



Whiteness

A Brief Introduction
by
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“Whiteness”

A Brief, Law-focused Introduction

By Nathan Luis Cartagena, PhD

Introduction

Many in the U.S. are confused about why race scholars discuss and analyze “whiteness.” A primary cause of this confusion is what [Kendall Thomas](#) calls *organized forgetting*—through (a) the intentional and repeated *omitting* of certain facts, narratives, and artifacts, and the intentional and (b) repeated *presenting* of other facts, narratives, and artifacts, communities form themselves to know some things and to overlook or disremember other things. Because of organized forgetting, many in the U.S. don’t understand why race scholars discuss “whiteness,” because they haven’t learned about how conceptions of “whiteness”—let alone white supremacy—have shaped the U.S. They haven’t learned, as [Matthew Frye Jacobson](#) writes, that “Caucasians are made and not born”; that “White privilege in various forms has been a constant in American political culture since colonial times, but whiteness itself has been subject to all kinds of contests and has gone through a series of historical vicissitudes”; or that “The contest over whiteness—its definition, its internal hierarchies, its proper boundaries, and its rightful claimants—has been critical to American culture throughout the nation’s history, and it has been a fairly untidy affair.” Most people’s teachers have omitted these details and histories.

In what follows, I present five reasons why race scholars discuss and analyze “whiteness.” These reasons aren’t comprehensive or exhaustive; they don’t engage all the histories to which Jacobson alludes. Still, these five reasons are a good place to start.

Reason 1: Conceptions of “whiteness” played a pivotal role in the spread and maintenance of European colonialism.

The concepts of “whiteness” or “white people” aren’t eternal. Human beings invented them at particular moments in time. People in antiquity, for example, didn’t have or use either concept. Nell Irvin Painter makes this point in the first paragraph [*The History of White People*](#).

Were there ‘white’ people in antiquity? Certainly some assume so, as though categories we use today could be read backwards over the millennia. People with light skin certainly existed well before our own times. But did anyone think they were ‘white’ or that their character related to their color? No, for neither the idea of race nor the idea of ‘white’ people had been invented, and people’s skin color did not carry useful meaning.

Race scholars widely agree that racial categories such as “whiteness” and “white people” are artifacts of European colonialism. As [Tommy Curry](#) writes, “[R]ace is a colonial category.”

I [wrote](#) about the construction of “whiteness” shortly after the [El Paso Massacre](#) on August 3, 2019. I’ll conclude *Reason 1* with an extended excerpt from that essay.

Whiteness is a colonial category birthed in Portugal. It is there, as [Willie James Jennings](#) observes, that imperial expansion and a racial scale mingled and produced the start of whiteness. We see this in the first recorded slave auction. Reflecting on the year 1444, Portugal’s royal chronicler [Gomes Eanes de Azurara](#) writes:

[On] the next day, which was the 8th of the month of August, very early in the morning, by reason of the heat, the seamen began to make ready their boats, and to take out those captives, and carry them on shore, as they were commanded. And these, placed all together in that field, were a marvelous sight; for amongst them were some white enough, fair to look upon, and well proportioned; others were less white like mulattoes; others again were as black as Ethiops [Ethiopians], and so ugly, both in features and in body, as almost to appear (to those who saw them) the images of a lower hemisphere.

All depicted are slaves; not all are equal. Some are “white,” and therefore “fair to look upon, and well proportioned.” Others are “black,” and hence “ugly”—as if they had come from Hell itself. In between the heavenly and hellish flesh are the mulattoes, the mixed who receive little discussion.

The scale Azurara presents gets repackaged and distributed by other European colonializers. The Spanish develop racial taxonomies ranging from sixteen to twenty-two categories deep. The Council of Provincial Mexico compile the latter for the Pope and the Spanish king in 1585—not even a century after Columbus’s initial voyage. This gift, like its counterparts, depict the movement of *limpieza de sangre*—“purity of blood”—with *limpieza de raza*—“purity of race.” Whiteness was pure and elite; everything else fell on a graded decline. Writing about this “pigmentocracy,” [C.R. Boxer](#) observes:

Persons of mixed blood were usually regarded with suspicion, dislike, and disdain, due to the erroneous belief that the colored blood contaminated the white, as the history of mesticos in the Portuguese empire and of mestizos in the Spanish empire shows.

