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Frederick Douglass's Civic Education

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In his most famous speech, "What to the Slave Is the Fourth of July?," delivered 76 years after 1776, Frederick Douglass found hope in the thought that the nation was young. "Still in the impressible stage," the United States might be capable of moral maturation. The improvement Douglass desired—the abolition of slavery—did not require repudiating the nation's origins; "high lessons of wisdom, of justice and of truth," which could "give direction to her destiny," might be gleaned from the birthday of national independence. "Were the nation older," he said, "the patriot's heart might be sadder."[1]

Our nation is now considerably older. In this semiquincentennial year, must our hearts be sad? Perhaps there are grounds for hope in the fact that even old nations are continually refreshed by young citizens. Like the poor, the young will always be with us. But that means the task of education is always with us too. Birthright citizenship makes citizens only in a technical or formal sense; only a properly formative education can make us into the sorts of citizens our republic requires. Unfortunately, many students today are shaped largely by their early and sustained miseducation. They are not, in the deeper sense, students at all. They are not attentive to language, not open to evidence and argument, not curious about the past, not observant of the world around them. Behind these failures of intellect, there is a more profound disorder of the heart. Young Americans are not patriots; moreover, they regard patriotism with suspicion. This creates a dilemma for civic learning, since all learning begins in love. Budding entomologists just love bugs. That kind of pure and simple attachment is not possible in the political realm.

In my experience as a college teacher, most students arrive with serious reservations about the American founding. It turns out that those reservations are rooted in the American attachment to equality—students seem unaware that their very objection pays tribute to the founders' declaration of equality as the premise of the nation. Instead of understanding how the founders shaped the moral commitments of succeeding generations, students have been instructed that the founders were either hypocrites or worse than hypocrites. Either they included blacks in the human family, in which case they were hypocrites for not immediately ending slavery and establishing equality, or they didn't even consider blacks to be human, in which case they were racist fools. Either interpretation leads young people to dismiss the founding generation and feel shame rather than gratitude toward their inheritance. Since they regard themselves as already morally superior, maturation is not their aim.

Students will hold themselves aloof from civic learning until their moral qualms about the nation's origins are addressed. The separation of powers, checks and balances, and all the ingenious discoveries of the "new science of politics" lie flat on the page, unanimated, rejected as legitimate objects of desire or admiration. So, how to proceed? Douglass comes to our rescue, showing how a person of the utmost moral seriousness and intellectual integrity could move from a position of radical alienation to one of genuine attachment—and do so through a searching confrontation with the founding documents. Douglass demonstrates how grievance and gratitude can be balanced in thoughtful patriotism.

12 Years a Garrisonian

Born into slavery in Maryland in 1818, Douglass escaped bondage with a daring flight north in 1838, settling in Massachusetts. Despite his status as a runaway, subject to recapture, he soon commenced his career as an abolitionist. With the publication of his autobiography in 1845, Douglass felt compelled to flee the country altogether; his increased

prominence made life in a land of bloodhounds and man stealers too risky. He returned 21 months later, after British friends secured his manumission with a payment of $711.66 (about $30,000 in today's money) to Douglass's "owner."

Not surprisingly, Douglass always viewed the United States from the perspective of the enslaved. His first impulse was to denounce the nation, root and branch. That impulse led him to become a follower of William Lloyd Garrison, who radicalized the antislavery movement with his pronouncement that the US Constitution was a "covenant with death, and an agreement with hell."[2] On the abolitionist lecture circuit, Douglass could give full-throated expression to his righteous anger. While many of today's students haven't the religious foundation or familiarity with the classics that shaped the powerful eloquence of the self-educated former slave, they would applaud his sentiments:

> How can I love a country that dooms three millions of my brethren, some of them my own kindred, my own brothers, my own sisters, who are now clanking the chains of Slavery upon the plains of the South, whose warm blood is now making fat the soil of Maryland and of Alabama, and over whose crushed spirits rolls the dark shadow of oppression, shutting out and extinguishing forever, the cheering rays of that bright sun of Liberty lighted in the souls of all God's children by the Omnipotent hand of Deity itself? How can I, I say, love a country thus cursed, thus bedewed with the blood of my brethren? A country, the Church of which, and the Government of which, and the Constitution of which, is in favour of supporting and perpetuating this monstrous system of injustice and blood? I have not, I cannot have, any love for this country, as such, or for its Constitution. I desire to see its overthrow as speedily as possible, and its Constitution shivered in a thousand fragments, rather than this foul curse should continue to remain as now.[3]

