Chapter 3[[1]](#footnote-1)

Being a Slave of the Community: Race, Domination, and Republicanism

It is usually assumed in reading American history that whatever the Negro has done for America has been passive and unintelligent …. This is not true. On the contrary, it was the rise and growth among the slaves of a determination to be free and an active part of American democracy that forced American democracy continually to look into the depths; that held the faces of American thought to the inescapable fact that as long as there was a slave in America, America could not be a free republic…

—W. E. B. Du Bois, *The Gift of Black Folk*

One startling fact about racial disregard is how deep it runs in our ethical and political life. Precisely for this reason, black Americans often make appeals to the character of the nation or they often invoke the culture of the polity as a way to indicate to their audiences the depth of the problem. To be sure, questions of who we are as a nation and who we ought to be typically mingle with more narrowly focused questions of what policy we should endorse and what law ought to be on the books. But focus too long on the latter and you are likely to miss the importance of the former.

Political societies are, after all, ethical ventures. Contained within them are traditions and ways of being, sometimes at odds, which not only reflect the standing of persons but also provide guidance on how to treat others with whom we share society. This way of seeing the matter is not new; we can trace it back to the ethical and political philosophies of Aristotle, Jean-Jacques Rousseau, G. W. F Hegel, and the Scottish moral sense tradition of David Hume and Adam Smith. In the American context, we see it at work in Thomas Jefferson in the eighteenth century and the pragmatists such as William James, John Dewey, George Herbert Mead, Jane Addams, and Alain Locke in the nineteenth and twentieth century. For all these thinkers, the meaning of society is developed and expressed through the cultural systems that shape from above and from below the social practices in which members of the polity move—the social-psychological horizon of human life, we might say. The most visible version of this is when classes of persons in a political society are not, for example, permitted to vote or hold office as part of the taken-for-granted workings of society. But subtler and more insidious versions of this are at play when one refuses, as an affirmation of role expectations, to have intimate, mundane, interactions with those classes of persons on the streets, in classrooms, in stores, and in churches. We also see this when one’s aspirations are circumscribed at the moment of inception, reflecting one’s subordinate standing in society. This reminds us of David Walker’s worry about the “enslaved free man” as discussed in the last chapter. Walker’s reflections on domination, his discussion of republican liberty, his affirmation of racial solidarity, and invocation of and appeal to character were all part of his attempt to get his fellows to address the social-psychological norms of black servility and white supremacy. But Walker was not alone. He belongs to a tradition of thinking—“arguments extended in time,” to use Alasdair MacIntyre’s language[[2]](#footnote-2)—that draws on and reconfigures democratic-republicanism. In the hands of black folks, this tradition plays on similar themes and tropes, seeking to force America, as W. E. B Du Bois says, to look into the depths of its soul.

Whereas my previous reflections have taken democratic-republican thinking for granted (Chapter 2), this chapter brings it under critical scrutiny, to tease out precisely why character and the cognitive-affective dimension of those who inhabit the American polity figure so prominently. In this regard, I do not merely claim that Walker and others used republicanism on par with their white revolutionary counterparts; I insist that they reconfigured its meaning in the service of political transformation. This recasting by African Americans, as we will see, is not without its internal disagreements over how deep the problem runs. Indeed, while some envision white Americans as susceptible to transformation, others are doubtful about the likelihood of a racially inclusive society. But each holds in view the ethical life of the polity and does so largely from within a republican framework. It will not be until Part II that we are positioned to understand the normative basis on which African Americans stood (and continue to stand) to adjudicate between these two positions.

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Early African American political thinking draws on two different strands of republicanism. The first emerges from the emphasis placed on the civic character of the citizenry. For African American thinkers, this emphasis directs attention to the character mostly of white citizens, and a failure of the republican tradition to foster an appropriate manner of behavior—what I shall call comportment—toward their black counterparts. Black thinkers in the early nineteenth century see exclusion as rooted in white citizens’ motivations and attitudes, which, in turn shaped, the character of the citizens and the laws of the polity. These thinkers ask the questions of “who are we” and “who ought we to be,” understanding such questions to constitute the community as an ethical enterprise of invention and development rather than thinking that answers might come from the expression of so-called pre-political values. African Americans direct their intellectual energies to the ethos of the American polity, treating laws and institutions as important, but nonetheless, derivations from the characterological propensities of the nation. They did not, in other words, expect institutions to run on their own; instead, they connect the goal of realizing a just society to citizens’ comportment. Republicanism in this guise has its roots in what J. G. A. Pocock classically identified as ideas of civic virtue, political participation, and character as central to a self-determining polity.[[3]](#footnote-3)

  The second strand African Americans deploy is the idea of freedom as non-domination. Use of this strand emerges in African Americans’ desire to escape the internal tyranny of the United States. On the republican definition of freedom, one is free just to the extent that one’s bodily movements are not at the arbitrary mercy of another. Republicanism in this guise, as Quentin Skinner and Philip Pettit argue, thinks of arbitrary power exercised over another as the worse form of enslavement.[[4]](#footnote-4) This iteration of republicanism finds its roots in classical Rome, is rearticulated by Machiavelli during the Renaissance, and is defended by thinkers in the modern period such as James Harrington, Montesquieu, John Adams and Thomas Jefferson. For this strand, the security of freedom depends on (a) a republic imposing constitutional constraints that guards against arbitrary power and (b) providing institutional spaces that allow citizens contestatory power to ensure the proper functioning of a constitutional order. As one commentator explains, for the Romans “full *libertas* [or liberty] is coterminous with *civitas* [or citizenship].”[[5]](#footnote-5) The two strands are connected in the following way: the characterological orientation of the first, helps to realize and stabilize the institutional meaning of freedom found in the second. That is, civic virtue is the necessary foundation for free institutions that secure non-domination.

  It is a mistake to say that republicanism exhausts the tradition of African American political thinking.[[6]](#footnote-6) That is not my claim. Notwithstanding, it does serve as an important resource on which some of the earlier thinkers relied to contest the reach of white supremacy. But we move too quickly if we see a seamless transition from republicanism to its deployment by African Americans. What matters is not which political philosophical model exhausts our understanding of the tradition, but how the tradition redirects or extends the categories central to any specific model deployed. And, in truth, the language of character, virtue, and solidarity have more often than not been associated with the democratic-republican tradition rather than the democratic-liberal one. We can acknowledge that without falling prey to the dubious claim that focusing on the first, means the second did not exist.

African American thinkers add to the meaning of both strands of republicanism. Sometimes the addition consists of using republicanism’s concepts—lets say civic virtue—in a situation or context not otherwise addressed in the tradition. In other instances, it involves complicating its central concepts—lets say freedom and non-domination—by situating them within a different experiential context. This second approach does not merely involve redeploying republicanism, but supplementing its toolbox such that it can work on the specificity of the context in which it is located.

This chapter expands our conversation partners while simultaneously deepening the considerations taken up thus far. If the last chapter focused on the demand republican liberty places on us, this chapter helps us to understand that the demand takes on the quality that it does because of the specific racial quality of domination. This necessitates that we critically assess the idea of democratic-republicanism. Early nineteenth century thinkers in the tradition of African American political thought should be read as resituating republicanism’s concepts or complicating those concepts through necessity. I have no doubt that these thinkers were deploying republicanism, but I am not here claiming that they were concerned with the meta-issue of how to enable republicanism to work for them. I take it as settled that they believed it useful and the urgency of the moment forced them to bypass intellectual debate. My claim is that despite their own self-understanding, they were not deploying a tradition that was conceptually ready for their situation; rather, their very use of the tradition involved conceptual reconfiguration, albeit in the service of ethical and political development. This allows us to revise the history of political republicanism, particularly in its American context.

This allows me to advance an important point that remains hidden from view if our primary thinkers are Machiavelli, Harrington, or Jefferson. Despite the neo-republican revival in political theory and history, and the significance of the United States as a primary historical site for understanding the meaning of republicanism, African Americans have been oddly out of view. What slips into the neo-republican revival is an implicit acceptance of criteria of validation of whose thoughts and expressions count as philosophical in the first instance and therefore worthy of historical attention and explication. Unsurprisingly, this is typically connected to those whose status already accords them standing in political and philosophical debates in the first instance.

If, however, we treat theoretical reflections regardless of their form of expression as modes of political participation (as this chapter does), we need not allow prior criteria of validation to constrain what thoughts count as worthy of attention or whose voices count as worthy of consideration. Attending to various figures in African American political thought allows us to avoid the troublesome interpretative claim by contemporary thinkers that by the nineteenth-century republicanism was in retreat or already eclipsed. We need not find ourselves saying, as Pettit does, that “not only did the conception of freedom as non-interference displace the republican idea in the new liberal tradition. It apparently succeeded … without anyone’s noticing.”[[7]](#footnote-7) Nor should we be persuaded by Skinner’s claim that “with the rise of classical utilitarianism in the eighteenth century,” the idea of republicanism “eventually slipped almost wholly out of sight.”[[8]](#footnote-8) For a contemporary intellectual revival that means to free people from domination, effectively acknowledging their equal standing, neo-republican defenders oddly find themselves reaffirming the unequal intellectual worth of black thinkers in the nineteenth century, and many others addressing themes of slavery, colonialism, and patriarchy. For surely when we attend to the on-going problem of slavery in the United States and the ascendancy of Jim Crow in the wake of the Civil War, we shall find the language of republicanism very much alive. This suggests that we need only unshackle ourselves from the chains of authorial status, a move that can only lead to the expansion of our narratives of the past and an avoidance of the blind spot at work in the present neo-republican revival.[[9]](#footnote-9)

From the 1830s to the 1850s, thinkers such as Walker, Hosea Easton, Martin Delany, and Frederick Douglass (to a lesser degree)—all black and all abolitionists—reconfigure civic virtue under conditions of racial domination as the justification for solidarity among blacks, since they are likely to be harmed when the ill effects of race are used. This discussion allows me to sharpen and better elucidate Walker’s earlier affirmation of racial solidarity and to do so while expanding its defenders.

As these thinkers use it, republican liberty involves an important insight. Whereas variants of republicanism typically describe the necessity of civic virtue to the republic, these thinkers direct their black audience to the necessity of solidarity with the race given the racialized nature of domination. For them, domination absorbs the identity of individuals into a larger racial classification that is itself associated with certain negative attributes. This classification system becomes the basis for treating blacks unequally that reverberates beyond the formal shackles of slavery. Approached from this angle, the following question emerges: *What entailments follow from civic virtue under conditions of racial domination?* The answer turns out to be, as I argue, an endorsement of racial solidarity.

Yet, even among them, they disagreed about the political implications of their positions, offering weak and strong versions of racial solidarity.[[10]](#footnote-10) Whereas some see racial solidarity as a temporary position on the road to reimaging an inclusive society and in turn transforming the polity, it is Delany who understands racial solidarity as a permanent state, leading to an endorsement of emigration in the 1850s. Here we see a redirecting of republicanism’s resources that reveals its political potential for redressing the status of African Americans, but the redirection involves these thinkers in developing divergent claims, first, about the possibility of transforming white Americans and second, and consequently, about the fate of African Americans in the United States.

These thinkers also complicate republicanism’s commitment to freedom from domination by testing the view in relation to racial exclusion. The specter of slavery looms large for them, but the meaning of slavery—a master who exercises power at his or her whim—extends beyond the formal practices of enslavement. In their analyses, slavery’s reach is dispersed through the cultural sphere[[11]](#footnote-11) of American life, circumscribing African Americans even in instances where there is no obvious master. We have taken note of the psychological effects on black Americans that condition their comportment in the last chapter, but here we consider the way it shapes the social epistemic context in which black Americans live out their lives. Frederick Douglass succinctly, but powerfully captures the point in his 1848 speech to National Negro Convention in Cleveland to which he was appointed as president: “In Northern States, we are not slaves to individuals, not personal slaves, yet in many respects we are the slaves of the community.”[[12]](#footnote-12) African Americans highlight their domination by attending to the imbrication of race and white supremacy. To enjoy liberty requires not merely freedom from the arbitrary whim of particular agents or laws that limit arbitrary power, but a transformation of the system of cultural value in which blacks occupy a lower position of worth. Theirs was a desire for a form of citizenship found not only in the law, but also in the heart.[[13]](#footnote-13) This could not be achieved by tracking institutional domination, but only by also attending to its racialized form that corrupted the soul of the nation.