Yes, Boxer acknowledges, there were exceptions. Some accepted the mesticos and mestizos—the racially mixed. “But both Iberian empires,” Boxer notes, “remained essentially a ‘pigmentocracy’ . . . based on the conviction of white racial, moral, and intellectual superiority—just as did their Dutch, English, and French successors.” As [Howard Winant](#) writes, those European powers held that they were “the whites, the masters, the true Christians.” [Winthrop Jordan](#) succinctly captures this trend when he says the British colonists

treated “Christian, free, English, and white” as metonyms. Each word is equivalent.

Conceptions of “whiteness” and “white people” shaped and suffused European colonialism—thus shaping and suffusing the globe. Understanding European colonialism and its impact on creation requires discussing and analyzing “whiteness.”

Reason 2: Conceptions of “whiteness” played a pivotal role in the U.S.’s founding.

The US’s Founders designed the country to be a White nation. We can see this in the laws they crafted and in their personal correspondence with other nations. I’ll provide an example of each.

Whiteness in Early U.S. Law

The U.S. Constitution did not originally define the country’s citizenry. But it did give Congress the authority to establish the criteria for granting citizenship after birth. [Article I](#) grants Congress the power “To establish a uniform Rule of Naturalization.”

Though members of the U.S.’s first Congress disagreed about slavery, they all supported the country’s first immigration law, the [1790 Naturalization Act](#). It reads:

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That any [Alien](#) being a free white person, who shall have resided within the limits and under the jurisdiction of the United States for the term of two years, may be admitted to become a citizen thereof on application to any common law Court of record in any one of the States wherein he shall have resided for the term of one year at least, and making proof to the satisfaction of such Court that he is a person of good character, and taking the oath or affirmation prescribed by law to support the Constitution of the United States, which Oath or Affirmation such Court shall administer, and the Clerk of such Court shall record such Application, and the proceedings thereon; and thereupon such person shall be considered as a Citizen of the United States.

This law's racial prerequisite clause reflects Congress's commitment to construct a pigmentocracy. And it had several historic predecessors and antecedents. As [Ian Haney López](#) writes:

The racial prerequisite clause “mirrored not only the de facto laws of birthright citizenship, but also the racially restrictive naturalization laws of several states. At least three states had previously limited citizenship to “white persons”: Virginia in 1779, South Carolina in 1784, and Georgia in 1785. Though there would be many subsequent changes in the requirements for federal naturalization, racial identity endured as the bedrock requirement for the next 162 years. In every naturalization act from 1790 until 1952, Congress included the “white person” prerequisite.

From 1790 until 1870, U.S. law only allowed white people to naturalize. From 1870 to 1952, it allowed white people and “persons of African nativity, or African descent”—the descendants of U.S. slaves—to naturalize, but no others. Thus, the Founder’s founding white person racial prerequisite clause shaped U.S. naturalization laws and their accompanying legal, social, and economic privileges for over 160 years.

Whiteness in The Founder’s Correspondence

While serving as President Washington’s secretary of state in 1792, [Thomas Jefferson](#) wrote the following response to the British minister who asked him what the U.S.’s positions were on Indian land rights and the doctrine of discovery:

We consider it as established by the usage of different nations into a kind of Jus gentium [Law of Nations] for America, that a white nation settling down and declaring that such and such are there limits, makes an invasion of those by any other white nation an act of war, but gives no right of soil against the native possessors.

Speaking as secretary of state, Jefferson acknowledges that the U.S.’s leaders see the country as a white nation, just as they see other European countries as white nations, under the Law of Nations, which does not require white nations to “give” Indigenous peoples land rights. This racialization of law, nation, and land undergirded U.S. settler colonialism and imperialism.

Reason 3: Conceptions of “whiteness” played a pivotal role in early U.S. expansion and imperialism

Conceptions of whiteness informed US Supreme Court decisions and Congressional debates that supported US expansion and imperialism. I'll provide an example of each.