For Douglass, this verdict committed him to revolution. So long as he embraced the Garrisonian principle of "No Union with Slaveholders," Douglass called for the annulment of the Constitution and the breakup of the Union. While some students today pursue a visceral, activist anti-Americanism, most young people draw a different lesson. Their hostility to America's disgraceful past compounds their preexisting political apathy. As Alexis de Tocqueville predicted, equality of conditions can lead Americans to withdraw into narrow self-absorption.[4]

To counteract the indifference of an individualistic society, the Garrisonians relied on appeals to universal humanitarianism. The cosmopolitan outlook was explicit; the masthead of Garrison's newspaper, *The Liberator*, bore the motto "Our Country Is the World—Our Countrymen Are Mankind." Today's students are often cosmopolitans, but that stance is now mostly shorn of its Garrisonian fervor. They are disaffected cosmopolitans.

One reason why Douglass is so suited to our moment is that he was not content to remain alienated from the land of his birth. Cosmopolitanism did not satisfy him. His quest to belong can be glimpsed even in his earliest expressions of non-belonging. In a letter written to Garrison from Belfast and published in *The Liberator*, Douglass begins by asserting, "As to nation, I belong to none." He is a sojourner in the British Isles—welcomed on terms of equality and celebrated as a hero—but still an itinerant stranger. While he has "no . . . resting-place abroad," he also has "no protection at home." Significantly, Douglass calls the United States "home." Repeatedly, he calls it "the land of my birth"—from which he is an "outcast" and an "outlaw."[5] Douglass is self-reflective about his uprooted condition, which he recognizes as anomalous:

> That men should be patriotic is to me perfectly natural; and as a philosophical fact, I am able to give it an *intellectual* recognition. But no further can I go. If ever I had any patriotism, or any capacity for the feeling, it was whipt out of me long since by the lash of the American soul-drivers.[6] (Emphasis in original.)

Douglass understands his deracination as an artifact of enslavement.

Thomas Jefferson was aware of this phenomenon—and he lamented it. In the famous query 18 in *Notes on the State of Virginia*, Jefferson described a situation in which "one half the citizens" were allowed "to trample on the rights of the other." He predicted that the trampler citizens would lose their morals and be transformed into "despots," while the trampled-upon citizens would lose their "amor patriæ" and be transformed into "enemies."[7] Jefferson spoke feelingly of the slaves' dilemma:

> If a slave can have a country in this world, it must be any other in preference to that in which he is born to live and labour for another: in which he must lock up the faculties of his nature, contribute as far as depends on his individual endeavors to the evanishment of the human race, or entail his own miserable condition on the endless generations proceeding from him.[8]

Chattel slavery doesn't just steal one's labor and damage one's human potential; by extending that condition into the indefinite future, it sours the race against its own continuance. Slavery sabotages the divine injunction to "be fruitful and multiply." Attempting to rally support for gradual emancipation in Virginia, Jefferson was frank in affixing blame: "The statesman" who permitted the perpetuation of slavery should be "loaded" with "execration."[9] Douglass obliged him by denouncing "our piratical fathers."[10]

Yet immediately after declaring himself a man without a country, Douglass admits that he responds to the beauties of America's natural environment. In exile, he imagines "her bright blue sky—her grand old woods—her fertile fields—her beautiful rivers—her mighty lakes, and star-crowned mountains." But once again, he is brought up short:

> When I remember . . . that her most fertile fields drink daily of the warm blood of my outraged sisters, I am filled with unutterable loathing, and led to reproach myself that any thing could fall from my lips in praise of such a land.[11]

Douglass is doing something interesting here with the concepts of blood and soil. (Remember, he is writing a century before the repulsive Nazi version of *Blut und Boden* nationalism.) Douglass points to a kind of natural, aesthetic attachment to one's native land, as well as a natural attachment to one's blood kin. Because of slavery, these two forms of love of one's own, which normally would be mutually reinforcing, are at odds. For Douglass, the blood claim of his "sable brethren" negates his American nativity: "America," he says, "will not allow her children to love her." Yet when Douglass prays for the nation to repent at the close of this paragraph, he does so not only for the sake of the oppressed but for the sake of America itself, "before it is too late."[12]

