic prospects and who harbor racial anxieties toward minorities to believe that the Republican Party is on their side. Starting with the Republican presidential campaign of Richard Nixon (who copied the tactics of the conservative Democratic governor of Alabama George Wallace), GOP candidates have made frequent use of such appeals. In addition, Republicans have expanded on the “Southern strategy” in the 2000s in the wake of the September 11 terrorist attacks and in response to growing concerns about illegal immigrants to stoke fears of Muslims and Latinos. In the “Southern Strategy 2.0,” political strategists couch xenophobic appeals in the Christmas wrapping of concern for “national security,” “combating terrorism,” and “protecting the border,” in order to win votes. And while this brand of politics has been primarily associated with Republicans in the last several decades, Democrats have on occasions also used this strategy as well. See Phillips 1969; Carmines and Stimson 1989; Edsall and Edsall 1991; Fauntroy 2006; Micklethwait and Woolridge 2005; Lopez 2014.

6. For the record, the “curse of Ham” theory is a myth. There is no “curse of Ham” mentioned anywhere in the Bible. Genesis 9:18–27 details an account of Noah drinking wine to excess and lying uncovered inside his tent. Ham, upon seeing his father’s nakedness, Ham told his brothers outside (Shem and Japeth). However, Shem and Japeth covered their father’s nakedness with a garment with their heads turned away so that they would not have to behold their father in his drunken state. Upon waking, Noah learned what his younger son had done to him and announced a curse, not on Ham, but on Canaan, who would be one of the sons of Ham (Gen. 9:27; Gen. 10:6). According to the Biblical genealogies, Canaan was the father of the Hittites, Jebusites, Amorites, Girgasites, Hivites, Arkites, Arvadites, Zemanim, and Hamathites (Gen. 10:15–17). During the conquest of Canaan described in the Book of Joshua, their descendants would be enslaved by the Israelites, fulfilling the curse from Genesis 9 (Josh. 9). Nowhere in the text is a “curse of Ham” ever mentioned. The “curse of Ham” story was, and still is, a blatant falsehood concocted by apologists for the institution of slavery in America.


8. Cotton Mather was one in a long line of ministers and theologians who urged the Christianization of slaves. Anglican pastors and theologians had argued this point for decades. The Church of England established the Society for the Propagation of the Gospel in Foreign Lands (SPG) specifically for that purpose. However, many slaveholders balked, fearing that Christianity required them to free their slaves. To encourage evangelism of slaves, colonies began enacting legislation specifically stipulating that conferring baptism on slaves did not alter their condition. New York enacted the first such law in 1664; Virginia followed suit in 1667 and Maryland in 1671. However, for decades, these laws and the exhortation of prominent clergymen still bore marginal fruits. Many slaveholders steadfastly resisted evangelistic efforts; meanwhile, African slaves were initially very hostile to the efforts of white evangelists to convert them to Christianity, rightly perceiving it as simply an effort to control them. Thus, for decades, despite the pleas of Puritan scions like Mather and the SPG, they had little to show for their efforts. It was
not until the Great Awakening, the famous religious revival of the 1730s and 1740s (ironically, shortly after Cotton Mather’s death in 1728) that black slaves in the English colonies of mainland North America converted to Christianity in significant numbers. Most of these blacks converted into the Baptist and Methodist denominations—where the lion’s share of African American Christians worship today. See Davis 1966; Sobel 1988; Kendi 2016.

9. Boston judge Samuel Sewell authored *The Selling of Joseph* in 1700 after New England businessman John Saffin refused to free his black indentured servant Adam after he had served his agreed-upon period of seven years of indentured servitude. Sewell demolished the popular proslavery theories common at the time that were utilized to justify the practice. For example, he rejected the idea that slavery is a natural state of man. Secondly, he dismissed the notion that slavery was a justifiable means to spread the message of Christianity to the Africans. Furthermore, Sewell also criticized John Locke’s “just wars” theory that rationalized holding slaves captured as prisoners of war. He won the battle—Adam was freed despite the power and prominence of his owner. However, he lost the war. Most Bostonians sided with Saffin, and ignored Sewell’s arguments. See Kendi 2016: 66–67.

