

CHAPTER 2

TO BE AN AMERICAN

Living in time, every people has a history. To teach liberty effectively, Americans must be taught theirs. But every history is contested. No one people is likely to elicit the consent of every member to a particular version of its history, and in nations encompassing more than a single homogenous people dissensus may run deeper. To understand who the "American People" is (to understand if there *is* an American People), the American peoples have tried to understand themselves within the confines of a singular narrative, a story whose terms define their identity, even if that narrative tells a story of diversity.

The American story has perhaps never been quite so controversial as it is today, but it has always been more controversial than elites might have wished. The multicultural perspective is new in name only. The Puritans who settled Massachusetts and conceived of this land as a second Eden beckoning those wronged by Christian Europe had to contend with dissenters who objected to the new Protestant orthodoxy. Under Roger Williams, some of them fled Massachusetts and founded Rhode Island, creating

an alternative and more secular model of America. The Jamestown settlers contended with the native peoples to whom the land was ancient and who were constant reminders that the Americas were a "discovery" only for Europeans. The English, regarded by critics today as a historically hegemonic elite, were everywhere confronted with Dutch, Spanish, and French competitors with their own views on hegemony. Nor were those wealthy traders and merchants who came to the new-world in the spirit of exploration, adventure, investment, and empire likely to see themselves—merely because they were all "English"—as the kin of impressed sailors, religious fanatics, and exiled prisoners who came because they had to. And of course, by the time the great New Republic was founded, nearly a half million slaves had been dragged from Africa into a new-world bondage, the story of which could not easily be incorporated into any respectable version of America's self-imagined history. Consequently, they were read out of the story Americans had fashioned about themselves. But they lurked on the periphery, casting shadows on liberty's brave rhetoric and pricking the conscience of the men who affected to speak it.

In other words, as any careful reader of American history cannot help but notice, America has always been a tale of peoples trying to be a People, a tale of diversity and plurality in search of unity. Cleavages between Protestant and Catholic, plowman and proletarian, banker and borrower, Christian and free thinker, Englishman and Dutchman, farmer and rancher, proprietor and tenant, Spaniard and Frenchman, new immigrant and old immigrant, freeman and slave, rustic and cosmopolitan, German and Scandinavian, frontiersman and city dweller, and, of course, woman and man have irked and divided Americans from the start, making unity a civic imperative as well as an elusive challenge.

The purist view of a WASP nation was never more than the preemptory hope of one part of America's immigrant population. It survives today, ironically, primarily as a target of cynical crit-

ics. The waves in which immigrants swept onto American shores and inundated the young republic before and again after the Civil War, before and again after the two world wars, threw off a constant spray of conflicting metaphors: Melting pot or crazy quilt? One integral nation or multicultural tapestry? Newfound land or Indian nation? Land of slavery or home of the free? America's diversity—geographical, demographic, ethnic, and economic—was always distinct from the much less striking forms of pluralism found in the European nations from which many emigrated. The Founders spoke warily of an "extended" and "compound" republic that seemed immune to the conventional laws of political development with which the more homogenous histories of Europe's traditional principalities and republics had been captured. A continental nation, half industrial, half agricultural, one part free, the other hospitable to slavery, peopled by what was even in prerevolutionary times a remarkably heterogeneous immigrant population sharing the land uneasily with natives who could be romanticized or vilified but not easily ignored—this was a nation that, if it were to hold together, would require some bold storytelling indeed.

Now, as then, diversity remains America's most prominent virtue and its most unsettling problem. It is a source of American pride even as it complicates and muddles the meaning of what it is to be an American. *E pluribus unum* is our brave boast, but we are neither very united nor very comfortable with our diversity. Alexis de Tocqueville had warned that nations conceived in liberty might have a particularly troublesome time maintaining integral unity of the kind that came naturally to despotic traditional regimes. He knew that religion, a great bond in conventional societies, could not necessarily be counted on in modern ones rooted in political will and constitutional artifice, and under pressure from secularism and diversity. He could only hope that America might maintain its religious bonds (though they too were plural) to hold together a nation that, conceived in liberty, could

easily end in anarchy. Hence, for America the problem was one of finding a surrogate for religion—a secular bond, what Rousseau and the Jacobins (each in a different fashion) had conceived of as a civil religion. This faith would be a religion only in its healing, integrating powers. The natural foundations of religion were gone, and a civil surrogate could promise only artificial customs, conventions, and mores—secular holidays in place of saints' days, for example—to bind together people divided by passions and interests. To hold a country together in the face of multiplying differences and a liberty of individuals so extensive that solidarity and unity seemed permanently at risk was no easy task.

In a historical shorthand for what had actually taken place, the great seal of the United States carried the proud boast already cited: *E pluribus unum*. From a diverse, confederated group of peoples would spring a powerful union. But the logic of American politics has in fact run in the other direction: it was the *unum* wrought from diversity that made a continued *pluribus* possible. That unity ultimately took the form of the civil religion that republicans like Rousseau and Tocqueville dreamed of—what Sanford Levinson, following Justice Hugo Black, has aptly called "constitutional faith"¹ and what Jurgen Habermas, in search of a German equivalent, has dubbed "constitutional patriotism." Divided by private faith, by race and gender, by class and ethnic origins, by geography and economics, Americans have no faith in common other than a faith in the commons, no shared faith but their public faith. And that faith is civic: a fidelity to the Constitution in its most generic sense. Yet it took a bloody civil war, America's true revolution, to impress upon all Americans the virtue of their fragile constitutional faith.

The Roman term for constitution, *res publica*, or "public things" (principles, laws, order), is a translation from the Greek *politeia*, which stood not simply for the ordinances and sumptuary laws by which public life was ordered but for the underlying principles governing all common life. A constitution is more than

a set of written formulas for governing; it is literally what constitutes a society—that which ties together a collection of private persons and sectarian groups into a society. America's constitutional faith is thus a faith in how society is ordered—by its written constitution to be sure, but also by other founding documents, such as the Declaration of Independence and the Bill of Rights, by seminal presidential inaugural and farewell addresses, by Lincoln at Gettysburg and Kennedy in Berlin, by the Emancipation Proclamation and the Civil Rights Act of 1965. And, more consistently than anything else, by those decisions rendered by a changing Supreme Court, which has defined over time the evolving meaning(s) of a constitution that refuses to stand still. The constitutional faith of Americans is a public faith in a public order: an order that, quite precisely by separating public from private, makes possible the diversity and private freedoms Americans most cherish.

Yet even within the civic church of constitutional faith there are significant confessional differences that impair union, above all over the question of how democratic the order really is. Critics of democracy never tire of saying, "This is a republic, not a democracy!" and the degree to which the American story can be told as a tale of emancipation and democracy is the most disputed feature of a highly problematic history, as we shall see presently.