Whiteness in Supreme Court Decisions that Empowered U.S. Expansion and Imperialism

Chief Justice John Marshall defended the white supremacist Laws of Nations Jefferson discussed with the British ambassador. In [Johnson v. McIntosh \(1823\)](#), Chief Justice Marshall grounded the US's power to “extinguish the Indian title of occupancy, either by purchase or by conquest” in the fifteenth-century, Papal-produced doctrine of discovery. I quote Chief Justice Marshall at length:

On the discovery of this immense continent, the great nations of Europe were eager to appropriate to themselves so much of it as they could respectively acquire. Its vast extent offered an ample field to the ambition and enterprise of all; and the character and religion of its inhabitants afforded an apology for considering them as a people over whom the superior genius of Europe might claim an ascendancy. The potentates of the old world found no difficulty in convincing themselves that they made ample compensation to the inhabitants of the new, by bestowing on them civilization and Christianity, in exchange for unlimited independence. But, as they were all in pursuit of nearly the same object, it was

necessary, in order to avoid conflicting settlements, and conquest war with each other, to establish a principle, which all should acknowledge as the law by which the right of acquisition, which they all asserted, should be regulated as between themselves. This principle was, that discovery gave title to the government by whose subjects, or by whose authority, it was made, against all other European governments, which title might be consummated by possession.

The exclusion of all other Europeans, necessarily gave to the nation making the discovery the sole right of acquiring the soil from the natives and establishing settlements upon it. It was a right with which no Europeans could interfere. It was a right which all asserted for themselves, and to the assertion of which, by others, all assented.

. . . In establishment of these relations, the rights of the original inhabitants were, in no instance, entirely disregarded; but were necessarily, to a considerable extent, impaired. They were admitted to the rightful occupants of the soil, with a legal as well as just claim to retain possession of it, and to use it according to their own discretion; but their rights to complete sovereignty, as independent nations, were necessarily diminished, and their power to dispose of the soil at their own will, to whomsoever they pleased, was denied by the original fundamental principle, that discovery gave exclusive title to those who made it.

. . . No one of the powers of Europe gave its full assent of this principle more unequivocally than England. The documents upon this subject are ample and complete. So early as the year 1496, her monarch granted a commission to the

Cabots, to discover countries then unknown to Christian people, and to take possession of them in the name of the king of England. Two years afterwards, Cabot proceeded on this voyage, and discovered the continent of North America, along which he sailed as far south as Virginia. To this discovery the English trace their title.

In this effort made by the English government to acquire territory on this continent, we perceive a complete recognition of the principle which has been mentioned. The right of discovery given by this commission is confined to countries “then unknown to all Christian people;” and of these countries Cabot was empowered to take possession in the name of the King of England.

. . . [The United State’s “civilized inhabitants”] maintain, as all others have maintained, that discovery gave an exclusive right to extinguish the Indian title of occupancy, either by purchase or by conquest . . .

. . . Frequent and bloody wars, in which the whites were not always the aggressors, unavoidably ensued. European policy, numbers, and skill prevailed. As the white population advanced, that of the Indians necessarily receded.

. . . However extravagant the pretension of converting the discovery of an inhabited country into conquest may appear; if the principle has been asserted in the first instance, and afterwards sustained; if a country has been acquired and held under it; if the property of the great mass of the community originates in it, it becomes the law of the land, and cannot be questioned. So, too, with respect to the concomitant principle, that the Indian inhabitants are to be

considered merely as occupants, to be protected, indeed, while in peace, in the possession of their lands, but to be deemed incapable of transferring the absolute title to others. However this restriction may be opposed to natural right, and to the usages of civilized nations, yet, if it be indispensable to that system under which the country has been settled, and be adapted to the actual condition of the two people, it may, perhaps, be supported by reason, and certainly cannot be rejected by Courts of justice.

Chief Justice Marshall defends the Doctrine of Discovery and its accompanying visions of white dominance and the white rights to extinguish Indigenous land claims. This decision enabled the widespread land dispossession of Indigenous peoples by self-identified white governments and white settlers.