10. Ibram Kendi (2016: 67–68) describes the lasting impact that Bacon’s Rebellion had on Virginia—and by extension, the rest of the English colonies that would later form the basis for the United States:

Rich planters learned from Bacon’s Rebellion that poor Whites had to be forever separated from enslaved Blacks. They divided and conquered by creating more White privileges. In 1680, legislators pardoned only the White rebels; they prescribed thirty lashes for any slave who lifted a hand “against any Christian” (Christian now meant White). All Whites now wielded absolute power to abuse any African person. By the early eighteenth century, every Virginia county had a militia of landless Whites “ready in case of any sudden eruption of Indians or insurrection of Negroes.” Poor Whites had risen into their lowly place in slave society—the armed defenders of planters—a place where that would sow bitter animosity between them and enslaved Africans. . . . Meanwhile, the enslaved population continued to rise noticeably, which led to fears of revolts, and then, in 1705, new racist codes to prevent revolts and secure human property up and down the Atlantic coast. Massachusetts authorities forbade interracial relationships, began taxing imported captives . . . [and] rated Indians and Negroes with horses and hogs during a revision of the tax code. Virginia lawmakers made slave patrols compulsory for non-slaveholding Whites; these groups of White citizens were charged with policing slaves, enforcing discipline, and guarding routes of escape. The Virginia legislature also denied Blacks the ability to hold office. . . . To seal the unity (and racial loyalty), Virginia’s White lawmakers seized and sold all property owned by “any slave,” the “profit thereof applied to the use of the poor of the said parish.” The story would be told many times in American history: Black property legally or illegally seized; the resulting Black destitution blamed on Black inferiority; the past discrimination ignored when the blame was assigned. Virginia’s 1705 code mandated that planters provide freed White servants with fifty acres of land. The resulting White prosperity was then attributed to White superiority.

11. Before the war, slave plots were rarely reported in the newspapers even when they were real for fear of unnecessarily scaring the white population. However, once the fighting started, lurid stories about slave conspiracies and British treachery in encouraging the blacks to turn on their masters abounded. To be sure, some of these plots were real: and yes, agents of the British government, such as Lord Dunmore in Virginia, did promise freedom to any slave who joined forces with the British. Similarly, British agents did solicit support of various Native American tribes. Patriot leaders, including noteworthy luminaries like John Adams, Thomas Jefferson, and Benjamin Franklin, capitalized on these accounts and incidents—whether real or imagined—to build support for the “common cause” against the British, the slaves, and the Indians. See Parkinson 2016.

12. Scott of Missouri. Scott, a slave owned by a doctor in the US army, accompanied his master for several years when he traveled in several territories that were part of the Louisiana and north of
the boundary that had been designated as free territory according to the Missouri Compromise of 1820. He argued that, since he had spent several years in free territory, he was entitled to freedom. After a convoluted legal odyssey, his case reached the Supreme Court. The Supreme Court, in denying Scott’s petition, went much further than was necessary to resolve this dispute. Not only was Dred Scott not a citizen, the Court’s majority ruled, but he could never be a citizen of the United States because the Founding Fathers never intended that members of the African race be citizens. They were an inferior people, Chief Justice Roger Taney argued, who possess “no rights that the white man is bound to respect.” *Scott v. Sanford* 60 U.S. 393 (1857).

White pastors and slaveholders cited passages like this one from the Bible to exhort their slaves that their Christian duty required them to obey their earthly masters so that they can receive a future heavenly reward:

> Slaves, obey your earthly masters with respect and fear, and with sincerity of heart, just as you would obey Christ. Obey them not only to win their favor when their eye is on you, but as slaves of Christ, doing the will of God from your heart. Serve wholeheartedly, as if you were serving the Lord, not people, because you know that the Lord will reward each one for whatever good they do, whether they are slave or free. (Ephesians 6: 5–8)

The trouble for slave masters, however, was that, while many slaves heard those messages, they also heard the message of God identifying with the nation of Israel who suffered for 430 years under the cruel bondage of mighty Egypt. The slaves came to view themselves as the “New Israel” and white America as “Egypt,” giving rise to a black liberation theology. See Sobel 1988.