How, then, might the American story be told so as to encompass its endless variety yet yield a definition of what it means to be an American compatible with constitutional faith and a democratic civic religion? How ought history to be taught in the public schools responsible for the education of democratic citizens but increasingly peopled by young, predominantly non-white Americans who have considerable grounds for cynicism about the historical record of American democracy?²² Hispanic and Asian-Americans have been less skeptical, but African-Americans, the nation's oldest immigrant group and the only one that came wholly against its will, are least persuaded that "our" story can ever be "their" story. The abyss that can open up be-

tween interpretations was recently underscored in the reactions to the American story by the only two African-Americans to have sat on the Supreme Court. For Justice Thurgood Marshall, who had argued school integration before the Supreme Court in 1954, in *Brown v. Board of Education*, long before President Johnson appointed him to it, there is little to be proud of in the Founders or their handiwork. Upon his retirement in 1991, he said again, as he had said so often before, that for him there could be no question of constitutional faith for black Americans until well after the Civil War, and then only with a strong dose of skepticism. His replacement, Associate Justice Clarence Thomas, declared upon his nomination to Marshall's seat that "only in America" could such an astonishing thing happen to the grandson of a sharecropper. When the battle over the American story is at its most intense, those often seem the choices: America as a monument to constitutional hypocrisy and to the struggle against (but not the victory over) hypocritical elites, and America as a bold land of endless opportunity for all.

INVENTING OURSELVES

As we have noted, there is no group that does not have its own private version of the American story. Is there a public version upon which some modicum of concord is possible? Most standard tellings of the story share two characteristics. First, each discloses a purportedly special story: an exceptional tale, unique to us. Whether the story is of slavery or liberty, it is treated as unparalleled in human history. Second, in almost every version standard accounts offer a story about liberty—about liberty's achievements, and thus of progress and the victory of aspiration over history, or about liberty's hypocrisies and failures, and thus of hegemony and the victory of history over aspiration. Either way, it is a unique story whose chief player is liberty and whose chief antagonist is the past, history itself. This much even neo-

conservative zealots of the canon and multicultural skeptics have in common.

From the outset, then, to be an American was also to be enmeshed in a unique story of freedom, to be free (or to be enslaved) in a novel sense, more existential than political or legal. Even in colonial times, the new world meant starting over again, meant freedom from rigid and heavily freighted traditional cultures. Deracination was the universal experience for the subordinate as well as the superior. After the men in Philadelphia had designed a new constitution for the newly independent nation, liberty took on an explicitly political aspect. To be an American was not to acquire a new race or a new religion or a new culture; it was to possess a new set of political ideals, ideals that, even in the less than egalitarian early beginnings, were comparatively democratic. Or it was to be a victim of those ideals' hypocritical failure.

The feisty English emigrant Frances Wright, herself unable to vote, nonetheless could write back in the 1820s:

What is it to be an American? Is it to have drawn the first breath in Maine, in Pennsylvania, in Florida, or in Missouri? Pshaw! Hence with such paltry, pettifogging . . . calculations of nativities! *They* are Americans who, having complied with the constitutional regulations of the United States . . . wed the principles of America's declaration to their hearts and render the duties of American citizens practically in their lives.³

Rank and privilege were prohibited and the sovereignty of the people (initially circumscribed fairly narrowly) was guaranteed. America represented a new kind of nation and proffered to Americans a new kind of identity rooted in principle. To Ralph Waldo Emerson, America offered "new lands, new men, new thoughts." President Theodore Roosevelt was only echoing the language of Emerson, and before him of *Federalist No. 1*, when

he insisted that America was a "question of principle, of idealism, of character, not a matter of birthplace, of creed, or line of descent." More recently, Justice Felix Frankfurter defined naturalization as a process by which one must "shed old loyalties and take on the loyalty of American citizenship," citizenship itself being a kind of a "fellowship which binds people together by devotion to certain feelings and ideas and ideals summarized as a requirement that they be attached to the principles of the constitution."⁴ This self-consciously idealized portrait of a unifying constitution is reaffirmed regularly. Just a few years ago, Jack Beatty, then writing for *The New Republic*, reminded July 4th readers that "ours is a patriotism not of blood and soil but of values, and those values are liberal and humane."⁵ Still more recently, President George Bush celebrated American victory in the Gulf War by declaring that we had "regained confidence in America's special decency, courage, compassion and devotion to principle."⁶

To invent an identity rooted in principled liberty takes a certain hubris, but the Americans never lacked in hubris. To realize in practice the principles in whose name they claimed an identity took more, however. Their hubris was reinforced by their self-conception as a special people capable of realizing a special destiny. The American story was promoted as exceptional, not simply in the sense that every people has its own distinctive story, but in the sense that among stories conforming to general historical laws, the American tale was without peer. America's uniqueness consisted of a self-imposed exemption from history and from time. As Louis Hartz tried to show in his still-powerful account of the American story,⁷ liberal America has been able to see itself as a nation that evaded feudalism, and thus eluded the weighty baggage of the postfeudal European legacy. The nation was to be conceived as an exercise in novelty. Even those ill-starred Africans taken into slavery and sold into new-world bondage were sundered from their roots and compelled to live out destinies not their own. Ripped from time and place, they too

lived new lives in which their distance from liberty became their defining attribute. A few years before the Philadelphia Convention, the American farmer Crèvecoeur was writing about the American as "a new man."

To become a new man was to forget the old. Americans became skilled forgetters, deriving their new identities from imagination through a laborious exercise in studied obliviousness. What melts (if anything melts) in the storied American melting pot is memory. With sea passage to the new world came the promise that pasts could be forgotten—displaced by new stories newly tailored to fresh needs and desires, in a world that started each day anew.

Nonetheless, the new country without a history still had to tell a story, if only the story of a flight from time. Only Native Americans had a traditional story to tell about a land they had belonged to for eons, and that was certainly not the story the immigrants wished to tell. For the newcomers—the invaders who needed to legitimize whatever injustices were occasioned by their intrusion into their new world by reference to the injustices done them in the old—a story had to be wrung from art. In naming his study of popular sovereignty in America *Inventing the People*,⁸ Edmund S. Morgan was only rehearsing an argument we can find in Alexander Hamilton's language (in *Federalist No. 1*), where Hamilton reminds critics of the new constitution that it had been given to the Americans, alone among peoples, "to decide whether societies of men are really capable or not of establishing good government from reflection and choice, or whether they are forever destined to depend for their political constitution on accident and force." A few founders alluded to the Indian federations as if Americans might actually learn something from those they had displaced, but for the most part the natives were made to vanish—first as history, then as facts—in order to maintain the fiction of a "blank tablet" on which a fresh history and a novel constitution could be inscribed.

This is not to say that we are entirely without origins in the tribal and national and confessional identities of Europe associ-

ated with "blood and soil." We work at but do not always succeed in our obliviousness. Michael Walzer is only one among many who argue that our "national" culture is finally plural and that Americans are necessarily going to remain hyphenated for the foreseeable future.⁹

In his book *Under God*, Garry Wills makes a similar argument when he tries to demonstrate that religion plays a far deeper role in society today than is recognized by the secular establishment on the two cosmopolitan coasts. "No ignorance is more securely lodged than the ignorance of the learned," he quips, in challenging the intellectual communitarians and civic republicans who talk about citizenship as the crucial moment in American identity.¹⁰ While the United States might then appear ideally to itself as an exemplar of the pure assimilationist nation, where citizenship in a principled polity is the chief form of identity, we cannot afford to trust appearances uncritically.

As it happens, the story of America has to account for a compound identity that mixes melting pot assimilationist imagery organized around a patriotism of the constitutional ideal with both a monocultural identity rooted in Anglo-Saxon Protestantism and a multicultural identity that is pluralistic and contradictory—not necessarily divisive, but much less unitary than the ideal Americanism conveyed by citizenship. To be an American is to be just a little bit schizophrenic, as the intrusive hyphen that defines so many Americans' pre-American roots makes evident.