Whiteness in Congressional Debates about US Imperialism

Members of Congress worried that by annexing portions of Mexico to the US, the latter would jeopardize its racial purity and status as a white nation. [Senator John C. Calhoun's](#) comments before Congress are representative of this common Congressional concern.

[It is without example or precedent, either to hold Mexico as a province, or to incorporate her into our Union. No example of such a line of policy can be found. We have conquered many of the neighboring tribes of Indians, but we have never thought of holding them in subjection-never of incorporating them

into our Union. They have either been left as an independent people amongst us, or been driven into the forests.

I know further, sir, that we have never dreamt of incorporating into our Union any but the Caucasian race—the free white race. To incorporate Mexico, would be the very first instance of the kind of incorporating an Indian race; for more than half the Mexicans are Indians, and the other is composed chiefly of mixed tribes. I protest against such a union as that! Ours, sir, is the Government of a white race. The greatest misfortunes of Spanish America are to be traced to the fatal error of placing these colored races on an equality with the white race. That error destroyed the social arrangement which formed the basis of society.... And yet it is professed and talked about to erect these Mexicans into a Territorial Government and place them on an equality with the people of the United States. I protest utterly against such a project.

Are we to associate with ourselves as equal, companions, and fellow citizens, the Indians and mixed race of Mexico? Sir, I should consider such a thing as fatal to our institutions.

Senator Calhoun's defense of the US as a white nation echoes Jefferson. So do his comments about Indigenous peoples. Not all in Congress agreed with Calhoun's stance on slavery; none could deny the veracity of his claim about the US being a "Government of a white race" that hadn't "dreamt of incorporating into our Union any but the Caucasian

race—the free white race.” Indeed, that’s what the 1790 Naturalization Act ensured.

Reason 4: Conceptions of “whiteness” played a pivotal role in the establishment of Jim & Jane Crow

The end of the US Civil War ushered in [major changes](#) to the [white republic](#). Recognizing the historic privilege and status granted to US “white people,” the [1866 Civil Rights Act](#) mandated that all people under US jurisdiction have the same right to make contracts and pursue business opportunities “as is enjoyed by white citizens.”

But the robustly multi-racialized political structures such post-war Civil Rights legislation promised couldn’t survive the [Compromise of 1877](#). As [C. Van Woodward](#) writes, “Just as the Negro gained his [sic] emancipation and new rights through a falling out between white men, he now stood to lose his rights through the reconciliation of white men.”

This national, white-centered reconciliation involved the policing of whiteness. [Plessy v. Ferguson \(1896\)](#), the Court decision that legalized Jim and Jane Crow, makes this clear. Though Homer Plessy looked white, the Court deemed his “one-eighth African blood” sufficient to render him non-white, and so unentitled to the privileges of US whiteness. Indeed, as the following quotations showed, the Court denied Plessy property rights in whiteness even as it noted the varied legal conceptions of “whiteness” throughout the country.

Petitioner [Homer Plessy] was a citizen of the United States and a resident of the state of Louisiana of mixed descent, in the proportion of seven eighths Caucasian and one eighth African blood; that the mixture of colored blood was not discernible in him, and that he was entitled to every recognition, right, privilege and immunity secured to the citizens of the United States of the white race by its Constitution and laws . . . and thereupon entered a passenger train and took possession of a vacant seat in a coach where passengers of the white race were accommodated.

...It is claimed by the plaintiff in error that, in an mixed community, the reputation of belonging to the dominant race, in this instance the white race, is "property," in the same sense that a right of action or of inheritance is property. Conceding this to be so, for the purposes of this case, we are unable to see how this statute deprives him of, or in any way affects his right to, such property. If he be a white man, and assigned to a colored coach, he may have his action for damages against the company for being deprived of his so-called "property." Upon the other hand, if he be a colored man, and be so assigned, he has been deprived of no property, since he is not lawfully entitled to the reputation of being a white man.