When republicanism encounters racialized domination, the question turns out to be the following: *How might we add to the conceptual toolbox such that freedom as non-domination can do its distinctive work for African Americans?* In the republican theories I introduce, freedom is still understood as *non-domination*, but against the backdrop of race, it requires that African Americans acquire freedom through means that are not exclusively about formal positive laws. Here we come up against the limits of republicanism as traditionally understood. Pettit, for instance, identifies the project of republicanism with seeking to satisfy the “range of constitutional constraints associated broadly with the mixed constitution.” He links subordination, as the Romans did, to the presence of a *dominus* or master.[[14]](#footnote-14) This definition of republicanism and these formal requirements obscure the question addressed in African American political thought. That is, Pettit and the tradition of republicanism fail to deploy a more expansive notion of slavery—one that focuses not on those whose political standing is formally in doubt or denied but on those who were never seen as fit for freedom in the first place. Walker’s challenge to the cultural animalization of black folks is part of a much larger critique of categorical inequality. In that context, satisfying one’s constitutional standing is a necessary, but insufficient indicator of regard. But even in instances where Pettit highlights the importance of norms of proper regard—what he calls civility—he seems to miss that insofar as one’s status as a slave is taken to be natural or normal, it will be very difficult to see one as a fit object of proper regard. A cultural habit of viewing blacks as natural slaves or subordinates to be controlled follows from the logic of white supremacy—a logic in which republican principles can simultaneously be “honored” and be limited in their application to whites. Focusing on this issue explains the concern by black Americans to transform the cultural logic of American life. Theirs is a wish to avoid being the slave of the community, as Douglass says.[[15]](#footnote-15)

**Civic Virtue as Racial Solidarity: David Walker and Hosea Easton**

 *Intimations of Republicanism*

It is difficult, if not impossible, to read early African American thinkers and not be struck by the rich literary portraits of American society and the horror of black life therein. The point of such descriptions is to dramatize the differential application of care and concern in American society. In marking the difference, however, between blacks and whites, African American thinkers point to the characterological distortion of the citizenry and simultaneously seek to transform it.

As argued in the last chapter, this is nowhere more clearly on display than in Walker’s incendiary 1829 *Appeal to the Colored Citizens of the World*. The *Appeal* confronts the reader with the tragic details of being black in the United States, and, in doing so, calls into question the very humanity of white Americans. The invocation of sentiment, captured metaphorically in the bleeding heart as previously discussed, should not be separated from the theme of character. Walker participates in the wider intellectual culture of sentimental appeals central to early American moral and political thought.[[16]](#footnote-16) In this, he too believes sentimental exchanges reveal “the underlying commonality of human potential across artificial status divides” such as race.[[17]](#footnote-17) He thus aligns the capacity for fellow feeling with the image of being a human, and then uses this as a normative compass to orient readers to the daily treatment of black people. The aim is to cultivate the proper comportment toward the harm of black bodies that can in turn produce a just society in which all can share.

Walker directs his reflections to the normative foundation of American life; his pamphlet agrees with Hosea Easton’s remark in his 1837 *A Treatise on the Intellectual Character, and Civic and Political Condition of the Colored People of the United States* that “a government like this is at any time liable to be revolutionized by the people, at any and every time there is a change of public sentiment. This, perhaps, is as it should be.”[[18]](#footnote-18) Like Walker, Easton also joined the Massachusetts General Colored Association, an organization dedicated to combating slavery and racism; he was undoubtedly politicized by the discrimination and exclusion his family experienced in the 1820s.[[19]](#footnote-19) But Walker and Easton knew that institutional organizations were not the only way to combat exclusion, and, in any case, should function as discursive arenas in which black folks sharpened their ethical and political skills. Easton’s invocation of public sentiment expresses an underlying orientation that informs much of African American political thinking, from its slave narratives to its political pamphlets. All provide vivid displays of the condition of life as a way to move the people to a view of themselves not yet in existence. The idea of the people, central to democratic-republican discourse, and to which I return in the next chapter, functions in a descriptive and aspirational sense—that is, a people that is and that may yet be—that both Walker and Easton exploit as a presupposition of their intervention.

 The emphasis on character and public sentiment is not new, even if it takes on a different articulation in Walker and Easton. It finds some of its most important expressions among classical republican thinkers such as Aristotle, Cicero, and is reaffirmed in American thinkers such as Jefferson and Adams. We are likely to miss the difference if we conclude here.Thinkers such as Jefferson, in particular, appealed to character and public sentiment to affirm and stabilize the white male portion of the polity, which they also imagined as constituting the whole of society. In contrast, nineteenth century African American intellectuals emphasized character and public sentiment to highlight the fracture at the core of the American demos.

The emphasis on character and public sentiment combines with republicanism’s commitment to the common good. For Aristotle, Cicero, Thomas Jefferson, and John Adams the stability of the polity depends on proper attentiveness. They each interpret civic virtue as a form of attentiveness that leads to the social integration of the community. Citizens must, as Cicero writes in *On Duties*, “fix their gaze so firmly on what is beneficial to citizens” and “care for the whole body of the republic rather than protect one part and neglect the rest.”[[20]](#footnote-20) As Adams explains to political writer Mercy Otis Warren in 1776, civic virtue, or what he calls public virtue

is the only Foundation of Republics. There must be a positive Passion for the public good, the public Interest, Honor, Power, and Glory, established in the Minds of the People, or there can be no Republican Government, nor any real Liberty. And this public Passion must be Superior to all private Passions. Men must be ready … and be happy to sacrifice their private Pleasures, Passions, and Interests, nay, their private Friendships and dearest Connections, when they stand in Competition with the Rights of Society.[[21]](#footnote-21)

Civic virtue infuses and underwrites political participation and grounds solidarity within the citizenry. There can be no equal institutional compensation, despite James Madison’s promises, for the deficiencies of civic virtue.[[22]](#footnote-22) A constitutional order thus depends on the attitudinal orientation of the citizenry of which civic virtue is its crowning achievement.

 What, then, is one to do in the face of the differential application of care and concern? After all, the idea of *common* in the term “common good” is at once circumscribed by both racism and patriarchy and thus tethered to only a portion of the recognizable population of the United States. How does one act when one part of the polity is protected, as Cicero worried, and the other is neglected? These questions animate thinkers like Walker and Easton, allowing them to redirect the gaze of republicanism to the condition of internal slavery and the absence of mutual recognition.

Walker and Easton challenge their fellows to confront the comingling of a limited, partial, exclusionary vision of the common good with a vision of freedom that, thanks to the limited picture of the common good, does not guard against domination but entrenches it. The distinction between blacks and whites—the habit of servility by the one and the practice of domination by the other—mark the source of America’s moral corruption and with it the circumspection of republicanism’s theoretical possibilities. Freeing the idea of republicanism cannot be realized through the thinkers typically associated with the tradition. Rather, it requires us to attend to those who remain hidden from view or ignored. It is no wonder, then, that Easton, for example, reflects on the “condition and character of the colored people” in the United States, and uses the status of black people as the measure of a healthy republic.

Easton worries about the possibility of redeeming the nation. As he says: “But when the subjects of a republican government become morally and politically corrupt, there is but little chance remaining for republicanism.” The reason for this, he goes on to say, is that “good laws, and a good form of government, are of but very little use to a wicked people.”[[23]](#footnote-23) In speaking this way, Easton rejects both the logic of the Federalists and Immanuel Kant, both of whom see the constitutional framework as compensation for the deficiencies of character.[[24]](#footnote-24) This is not because Easton is romantic or politically naïve; rather, he maintains that laws are not self-executing and depend on proper motivation for their faithful execution. Hence his use of the word “wicked” to describe motivational distortion. The term wicked will seem archaic, but in this context, it is an ethical predicate, denoting an impoverished character. To become the opposite of a wicked people requires the American nation to address the standing of African Americans. And despite his worry, Easton’s pamphlet is meant to get the nation to address this issue.

 When the analytical frames of republicanism are used to engage black subordination and slavery, civic virtue does not require attentiveness to a social whole from which one is excluded. Rather, solidarity *among* the excluded becomes the foundation for responding to the polity as a whole. Civic virtue, now directed to the condition of African Americans, generates a form of solidarity grounded in one’s identity. There can be no presumptive retreat to the common good, since its internal meaning at the level of American ethical life is partial, social integration is determined by that partiality, and institutional and juridical practices turn out to express that domination. This need not imply (although Delany will suggest otherwise) an unbridgeable divide between blacks and whites. But it does mean that the actually existing culture of domination serves to motivate a defense of racial solidarity.

In nineteenth-century United States, arguments for solidarity among African Americans emerge in two separate spheres—what we might call the *performative* and *explanatory* spheres of early black politics. The first results from the memory of the Haitian Revolution as the performance of solidarity among slaves and the creation of self-directed organizations (discussed in Chapter 1)—churches, newspapers, literary societies, and benevolent organizations.[[25]](#footnote-25) The Haitian Revolution, in particular, is the most significant of all in part because it literally performs the logic of the modern self-understanding otherwise on display in the American and French Revolutions. This is the idea that no longer can political deference be forced or demanded. Rather, political authorization must be tied to reflective assent and answerability in which each may claim to give direction to their lives. The capacity for self-governance among the Haitian people served as a powerful rejoinder to the historical, philosophical, and scientific animalization of black people that otherwise functioned to deny them freedom.

The second, explanatory sphere is captured by the intellectual intervention among the black intelligentsia—an attempt to *explain* rather than *perform* solidarity. It is this second dimension to which these thinkers most clearly belong (even as they were often members of the organizations stipulated by the first point). For them, racial solidarity is less of a departure from republicanism and more of an entailment of civic virtue under conditions of racial domination. I say less of a departure because I reject the idea that political philosophical ideas can be claimed or owned, even as I subscribe to the obvious point that they can be reconfigured and, perhaps, improved. Notwithstanding, racial solidarity comes in weak and strong versions and the description of the two has less to do with the meaning ascribed by each thinker to “blackness” as essential and fixed; instead, the weak and strong versions of solidarity follow from what each thinker believes is possible of white Americans.[[26]](#footnote-26) This is because chattel slavery (rather than political slavery) is not easily rectified by the extension of the franchise, since the status of an enslaved person was thought to be consistent with the natural order of things. Chattel slavery thus poses a distinct ethical problem whose resolution depends on either a characterological transformation of those who were once masters or on the acquisition of a separate, geographical territory for self-sovereignty.

*Civic Virtue as Nascent Racial Solidarity*

In the last chapter I argued that Walker supported the necessity of racial solidarity. But I merely asserted the claim and did not fully provide his defense of it. I now offer that explanation and with reference to a broader constellation of thinkers. How precisely did Walker, Easton, Delany, and Douglass understand racial solidarity?

To answer this question we need to first get clear about the functioning of racial classification. Briefly, racial classification takes the form of assigning meaning to what Paul Taylor refers to as “human bodies and bloodlines” that permits one to “draw inferences about more distant, often non-physical matters” such as intelligence, imagination, moral agency, etc.[[27]](#footnote-27) The meaning of one’s racial classification in the eighteenth and nineteenth century functions as a global category; it allows one to make judgments about particular individuals that fall under specific racial categories. As Jefferson, for example, argues in *Notes on the State of Virginia* of 1787, especially Query XIV, regardless of the biological source of one’s blackness, its meaning is of importance for understanding the capacities of black Americans.[[28]](#footnote-28) Although Jefferson advances it as a “suspicion,” no one doubted the force of his claim that “whether originally a distinct race, or made distinct by time and circumstances, [the blacks] are inferior to the whites in the endowments of body and mind.”[[29]](#footnote-29)

The second point involves treating the global category as the primary target of analysis. This involves accepting the covering-law universalism of the category—that is, its reference to groups rather than individuals—not the content of the universalism. The idea is that since race refers to groups rather than individuals, one’s subjective identity is replaced by the larger attributions applied to the race. Thus blacks literally become interchangeable, no matter where they live in the country. This is because it is the covering-law universalism of the category of race that defines their proper status as unfree. Recall the way Walker refused, in the last chapter, to distinguish between the complicit slave woman and enslaved free man as a way to focus attention on the logic of American life for black people.

The point that I want to emphasize is less about the shared position of nominally free blacks and those enslaved, and more about the logic of solidarity that emerges from this account. To quote a passage previously used: “I advanced it therefore to you, not as a *problematical*, but as an unshaken and forever immovable *fact*, that your full glory and happiness, as well as all other colored people under Heaven, shall never be fully consummated, but with the entire emancipation of your enslaved brethren all over the world.”[[30]](#footnote-30) But now we are positioned to explain the rationale for this claim. Precisely because one’s individual subjectivity as a black person is not in view due to the workings of one’s racial designation, it is a mistake to assume that mere self-assertion is sufficient to secure freedom. To think otherwise is to deny the depth of the problem.

What, then, is required to generate and sustain a successful black community? Part of the answer, on Walker and Easton’s view, is coordinated effort with other blacks to resist racial domination and transform the system responsible for it, since African Americans individually are likely to suffer when racial designations are at work. For Easton’s part, his endorsement is implied both by his reflections in the *Treatise* and his involvement in anti-slavery and moral uplift organizations during the 1830s. For both, solidarity is a functional outgrowth of racial categorization, aiming to create a stable context in which one’s “full glory and happiness” can find support. But we should proceed with care. As Eddie Glaude argues, this view of racial solidarity uses the covering-law universalism of racial classification, but it rejects the essentialism upon which it is based.[[31]](#footnote-31)

There was, of course, disagreement about whether one could successfully deploy race-talk and avoid essentialism. This was one of the themes that emerged during the life of the National Negro Conventions, hosted in various cities, starting with Philadelphia in 1830. In fact, the Fifth Annual Convention for the Improvement of the Free People of Color, “after an animated and interesting discussion … unanimously adopted the motion” to remove the words “colored” or “Black,” largely because they viewed such terms as inimical to the cause for freedom.[[32]](#footnote-32) The motion, proposed by William Whipper, abolitionist and member of the convention, and second by fellow Philadelphian Robert Purvis, sought to eliminate race-talk, but they did so out of a desire to focus attention on the common dignity of black and white people and the common life they shared. As Whipper explains at the 1835 Convention meeting, if we place our “institutions on the high and indisputable ground of natural laws and human rights actuated by the law of universal love to our fellow men,” then we must abolish “those hateful and unnecessary distinctions by which the human family has hitherto been recognized.”[[33]](#footnote-33) The invocation of race, Whipper believes, only serves to reinforce prejudice against blacks in part because there is no way to make use of race language without it carrying the baggage of hate that brought the language into existence.[[34]](#footnote-34) Whipper’s racial eliminativism clearly follows from a desire to align one’s language with the notion of the common good that theoretically, at least, aspires to include the polity as a whole, and that is otherwise central to republicanism.