George Bush is a reminder of the dominant culture's staying power. Those who pretend this durable elite is no more than one among many equal partners in citizenship may believe they are describing America, but they have clearly never lived in it. Who actually belongs to the mythic WASP elite is something else again: as a model of a certain America, many aspire to it and so change their names and cast off their immigrant's costumes and rid themselves of accents. Even today, there is far less interest in multiculturalism among the most recent immigrants from places like

Central America and Vietnam than from minorities with a long-standing presence in America. Traditional immigrants were even known to have manufactured WASP identities out of whole cloth. Remember Mr. Dooley's gibe about how "a WASP is a German what's forgot who was his parents."

Yet the WASP image, if our dominant paradigm, is hardly our only model. America is also a crazy quilt of Indians, Jews, Irish, blacks, Hispanics, Germans, Asians, and countless other peoples, each of which, to some degree, has retained or even reinvented important features of some original immigrant identity that is clung to in the face of the alienating abstractions of the new theoretical "American" identity. Thus, even as they assume an abstract national identity for purposes of education, employment, and civic participation in the new country, hyphenated Americans continue at least once a year to unfurl into the all-American breeze the flags of their mother cultures in parades that honor the parent (Greece or Italy or Ireland) rather than the child (America). Today, as multiculturalism plays a growing role in educational curricula and in the self-consciousness of Americans, many see behind the idealized identity of the American solely a dominant cultural paradigm (WASP, male, Anglo, Eurocentric). From the perspective of some feminists, even women can be severed from their American identity by their embeddedness in gender differences. By Michael Walzer's definition, to be an American, if it means anything at all, is to recognize and tolerate this pluralism of roots and identities. Yet, ironically, it is precisely this tolerance for diversity and openness to difference that constitutes the common ground of American citizenship.

No one would be fooled by the story of multiculturalism into thinking of the United States as a nation of distinct tribes and peoples—a Nigeria or a Switzerland. No one expects the United States to follow the disunited ex-Soviet Union and the disintegrated Yugoslav federation into anarchy. Among hyphenated Americans, the "American" suffix has rendered the "Japanese-" or "German-" or "Jewish-" prefix fairly innocuous. Indeed, the

prefix is often more the subject of a nostalgic quest than an emblem of a firm sociological identity. Walzer seems to suggest that there is a certain equity between the terms on either side of the hyphen, but this seems to me to be a considerable exaggeration. So innocuous for the most part is the prefix, in fact, that those in need of a symbol of distinctiveness have often had to rummage around in the library of neologisms to find labels that do their rhetorical aims justice. In just a few decades, Americans of color have moved from "colored" (a pejorative designation by whites) to "Negro" to "black" to "Afro-American" to "African-American" and back to "colored" again (as in "people of color") in search of a satisfactory linguistic home for their distinctive American identity. The prefix suggests a wish or an ideal rather than a fact.

The use of hyphenated forms for American identity has never raised questions of civic loyalty (as they have in France, for example, a nation with equally open access to citizenship but far less tolerance for group pluralism)—except perhaps among bigots and certain kinds of nativists wishing to impute the motives of immigrant groups they fear or detest, or during wartime when a particular prefix may coincide with the name of an enemy nation and thus stigmatize rather than Americanize its bearer (as the label Japanese-American did in 1941 and as Arab-American sometimes does today.)¹¹ Indeed, the American experience with naming has in the main involved a rather crude Americanization, often the result of an Ellis Island immigration official's impatience with an unpronounceable surname. But it was equally often because a Sammy Goldishinski, pursuing fame and fortune in the all-American make-believe of a place like Hollywood (America raised to the nth power), rebaptized himself Sam Goldwyn (borrowing the "wyn" from an all-American New Yorker) and lived happily and prosperously—like "a real American"—ever after.¹²

What citizenship cannot do to homogenize immigrants has often been done by America's pervasive commercial culture. If to be American is not quite captured by subscription to the lib-

eral's political principle, it seems well encompassed by Hollywood, Madison Avenue, Television City, and Disneyland, where the images that define America throughout the world are invented and distributed by men and women like Sam Goldwyn, themselves often first-generation immigrants. It is true that projections from demographic statistics suggest that sometime after the middle of the next century America will cease to be a nation whose majority is white (the public school population in many states is already predominately nonwhite). But will these Americans of color be any less homogeneously American than the Irish and Italians and Poles are today? Not if Americans continue to vote, shop, go to the movies, and watch television together (see Chapter 6).

Yet this prognosis depends a great deal on what happens in education. Recent debates about multiculturalism (see Chapter 4) and English as a primary school language suggest how controversial hyphenation can be when more than names or parades are at stake. Proponents of America as a democratic ideal and as a commercial republic generally insist that English must be its Esperanto; multiculturalists argue that to preserve a genuinely plural America requires bilingual educational programs. The consequences of this debate for an American future are anything but hypothetical. If teaching in public schools entails teaching liberty, then there is little question that it is the common public culture that must be taught. But which first? Can secondary languages be stations on the road to self-confidence for immigrants that eventually permit the most effective mastery of the language of the public realm—English?

These questions will be reviewed in detail in the following chapter. Here it is sufficient to note that even in our controversial times, most Americans, including as many new as old immigrants, like the story that portrays their nation as an aggregation of peoples who have been thoroughly assimilated. After all, it is the magnetism of that story which drew them to America in the first place. The new integral identity, although it leaves some

space for the calibration of distinct identities and the celebration of roots, is more about the future that immigrants face in common than about a past from which many are in flight. Once here and subjected to the usual disappointments of a too-eagerly awaited new life, immigrants may change their minds, but on their way in most envision their journey as a way out of confined destinies. To them America is an escape hatch from the past. Ask any recent emigrant (green card or no) from Vietnam or Hungary or Syria or Mexico. Difference divides, principle unites. Thus, principle rather than culture has been crucial to American identity from the earliest times.

Thomas Jefferson wrote nearly two centuries ago, "Let this be the distinctive mark of an American, that in cases of commotion he enlists under no man's banner, but repairs to the standard of the law."¹³ Where there is no commotion, there is ample room for roots. Where there is competition, turbulence, and commotion, common principle has to be the standard—if there is ever to be tranquility and freedom.

THE STORIES WE TELL

Let us narrow our focus. There are many Americans and many stories, but one has been dominant. To be sure, it is preeminent in part because of the dominion of those who tell the story, but it has a broad appeal. It is the story of America as a self-invented nation forging unity from abstractions that has fired the minds of poets and metaphor makers: America the beautiful, they have chanted; America, newfound land and City on the Hill and Second Eden; America, land of the new beginning, promised land, chosen land, sweet land of liberty, and land of the free; tabula rasa and virgin continent; America exempt from time; America outside history.