...It is true that the question of the proportion of colored blood necessary to constitute a colored person, as distinguished from a white person, is one upon which there is a difference of opinion in the different states; some holding that any visible admixture of black blood stamps the person as belonging to the

colored race (State v. Chavers, 5 Jones [N. C.] 1); others, that it depends upon the preponderance of blood (Gray v. State, 4 Ohio, 354; Monroe v. Collins, 17 Ohio St. 665); and still others, that the predominance of white blood must only be in the proportion of three-fourths (People v. Dean, 14 Mich. 406; Jones v. Com., 80 Va. 544). But these are questions to be determined under the laws of each state, and are not properly put in issue in this case. Under the allegations of his petition, it may undoubtedly become a question of importance whether, under the laws of Louisiana, the petitioner belongs to the white or colored race.

It's striking to note that the lone [dissenting opinion](#) in *Plessey*, written by Justice John Harlan, declared the US Constitution "colorblind" while also maintaining that "There is a race so different from our own that we do not permit those belonging to it to become citizens of the US...I allude to the Chinese race." Justice Harlan also proposed the eternal reign of white supremacy in the US: "The white race deems itself to be the dominant race in this country. And so it is, in prestige, in achievements, in education, in wealth and in power. So, I doubt not, it will continue to be for all time."

Reason 5: Conceptions of "whiteness" play a pivotal role in post-Brown US politics

Many assume that *Brown v. Board* (1954) officially eradicated the role of "whiteness" in US politics. For them, white supremacy's reign in the US has ended, and only fringe groups appeal to "whiteness" when seeking election and political power.

This widely held view is wrong. The Republican Party has repeatedly acknowledged that it sought to become the “white man’s” party in the decades following *Brown*. I’ve [written](#) about these admissions and their current relevance. We’ll conclude with an extended excerpt from that essay.

In 2005, [Ken Mehlman](#), head of the Republican National Committee, made the following admission to the NAACP:

By the seventies and into the eighties and nineties Republicans gave up on winning the African American vote, looking the other way or trying to benefit politically from racial polarization. I am here today as the Republican chairman to tell you we were wrong.

This admission from a prepared text confirmed what Blacks already knew—the Republican Party used *strategic racism* suffused with *racial identity politics* to win elections, maintain power, and preserve white supremacy.

[Lee Atwater](#)—the political director of Reagan’s 1984 campaign, the manager of George Bush’s 1988 presidential campaign, and the eventual chair of the Republican National Committee—shed light on the Republican Party’s strategic racism during a 1981 interview. According to [Atwater](#):

You start out in 1954 by saying “Nigger, nigger, nigger.” By 1968 you can’t say “nigger”—that hurts you. Backfires. So you say stuff like forced busing, states’ rights, and all that stuff. You’re going so abstract now, you’re talking about cutting taxes, and all these things you’re talking about are totally economic things and a byproduct of them is, blacks get hurt worse than whites. And subconsciously maybe that is part of it. I’m not saying that. But I’m saying that if it is getting that abstract, and that coded, that we are doing away with the racial problem one way or the other. You follow me—because obviously sitting around saying, “We want to cut taxes and we want to cut this,” is much more abstract than even the busing thing, and a hell of a lot more abstract than “Nigger, nigger.” So anyway you look at it, race is coming on the back burner.

[Proverbs](#) declares that God *hates* a lying tongue and a heart that devises wicked schemes; Atwater revels in both, flaunting how he spreads racial oppression to secure elections.

Atwater and Mehlman mask an important part of the Republican Party’s racist practices. They conceal that the Party’s identity politics are also gendered.

[Michael Steele](#), another chairman of the Republican National Committee, confessed that the Republican Party labored to be a *white male* party. As Steele shared in 2010: “for the last 40-plus years we had a ‘Southern Strategy’ that alienated many minority voters

by focusing on the white male vote in the South.” The Republican leadership spent four decades designing to be *the* white male’s party. Polls and office holders show they succeeded.

A parting quotation. Shortly before President Obama’s re-election in 2012, Senator [Lindsey Graham](#) (R-SC) declared that the GOP faced a demographics challenge. “The demographics race we’re losing badly. We’re not generating enough angry white guys to stay in business for the long term.” Mehlman, Atwater, Steele, and Graham—each revealed the GOP’s open secret about laboring to become the White man’s party built upon the (angry) White Man’s vote.