Douglass expressed this concern more explicitly in another public letter addressed to Horace Greeley, editor of the *New-York Tribune*. Douglass's international public speaking campaign had made him more hated than ever in anti-abolition circles. The *New York Express*, a rival paper to Greeley's *Tribune*, had accused Douglass of "running a muck in greedy-eared Britain against America, its people, its institutions, and even against its peace." Since Greeley had reprinted Douglass's account of his Irish tour, Douglass, now in Scotland, ventured to communicate directly with Greeley.

Douglass begins by mentioning that this is his first attempt "to write a letter for any other than a strictly anti-slavery press." Perhaps this new audience influences his rhetoric, as he undertakes to defend himself against the charge of anti-Americanism. Expressing the "ardent hope that the curse of slavery will not much longer be permitted . . . to spread its foul mantle of moral blight, mildew and infamy, over the otherwise noble character of the American people," Douglass writes to explain why it has been necessary to expose "the sins of one nation in the ear of another."[13]

Instead of repeating that he is not and cannot be a patriot, Douglass presents his shaming of the United States as the act of a friend:

> I am one of those who think the best friend of a nation is he who most faithfully rebukes her for her sins—and he her worst

> enemy, who, under the specious and popular garb of patriotism seeks to excuse, palliate, and defend them.[14]

At this point, patriotism remains suspect, the proverbial last refuge of a scoundrel. Though not yet a lover of the nation, Douglass is prepared to speak of friendship and to couch his chastisements in more sympathetic terms. Referring to "the immortal Jefferson," Douglass echoes the Virginian's concern for the moral fiber of the nation. He declares that his aim is "to give such an exposition of the degrading influence of slavery upon the master and his abettors as well as upon the slave" as will "shame [America] out of her adhesion to a system . . . at war with her own free institutions."[15]

The mention of "free institutions" signals a new attentiveness on Douglass's part to politics and the demands of persuasive speech. We should recall how radically apolitical the Garrisonians were. Many of them were "no government" men—pacifists and millenarian utopians. From their perspective, slavery was just the most visible form of the violence endemic to all human rule. Garrison and his disciples relied on divine law to condemn American sinfulness. Their text was the Bible, and their favored genre of speech the jeremiad. Much of their vituperation was trained on the US Constitution, which they interpreted as a thoroughly proslavery compact. Although the Garrisonians certainly agreed with the Declaration's assertion that "all men are created equal," they did not attempt to use the document as an antislavery resource, viewing it instead as a giant fraud from the get-go. They preferred the unadulterated primary source: the Word of God.

In Ireland, however, Douglass met abolitionists who considered themselves "the warmest friends of America and American institutions." In his letter to Greeley, he remarks that he frequently saw the American Declaration of Independence on display in their parlors. He tells of a Dubliner whose home featured not only the Declaration but "a number of portraits of the distinguished founders of the American Republic." Gazing on an expensively framed copy of the Declaration, the "aged anti-slavery gentleman" confessed that he was "often tempted to turn its face to the wall,

it is such a palpable contradiction of the spirit and practices of the American people at this time." Douglass quotes the testimony of John Quincy Adams, who feared that "the preservation, propagation and perpetuation of Slavery" had over time become "the vital and animating spirit of the American Government."[16] If the problem is the abandonment of the founding principles by subsequent generations—if it is the sons of the fathers who have turned the Declaration's face to the wall—then a better strategy might be to restore the Declaration to its original prominence. Revolution, in its literal and conservative meaning of revolving back to the starting point, could be a promising path.