Most striking in all this idyllic self-imagery is the insistence on innocence. In her 1847 history textbook, the indomitable

Emma Willard wrote: "In comparison with these old and wily nations [of Europe], the character of America is that of youth simplicity, of maiden purity."¹⁴ In 1991, President George Bush, celebrating the military victory over Iraq, used remarkably similar language in addressing a joint session of Congress: "Americans are a caring people. We are a good people, a generous people. Let us always be caring and good and generous in all we do." From Herman Melville's *Benito Cereno* to Henry James's *Daisy Miller*, America in the world has been limned as the sad tale of innocents abroad. No heart of darkness in America's light (and white) American soul. Or is there? How did America manage to conceive so pristine and precious a story about itself in light of what unsentimental observers might describe as a typical Western imperial power born in slavery and delivered by war? How could innocence establish a global empire, an American century, four hundred years of racial oppression?

In the extraordinary rhetoric of America's self-identification can be found a story of liberty's promise and liberty's failure. To achieve in reality the aspirations of the melting pot, and of innocence reclaimed, Americans had to share in several prior stories: the story of America as a child of Europe, a land born from the European Enlightenment with its faith in the inventiveness of men. As we have seen, this was the story of America as an orphan, as an exception from all the laws that normally constrained political development. The exceptionalist story rested in part on the Calvinist (and Jewish) idea of an Elect, a Chosen People with a special destiny. Yet we have also noticed it was the Enlightenment notion of a *tabula rasa* that was truly to exempt Americans from Europe's grim historical laws. It was to the "empty spaces" of the new world that John Locke pointed when, in his *Second Treatise on Civil Government*, he recommended to those dissatisfied with the social contract the *loci vacui* across the seas. Enlightenment was born in Europe as idea, but it found a permanent home—the Americans boasted—in the uncontaminated innocence of the new world.¹⁵

If the story of the Chosen People had ancient roots in Judeo-Christian culture, the old aristocratic vision of a Chosen People was nevertheless transformed in the American setting into a new democratic story of a Choosing People: men and women capable of denying themselves the blood consolation of an exclusive ascriptive community in favor of membership in an inclusive voluntary community rooted in choice and law. The voluntarism of this new form of association was what permitted Americans to conceive of themselves as operating beyond the circle of constraints that otherwise had governed the growth and decay of republican societies from ancient times.

Guided by these two stories, America became, in Hegel's words, "the land of the future," contrived in free minds, inscribed as a novel constitution on the blank tablet of a country without a history, and imprinted finally on the empty land itself by a people who dared to choose its own destiny.

The first generation ashore in the new world still defined itself as rebelling against the old tribes of Europe—secular and religious—and thus needed to bar rank and privilege by law. But the second, already at home in America, was quite literally born into an equality that appeared natural (as long as it was male and white and propertied). For this generation, America was less a nation invented in reaction to Europe's history of persecution and intolerance than an artful instrument for the circumvention of history altogether. As Louis Hartz suggested, those Americans who enjoyed the free standing of citizenship were not born equal in a merely hypothetical sense, as a legitimizing device of their rebellion; they were born equal concretely and actually as a consequence, they believed, of American exceptionalism. "Can a people born equal," Hartz queried, "ever understand peoples elsewhere that have to become so? Can it even understand itself?"¹⁶

The story we tell about ourselves as an exceptional nation exempt from history (from the lessons of other peoples' stories) is a perfect representation of what it means for a nation to have a defining story as well as of why defining stories need to be

contested. For the exceptionalist story is not merely a retrospective ideology foisted on the past by arrogant moderns or a product of nineteenth-century imperialist revisionism reading its own ambitions back onto the past. Exceptionalism was a concomitant of the American founding—indeed, one of the principles by which rebellion was justified. As Conor Cruise O'Brien reminds us in his splendid essay *Godland*, John Cotton preached exceptionalism to a contingent of Pilgrims embarking for America from Boston, Lincolnshire, more than a hundred years before the Revolution. Using as his text a prophetic passage from Samuel, Cotton proclaimed: "Moreover, I will appoint a place for my people Israel, and will plant them, that they may dwell in a place of their own, and move no more; neither shall the children of wickedness afflict them anymore."¹⁷ Roger Williams, who, as noted earlier, had fled the Puritan Commonwealth of Massachusetts in search of a society where state and church might be kept apart, spoke disparagingly of "Godland" as early as 1644, but the notion of a special destiny for the new country persisted.

By the eighteenth century, new Americans like J. Hector St. John Crèvecoeur had attached themselves to the full-blown myth of exceptionalism, fortified both by religion and (ironically) by the Enlightenment philosophy that had been developed to challenge religion. In his celebrated *Letters from an American Farmer*, published shortly before the Constitutional Convention, Crèvecoeur announced a "new man" and portrayed Europe's emigrants as poor folk escaping to "the great American asylum," where "everything tended to regenerate them: new laws, a new mode of living, a new social system: here they are become men: in Europe they were as so many useless plants . . . [here] they have taken root and flourished."¹⁸ Crèvecoeur asked, "By what power hath this surprising metamorphosis been performed?" True to Jefferson, he answered, "By that of the laws."

A few years later, Tom Paine deployed a similar rhetoric, insisting that "the case and circumstances of America present themselves as in the beginning of the world . . . we are brought

at once to the point of seeing government begin, as if we had lived in the beginning of time."¹⁹ Indeed, far from being a later accretion, exceptionalism would seem to have been America's conventional self-characterization from the outset, while challenges to it, such as those of the multiculturalists or (earlier) the Progressives, must count as revisionist.²⁰ The original story has been embellished, challenged, and then punctured as a windbag's overblown hypocrisy. Yet it is a story that, in the very telling, has helped create the nation the story envisions.

Founding stories are never strictly historical in the sense that professional historians might wish. Yet history is always a story, a tale with prescriptive and moral implications. The story of American exceptionalism was more than just wishful thinking. It was a rhetoric meant to provide a constitutional framework that would permit the new nation to elude the classical dilemmas of traditional European political theory.

James Madison, for example, believed that Europe's republican theories geared to small polities and homogenous peoples could offer little to men who wished to create a constitution for a republic of continental extent. His eye on novel conditions, he set about looking for novel solutions. The constitutional devices of representation, federalism, the separation of powers, judicial review, and constitutionally embedded rights were intended to meet the challenge by giving to the abstractions of the Enlightenment an institutional form: power checked by power to avoid the contentiousness all too familiar to Europe's quarrelsome little republics; federalism, to assure a vertical balancing of powers between central government, the states, and municipalities no less efficacious than the horizontal separation of powers that divided executive and legislative branches into contending, offsetting bodies; an independent judiciary to ensure the rights of states and peoples; and a representative system to insulate the government from the passions and interests of fractious individuals and sects—passions and interests that would be passed through a "filter" of the "best men."

Together, these institutions were intended to guarantee that the identity of the new American citizen would rest on the autonomy of the political domain and its sovereignty over a pluralist culture (which could only divide Americans, placing a strain on their capacity for tolerance). The plural conception of culture could flourish in the private sector without creating a dominant, uniform national culture oppressive to historical differences in immigrant groups.²¹ Once it was disestablished, religion could flourish and serve as a kind of social glue without becoming an authoritative enforcer of public belief that might stifle diversity, freeze liberty, and undermine tolerance. A political framework was proffered for the ongoing integration of immigrants and other outsiders (as well as those insiders left on the outside by the evolution of inegalitarian social relations and economic slavery). Thus, outsiders in America were able to campaign for citizenship and legal status through rather than against the American system—something that more than anything else spared America a revolutionary history of instability and made the American story more than a paean to hypocrisy.