This marks a difference between himself and Walker and Easton. For them, just as race is the organizing principle of domination, it becomes the organizing principle that colors civic virtue. If civic virtue is fundamentally about the habits necessary to sustain and realize a political community, it is now particularized in Walker and Easton’s hands. For them, civic virtue does not point toward habits necessary to sustain the American polity as a whole, since it is internally divided in any case; rather, civic virtue is racialized, expressing itself as solidarity in order to both fortify African Americans and contest the logic of racism and white supremacy responsible for their unequal status. Ethical and political transformation must first attend to the source of the corruption. Or to put it simply, African Americans must be able to name the problem and that requires the language of race. If this is right, it is not race understood as a substantive natural kind, but race understood as an experiential outgrowth of domination. If the discourse of race is the basis for one’s domination, it must now serve as the foundation for the coordinated efforts by black Americans.

This is nonetheless a weak form of racial solidarity. Walker and Easton’s argument endorse racial solidarity as the initial move toward a more racially inclusive society. They hold out the possibility of ethical and political transformation. Walker and Easton seek to awaken their white counterparts—to get them to see that in dominating black folks, they betray the meaning of their republicanism. Thus Easton explains:

I have taken this course to illustrate the state of a people with a good government and laws, and with a disposition to explain away all their meaning. My conclusions are, that such republicans are capable, like the angel about which I have spoken, to carry out their republicanism into the most fatal despotism. A republican form of government, therefore, can be a blessing to no people, further than they make honest virtue the rule of life.[[35]](#footnote-35)

Similar to Walker’s reflections in the last chapter, Easton intends to generate reflective dissonance that may provoke a reorientation toward black Americans. In this they are not yet committed to the proposition that white Americans are beyond transformation or that the habit of servility by blacks and the practice of domination by whites fully exhaust the ethos of the nation. Precisely because they do not subscribe to the idea that white supremacy has fully colonized the character of the nation, racial solidarity only expresses itself as a nascent form of group unity that aspires toward a society in which all enjoy freedom and equality. How they are able to hold this view and steel themselves in the face of disappointment is tied to the aspirational view of the people on which democratic-republicanism relies and the idea of faith to which it is bound that I take up elsewhere. Suffice it to say, this idea of the people presupposes both a political and ethical elasticity to the polity that helps fuel the perfectionist or developmental vision at work in Walker and Easton—a position that marks a substantive break from the radical outlook of Martin Delany.

**Racialized Domination and America’s Ethical Life: Martin Delany**

            On the evening of December 13, 1850 the faculty of Harvard’s Medical School met at the house of then dean Oliver Wendell Holmes Sr. to discuss various petitions regarding the admission of three African Americans and one woman to the school. Although Holmes had already granted admission to the students and the men would be allowed to attend for a semester (the woman had already withdrawn), it was ultimately deemed “inexpedient, after the present course, to admit colored students to attendance on medical lectures.”[[36]](#footnote-36) Explaining his position, Holmes said in a letter of 1850: the faculty is now convinced “that the intermixing of the white and black races in their lecture rooms, is distasteful to a large portion of the class and injurious to the interest of the school.”[[37]](#footnote-37) Holmes was expressing and affirming views articulated in an earlier resolution passed by a majority of the students:

Whereas blacks have been admitted to the lectures of the medical department of Harvard University

 Therefore

*Resolved* That we deem the admission of blacks to the medical Lectures highly detrimental to the interests, and welfare of the Institution of which we are members, calculated alike to lower its reputation in this and other parts of the country, to lessen the value of a diploma from it, and to diminish the number of its students.

*Resolved* That we cannot consent to be identified as fellow students with blacks; whose company we would not keep in the streets, and whose Society as associates we would not tolerate in our houses.[[38]](#footnote-38)

Martin Robison Delany, one of the four admitted students, left Harvard Medical School in March of 1851. He was not permitted to return.

It is not unsurprising to find that Delany, defender of Black Nationalism and subsequent certified physician, follows the logic of solidarity to its natural conclusion given the seemingly fixed quality of racial domination. But I am less interested in the logic of black nationalism (a theme that has been well trodden), and more concern to discuss the ethical presupposition regarding white Americans specifically, and the American polity more generally that pushed Delany to embrace that political ideology. His signature political philosophical text, *The Condition, Elevation, Emigration and Destiny of the Colored People of the United States*, published in April 1852, represents a powerful indictment of American life.[[39]](#footnote-39)

Delany was born in 1812 in Virginia, the youngest of five children.[[40]](#footnote-40) Although his father was a slave, the legal norms of the state meant that Delany’s status followed that of his mother, who was free. After being threatened for teaching her children how to read, Patti Delany moved her family to Chambersburg, Pennsylvania in 1822 and was subsequently joined in 1823 by her husband who purchased his freedom. Unlike in Virginia, Delany could now attend school and, according to one biographer, his mind was deepened by the great literary and philosophical texts of the West. In 1831 Delany headed west to Pittsburgh where he became an active member in anti-slavery circles, joining the African Education Society, the Moral Reform Society, and the Pittsburgh Anti-Slavery Society. His 1852 text, however, represents an important shift away from his earlier attempts to transform the polity from within to locating salvation beyond American shores.[[41]](#footnote-41)

Delany’s book is separated from Walker’s *Appeal* by more than two decades and Easton’s *Treatise* by a little less. The transformation of the racial context by the 1850s was far darker than it appeared in 1829. This was personal for Delany; he was denied admission to medical schools and Harvard effectively rescinded their offer after a semester. It directly affected his fellow African Americans in the form of the draconian Fugitive Slave Act of 1850—an act that strengthened the previous Fugitive Slave Act of 1793. Emerging out of the Compromise of 1850, the Fugitive Slave Act required that captured slaves, who nonetheless found their way to free states, were to be returned to their presumptive masters. But the law went further. In response to the 1793 law, states such as Indiana and Connecticut made the right of jury trial upon appeal possible for escaped slaves, while states such as Vermont and New York provided escaped slaves with attorneys as well as making the jury trial a legal right. The 1850 law essentially destroyed all such possibilities, effectively denying the standing of slaves even in free states, while also adding harsh penalties for those who either failed to enforce the law or who helped slaves to escape. Delany’s text addresses both his personal situation and more significantly the Compromise and the Fugitive Slave Law, prompting him to argue for emigration. To his mind, his dismissal and the Fugitive Slave Law shared the same logic in seeing African Americans as an inferior race.

Delany’s interest in the Fugitive Slave Law, not his first reflection on it[[42]](#footnote-42), brings into sharp focus his sophisticated understanding of the relationship between law and ethical life. He views the passage of the law as effectively settling any and all appeals one might make to the polity for inclusion. And as early as 1797 this seemed clear. Absalom Jones, prominent African American clergyman of Philadelphia and bishop of the newly formed African Methodist Episcopal Church, expressed objections to the Fugitive Slave Law in a petition he delivered to Congress on behalf of four fugitive slaves from North Carolina. “It was James Madison,” writes Gary Nash, “who rose to assert that a petition from blacks ‘had no claim on their attention’ in Congress.”[[43]](#footnote-43) Unsurprisingly, by the second, and stronger articulation of the Fugitive Slave Law, Delany says: “To imagine our selves to be included in the body politic, except by express legislation, is at war with common sense, and contrary to fact.”[[44]](#footnote-44) The reason is that both the passage and maintenance of the law reveals the ethical norms that guide the polity and underwrites the unequal status of African Americans in the United States.

This does not reveal a society that has betrayed itself as suggested by Walker and Easton, but a social and political community that fundamentally denies the dignity of black folks. Walker, Easton, and Delany disagree about the internal normative coherence of American society as it relates to the standing of black persons. This much Delany says, marking a difference between himself and the earlier thinkers: “We are politically, not of them, but aliens to the laws and political privileges of the country. These are truths—fixed facts, that quaint theory and exhausted moralizing, are impregnable to, and fall harmlessly before.”[[45]](#footnote-45) He was, of course, not alone. One newspaper, the first black newspaper of Cleveland Ohio, captured the status of black Americans in the title they selected: *The Aliened American*. The United States, they said in their first issue, has made black Americans into “aliens—through their Law, their Public Opinion and their Community-Regulations.”[[46]](#footnote-46)

The rejection of moral philosophizing and the idea of African American domination as a fixed fact of American life not only targets thinkers such as Walker and Easton, but most immediately Frederick Douglass, with whom Delany served as a co-editor on Douglass’ newspaper *The North Star*. As he says in a letter to Douglass, expressing his disappointment that Douglass did not take notice of his 1852 book in his newspaper, now called *Frederick Douglass’ Papers*: “I care but little, what white men think of what I say, write, or do; my sole desire is, to benefit the colored people; this being done, I am satisfied.”[[47]](#footnote-47) The implication, of course, was that in taking notice of the work of white Americans, as Douglass did with Harriet Beecher Stowe’s *Uncle Tom’s Cabin* published in March of 1852, he was committed to the goal of transforming white Americans, and thought such a goal possible.

Like Walker and Easton, Douglass agrees in 1848 that the main work for black improvement must be “commenced, carried on, and concluded by ourselves.”[[48]](#footnote-48) Several months earlier, Douglass powerfully connects the past, present, and future of black northerners to those enslaved:

Remember that we are one, that our cause is one, and that we must help each other, if we would succeed. We have drunk to the dregs the bitter cup of slavery; we have worn the heavy yoke; we have sighed beneath our bonds, and writhed beneath the bloody lash;--cruel mementoes of our oneness are indelibly marked in our living flesh. We are one with you under the ban of prejudice and proscription—one with you under the slander of inferiority—one with you in social and political disfranchisement. What you suffer, we suffer; what you endure, we endure. We are indissolubly united, and must fall or flourish together.[[49]](#footnote-49)

As Douglass indicates, it is the experiential condition of being black in the United States (i.e., the cruel mementoes of our oneness) and evaluative structure responsible for one’s domination (i.e., the ban of prejudice and proscription) that necessities racial solidarity.

This, however, does not require one to reject the possibility of transforming white Americans and forming a good in which both they and blacks share. And it most certainly, Douglass argues, does not require emigration. He thus rejects emigration plans because he *(a)* believes black Americans have a rightful claim on the polity and because he *(b)* believes the beliefs and habits of white Americans potentially susceptible to transformation. As he explains in his 1851 essay, “Is Civil Government Right?,” “while man is constantly liable to do evil, he is still capable of apprehending and pursuing that which is good.”[[50]](#footnote-50) This second line of thinking is clearly on display in 1853 as an article of faith, albeit now framed as an indictment, when he engages Delany’s book and proposal for emigration:

We don’t object to colonizationists because they express a lively interest in the civilization and Christianization of Africa; nor because they desire the prosperity of Liberia; but it is because, like brother Delany, *they have not sufficient faith in the people of the United States to believe that the black man can ever get justice at their hands on American soil.*[[51]](#footnote-51)

This passage has deep problems, among which includes Douglass’ endorsement of “civilizing” Africans. Notwithstanding, this language of “faith in the people” that I will take up in Part II is an important normative site for sustaining Douglass’ utterance.[[52]](#footnote-52) But for Delany, Douglass’ position denies the facts on the ground that reflects the alien status of black people in the American context.

Delany’s insistence to closely follow the facts—to address what fundamentally organizes the United States—informs his analysis of the Fugitive Slave Law and fuels his argument for emigration. Emigrationist arguments were not all of the same kind among African Americans in the nineteenth-century. Mary Ann Shadd Cary and James Theodore Holly, for example, worried about the powerlessness of black people in United States and thus encouraged emigration.[[53]](#footnote-53) Edward Wilmot Blyden and Alexander Crummell insisted that black people have a religious duty to restore or redeem the continent of Africa.[[54]](#footnote-54) But with Delany we receive the richest articulation of the need for emigration that turns on a deep criticism of the political and ethical culture of the United States. His engagement with the Fugitive Slave Law is his attempt to distill the “condition,” as indicated by the title of his book, of African Americans. What, in other words, is the state or condition in which they exist? And what, he asks, does that condition indicate about one’s ethical and political status?