During the Supreme Court’s deliberations in the case of *Brown v. Board of Education*, the US Justice Department wrote an amicus brief arguing that the Court should overturn *Plessy v. Ferguson*. Among the reasons cited by Justice Department lawyers, they cited the criticisms the United States was receiving from its Cold War adversaries in the Soviet Union and elsewhere who held up the example of racial segregation in America as proof that the United States did not truly believe in the principles of human equality as much as it claimed (Dudziak 2013).

Thomas Jefferson, in *Notes on the State of Virginia* ([1872] 1984), expressed the moral trepidations of many of his contemporaries when he wrote, “Indeed, I tremble for my country when I reflect that God is just: that his justice cannot sleep forever; that considering numbers, nature, and natural means only, a revolution of the wheel of fortune, an exchange of situation, is among possible events; that it may become probable by supernatural interference! The Almighty has no attribute which can take side with us in such a contest.”

Gunnar Myrdal notes that the nature of the American Creed is that it provides every group who believes it has been unjustly excluded from the mainstream of American life the ideological weaponry with which to charge the nation guilty of violating its own ideals. These “outsiders” are spared the task of crafting their own theory to justify revolution or importing one from abroad. Rather, they merely need to appeal to the nation’s own ideals. Consequently, when Thomas Jefferson questioned the full humanity of African Americans, David Walker could rebut him by simply exclaiming, “Are we not men!” Walker’s implication was quite clear: if African Americans are fully human beings (as he presumes them to be), then they cannot be legitimately enslaved nor can they be denied the full rights of citizenship upon being freed. See Myrdal 1944; Walker [1830] 1993.

Adam Winkler (2018: 3), commenting on the Supreme Court’s Fourteenth Amendment jurisprudence during this period, writes:

> Between 1868, when the amendment was ratified, and 1912, when a scholar set out identify every Fourteenth Amendment case heard by the Supreme Court, the justices decided 28 cases dealing with the rights of African Americans—and an astonishing 312 cases [emphasis mine] dealing with
the rights of corporations. At the same time that the Supreme Court was upholding Jim Crow laws in infamous cases like *Plessy v. Ferguson* (1896), the justices were invalidating minimum wage laws, curtailing collective bargaining efforts, voiding manufacturing restrictions, and even overturning a law regulating the weight of commercial loaves of bread. The Fourteenth Amendment, adopted to shield the former slaves from discrimination, had been transformed into a sword used by corporations to strike unwanted legislation.

19. A few examples will suffice. The Supreme Court has issued two recent opinions—*Citizens United v. Federal Election Committee* (558 U.S. 310 [2010]) and *McClutcheon v. Federal Election Committee* (572 U.S. 185 [2014]) that have all but obliterated federal attempts to place any limit on the amount of money spent by corporations and wealthy individuals to influence political campaigns. The effect of *Citizens United* made it possible for “super PACs” (political action committees) to raise unlimited amounts of money with scant regulation in order to influence elections. *McClutcheon* extended the principle to individuals. The Court’s majority viewed campaign spending as “speech” within the meaning of the First Amendment, apparently having few qualms that the resources available to the super rich make their “speech” so much louder than those of average Americans as to raise questions about how representative the nation’s democracy truly is. In *Burwell v. Hobby Lobby Stores*, the Supreme Court held that a closely held private corporation could use the Religious Freedom Restoration Act of 1993 to exempt them from the requirement of the Affordable Care Act that it provide reproductive health services for its employees as part of its health insurance packet. The owners, who are conservative Christians, objected to this provision of this law because they did not want to pay for their employees to have abortions because they have moral problems with that practice. By a 5–4 margin, the Court held that the right of the owners to freely exercise their religion took precedence over the constitutional rights of female employees to have abortions. For the first time, the Supreme Court said that a corporation has “free exercise rights.” This ruling raises the specter of corporations asserting other constitutional rights that should take precedence over the rights of their workers.

**REFERENCES**


Plessy v. Ferguson. 163 U.S. 537 (1896).


Scott v. Sanford. 60 U.S. 393 (1857).