America's patriotism was rooted in ideas, not blood; in law, not kinship; in voluntary citizenship, not given roots; in constitutional faith, not religious orthodoxy. The story of what it meant to be an American started with a claim about rights—"All men are created equal," we proclaimed—and ended with the demand for citizenship: we are *all* men—those without property, those who were here before the Europeans came, those who were brought here as slaves, those who bore and nurtured children. Thus, we all have the right to be citizens.

WHOSE STORY IS IT, ANYWAY?

This story, although we have punctuated it with queries and cautions that point to our theme, is for the most part the conven-

tional story: the dominant version as it has been advanced by mainstream historians and constituencies (mostly powerful and successful winners in the American sweepstakes). It takes the claim to innocence at face value and turns it into an integrating virtue. It is not just a tale told by the victors, for it still seduces millions of immigrants every year and is intended to offer a plural nation some modicum of unity. Still, to a wide-awake world the tale rings a little hollow. It is simply too good to be true. To Americans for whom the story is but a dream, it may even seem a subterfuge and a lie: a sleight of hand by which America distances itself from those "European" stories of oppression and injustice based on class and religion, which in truth remain America's story as well—at home and, in the conduct of foreign policy, abroad as well.

We are exceptional, the skeptic may argue, only in our capacity for self-delusion. If it depicts a people born in innocence, raised in liberty, and united in equality, whose story is it, anyway? Can it be said to be the story of Africans brought here as slaves? Of women disenfranchised for all but the last seventy-five years? Of all the immigrants who came in search of a dream and woke up to an American reality as laced with bigotry, intolerance, and economic exploitation as anything they had known in the old country, but sugared over in the new country with a sickly sweet layer of civic homilies?

Behind the particular doubts Americans may have about their story are two forms of skepticism about historical mythmaking. These play an important role in America but are not finally decisive, for in the end they lead back to and, paradoxically, reinforce the particular story of liberty that so rankles those who feel less than free. There are questions to be raised about the metaphor of exceptionalism that undergirds much of our self-valorizing mythmaking and about the socioeconomic naivete of a perspective so focused on universal rights and political struggle that it fails to notice or even helps conceal real social and economic

inequality. These challenges to the American story raise important issues of inclusion and exclusion that go to the heart of the question: Whose story is it, anyway?

It is understandable that critics of American exceptionalism and the story of Enlightenment on which it is based should be wary of a national identity so wedded to what are quite nearly mythic abstract ideas. Americans, they properly point out, typify peoples who affect to be a nation when in fact they are several nations held together by the domination of cultural elites. The language of natural rights and legal personhood that pretends to unify America only conceals the endless inequalities that differentiate Americans by birth and station in life. If it is self-evident that in America all men are born equal, that is only because in America there are a great many bipeds who are not, in the rhetoric of American mythology, men. Women, for example, or Native Americans or black slaves (though in many of the states, free blacks did qualify for local citizenship, and women, though they could not vote, were seen as citizens with respect to rights).²²

The felicitous story of a nation of new men devising new institutions by which the past might be overcome once and for all works only because it leaves so many out—excluding them quite explicitly precisely at that point where they have demanded entry. One cannot even argue that the American story has evolved in a linear manner toward greater freedom. The Indians, we have noted, were more respected before than after the Civil War; and quotas enacted in the 1920s based on immigrant populations already established in the United States discriminated against Southern and Eastern Europeans. (The quotas were repealed only in 1965.) Some statistics suggest that the condition of Americans of color has worsened in the last twenty years. In his shattering account of American race nonrelations, *Two Nations: Black and White, Separate, Hostile, Unequal*, Andrew Hacker offers devastating evidence for his claim that black Americans have never become full citizens, and that conditions today remain appalling.

Is this a story of liberty evolving from less than liberal origins? Or of liberty lost?

Underlying the particular suspicion of American exceptionalist language is a still more generic skepticism about political language in general: the dubious legitimacy of rationalizing the stubborn power realities of human relations. As Thrasymachus once rebuked Socrates (who was trying to conjure an ideal image of justice) by reminding him that justice was no more than a rationalization of the interests of the strongest, so the skeptic rebukes American storytellers, reminding them that the politics of inclusion is no more than a rationalization on the part of white male property holders wishing to give a universalist aura to their own exclusionary interests. *Their* story is not the story of slavery, of the annihilation of the Indian tribes, or of the exclusion of women from political suffrage (up until women wrested it from them after a century of struggle). Stories conceal what the scrutiny of interests reveals. Names are not to be trusted, and words always mystify and obfuscate. Such are the suspicions of many Americans—some, economists, Marxists, or sociologists of class; others, poststructuralists and deconstructionists; still others, simply battered survivors of a tale in which they cannot locate themselves.

Such charges are eye-opening and important. These critics' substantive argument is more closely questioned in the next chapter. In this historicized form, however, the changes are not very discriminating. After all, there is no national identity that is not a construction of storytelling; all stories are made of words. There is no definition of nationality that is not rooted to some degree in a story with "mythic" overtones, for a myth in this sense is a story raised to a higher degree of legitimacy by a people's need to define itself. Every nation has its stories and its myths: the myth of blood, if not of principle ("the principle of blood"); the myth of tribe, if not of right; the myth of common history, if not of common law. All efforts at defining human beings in

common depend on what the French historian Ernest Renan called "common misconceptions"—shared inventions by which common memory is created and preserved.

Social communities are per force socially constructed; and while some constructions prove more lasting than others, while some cement our social relations more firmly than others (as Tocqueville taught us, fraternity seems more effectively affective than legal equality, and kinship is more binding than the state of nature), all are alike constructions or notions. It is not that some are words and others things, some names, others objects; it is only that some words are more socially efficacious than others, some notions more politically viable than others, some ideas more likely to kindle consent or even fidelity than others. Which is the better source of political legitimacy: King Tantalus (Argos)? The father Cadmus (Thebes)? The wolf-raised twins Romulus and Remus (Rome)? The archer William Tell (the Swiss Confederation)? The semi-fictional Aeneas (again, Rome)? The god Wotan (Aryan Germany)? Or the Founders Jefferson and Madison? The political potency of such figures lies in their symbolic power as personifications of a founding act, rather than in how closely they can be made to accord with historical fact. We are united into communities by a common belief whose link to history will always be contentious and contended. Washington's historicity may make Wotan look wholly fictional, but his role in legitimating our historical conception of ourselves is not so different than Wotan's in legitimating the "idea" of the German people.

History and storytelling are not exactly the same thing, but history is the story we choose to believe in, and our beliefs help shape what we understand as history. There are important independent standards for validating historical knowledge, but history is always necessarily more than independently validated historical knowledge. Its meanings and entailments are subject to its uses and abuses and cannot be altogether separated from them. Here is an example.