He focuses on the Fugitive Slave Law not because he believes positive law the primary site of justice, but because he takes the idea of law to be expressive of the underlying ethos or spirit of the people. Delany’s analysis turns on a distinction he makes in the early part of *Condition*. There he says that the domain of moral law, the sphere where one’s “sense and feeling of right and justice” lies, is to be distinguished from physical law or the law of the political state that, in the case of the United States, is the result of a cooperative enterprise.[[55]](#footnote-55) The former, moral law, need not necessarily determine and guide the latter. It is very possible for the polity to voluntarily construct laws that express their underlying commitments and be legitimate to that extent, even as they swing free of right and justice.

This account leads Delany to describe the Fugitive Slave Law as both a legitimate expression of America and a monstrosity of the polity.

This is the law of the land and must be obeyed … To suppose its repeal, is to anticipate an overthrow of the Confederative Union; and … candidly we believe, the existence of the Fugitive Slave Law *necessary* to the continuance of the National Compact. This Law is the foundation of the Compromise—remove it, and the consequences are easily determined. We say necessary to the continuance of the National Compact: certainly we will not be understood as meaning that the enactment of such a Law was really necessary, or as favoring in the least this political monstrosity … but we speak logically and politically, leaving morality and right out of the question—taking our position on the acknowledge popular basis of American Policy.[[56]](#footnote-56)

The law—in its physical or positive character—thus crystalizes the background attitudinal orientation of the citizenry; it is thus the material expression of the normative identity of the people, but one that stands apart from questions such as “is this right” or “is this just.” One way to think about what Delany is arguing is that there is a difference between the *source* or *origin* from which law issues and its *content*. Procedurally, if a law emerges from the polity’s recognizably affirmed decision procedure, let’s say, through the requisite number of those appointed to Congress, it is legitimate to that extent. Legitimacy, as he sees it, is about the proper relationship between the physical law and those on whose behalf the law is issued and over whom.

To be sure, if one treats the Fugitive Slave Law under the category of morality, it turns out to be a monstrosity, a violation of a society that claims to recognize the equal dignity of persons. Unsurprising, this is the only basis on which someone like Douglass assesses the fugitive slave law. Speaking several months after the publication of Delany’s text to the National Free Soil Convention in Pittsburgh, Douglass explains: “The binding quality of law is its reasonableness. I am safe, therefore, in saying, that slavery cannot be legalized at all.”[[57]](#footnote-57) Or again, “Slavery is such a piracy that it is known neither to law nor gospel—it is neither human nor divine—a monstrosity that cannot be legalized.”[[58]](#footnote-58) To this, we should add Douglass’ other, no less significant point—namely, his vision of human nature as being susceptible to apprehending the good. Douglass thus refuses to disconnect the political foundation of society from its basis in moral or natural law precisely because he believe we may yet come to hear its call.

In contrast, Delany connects the political foundations of American society to its largely white male voting population, and then uses the outcome of their decisions as communicating who the citizenry is and in what their commitments consists. This is why he says the Fugitive Law *is* the law of the land and must be obeyed. In a democratic-republican polity, the *only* political actors are those described by its constitutional order or physical laws. But if the constitution expresses the concrete existence of the people and is the only source of power, then there can be no conception of the people not fixed by the political instruments that claim to speak in its name. The constituent power of the people—the power of making and remaking the polity—is only ever constituted, legal power. “The political basis,” he says, “upon which rests the establishment of all free nations, as the first act in their organization, is the security by constitutional provisions, of the fundamental claims of citizenship.”[[59]](#footnote-59) Configured this way, appeals by black folks with the goal of transforming white Americans turns out to be a futile task. In fairness, Delany is not claiming that black Americans do not have a claim on the country. He agrees with Walker, Easton, and Douglass that they do. “We are Americans,” he maintains, “having a birthright citizenship—claims common to all other fellow citizens…” But given the constitutional structure of the polity, he continues, those moral claims “may, by virtue of unjust laws, be obstructed.”[[60]](#footnote-60) For this very reason, he concludes: “A people capable of originating and sustaining such a law as this, are not the people to whom we are willing to entrust our liberty at discretion.”[[61]](#footnote-61)

White Americans are not only capable of bringing into existence a law of domination, Delany reasons, but they are also capable of sustaining their commitment to it over time and this marks African Americans not only as alien to the polity, but the polity as alien to them. It was precisely the reach of prejudice, constituting, as it were, the ethical life of American society that prompted Alexis de Tocqueville to famously remark: “It can happen that a man will rise above prejudices of religion, country, and race, and if that man is a king, he can bring about astonishing transformations in society; but it is not possible for a whole people to rise, as it were, above itself.”[[62]](#footnote-62) In his keynote address delivered to the National Emigration Convention of Colored Men in Cleveland, Ohio in 1854, Delany explains the radical transformation required to change the status of black Americans:

In the United States, among the whites, their color is made, by law and custom, the mark of distinction and superiority; while the color of the blacks is a badge of degradation, acknowledged by statue, organic law, and the common consent of the people.

With this view of the case—which we hold to be correct—to elevate to equality the degraded subject of law and custom, it can only be done … by an entire destruction of the identity of the former condition of the applicant.[[63]](#footnote-63)

By identity here, Delany has in mind the identity that is ascribed to African Americans by virtue of their race, what he calls the badge of degradation that is instantiated in the political, legal, and cultural life of American society. The identity of white Americans partly comes about, or so Delany suggest, by virtue of this contrast with their darker counterparts. To overcome this condition requires that one destroy the badge of degradation, but this also involves, significantly, a willingness by white Americans to destroy the legal and customary badge of superiority they now flaunt. This would mean the overthrow of the confederative union to which he referred above. White Americans would need, in Tocqueville’s herculean imagery, to quite literally rise above themselves. Delany doubts this possibility not because he thinks it unimaginable, after all he does not throw out the sense of justice and right as part of the infrastructure of human life, but because he believes “ages incalculable” would need to pass in order to claim victory.[[64]](#footnote-64) What untold sacrifices, Delany asks, would need to be made by blacks as they wait for whites to become something other than what their conduct suggest and institutions embody?

In many ways, it is this background understanding of the American polity and, I think we can now say, deep love for and devotion to African Americans that frames his account of solidarity.[[65]](#footnote-65) Delany is asking us to treat the practices of American society as an indication of what it values and to confront it head-on. When we do this, he argues, we will see that the problem requires not only cooperation among blacks to resist domination (*à la* Walker, Easton, and Douglass), but a more significant form of racial unity that leads to the founding of an independent state. This explains the title of his book: *The Condition, Elevation, Emigration and Destiny of the Colored People of the United States*. Because the *condition* of the American polity obstructs the *elevation* of black people, it only follows that *emigration* is necessary if black people are going to provide for their *destiny*. “To advocate,” he writes “the emigration of the colored people of the United States from their native homes, is a new feature in our history, and at first view, may be considered objectionable, as pernicious to our interests. This objection is at once removed, when reflecting on our condition… .”[[66]](#footnote-66) Of course, Delany does not seem to connect the local issue of white supremacy from which he is trying to save black Americans to the larger problem of colonialism. Despite any naiveté that attends the recommendation, for surely it can be forgiven in light of the immediacy of the problem, his proposal is nonetheless the result of considering the deeper and darker recesses of America’s identity that seemingly resist transformation. Or to dramatize the issue: Should African Americans pay the price for a change that may never come?

Delany’s position sends us back to a comparison discussed in the last chapter between Walker’s *Appeal* and the Declaration of Independence. In that context, I argued that for all his insurrectionist language, Walker’s invocation of the Declaration did not involve him in following the logic of that divorce document to its conclusion. Delany, in contrast, does not invoke the Declaration in any substantive sense and yet he seems to say of white Americans what the colonists said of the King: “A Prince whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.” This should not be surprising. Speaking at an antislavery meeting in 1850, Delany says to the Mayor of Allegheny City and his audience: “Honorable Mayor, whatever ideas of liberty I may have, have been received from reading the lives of your revolutionary fathers.”[[67]](#footnote-67) The logic of liberty, given the intractable nature of racialized domination, necessitates that blacks move beyond the shores of the American polity. In this, perhaps, Delany was far more consistent with the American Founders than Walker, despite the latter’s substantive use of the Declaration.

Two ideas mark Delany’s analysis. First, the nation is effectively beyond transformation because the origination and maintenance of exclusion reveals the underlying character of the people that stands at odds with African American equality and freedom. Second, the depth of the problem calls into doubt the success of any appeals to whites, and, instead, requires a radical affirmation of racial solidarity in the form of emigration. As with Walker and Easton, civic virtue is racialized, but against the backdrop of Delany’s analysis, it points beyond the United States. Emigration turns out not to be an affront to republicanism, but an outgrowth of its logic.

***Freedom as Racialized Non-Domination***

 Thus far I have laid out the centrality of civic virtue to republicanism and elucidated how civic virtue is racialized in the hands of several black intellectuals given the background condition of domination. In light of white supremacy, civic virtue does not function as a mechanism for stabilizing the community as a whole, but rather as a way to underwrite and fortify African Americans. When republicanism is placed within the context of racial domination, civic virtue is translated into racial solidarity. The weak version of this account turns out to be an endorsement of racial unity as the condition for transforming the polity as such. It thus takes seriously the centrality of character, but does not yet imagine the character of white Americans to be unresponsive to the claims of non-whites, in this case African Americans. The stronger version of this account also endorses racial unity but as a precondition for constituting a new polity altogether. This stronger version also takes seriously the importance of character, but it treats white supremacy as so thoroughly constitutive of American identity that appeals for transformation are nearly impossible. Exit, in Delany’s hands, becomes the necessary expression of republican commitments.

 If the last section allowed us to resituate republicanism within the experiential horizon of black life in nineteenth-century America, this section seeks to supplement contemporary readings of republicanism’s notion of freedom as non-domination so that it can bring into view the specific implications of chattel slavery. Philip Pettit has provided a masterful interpretation of this tradition. But when placed against the backdrop of the condition of early black life, it proves inadequate owing to the emphasis he places on political institutions and his failure to address the cultural background of white supremacy to which the thinkers above sought to alert us. Indeed, this cultural background distorts the ability to see blacks as fit subjects of republican principles—an idea that continues to haunt us today. Republicanism need not be displaced, but it is in need of theoretical supplementation in order to properly align freedom as non-domination with the specificity of the conditions confronted by black Americans. This will also involve disconnecting domination from its primary indicator, namely, that of a *dominus* or master, and connecting it more broadly to culture as such than we see in Pettit. But let us get a handle on Pettit before turning to my worry.

*Pettit and Republicanism*

In his writings, *Republicanism: A Theory of freedom and Government* and *On The People’s Terms: A Republican Theory and Model of Democracy*, Pettit defends a variant of republicanism that draws from Greek and Roman sources. This version, defined largely by its concern with freedom, argues that “people could enjoy liberty both in relation to one another and to the collectivity, only by being invested with the power and status of the *civis*, or ‘citizen’.”[[68]](#footnote-68) To be a citizen comes with a distinct kind of power—a power to hold at bay those who would privately or publicly have you at their arbitrary mercy. In the absence of said power, one is under a condition of domination.

To be dominated, Pettit tells us, involves a relationship in which one person has “(1) the capacity to interfere; (2) on an arbitrary basis; (3) in certain choices that the other is in a position to make.”[[69]](#footnote-69) What is significant here is that the dominating party need not use their power, they need only have the capacity to deploy their power over you if they so choose. This is really what it means to be at the arbitrary mercy of another—you never know when the dominating party will act. As Cicero puts it, a figure from whom Pettit draws intellectual energy, “freedom, which is not a matter of having a just master, but of having none at all.” John Locke states the point more forcefully when he observes that “nobody can desire to have me in his absolute power, unless it be to compel me by force to that which is against the right of my freedom, *i. e.* make me a slave.”[[70]](#footnote-70) The primary counter-example to which republicans are drawn, as indicated by Locke’s language, is the master-slave relationship. To be a slave is to be at the arbitrary mercy of a master, even if the master is of the benevolent kind.

Notice that this account of domination is not merely about actual interference. On this view, Pettit believes republicanism is far more robust when compared to its liberal alternative. Whereas the tradition of liberalism focuses on actual interference as the test for when freedom is threatened or eclipsed, republicanism, argues Pettit, looks to structural conditions in which your actions are dependent on another (be it a private individual or a state official) staying his or her hand. Although the master-slave relationship is the signature example, it reverberates across time in other relationships such as the wife who lives at the whim of her abusive husband or a worker whose job is always in danger.

Republicanism counters the danger of domination with three of its definitive elements. The first is the vision of freedom as non-domination. But how is this realized? It is realized through the second feature: a body of laws that (a) track the interest and concerns of the citizenry and that (b) “satisfy a range of constitutional constraints associated broadly with the mixed constitution.” In the event there is the need to realign state and society with the first two points above, point three argues that space must be open for citizens to “contest public policies and initiatives.”[[71]](#footnote-71) Notice that this account of republicanism is not dissimilar from liberalism as Pettit implies, since the origin of that tradition can be traced to a desire to remove citizens from a condition of perpetual vulnerability. Liberal rights enshrined in a constitutional order subject to periodic electoral realignment and contestation was meant to enable citizens to give direction to their lives rather than defer to the whim of elites, monarchs, or religious leaders. But it nonetheless appears to be the case, if we follow Pettit’s analysis, that we have a more muscular normative understanding of freedom to allow us to do the things outlined above. Thus liberalism and republicanism, as Pettit configures them, both share a concern to render citizens free and they both conceive of the rule of law through a constitutional framework as the ideal goal, but they seemingly disagree on the robustness of the normative ideal that can ensure that a free and self-governing people remain so constituted.