A standard American history textbook tells students that the

first slaves were shipped to America in 1619, the year before the *Mayflower* arrived.²³ Multicultural skeptics from the Council of Interracial Books for Children are provoked to reply that "free Africans, as well as slaves, were in the Americas before 1619" and go on to argue that there was a "slave rebellion" as early as 1526.²⁴ Their source is a work by Herbert Aptheker who, like other historians (but with a vengeance), had his own political agenda.²⁵ What constitutes a "slave rebellion"? Did Spanish settlers in what was to become the Carolinas really "return to Haiti" on account of the rebellion? What weight should such an incident have in the story of American slavery? None of these questions can be answered in purely "objective" terms, because each of the crucial terms—slave, settler, rebellion—receives its (contested) meaning from the narratives of which it is a part. The words and the events for which these terms stand comprise the story, but the story gives meaning to the words. Quantifying data cannot qualify the critical terms. "Between 1663 and 1665 more than 100 slave revolts took place on land. At sea there were 55 revolts" reports a popular text, with a precision more suspect than reassuring.²⁶

For all its controversy, the American story seems to rely on a narrative with a rather more empiricist flavor than, say, the German story. But law, although odorless, is no less of a metaphor for social relations than blood. Blood, it happens, congeals into a better social glue than law. Law, it happens, is potentially a more inclusive principle than blood. Skeptics can fault American storytellers as historians, but only inasmuch as they fault the very idea of history (which, of course, they often do). American storytellers are not *more* engaged in the rationalization of interests through mythmaking than the storytellers of any other nation.

There is a particular and more telling objection behind the skeptic's generic caution, however: that the American story is too radically *political*, making it seem more inclusive than it really is. Insufficiently attuned to culture and economy, it tells a

tale blind to what (and who) is left out. The practice is simply far more exclusive than the legalisms of a strictly political telling of the story allow. This objection suggests that the reality of a dominant culture and the inescapability of class, conflict, and war on the European model have shadowed America from the start and have finally caught up to the country, bending it under the weight of historical laws it imagined it had eluded. If to be an Indian or a black or a woman is in some significant sense not to be an "American" as defined by the American story, what can it possibly mean to be an American? If wealth and class continue to divide Americans and the oppressions of race, religion, and gender are at best whitewashed by the rationalizing niceties of the Constitution, how different from Europe is America?

In the present section, we have witnessed how Americans have paraded themselves as hearty innocents in the face of a perverse overseas world of sin. In "Benito Cereno," Herman Melville tells the tragic tale of the American sea captain Amasa Delano, "whose generosity and piety" render him completely "incapable of sounding such wickedness" as is represented by a slave revolt occurring under his very nose on a Spanish vessel he has boarded.²⁷ American foreign policy even at its most imperialistic has affected a kind of virgin moralism: We went down to Mexico for the good of democracy, President Wilson was pleased to announce, in the first of scores of whitewashes that were to paint over America's twentieth-century imperial ambitions. Even conservatives have tried to cast Americans as righteous victims of a squalid European nihilism from which they must be protected (see Chapter 5). If the truth is that we are more like than distinct from our European cousins from whom we try so hard to distance ourselves, then what does it mean to call America an exception? A conception of nationality that ignores the persistent primacy of culture and economics in the real evolution of American society would seem to conceal rather than

reveal the ways of power and thus to mask the real face of the nation.

This is in part the charge leveled by Progressive historians like Vernon Parrington and Charles Beard, social critics who see class conflict rather than political consensus as the dominant reality of American life. The story they tell identifies the nation with the very European conflicts of interest and class from which exceptionalists have assiduously worked to distinguish it. Myths like the melting pot and the chosen people paper over harsh realities of servitude, exclusion from citizenship, and exploitation. Once perceived, these realities reveal America as a typical exemplar of an all too familiar history of domination and subordination, of inclusion for the privileged and exclusion for the rest. America's special character melts away.

Yet to portray America in exceptionalist imagery is not to insist on its immunity to contradiction or to the corruptions of its actual historical practice. It is only to say that in helping to disguise class biases, the story of an exceptionalist nation identified by its common ideals rather than its plural origins may have also helped it overcome them, at least in part. By boasting of their country's openness, Americans were hard-pressed to keep it as closed as some might have wished. To be sure, the language of universal citizenship as the common denominator of Americanism, especially as conveyed in the rhetoric of the Constitution, is contradicted everywhere and in every American epoch by prejudice, discrimination, exclusion, inequality, and economic exploitation. Yet the use of a radically nonexclusionary language anchored in universalist rhetoric—men are born equal, we the people, equality of rights—helped many groups originally excluded from the social compact preserve their hope and thus enabled them to mobilize political institutions that in time helped them win genuine suffrage. Perhaps it goes too far to say that a people who stole their land from the natives, farmed it with slaves, and built great cities on the equity of wage labor were either

blessed or chosen. Few African-Americans or Native Americans or unenfranchised women can have felt chosen for anything other than bondage in a country that cast them as perpetual losers in a cruel lottery organized by their enemies. Abraham Lincoln, no stranger to the moral insufficiencies of the American dream, knew better: in the midst of a bloody fratricide he spoke not of a chosen people, but of an "almost chosen people."

The language of politics has nonetheless offered Americans an open road, and not a few in servitude have, by following it, found their way to freedom. How? Through the very rhetoric of rights that disguised and rationalized their earliest bondage. Rights language embedded in a responsive legal framework turned out to be a powerful reinforcer of America's founding stories, as well as a weapon with which to strike down the hypocrites who deployed those stories only in order to shore up their privileges.

RIGHTS AS A LANGUAGE OF INCLUSION

There has been in America a simple but powerful relationship between rights and democracy, and this relationship has been the key to making good on the promise of the story of America as a land of the free. Rights rebuke both progressives and skeptics by working to make real the equality critics say they occlude; for, the story recounts, rights are claims that free beings make on one another, and they entail and give rise to—indeed, they enjoin and demand—the equality of those who claim them. Democracy is the politics of equality. Without democracy, rights are empty words, dependent for their realization on the goodwill of despots. Absent the democratic ethos in America, rights could not have achieved their victory. Absent rights, democracy might never have become a part of the story. It is rights that promote and promise emancipation, suffrage, and empowerment. The American Constitution was not a notably democratic instrument; its object was as much to protect government from impetuous majorities as to

institutionalize popular rule. But the rights with which individuals were to be protected from both majorities and government also turned out to be vouchers redeemable for suffrage and thus passports to equality.

Even James Madison recognized that rights without supporting political institutions were so many "parchment barriers" to tyranny (one reason for his early opposition to a separate Bill of Rights). Late in his life, like so many Americans who had once feared the people as a rabble, he had come to take a less harsh view of democracy. On the question of the enfranchising of the propertyless, he came to acknowledge that

under every view of the subject, it seems indispensable that the Mass of Citizens should not be without a voice, in making the laws which they are to obey, in choosing the Magistrates, who are to administer them, and if the only alternative be between an equal and universal right of suffrage for each branch of the government and a containment of the entire right to a part of the citizens, it is better that those having the greater interest at stake, namely that of property and persons both, should be deprived of half their share in government; than that those having the lesser interest, that of personal rights only, should be deprived of the whole.²⁸

Madison's use of the language of "an equal and universal right of suffrage" just thirty years after a founding consecrated (as the Progressives are quick to point out) to limiting both popular suffrage and popular access to government seems startling, but the American story was framed in rights language and this language permitted no other evolution. If popular government and laws understood as self-prescribed limitations on private behavior are the real guarantors of liberty, if natural rights are secure only when political rights are guaranteed by popular government, then the right to suffrage turns out to be the keystone of all other

rights. This relationship between suffrage and the securing of all other rights was increasingly recognized in the real democratic politics of the early nineteenth century. It was eventually written explicitly into the Constitution with the Thirteenth, Fourteenth, and Fifteenth amendments. As Judith Shklar has written, American citizenship was marked above all by equality of rights. Hence, although this equality existed "in the accepted presence of its [slavery's] absolute denial, . . . the excluded were members of a professedly democratic society that was actively and purposefully false to its own vaunted principles by refusing to accept these people or to recognize their right to be voters and free laborers."²⁹

Because the American story was rooted in principle rather than blood and expressed itself in common rights rather than common identity, it was by its very nature always potentially an increasingly progressive and democratic story. The language that boasted of "We the People" in time pressured those who employed it to make "we" into a category that truly encompassed all the people. There are some stories that, in the very telling, push to make themselves true. The story of America as a nation conceived in rights was just such a tale. By understanding who they were in terms of rights, the Americans committed themselves to equality. After all, to say "I have a right" is to posit that I am the equal of others and at the same time to recognize the equality of the persons to whom, on whom, against whom the claim is made. No master ever said to a slave, "Give me my rights!" for rights can be acknowledged only by equals. Likewise, the slave who proclaims, "I have the right to be free," says in the same breath, "I am your equal," and hence, "You are my equal." In a certain sense, to speak of equal rights is redundant: rights are equalizers. Equality is expressed in the idea of rights. Individuals may use rights to insulate themselves from others, to wall in their privacy, but their rights claims depend entirely on the proposition that as claimants they are the equal of all others,

that no one as a person living in a free and democratic society is privileged because of who he happens to be by virtue of race, gender, or religion.

More than anything else, this is why the story Americans told and tell about themselves has been liberating in its thrust—if never fully or satisfactorily so. A constitution rooted in rights cannot systematically exclude whole classes of persons from citizenship without becoming inherently incoherent and thus unstable. As early as 1783, the Massachusetts Supreme Court had ruled that slavery was inconsistent with the state's constitution, and this inconsistency with principle became a permanent burr in the side of the new constitutional body politic.

How in the long run could the American story as the tale of an exceptional nation comprised of persons without conventional histories be other than a democratic story? Even where government was antidemocratic in its institutional provisions, it inclined politically toward democratization and tended over time toward greater inclusiveness. Its failure to live up to its principles fully and its inability to wash the marks of slavery from its history left Americans to live into our own day with a legacy of "pain, guilt, fear, and hatred."³⁰ As hypocrisy is the tribute vice pays to virtue, so guilt and inconsistency are the compliment continued discrimination pays to democratic ideals. Few nations have had histories more racist than America's; even fewer have so resolutely held those histories up to critical self-scrutiny in the name of the standards history violates.

As we have seen, and as the Progressive historians have often repeated, America was at its founding not a notoriously democratic country. There was considerable suspicion of democracy, even bristling hostility against it; for democracy was feared as the rule of a propertyless rabble that would bring private prejudice and impassioned interests into the judicious deliberations of government. Many of the Constitution's devices were aimed at insulating the people from power and interposing filters between

their rank prejudices and the careful deliberations of the governors—the best of men chosen from their peers by electoral colleges.

These provisions notwithstanding, in the course of the first half of the nineteenth century, America generally followed the story line of its principled rights and liberties rather than the antidemocratic suspicions of its Founders. That the Constitution included provisions implicitly recognizing slavery (the three-fifths compromise, or the twenty-year license for continuing the slave trade, for example) was a shameful comment on the Founders and called into question their supposedly liberal motives; nonetheless, such provisions sat poorly on the Constitution's rights-lined stomach and were in time regurgitated. This resulted not simply from pressures brought to bear from the outside, but also from the inherently universalizing character of America's founding story, written in the expansive language of rights. Rights talk pushed against artificial boundaries of every kind and made inequalities increasingly indigestible.

What "rights" meant to the American story was that the chief American protagonist in our native drama was neither the WASP nor the assimilated immigrant nor the hyphenated American, but the citizen. What Americans shared could be captured neither by origins nor by kinship nor by blood, which produced only an often anarchic and divisive plurality. Rights issued in citizenship and forged a stronger commonality and a firmer identity than the individual histories immigrants were escaping. The right to liberty, the right to self-legislation, the right to be included in a civic polity founded on "popular" (that-means-me!) sovereignty, all pointed toward an idea of the citizen that had an aggressive, liberating character, pushing to extend to the very periphery of the universal.

Today as we continue to tell America's story as a tale about rights that create citizenship and citizens who possess rights, we approach the very edge of our species' boundary. Still we push onward, outward, the story issuing in new aspirations to still

greater inclusiveness, so that finally we can speak of "economic rights" or "animal rights" or "fetal rights" and still seem to be extending rather than perverting our story. What struggle from our own epoch has not been fortified by the language of rights? From the lunch counters of Montgomery to the all-male clubs of New York to the straight streets of middle America, black Americans battling for civil rights, women demanding equal rights, and gays calling for equal standing before the law have waged their civic wars with rights talk. While critics deconstruct such talk, exposing its hypocrisies, today's new immigrants from Vietnam and Cuba, Mexico and Korea, Nigeria and Lebanon can be found successfully employing it, insisting on their rights under the law and working to become citizens so that they can achieve the "standing" which, as Judith Shklar shows, is crucial to the status of the American citizen.

What is perhaps most notable about the American story in this telling is how it has worked at every crucial crossroads in our history, not only to secure the propertied and the powerful (as, skeptics remind us, old stories and well-established canons always do), but also to capture the aspirations of the excluded and to extend the boundaries of power and property.

The disenfranchised knew this as well as the enfranchised, though the enfranchised knew it well enough to be embarrassed by the slavery they condoned and the exclusions they practiced. As a consequence, successful popular movements aimed at the emancipation of slaves, the enfranchisement of women, the recognition of Native Americans, the inclusion of immigrants, as well as the empowerment of the poor, the working class, and others cast aside by the American market, have all had in common a devotion to the language of rights. Indeed, the single most important strategic decision faced by those who have felt left out of the American way of life has been whether to accept or reject the exceptionalist story; to buy into or spurn the rhetoric of rights; to try to possess the American founding, understood as the Declaration of Independence, the Constitution, and the Bill

of Rights, as a story that belongs to us all; or to unmask and discard the founding as the hypocritical and deceitful strategy of the powerful seeking to legitimize their tyranny.

Movements that have made war on the Constitution, holding that its rights promise no salvation to the powerless, have on the whole failed, although (as the next chapter shows) there are good reasons for a measure of skepticism. But in denying themselves the consolation of the story, in seeing themselves as excluded from it, such movements abjure its liberating power. The fragility of the stories we tell ourselves is here clearly revealed: to disbelieve our story is to falsify it. By the same token, to believe it is thus to help render it "true." Movements that have insisted that the founding can and must make good on the promise implicit in its universalizing rights rhetoric have succeeded fairly often, although by no means always.