*Freedom as Non-Domination to Racialized Non-Domination*

 This is a very brief sketch of Pettit’s argument and who would deny that domination so understood threatens freedom, but it is not clear that this rendering of domination or the response to it effectively addresses the concerns of African Americans. Nor do I think this is peculiar to Pettit’s interpretation of the tradition. The reason has to do with the different account of slavery to which republicanism is a response—namely, political slavery, and not chattel slavery. Recall that on Pettit’s account freedom is always explained as an opposition between citizenship and slavery. The historical presumption—and this was at work in Aristotle, Harrington, as well as the American Framers—was that a status that one enjoyed was now denied. In Aristotle, for example, explains Mary Nyquist, political slavery derived its meaning “from an opposition between those for whom it would represent a demeaning, traumatic loss and those for whom it was supposed to be natural.”[[72]](#footnote-72) This idea continued well into seventeenth century England, under monarchical rule. While it was true that the English monarch was supreme over his subjects, it did not follow that he could do with them as he pleased. Something protected those subjects from the king’s domination. That something was cultural views of the worth even of those lowly subjects, an acknowledgement of their fundamental dignity.

During the time of the American Revolution, for example, the idea was not that the colonists were seeking rights they did not have, but that they were seeking to reclaim their rightful status as British subjects. For example, in 1774 Jefferson criticizes “the wanton exercise of [the King’s] power” against the rights of British America.[[73]](#footnote-73) The refusal by the King to respond appropriately, to quote a line from earlier, led the colonists to address him accordingly in the Declaration of Independence: “A prince whose character is thus marked by every act which may define a tyrant is unfit to be the ruler of a Free people.” The idea, of course, was *(a)* that monarchy and the idea of a free people could fit seamlessly together and *(b)* the king had now acted illegitimately thus making him a tyrant or master. From Aristotle, to the British Monarchy, to the American Founders, political slavery involved a denial to those of their rightful standing. A dominating figure was one that acted against standing laws and customs or outside the boundaries of constitutional norms. Addressing this situation merely involved proper alignment with standing laws and customs or ensuring the proper functioning of constitutional norms. Hence Jefferson in 1775 longed for “a restoration of our just rights.”[[74]](#footnote-74) The Americans did not create a polity de novo; rather, they established a polity that better aligned with norms with which they were familiar.[[75]](#footnote-75) Pettit’s republicanism develops out of this thread of thinking.[[76]](#footnote-76) This explains why freedom as non-domination is realized through the proper establishment of positive laws and a constitutional order that removes the threat of tyranny.

 But if the central problem is chattel slavery rather than political slavery, then Pettit’s configuration of republicanism will prove inadequate. Indeed, the entirety of the tradition that focuses on political slavery will miss the depth of the problem with which African Americans must contend. Chattel slavery is of a different kind because it is tied to normative claims about white superiority; it cannot effectively be addressed by the response provided to political slavery. The problem, then, is not the denial of a status within a political community already recognized as one’s due, but denial of the very idea that any political status at all might be due to one. For African Americans, the protection of their basic worth or human dignity did not form part of the cultural grammar of American life.

In understanding what it means to redirect republicanism from a concern merely with political slavery to one that includes chattel slavery, we should focus less on the figure of the master or *dominus* that political and chattel slavery share, and more on the idea that in the first case (political slavery) one’s status as a slave is a violation of recognized standing and in the second case (chattel slavery) one’s status as a slave is perceived to be natural. One cannot reclaim a status in a community that one never had, prompting Delany to describe the American polity as alien to blacks as they are alien to it.[[77]](#footnote-77) It is this second configuration that extends well beyond the figure of the master to the domain of culture itself. This is what Douglass has in mind in his 1848 address when he says of nominally free blacks: “In Northern States, we are not slaves to individuals, not personal slaves, yet in many respects we are the slaves of the community.”[[78]](#footnote-78)

 How ought we to understand this idea of being a slave of the community? For it is this that unites the nominally free blacks in Northern states with their physically enslaved fellows in the South. To get a handle on this we need to return to an example used by Walker and we need to explain it with explicit insights from Easton. We begin first by recalling a passage from Walker:“If any of you wish to know how FREE you are, let one of you start and go through the southern and western States of this country, and unless … you have your free papers, (which if you are not careful they will get from you) … [they will] sell you into eternal slavery …”[[79]](#footnote-79) Part of what Walker is doing is trying to capture the way race functions. It has internal content that functions as a universal category to eclipse the subjectivity or contextual specificity of the lives of individual blacks.

Something more is at work here, the elements of which tragically reverberate across time making the imprecision of contemporary republicanism all the more troublingly. No thinker better understands the functioning of race than Easton; his reflections are strangely familiar if only because they tap into a way of thinking that continues to haunt the American imaginary. His *Treatise* represents the “first … systematic theory of race” by an African American that distills the insidious logic of racial classification.[[80]](#footnote-80) As Easton explains, the substantive meaning of one’s racial designation is an “auxiliary” to slavery and legal codes of exclusion, following “its victims in every avenue of life.”[[81]](#footnote-81) Today we refer to this as racial stigma because it shapes the social epistemic context that we rely on to make judgments about our fellows.[[82]](#footnote-82) The negative connotations associated with African Americans, Easton argues, are located in “public sentiment” and biases the observing agent. If a black man is “found in any other sphere of action than that of a slave, he magnifies to a monster of wonderful dimensions, so large that [whites] cannot be made to believe that he is a man and a brother.” More dramatically, “neither can [whites] be made to believe it would be safe to admit [blacks] into stages, steam-boat cabins, and tavern dining rooms; and not even into meeting-houses, unless he have a place prepared on purpose.”[[83]](#footnote-83) For this reason, Easton distinguishes in his *Treatise* between the legalized institution of slavery and the practices of racial prejudice to which it is tied, underscoring the way the latter lives well beyond the means of the former. The auxiliary to slavery, he explains, “is … capable of accommodating itself to local circumstances and conditions, and appearing with all the nature of the old beast, slavery.”[[84]](#footnote-84) The point is that the demeaning qualities attached to blacks persist through institutional transformations and as such retain ideas of hierarchy and domination. This, after all, is the nature of slavery in the United States. Hence chattel slavery can disappear, he reasons, and yet continues to cast a long shadow that leaves one’s civic and ethical existence precarious.

Easton is describing the logic of white supremacy; it permeates the cultural zone and therefore extends beyond any specific institutional instantiation, permitting constant reinvention and reintroduction across evolving institutional forms. This also explains why, in the 19th century, blacks traveling in specific states carried free papers. Travelling with free papers was meant to render one exempt from the “natural” or “normal” status of blacks as inferior (per the classification) and therefore to the stigma of race (i.e. what follows them into every avenue of life). It is difficult to deny that in our own time a similar logic creates a condition wherein the “natural” or “normal” status of blacks easily mingle with traits of criminality in the minds of observing citizens and conditions their comportment toward black people, regardless of the observable conduct on display.[[85]](#footnote-85) As Easton’s argument implies, this social epistemic context renders the status of blacks—the lives they lead and the activity they undertake—uncertain, subject to arbitrary domination at best and at worse death. The enormity of this insidious framework is what caused Delany to abandon faith in transformation.

Given the logic of white supremacy, Easton places less weight on the legal endorsement of slavery and more on its cultural status.

The system of slavery in its effects, is imposed on the injured party in two forms, or by two methods. The first method is, by a code of laws, originating in public sentiment, as in slave states. The other is, prejudice originating in the same [public sentiment], as it exists in free states. The first method is prejudicial, and partakes of the corruptions of public sentiment, which is corrupted by prejudice; but prejudice, in that case, assumes the form of law, and therefore, is not capable of inflicting such deep injuries, as when it exists without the law.[[86]](#footnote-86)

Easton recognizes that chattel slavery is an evil and that it inflicts deep harms on those subjected to it. But for him, in the context of chattel slavery prejudice is displaced from public sentiment to codes of law. The law bears the weight of prejudice and can, by that fact, be addressed by legal remedy. “The real monster slavery,” he therefore explains, “cannot long exist, where it is sustained by legal codes only.”[[87]](#footnote-87) In the absence of code of laws, how does one maintain the distinction between blacks and whites, between the servility of the one and the supposed superiority of the other? Easton’s answer is that the distinction is sustained by public sentiment. “When public sentiment, therefore, has become so morally, civilly, and politically corrupted by the principles of slavery, as to be determined in crushing the objects of its malignity, it is under the necessity of calling prejudice to its aid.”[[88]](#footnote-88) The distinction finds its daily support through the conduct, norms, and practices of white Americans in order to police the boundaries between themselves and blacks.

This logic is part of one’s acculturation into American life—the “rituals of race,” to invoke Ralph Ellison’s later formulation, that justify and reproduce the social structure of American life.[[89]](#footnote-89) This acculturation forms the most dangerous kind of education from which habits of conduct emerge. In the 1830s, Easton argues, we find its most insidious form communicated to children: “The first lessons given are, Johnny, Billy, Mary, Sally, (or whatever the name may be), go to sleep, if you don’t the old *nigger* will carry you off; don’t you cry—Hark; the old *nigger’s* coming—how ugly you are, you are worse than a little *nigger*.” The second mode of instruction, he says, is to describe personal improvement as the avoidance of becoming “poor or ignorant as a *nigger*.” The final instruction, located squarely in comportment, is to induce fear in whites of being made to mingle and “sit with the niggers.”[[90]](#footnote-90) This sentiment is precisely what the students at Harvard communicated to Dean Holmes—a fear that somehow their status would be diminished and their degree would be rendered worthless if they were found associating with black people. To avoid this, symbolic rituals of distinction become necessary. “Anti-Negro stereotypes,” writes Ellison much later, “were the currency through which the myth of white supremacy was kept alive….”[[91]](#footnote-91) For Easton, the ubiquity of prejudice and its stereotypes mingles with the culture of American life so much so that it gives the impression that it constitutes the nation’s first nature, rather than being its acquired second nature. “These impressions received by the young, grow with their growth, and strengthen with their strength. . . . It is this baneful seed which is sown in the tender soil of youthful minds, and there cultivated by the hand of a corrupt immoral policy.”[[92]](#footnote-92)

Easton directs his reader to the cultural status of blacks as subordinates that is the foundation upon which codified laws and institutions rest. But it also forms the social-psychological backdrop from which individuals derive norms of disregard—that is, habits of white supremacy. Addressing the problem, then, is not merely about attending to the existing political-juridical framework; rather, one must seek to disrupt the cultural force of prejudice that disciplines both blacks and whites. “Merely to cease beating the colored people,” says Easton, “and leave them in their gore, and call it emancipation, is nonsense. … Nothing short of an entire reversal of the slave system in theory and practice” will redeem whites and blacks.[[93]](#footnote-93) Part of this entire reversal means no longer seeing one’s identity as dependent on dominating others. Walker’s appeal to the sentimental basis of the self discussed in the last chapter and Du Bois and Billie Holiday’s redeployment of this approach in different ways in the next set of chapters presupposes Easton’s logic. And yet those who are closer to Walker are also sensitive to the necessity of disaggregating white identity from normative judgments regarding superiority—the problem that strikes Delany as a challenge that we are unlikely to overcome.

However we understand the differences among these thinkers, they advance their argument about the logic of white supremacy to make a more pointed claim to their black counterparts. Those that take themselves to be free, lets say, in the Northern states in contrast to the Southern states are deeply and profoundly confused. The reason is simple. To the extent that one cannot travel freely across all the states, freedom experienced in any one of the states is an illusion. But notice what is going on here; this is not merely a claim about the laws on the books. Walker, Easton, Delany, and Douglass take seriously not merely the practice of slavery (in which one has a master), but the memory of servitude and dominance; it emerges from and simultaneously conditions the cultural sphere of American life that reaches beyond physical chains. This is why blacks in the North can also be slaves, albeit of the community. And this is why, as Douglass says, African Americans “are indissolubly united, and must fall or flourish together.” The position of African Americans as subordinates is naturalized. Thus servility is rendered as their normal comportment and their freedom is seen as a violation of the natural order.[[94]](#footnote-94) More significantly, freedom turns out to be ephemeral, a temporary break from reality that leaves African American liberty without cultural support. In lacking such support, freedom cannot remain resilient, and for that reason it can hardly be called freedom at all. But the response to this, if confined to the domain of legality will obscure the deeper sense of standing.