The bold women at Seneca Falls in 1846 mimicked the Founders' language as well as the rhetoric of great English rights jurists like Blackstone in their own militant rights claims—"We hold these truths to be self-evident," they asserted, "that all men *and women* are created equal"—providing a clear example of holding rights language up to the test of its own entailments and using it to make good on promises its originators may have had no intention of keeping.³¹ And although the radical abolitionists at times seemed to declare war on America itself and treat its freedom story as a vast tissue of lies, one of their most fiery leaders tried to make the story of his adversaries *his* own story as well. William Lloyd Garrison, calling it a "Covenant with Death and the Agreement with Hell," burned a copy of the Constitution in Framingham, Massachusetts, on July 4, 1854. Nevertheless, he declared in the *Liberator*, in his "To the Public," and in impassioned speeches throughout the North that he "assented to the 'self-evident truth' maintained in the American Declaration of Independence, 'that all men are created equal, and endowed by their Creator with certain inalienable rights—among which are life, liberty and the pursuit of happiness.'" On this foundation,

he concluded, he would "strenuously contend for the immediate enfranchisement of our slave population."³²

The American story was large and encompassing. It had Walt Whitman's broad reach, its embrace containing the North and the South, the East and the West. Better to fight one's way into its arms than forever to remain outside them.

Some might say that radicals in America were embracing part of the story in order to discredit the rest; that they were trying to drive a wedge between the liberating story of the Declaration of Independence and the Revolution and the repressive story of a Constitution written by the propertied elites. Or perhaps they were attempting to offer an alternative story, in which a "First Constitution" of sectarian federalism and slavery betrayed a nation eventually rescued by a "Second Constitution" of post-Civil War Union and individual liberty. That was certainly how later Progressive historians were to tell it. But when John Brown went looking for legitimacy, he found it in the Preamble to the Constitution as well as in the Declaration. When he offered the people of the United States a "Provisional Constitution," he wrote:

Whereas slavery, throughout its entire existence in the United States, is none other than a most barbarous, unprovoked, and unjustifiable war of one portion of its citizens upon another portion . . . in utter disregard and violation of those eternal and self-evident truths set forth in our Declaration of Independence. [T]herefore we, citizens of the United States, and the oppressed people (deprived of Rights by Justice Taney) . . . do ordain and establish for ourselves the following Provisional Constitution and ordinances, the better to protect our person, property, lives and liberties, and to govern our action.³³

If the story of America is told as a story of expanding citizenship, then the Civil War and Reconstruction amendments ending slavery and involuntary servitude and guaranteeing uni-

versal male suffrage, due process, and the equal protection of the laws to all citizens of the United States were not a reversal of America's constitutional history but its culmination. Justice Roger Taney's pro-slavery decision in *Dred Scott* was, by the same token, the last gasp of those trying to stem the flood tide on which rights were sweeping through history. Taney's problem was how to combat the rights story, whose thrust was emancipatory. He had to show that "We the People," synonymous with "citizens," could somehow be construed to exclude the Negro race. His decision tortuously avoids the entailments of the idea of citizenship and instead turns on the "historical fact" that Negroes "were at that time considered as a subordinate and inferior class of beings." The eighty-year-old Taney takes care to avoid a careful examination of how such crucial terms as "person," "citizen," and "right" worked in the American story. For it was precisely to gainsay this story that he was rather desperately trying to construct a new story of his own—one in which America is comprised of different classes of beings, not all of whom are human and capable of citizenship.³⁴

Taney's was a tough assignment. Even at the time of the founding there had been powerful opposition to slavery as an embarrassment to the language of the Declaration and the Constitution's Preamble. John Adams and John Jay were vigorously eloquent in their opposition to it (although not at the Convention), and there were many statesmen who sympathized with George Mason's refusal to sign the Constitution because its twenty-year extension of the slave trade was "disgraceful to mankind."

James Madison had acknowledged the "moral equality of blacks" and in *The Federalist No. 54* had allowed that they did "partake" of qualities belonging to persons as well as to property and were thus protected in "life and limb, against the violence of all others." The slave, Madison said, "is no less evidently regarded by the law as a member of the society, not as part of irrational creation; as a moral person, not as a mere article of property."³⁵

To be sure, Madison had also supported the thesis that slaves were property, and when Missouri applied for admission to the Union, he had reconfirmed that view. But rights were seeping into the American mainstream, and Madison was to change his tune; in 1825 he wrote that "the magnitude of this evil among us is so deeply felt, and so universally acknowledged, that no merit could be greater than that of devising a satisfactory remedy for it."³⁶ Slavery simply did not fit the evolving American story of a nation knit together by common citizenship, a polity in which all could participate and through participation overcome their differences.

WHOSE STORY IS IT, ANYWAY? REPRISE

The concept of the American nation as self-constituted is anything but unproblematic. The story is anything but finished. Just review the history of the South after Reconstruction when the resurgent Democratic party, the Ku Klux Klan, and Jim Crow laws undid many of the gains of the war and the radical Republican Reconstruction; the sad history of restrictive immigration from 1924 to 1965 that gave legislative force to nativist sentiments left over from certain marginal Protestant strands of nineteenth-century Know-Nothingism; and the continuing inability of women and Americans of color to achieve in practice the social and economic standing promised to them in theory by citizenship. Together, these strands of the unfinished tale create a picture of democratic victories far from won. Yet "The New Order of Things" promised by the Great Seal of the United States still offers hope of a community held together by bonds free of the taint of blood and the repressive hierarchy of kinship. For all its contradictions, to many Americans it looks more promising than other forms of national identity.

The twentieth century has exposed how frail the alliance forged by liberals and nationalists after the French Revolution

really is, how vulnerable liberty can be to nationalist ardor, how buoyant nationalism feels when undergirded by irrationalism and xenophobia. The Italian nationalist leader Garibaldi and the revolutionary prophets of German nationalism from Johann Fichte and Johann Herder on tried to make an impassioned patriotism the driving engine of cold reason—to give to Enlightenment the impetus of *Gemeinschaft*. The history of Italy and Germany in subsequent times can only disenchant those who believed in the alliance. Resurgent Islam today has pushed aside its own Enlightenment and declared war not just on modernity's obvious vices, such as commerce and materialism, but also on modernity's supposed virtues—freedom, pluralism, and tolerance. In the past year alone we have witnessed once again in Eastern Europe and the ex-Soviet Union how factiousness and ethnic tribalism can decompose artificially held together states when rationalizing ideologies such as communism and common principles such as republicanism are annihilated—just look at “Yugoslavia.”

Given this tragic history, moderns will be forgiven for continuing to treat the American hybrid—its multiple hypocrisies notwithstanding—as a last best hope for humankind; for the aspiration to create a nation rooted in the autonomy of politics, in the sovereignty of reason, in the universality of citizenship, and in the capacity of women and men to transform themselves through community life appears to be a rare and precious alternative to state religion and blood nationalism. As Tocqueville was persuaded, religion may be “simply another form of hope.” To him, unbelief was always “an accident, and faith . . . the only permanent state of mankind.” But it is hope rather than religion that we cannot do without, and in the absence of religion, the ideal of a self-constituted nation still offers hope. Its power is found not in its democratic achievements, modest, incomplete, often defective, but in its aspirations. As the extraordinary writer George Steiner has often reminded us with the eloquence of his despair, we dare not live in a dangerous world without skepticism, without a shuddering regard for the intractability of our

condition. But it is also true, and it is the lesson taught by America, that we cannot live in the world without hope and its fragile promise of a modest political deliverance from perpetual fear and injustice. If the American story is to mean more than rationalization, if it is to be a tool in teaching liberty, it can mean only this: To be an American is not to have secured equality and justice, but only—with the help of a story of unprecedented aspiration—still to hope and to struggle for them.