 Pettit might well respond that republicanism is not as narrow as I configure it. After all, he does say that if the people do not identify with a republican way of life, it is unlikely the freedom of persons will remain protected. “The reliable enjoyment of non-domination … requires that there are also socially established norms that give an added salience and security and lustre” to the areas of life that are beyond the law. As such, he continues, “you will not have to depend just on the effectiveness of the law for your freedom as non-domination; you will also be able to put your trust in the power of established norms.” Does not this language, Pettit might say, speak directly to the concerns that animate this early tradition of African American political thought? For if such norms exists, “others will be moved to acknowledge your place and your standing, not just by a susceptibility to legal sanction, but also by a spontaneous, culturally reinforced civility.”[[95]](#footnote-95)

 This is a powerful rejoinder to the criticism I have leveled against the tradition and the necessity for attending carefully to African American intellectuals and their conceptual contributions to it. Indeed, one way to read much of what I have said and will say is about establishing norms of proper regard that are fundamentally bound up with who we take ourselves to be. But we move too quickly if we think Pettit has gone far enough. For I must see you as a fit subject of my civility—that is, I must see you as someone to whom proper regard ought to be extended in the first instance. The point for these thinkers is not that American society was in need of civility, but that African Americans were rarely, if ever, seen as its proper recipients. In this context, civility was functioning, but it was delimited in a specific way.

We now need a way to explain the differential application of civility. To get at a proper explanation requires us to see that chattel slavery and the idea of white supremacy served, among other things, as devices of normative development and distortion. These were not anomalies, but central to the modern ethical and political imagination, even if developed and constructed.[[96]](#footnote-96) The norm of civility thus ran alongside and was constrained by white supremacy; republicanism reigned, but oddly was seamlessly connected to whiteness.[[97]](#footnote-97) In fact, given that civility was about a form of courtesy in behavior as informed by republican principles, arguments in defense of abolition and equality for black Americans were often seen as a violation of civility.

It is this particular characterization of the problem to which African Americans, with their concerns about culture and being the slave of the community, sought to bring into view. For their aim was to bring about an attitudinal transformation to ensure the wide application of republican principles, which, by that fact, would transform republicanism. But the possibility of this attitudinal transformation requires that we treat chattel slavery and white supremacy as foundational to our theorization of freedom. If legality is inappropriate for addressing the racialized character of domination because it leaves out the need for cultural transformation, civility also seems inadequate because it fails to address the central logic of white supremacy that shapes civility’s functioning without harming republican principles. What binds both of these inadequacies is a failure to address how proper regard and standing is frustrated by the naturalized or normalized logic of black servility and white superiority.

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As we will see in Part II, no better thinker engaged this problem than W. E. B. Du Bois. Still, the calibration of democratic-republicanism to the problem of racial domination leaves us with an important set of questions. Is the choice between Walker, Easton, and Douglass on the one side and Delany on the other merely arbitrary? Is there something internal to democratic-republicanism that can support one choice rather than another? How should we understand ethical and political life in order to make sense of the commitment by African Americans to the polity amid racialized domination? When Douglass says of Delany that he does not have “sufficient faith in the people of the United States to believe that the black man can ever get justice at their hands on American soil,” on what can Douglass stand to advance this striking claim?

In Part II I argue more explicitly that there is a basis within democratic-republican thinking to support Douglass’ utterance. Some of this has already been gestured to in Walker’s reliance on our capacity to judge as a way of situating ourselves in the political world (Chapter 1). But that was largely treated as a capacity of the self, contained in what I called the principle of demotic rationality that Walker’s *Appeal* sought to elicit, independent of legal recognition. Is there, however, a way of understanding the legitimacy of democratic-republicanism that might support and nurture that principle? How do we connect the malleability of the self—the ability of black and white folks to become something other than what they seem to be as a result of white supremacy and racialized domination (as discussed in Chapter 2)—to the normative structure of democratic-republicanism? Legitimacy, in this sense, is not a way of talking about adherence to a *de facto* polity (the approach Delany took), but about the principle of revision and invention that can connect what the polity *is* to what *it may be* and do so within the very boundary of the background norms with which the polity is familiar. Legitimacy is what prompts one to accept as right a democratic-republican polity and see in it as having a claim on their allegiance.

In answering these questions, I will not place Du Bois in a chronological story of the maturation of African American political thought. I do not, for example, mean to claim that Du Bois adds something that was not there in the thinkers thus far discussed. Rather, I intend to make explicit a presupposition already at work in Walker, Easton, and Douglass and that continues on after them. Relying on Thomas Jefferson’s thinking before Walker and Du Bois’ philosophical outlook after, we can discern the normative foundation of the United States by illuminating the aspirational view of the people that sees America’s political and ethical life as a space of contestation and development (Chapter 4). This at once retains Jefferson’s incipient cosmopolitanism—a way of thinking about the polity as an “imagined community” or “dream country”—while dispensing with his tendency to offer a determinant and fixed view of the polity that was the subject of Walker’s critique (Chapter 2).[[98]](#footnote-98) In contrast to Jefferson and Delany, by seeking to call into existence a people not yet, Du Bois, I argue, enables us to reject treating the descriptive people—those with rights and privileges of the constitution—as the primary site of political legitimacy. This means that the aspirational view of the people—a people that may yet be—functions as a practical symbol of political action. It must, I maintain, be presupposed as a condition for political transformation in a democratic polity.

This argument has two meanings. First, the aspirational view of the people marks a *specific* social and political fissure or rift that must be healed—what Du Bois famously captures in his language of “how does it feel to be a problem” in *The Souls of Black Folk*.[[99]](#footnote-99) The aspirational view of the people stimulates the political imagination because it enables the polity to articulate visions of the future at variance with the ills of the present, thus securing ongoing participation. It is this vision of the future in which one’s faith is placed and explains how Douglass is able to respond to Delany as he did. Second, the aspirational view of the people implies that new social and political fissures will emerge once more requiring responses. In other words, it resist treating specific fissures as the only political problem in need of a response, thus rendering the polity agile in the face of new and developing issues. Discussing the people on this register is a way of highlighting the empty space that sits at the core democratic-republicanism in which new visions of self and society might be reimagined even as that space resist full capture by any new vision offered. This raises the question, already at work in Walker, Easton, and Douglass, how do you get the descriptive people to embrace new visions of themselves that addresses white supremacy and racial domination? The answer returns us to the themes of rhetoric, sentiment, and more explicitly, treating self and society as aesthetic constructions that runs not only through Du Bois, but Ida B. Wells and Billie Holiday (Chapters 5 and 6). In Du Bois specifically, these themes will come to form part of the very logic of democracy’s dynamic and transformational quality that he deploys in *The Souls of Black Folk*. It is to these themes we must now turn.

1. Melvin L. Rogers, Associate Professor, Brown University, Melvin\_rogers@brown.edu. From working book project, *The Darkened Light of Faith: Race, Democracy, and Freedom in African American Political Thought.*

 [↑](#footnote-ref-1)
2. Alasdair MacIntyre, *Whose Justice? Which Rationality* (London: Duckworth, 1988), 12. [↑](#footnote-ref-2)
3. For a discussion of republicanism and its reach into American political thought see J. G. A. Pocock, *The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition* (Princeton: Princeton University Press, 1975); M. N. S. Sellers, *American Republicanism: Roman Ideology in the United States Constitution* (New York: New York University Press, 1994). Contemporary affinities can be found in Michael Sandel, *Democracy’s Discontents: American in Search of a Public Philosophy* (Cambridge: Harvard University Press, 1996); Richard Dagger, *Civic Virtues: Rights, Citizenship, and Republican Liberalism* (New York: Oxford University Press, 1997); Maurizio Viroli, *Republicanism* (New York: Hill and Wang, 2002). [↑](#footnote-ref-3)
4. Quentin Skinner, “Machiavelli on the Maintenance of Liberty,” *Politics* 18 (1983): 3-15; “The Idea of Negative Liberty,” in *Philosophy of History: Essays on the Historiography of Philosophy*, eds R. Rorty, J. B. Schneewind, S. Skinner (New York: Cambridge University Press, 1984), 193-221; “The Republican Ideal of Political Liberty,” in *Machiavelli and Republicanism*, eds. G. Bock, Q. Skinner, and M Viroli (New York: Cambridge University Press, 1990), 239-309; *Liberty Before Liberalism* (New York: Cambridge University Press, 1998); Philip Pettit, *Republicanism: A Theory of Freedom and Government* (New York: Oxford University Press, 1997); *On the People’s Terms: A Republican Theory and Model of Democracy* (New York: Cambridge University Press, 2012); *Just Freedom: A Moral Compass for A Complex World* (New York: Norton Press, 2014). [↑](#footnote-ref-4)
5. Chaim Wirszubski, *Libertas as a Political Ideal at Rome During the Late Republic and Early Principate* (New York: Cambridge University Press, 1968), 3. [↑](#footnote-ref-5)
6. For the rich diversity of the tradition of black American political thought see Michael Dawson, *Black Visions: The Roots of Contemporary Black American Political Ideologies* (Chicago: University of Chicago Press, 2001). There are other texts that take up one or more of the traditions attended to by Dawson. A short selection includes: Cornel West, *Prophesy Deliverance! An Afro-American Revolutionary Christianity* (Philadelphia: Westminster Press, 1982); Cedric J. Robinson, *Black Marxism: The Making of the Black Radical Tradition* (London: Zed Press, 1983); Patricia Hill Collins, *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment* (New York: Routledge, 1991); Eddie Glaude, *Exodus!: Religion, Race, and Nation in Early Nineteenth-Century Black America* (Chicago: University of Chicago Press, 2000). [↑](#footnote-ref-6)
7. Pettit, *Republicanism*, 49; cf. *On the People’s Terms*, chap. 1. [↑](#footnote-ref-7)
8. Skinner, *Liberty*, 96. [↑](#footnote-ref-8)
9. Thank you Davide Panagia for helping me understand this point. For a similar argument with which this account is sympathetic see Barnor Hesse, “Escaping Liberty: Western Hegemony, Black Fugitivity,” *Political Theory* 42, no. 3 (2014): 288-313. [↑](#footnote-ref-9)
10. My language here of “weak” and “strong” version of racial solidarity is inspired by, although not consistent with, Tommie Shelby, *We Who Are Dark: The Philosophical Foundations of Black Solidarity* (Cambridge: Harvard University Press, 2005), 27. [↑](#footnote-ref-10)
11. By cultural sphere I do not simply mean E. B. Taylor’s “complex whole which includes knowledge, belief, art, morals, law, customs and any other capabilities and habits acquired” by being a member of a society, but also the ways in which culture is a site where power relations originate and are potentially disrupted (Edward B. Tylor, *Primitive Culture: Researches into the Development of Mythology, Philosophy, Religion, Art, and Custom*, vol. 1, [New York: Cambridge University Press, 1871/2010, 1). This means, of course, that culture will not merely be about political institutions, although important, but will permeate all of the institutions of social life. **See, also, Jeffrey Alexander and Stuart Hall (finish citation)** [↑](#footnote-ref-11)
12. Frederick Douglass, “An Address to the Colored People of the United States” (1848), in *Frederick Douglass: Selected Speeches and Writings*, ed. Eric Foner (Chicago: Lawrence Hill Books, 1999), 119. [↑](#footnote-ref-12)
13. The most compelling rendering of this claim is found in Kantrowitz, *More Than Freedom*. Although Neil Roberts would not follow Kantrowitz nor myself in tying the meaning of citizenship to affective states, he does rightly see that for black people under conditions of chattel slavery the meaning of freedom is not effectively realized through a legalistic framework (See Neil Roberts, *Freedom as Marronage* [Chicago: University of Chicago Press, 2015], especially Chap. 3). [↑](#footnote-ref-13)
14. Pettit, *People’s Terms*, 5. [↑](#footnote-ref-14)
15. Derrick Darby gestures toward the need to think about the social basis of rights discourse in just this way: “The relevant social practices are not merely essential for the exercise or enjoyment of moral rights; they are essential for the very existence or possession of moral rights” (Darby, *Rights, Race, and Recognition* [New York: Cambridge University Press, 2009], 20). Recognizing the difficulty in ascertaining those social practices outside a formal juridical framework, he is left to fall back on the position “that affording a subject legal rights is a paradigm case of affording it institutional respect” (Darby, *Rights, Race, and Recognition,* 85). It may well seem trivially true that legal rights must be tied to institutional respect, but it is difficult to read Darby’s text and not sense that he is after a form of social standing that exceeds the juridical framework and is bound up with the cultural logic of American life as such. Thus he writes: “But it does not follow from this that we must develop the idea of institutional respect using a legal model…we need not suppose that the only formal legal practices as opposed to more informal social practices can suffice” (p. 85). I suggest that African Americans were after precisely this form of social standing and it is for this reason that their appeals often take on the form that they did. We should therefore be careful not to slip, as Darby does, into relying primarily on the formal juridical framework. For several texts that do a better job at keeping informal social practices and interpersonal relationships in view and therefore understanding the ethical work required to affirm equality see Christopher J. Lebron, *The Color of Our Shame: Race and Justice in Our Time* (New York: Oxford University Press, 2013); Axel Honneth, *Freedom’s Right: The Social Foundations of Democratic Life* (New York: Columbia University Press, 2014); Sharon Krause, *Freedom Beyond Sovereignty: Reconstructing Liberalism Individualism* (Chicago: University of Chicago Press, 2015). [↑](#footnote-ref-15)
16. For a richer account of sentiment in the American context see Karen Halttunen, “Humanitarianism and the Pornography of Pain in Anglo-American Culture,” *American Historical Review* 100, no. 2 (1995): 307; “‘The Sacred Right of the Weak’: Pain, Sympathy, and the Culture of Individual Rights in Antebellum America,” *The Journal of American History* 82, no. 2 (1995), 463-93; Andrew Burstein, *Sentimental Democracy: The Evolution of America’s Romantic Self-Image* (New York: Hill and Wang, 1999); Nicole Eustace, *Passion is the Gale: Emotion, Power, and the Coming of the American Revolution* (Chapel Hill, NC: University of North Carolina Press, 2008); Radiclani Clytus, “‘Keep It Before the People’: The Pictorialization of American Abolitionism,” in *Early African American Print Culture*, eds. Lara Langer Cohen and Jordan Alexander Stein (Philadelphia: University of Pennsylvania Press, 2012), 290-317. [↑](#footnote-ref-16)
17. Eustace, *Passion*, 15. [↑](#footnote-ref-17)
18. Hosea Easton, *A Treatise on the Intellectual Character, and the Civil and Political Condition of the colored People of the United States; and the Prejudice Exercised towards Them*, in *to Heal the Scourge of Prejudice: The Life and Writings of Hosea Easton*, eds. George R. Price and James Brewer Stewart (Amherst, MA: University of Massachusetts Press, 1837/1999), 90. Thinkers like Walker and Easton were not alone in believing this. Only several years early, undoubtedly influenced by Walker, the white abolitionist William Lloyd Garrison spoke of using his newspaper *The Liberator* to stimulate a “revolution in public sentiment” (Garrison, “To The Public,” *The Liberator*, January 1, 1831, 1). [↑](#footnote-ref-18)
19. More details on Easton’s upbringing and the details of discrimination experienced is laid out in George R. Price and James Brewer Stewart, “Introduction,” in *To Heal the Scourge of the Prejudice*, 1-47; cf. Dain, *Hideous Monster of the Mind*, chap. 6 [↑](#footnote-ref-19)
20. Cicero, *On Duties*, eds. M. T. Griffin and E. M. Atkins (New York: Cambridge, 1991), 33. For a more careful analysis of this point that connects Aristotle and Cicero see Iseult Honohan, *Civic Republicanism* (New York: Routledge, 2002), chap. 1. [↑](#footnote-ref-20)
21. John Adam to Mercy Otis Warren, April 16, 1776, in *The Founders’ Constitution*, eds. Philip B. Kurland and Ralph Lerner, vol. 1, chap. 18, Document 9: <http://press-pubs.uchicago.edu/founders/documents/v1ch18s9.html>. [↑](#footnote-ref-21)
22. In fairness to Madison, it is not that civic virtue goes out the window; rather the strong faith that republicans placed in the virtue of humanity must be appropriately chastened. Madison thus argues that there is sufficient virtue present in humanity to sustain a self-governing society, but not so much virtue that we can do without the structure of constitutional government, whose mechanistic quality can function on its own. As Gordon Wood explains, the Constitution functioned to “cut through the structure of the states to the people themselves and yet was not dependent on the character of that people” (Wood, *The Creation of the American Republic, 1776-1787* [Chapel Hill, NC: University of North Carolina Press, 1969/1989], 497; Alexander Hamilton, James Madison, John Jay, *The Federalist*, ed. J. R. Pole [Indianapolis: Hackett Press, 2005], Federalist #51 & 55). [↑](#footnote-ref-22)
23. Easton, *Treatise*, 90 [↑](#footnote-ref-23)
24. **CITATION ADDED** [↑](#footnote-ref-24)
25. On the first point regarding Haiti see the collection of essays found in Maurice Jackson and Jacqueline Bacon (eds), *Black Americans and the Haitian Revolution: Selected Essays and Historical Documents* (New York: Routledge, 2010). For more on these organizations the reader might consult: James Oliver Horton and Lois E. Horton, *In Hope of Liberty: Culture, Community, and Protest Among Northern Free Blacks, 1700-1860* (New York: Oxford University Press, 1997), chap. 6; Todd Vogel (ed), *The Black Press: New Literary and Historical Essays* (New Brunswick: Rutgers University Press, 2001); Elizabeth McHenry, *Forgotten Readers: Recovering the Lost History of Black American Literary Societies* (North Carolina: Duke University Press, 2002); Jacqueline Bacon, *Freedom’s Journal: The First Black American Newspaper* (Lanham, MD: Lexington Books, 2007); Erica L. Ball, *To Live an Antislavery Life: Personal Politics and the Antebellum Black Middle Class* (Athens, GA: University of Georgia Press, 2012); Stephen Kantrowitz, *More Than Freedom: Fighting for Black Citizenship in a White Republic, 1829-1889* (New York: Penguin Press, 2012). [↑](#footnote-ref-25)
26. This, of course, marks a departure for Shelby’s use of the language of weak and strong. For him “strong” racial solidarity affirms essentialism (Shelby, *We Who Are Dark*, 38-43). For my part, strong racial solidarity is less of a statement about some conception of blackness and more of a claim about the extent to which one’s white counterparts are resistant to transformation. [↑](#footnote-ref-26)
27. Paul Taylor, *Race: A Philosophical Introduction* (Malden, MA: Polity Press, 2004), 15-16. See also West, *Prophesy Deliverance*, chap. 2. [↑](#footnote-ref-27)
28. Thomas Jefferson, *Notes on the State of Virginia*, in *Jefferson: Writings*, ed. Merrill D. Peterson (New York: Library of America, 1787/1984), 264-70. [↑](#footnote-ref-28)
29. Jefferson, *Notes*, 270. [↑](#footnote-ref-29)
30. David Walker, *Appeal To The Colored Citizens of the World*, ed. Peter P. Hinks (Pennsylvania: Pennsylvania State University Press, 1829/2003), 32. [↑](#footnote-ref-30)
31. Glaude, *Exodus*, 54-55; 147-149. [↑](#footnote-ref-31)
32. *Minutes of the Fifth Annual Convention for the Improvement of the Free People of Color in the United States, 1835* (Philadelphia: William P. Gibbons, 1835), 14-15. [↑](#footnote-ref-32)
33. William Whipper, Alfred Niger, and Augustus Price, “To the American People,” in *Minutes of the Fifth Annual Convention*, 26. Whipper continues this argument throughout the 1840s, see Whipper, “Opposition to Black Separatism: Three Letters by William Whipper,” in *The Ideological Origins of Black Nationalism*, ed. Sterling Stuckey (Boston: Beacon Press, 1972), 252-60. [↑](#footnote-ref-33)
34. For an extended reflection on this see Glaude, *Exodus*, 134-142; cf. Derrick R. Spires, “Imagining a State of Fellow Citizens: Early African American Politics of Publicity in the Black State Conventions,” in *Early African American Print Culture*, eds. Lara Langer Cohen and Jordan Alexander Stein (Philadelphia: University of Pennsylvania Press, 2012), 277-80. [↑](#footnote-ref-34)
35. Easton, *Treatise*, 92. [↑](#footnote-ref-35)
36. Cited in Dorothy Sterling, *The Making of An Afro-American: Martin Robison Delany 1812-1885: The Story of the Father of Black Nationalism* (New York: Doubleday and Company, 1971), 130. For a richer narration of the medical school incident see: Nora N. Nercessian, *Against All Odds: The Legacy of Students of African Descent at Harvard Medical School before Affirmative Action, 1850-1968* (Hollis, NH: Harvard Medical School and Puritan Press, 2004), 7-23; Doris Y. Wilkinson, “The 1850s Harvard Medical Dispute and the Admission of African American Studies,” *Harvard Library Bulletin*, New Series, 3 (Fall 1992): 13-27; Philip Cash, “Pride, Prejudice, and Politics,” in *Blacks at Harvard: A Documentary History of African-American Experience at Harvard and Radcliffe*, eds. Werner Sollors, Caldwell Titcomb, and Thomas A. Underwood (New York: New York University Press, 1993), 22-31; Victor Ullman, *Martin Delany: The Beginnings of Black Nationalism* (Boston: Beacon Press, 1971), 122-35. [↑](#footnote-ref-36)
37. Sterling, *Making of An Afro-American*, 132. [↑](#footnote-ref-37)
38. Cited in Sterling, *Making of An Afro-American*, 130. [↑](#footnote-ref-38)
39. Martin Robison Delany, *The Condition, Elevation, Emigration, and Destiny* *of the Colored People of the United States* (New York: Arno Press, 1852/1968). [↑](#footnote-ref-39)
40. The biographical content of this paragraph is largely drawn from Sterling, *The Making of an Afro-American*, chap. 4; Ullman, *Martin Delany*, 5-8. [↑](#footnote-ref-40)
41. It is important to note that Delany did not remain committed to this position. By the Civil War, Delany can be found seeing in the American polity the possibility for securing equal standing for blacks. But the concern here is not with the political philosophical development of Delany’s thinking, and so I put this to the side. [↑](#footnote-ref-41)
42. Martin Delany to Frederick Douglass, July 14, 1848, in *Martin R. Delany: A Documentary Reader*, ed. Robert S. Levine (Chapel Hill, NC: University of North Carolina, 2003), 109-16. [↑](#footnote-ref-42)
43. Cited in Gary B. Nash, *Race and Revolution* (Lanham, MD: Rowman and Littlefield, 1990), 78. Madison framed the issue in a way that revealed the inescapable bind fugitive slaves were in: “If they are slaves,” he said, “the Constitution gives them no hopes of being heard here.” But if, however, “they are free by the laws of North Carolina, they ought to apply to those laws, and have their privilege established.” Of course, given that they were fugitives, it followed that they could neither appeal to Congress nor appeal to North Carolina for a freedom they seemingly never had (see *Annals of Congress*, 4th Cong., 2nd sess., 2020: http://www.memory.loc.gov/cgi-bin/ampage?collId=llac&fileName=006/llac006.db&recNum=252). [↑](#footnote-ref-43)
44. Delany, *Condition*, 157. [↑](#footnote-ref-44)
45. Delany, *Condition*, 158; cf. “Moral theories have long been resorted to by us, as a means of effecting the redemption of our brethren in bonds, and the elevation of the free colored people in this country. Experience has taught us, that speculations are not enough; that the *practical* application of principles adduced, the thing carried out, is the only true and proper course to pursue” (Delany, *Condition*, 41). [↑](#footnote-ref-45)
46. Cited in Kantrowitz, *More Than Freedom*, 35. [↑](#footnote-ref-46)
47. Martin Delany to Frederick Douglass, July 10, 1852, *Documentary Reader*, 222. For more on Delany and Douglass’ relationship, and Douglass’ reception of *Uncle Tom’s Cabin* see Robert S. Levine, *Martin Delany and Frederick Douglass: And the Politics of Representative Identity* (Chapel Hill, NC: University of North Carolina Press, 1997); Levine, “Uncle Tom’s Cabin in Frederick Douglass’ Paper: An Analysis of Reception,” *American Literature*, 64.1 (1992): 71-93. [↑](#footnote-ref-47)
48. Douglass, “What are the Colored People Doing for themselves?,” *The North Star*, July 14, 1848: <http://www.accessible.com/accessible/docButton?AAWhat=builtPage&AAWhere=THENORTHSTAR.FR1848071413.11230&AABeanName=toc3&AANextPage=/printBrowseBuiltPage.jsp> [↑](#footnote-ref-48)
49. Douglass, “To Our Oppressed Countrymen,” *The North Star*, December 3, 1847: <http://www.accessible.com/accessible/print?AADocList=9&AADocStyle=STYLED&AAStyleFile=&AABeanName=toc1&AANextPage=/printFullDocFromXML.jsp&AACheck=1.84.9.0.0> [↑](#footnote-ref-49)
50. Douglass, “Is Civil Government Right?,” in *The Essential Douglass: Selected Writings and Speeches*, ed. Nicholas Buccola (Indianapolis: Hackett Press, 2016), 46. Douglass retained this view well into the 1880s. As he explains in 1882: “I base my views of the propriety of this occasion not upon partisan, partial and temporary considerations, but upon the broad foundations of human nature itself. Man is neither wood nor stone. He is described by the great poet, as being looking before and after. He has a past, present and future. To eliminate either is a violation of his nature and an infringement upon his dignity. He is a progressive being, and memory, reason, and reflection are the resources of his improvement. With these perfections everything in the world, every great even has an alphabet, a picture, a voice to instruct” (Douglass, “We Must Not Abandon The Observance of the Decoration Day,” in *The Frederick Douglass Papers: Series One: Speeches, Debates, and Interviews*, Volume 5, ed. John W. Blassingame and John R. McKivigan [New Haven: Yale University Press, 1992], 45). [↑](#footnote-ref-50)
51. Frederick Douglass’ Paper, May 6, 1853 (emphasis added); cf. Douglass, “Colonization,” in *Frederick Douglass: Selected Speeches and Writings*, 125-27. [↑](#footnote-ref-51)
52. Douglass was, of course, not beyond thinking that physical resistance and violence might be a possibility: “This, then, is our reasoning: that when every avenue to the understanding and heart of the oppressor is closed, when he is deaf to every moral appeal, and rushes upon his fellow-man to gratify his own selfish propensities at the expense of the rights and liberties of his brother-man, the exercise of physical force, sufficient to repel the aggression, is alike the right and the duty of society” (Douglass, “Is Civil Government Right?,” in *Essential Douglass*, 49).

 [↑](#footnote-ref-52)
53. Mary Ann Shadd Cary, *A Plea for Emigration, or Notes of Canada West*, ed. Phanuel Antwi (Broadview, 1852/2016); J. Theodore Holly, *A Vindication of the Capacity of the Negro Race for Self-Government, and Civilized Progress as Demonstrated by Historical Events of the Haytian Revolution* (New Haven: William H. Stanley Printer, 1857). [↑](#footnote-ref-53)
54. Edward Wilmot Blyden, *A Voice from Bleeding Africa on Behalf of Her Exiled Children* (Monrovia: G. Killian, 1856); Alexander Crummell, “Emigration, an aid to the civilization of Africa” (1863), in *Africa and America: Addresses and Discourses* (Springfield, MA: Willey & Co, 1891), 405-430; “The Regeneration of African” (1865), in *Africa and America*, 431-466. [↑](#footnote-ref-54)
55. Delany, *Condition*, 38. [↑](#footnote-ref-55)
56. Delany, *Condition*, 157 (original emphasis). [↑](#footnote-ref-56)
57. Douglass, “The Fugitive Slave Law” (1852) in *Frederick Douglass: Selected Speeches and Writings*, 208-209.

 [↑](#footnote-ref-57)
58. Douglass, “The Fugitive Slave Law,” 209 [↑](#footnote-ref-58)
59. Delany, *Condition*, 49. It is a historical fact for Delany that you have some who rule and others who are ruled over, denied the privileges of citizenship: “That there have been in all ages and in all countries, in every quarter of the habitable globe, especially among those nations laying the greatest claim to civilization and enlightenment, classes of people who have been deprived of equal privileges, political, religious and social, cannot be denied, and that this deprivation on the part of the ruling classes is cruel and unjust, is also equally true. Such classes have even been looked upon as inferior to their oppressors, and have ever been mainly the domestics and menials of society, doing the low offices and drudgery of those among whom they lived, moving about and existing by mere sufferance, having no rights nor privileges but those conceded by the common consent of their political superiors. These are historical facts that cannot be controverted, and therefore proclaim in tones more eloquently than thunder, the lustful attention of every oppressed man, woman, and child under the government of the people of the United States**”** (Delany, *Condition*, 11). [↑](#footnote-ref-59)
60. Delany, *Condition*, 48-49. Although Delany uses the constitution as a determination of political standing, he does argue that how we determine one’s interest in the polity should, in some sense, be tied to contributions made. As he says: “hence an adopted citizen is required to reside a sufficient length of time, to form an attachment and establish some interest in the country of his adoption, before he can rightfully lay any claims to citizenship” (Delany, Condition, 49-50). He then goes on to suggest that this is the great principle of “primitive right” and that upon this principle is founded “the rights of the colored man” (Delany, *Condition*, 51). But this argument, located in Chapter VII, “Claims of Colored Men as Citizens of the United States,” is prefaced by his contention that one’s natural or primitive right can be obstructed by unjust laws. Natural or primitive right seems to fall under the domain of moral law and not physical law. [↑](#footnote-ref-60)
61. Delany, *Condition*, 156. [↑](#footnote-ref-61)
62. Alexis de Tocqueville, *Democracy in America*, trans. George Lawrence, ed. J. P. Mayer (New York: Perennial Library, 1835 and 1840/1988), 356. [↑](#footnote-ref-62)
63. Delany, “Political Destiny of the Colored Race on the American Continent” (1854), in *Documentary Reader*, 248. [↑](#footnote-ref-63)
64. Delany, “Political Destiny,” 248. [↑](#footnote-ref-64)
65. It is true that Delany seems committed to underwriting his defense of solidarity with something stronger than this pragmatic argument. After all, he does say that an “original” identity is the solid foundation upon which “the fabric of every substantial political structure in the world” rests and “which cannot exist without it; and so soon as a people or nation lose their original identity, just so soon must that nation or people become extinct” (Delany, “Political Destiny, 250). This is precisely what Tommie Shelby relies on (as well as later, but similar claims) to illuminate the essentialism in Delany’s thinking. The problem, of course, is that the meaning of “original identity” does not amount to much. Delany provides a set of traits that could well be shared, and often are shared, by other “races.” If he means, as Shelby suggest, to identify blacks as being accomplished because they were the first to display these traits that does not mark some essential core of identity as much as it makes a claim about temporal distinctiveness. On my reading, Delany is less interested in making an essentialist argument about black identity as much as he is interested in cultivating dignity in blacks based on a claim about their capabilities. Their ability to be accomplished is not unlike their white counterparts. The intensity of his claim about original identity must be understood against the backdrop of the practice of dehumanization with which black folks must contend. [↑](#footnote-ref-65)
66. Delany, *Condition*, 160. [↑](#footnote-ref-66)
67. Cited in Francis A. Rollin, *Life and Public Services of Martin R. Delany* (Boston: Lee and Shepard, 1868), 76. [↑](#footnote-ref-67)
68. Pettit, *On the People’s Terms*, 2. [↑](#footnote-ref-68)
69. Pettit, *Republicanism*, 52. [↑](#footnote-ref-69)
70. Cicero, *The Republic*, trans. Niall Rudd (New York: Oxford University Press, 1998), bk. II, Line 43, 48-49; John Locke, *Two Treatises of Government*, ed. Ian Shapiro (New Haven: Yale University Press, 1689/2003), 107. [↑](#footnote-ref-70)
71. Pettit, *On the People’s Terms,* 5; cf. chaps. 3-4. [↑](#footnote-ref-71)
72. Mary Nyquist, *Arbitrary Rule: Slavery, Tyranny, and the Power of Life and Death* (Chicago: University of Chicago Press, 2013), 26. [↑](#footnote-ref-72)
73. Jefferson, “A Summary View of the Rights of British America,” in *Jefferson: Writings*, 115. [↑](#footnote-ref-73)
74. Jefferson to John Randolph, August 25, 1775, in *Jefferson: Writings*, 749. [↑](#footnote-ref-74)
75. The reader may well be suspicious of this claim, especially given that I will say in Part II, Chapter 4 that the American polity generally and Jefferson specifically relied on an aspirational view of the people—a people that may yet be—as the legitimating source of democratic-republicanism. I ask that the reader accept the claim above as the expression of one feature of an otherwise productive tension at the heart of the American polity—a way of thinking of the American people as realizing the rights of the past under properly administered constitutional conditions and a vision of the American people that exceeded its specific constitutional and ethical expression. Neo-republicanism, I am saying, relies on the first feature without attending to the second, and that the workings of African American political thought (as we will see in chapter 4) holds both these themes in view, placing much of its emphasis on the power of the second half of this tension.

 [↑](#footnote-ref-75)
76. Cf. Pettit, *Republicanism*, 32-35. [↑](#footnote-ref-76)
77. Pettit does say that he takes “citizens in this discussion to comprise, not just citizens in the official sense, but all the more or less settled residents of a state who, being adult and able-minded, can play an informed role at any time in conceptualizing shared concerns and in shaping how the state acts in furthering those concerns” (Pettit, *On the People Terms*, 75). This move, of course, bypasses the historical problem with which African Americans were concerned—that is, how one achieves formal and informal standing in the eyes of one’s fellows. [↑](#footnote-ref-77)
78. Douglass, “An Address to the Colored People of the United States” (1848), 119. A little more than a year earlier in February of 1847 during his time in England, Douglass makes a similar point. There he writes: “No matter how great in respect to his wealth or intelligence a negro might be, in that country he was denied all station, all respect, all influence. There was a skin aristocracy in American; no, not exactly the skin, it was the colour of the skin, that was the mark of distinction, or the brand of degradation” (Douglass, “The Skin Aristocracy in America,” in *The Frederick Douglass Papers: Series One, Speeches, Debates, and Interviews*, Volume 2, ed. John W. Blassingame [New Haven: Yale University Press, 1982], 4. The reason for this, he continues, is that Americans see black folks “in the condition which they think natural” to them (Douglass, “Skin Aristocracy,” 5). [↑](#footnote-ref-78)
79. Walker, *Appeal*, 31 (emphasis added). [↑](#footnote-ref-79)
80. Dain, *Hideous Monster of the Mind*, 170. [↑](#footnote-ref-80)
81. Easton, *Treatise*, 105; cf. Delany, *Condition*, 154. [↑](#footnote-ref-81)
82. Racial stigmatization “entails doubting the person’s worthiness and consigning him or her to a social netherworld. Indeed, although the language is somewhat hyperbolic, it means being skeptical about whether the person can be assumed to share a common humanity with the observer” (Glenn Loury, *The Anatomy of Racial Inequality* [Cambridge: Harvard University Press, 2003], 61; cf. R. A. Lenhardt, “Understanding the Mark: Race, Stigma, and Equality in Context,” *New York University Law Review*, 79 [2004]: 803-930). [↑](#footnote-ref-82)
83. Easton, *Treatise*, 108. [↑](#footnote-ref-83)
84. Easton, *Treatise*, 103-04. [↑](#footnote-ref-84)
85. I will not take this up in the body of the chapter since it will take us far afield, but it should not be lost on the reader that in our present time the connection between blackness and criminality often removes the presumption of innocence black folks should rightly have against criminal allegation.

 [↑](#footnote-ref-85)
86. Easton, *Treatise*, 103. [↑](#footnote-ref-86)
87. Easton, *Treatise*, 103. [↑](#footnote-ref-87)
88. Easton, *Treatise*, 103. [↑](#footnote-ref-88)
89. Ralph Ellison, “An Extravagance of Laughter” (1985), in *The Collected Essays of Ralph Ellison*, ed. John F. Callahan (New York: Modern Library, 2003), 644. [↑](#footnote-ref-89)
90. Easton, *Treatise*, 106 (original emphasis); cf. “Our children see this [commerce between master and slave], and learn to imitate it; for man is an imitative animal. This quality is the germ of all education in him. From his cradle to his grave he is learning to do what the sees others do. If a parent could find not motive either in his philanthropy or his self-love, for restraining the intemperance of passions toward his save, it should always be a sufficient ne that his child is present. But generally it is not sufficient. The parent storms, the child looks on, catches the lineaments of wrath, puts on the same airs in the circle of smaller slaves, gives a loose to the worst of passions, and thus nursed, educated, and daily exercised in tyranny, cannot but be stamped by it with odious peculiarities” (Jefferson, *Notes,* Query XVIII, 257). For more sustained reflections on the connection between white supremacy and children books see Donnarae MacCann, *White Supremacy in Children’s Literature: Characterizations of African Americans, 1830-1900* (New York: Garland: 1998). [↑](#footnote-ref-90)
91. Ellison, “An Extravagance of Laughter,” 644.

 [↑](#footnote-ref-91)
92. Easton, *Treatise*, 105. [↑](#footnote-ref-92)
93. Easton, *Treatise*, 119. [↑](#footnote-ref-93)
94. Tocqueville makes this point regarding the North’s perception of African Americans: “In the North the white man no longer clearly sees the barrier that separates him from the degraded race, and he keeps the Negro at a distance all the more carefully because he fears lest one day they be confounded together” (Tocqueville, *Democracy*, 343). For a recent elucidation of this normalization in the North and its relationship to public performance and entertainment see Douglass A. Jones Jr., *The Captive Stage: Performance and the Proslavery Imagination in the Antebellum North* (Michigan: University of Michigan Press, 2015). [↑](#footnote-ref-94)
95. Pettit, *Republicanism*, 246. [↑](#footnote-ref-95)
96. Of course, the claim regarding the developed and constructed character of white supremacy also opens up the possibility that we may learn new habits. [↑](#footnote-ref-96)
97. It is important to read this line with care. The suggestion is not that republicanism and whiteness was necessarily tied together. There were, after all, other ways of configuring republicanism’s relation to slavery and the status of black people in American political discourse. Some of those other ways affirmed their equal standing with whites. Other views insisted on the equal moral standing of blacks, but acknowledged fundamental differences between them and whites. This view supported the idea of freeing blacks and having them move elsewhere. Finally, others viewed republicanism as historically underwriting a proslavery argument and justifying the hierarchy of racial difference. For a sample of this see Caroline Winterer, *American Enlightenments: Pursuing Happiness in the Age of Reason* (New Haven: Yale University Press, 2016), ch. 5. [↑](#footnote-ref-97)
98. See Benedict Anderson, *Imagined Communities: Reflections on the Origins and Spread of Nationalism*, rev. ed. (London, UK: Verso, 2006); Richard Rorty, *Achieving Our Country: Leftist Thought in Twentieth-Century America* (Cambridge: Harvard University Press, 1998), chaps. 3-4. [↑](#footnote-ref-98)
99. W. E. B. Du Bois, *The Souls of Black Folk* (New York: Oxford University Press, 1903/2007), 2. [↑](#footnote-ref-99)