Despite evincing glimmerings of another way, Douglass while abroad continued to argue not for a restored Union but for disunion. The Mexican-American War, which threatened to extend slavery's reach, demonstrated to him that even "Old Massachusetts" was "now in the piratical grasp of Texas."[17] Writing from London in August 1846 to the Anti-Slavery Sewing Circle of Lynn, Massachusetts,[18] Douglass held to the Garrisonian ultraist view that the founding was to blame. He tells the ladies:

> The deed was done long ago. The foundation of this frowning monument of infamy was laid when the States were first declared the *United States*. This is but another link around your necks of the galling chain which your fathers placed about the heels of my race. It is the legitimate fruit of compromise—of attempting a union of freedom with slavery. All was lost in that sad moment. . . . The Union must be dissolved, or New England is lost and swallowed up by the slave-power of the country.[19] (Emphasis in original.)

In his lengthy "Farewell Speech to the British People" in March 1847, Douglass continued to speak in full jeremiad mode.[20] Dropping any reference to "the otherwise noble character of the American people," he asserts that "the entire network of American society, is one great falsehood, from beginning to end."[21] Of the beginnings, Douglass says,

> In their celebrated Declaration of Independence, they made the loudest and clearest assertions of the rights of man; and yet at that very time the identical men who drew up that Declaration of Independence, and framed the American democratic constitution, were trafficking in the blood and souls of their fellow men.[22]

While he has "no word of patriotic applause for America or her institutions," he is full of praise for England, where for the first time in his life he has "known what it was to enjoy liberty." It turns out that "liberty under a monarchy is better than despotism under a democracy."[23] And yet Douglass chooses to "go home." He does so, he says, "for the sake of my brethren . . . to suffer with them; to toil with them; to endure insult with them; to undergo outrage with them; . . . to speak and write in their vindication."[24] Upon his return, in May 1847, Douglass delivered his most famous statement of disaffection: "I have no love for America, as such; I have no patriotism. I have no country. What country have I? The institutions of this country do not know me, do not recognize me as a man."[25]

Five months later, in another major speech titled "American Slavery," there appeared a glimmer of a shift in Douglass's approach. As in that April 1846 letter to Greeley, Douglass explores the elements of his temperament that open him to patriotism. He possesses, he says, "all the moral material." He recurs to his attachment to the soil, which can induce in him "a sort of glow." He expresses admiration for the American character, with its "enterprise" and "industry," and takes the dramatic step of admitting that he "can read with pleasure your Constitution to establish justice, and secure the blessings of liberty to posterity." However, these "precious sayings" are invalidated when he remembers "the blood of my own blood . . . toiling under the lash." Yet immediately after reiterating that he "make[s] no pretension to patriotism,"[26] he again floats that alternative definition of patriotism that privileges dissent:

> I will hold up America to the lightning scorn of moral indignation. In doing this, I shall feel myself discharging the duty of a

> true patriot; for he is a lover of his country who rebukes and does not excuse its sins.[27]

In April 1846, Douglass described himself as a friend of the nation; now, in September 1847, he speaks of being a lover. At the same time, since he still believes that the Constitution is "radically and essentially slave-holding," he refuses to vote or engage in political organizing.[28] The tools of the citizen are off-limits. As a disciple of Garrison, Douglass rejected the abolitionist Liberty Party and others who sought reform from within the constitutional order: "Vainly you talk about voting it down. . . . Nothing but God's truth and love can cleanse the land. We must change the moral sentiment."[29] For the Garrisonians, morality and politics were irreconcilable.

Breaking Free

In launching his own abolitionist newspaper, *The North Star*, in December 1847, Douglass boldly announced, "We shall try to have a mind of our own."[30] He more than delivered on that aspiration. Once out of the orbit of the Garrisonians, having relocated to Rochester, New York, Douglass undertook "a reconsideration of the whole subject."[31] In the upshot, he completely reversed his position on four key matters: disunionism, pacifism, the nonvoting principle, and the proslavery character of the US Constitution.

Although dramatic, this about-face was not abrupt. Douglass's change of opinion, officially announced in May 1851, was the result of much reading, much thought, and much debate. In his autobiography, he says he studied, "with some care, not only the just and proper rules of legal interpretation, but the origin, design, nature, rights, powers, and duties of civil government, and also the relations which human beings sustain to it."[32] It's not an exaggeration to say that Douglass discovered political philosophy, and it cured him of Garrisonianism and gave him his country back.

Douglass's reconsideration focused almost entirely on the Constitution. As early as February 1849, he was prepared to admit that, if strictly construed, the document was not proslavery. However, that admission meant little to him, since he did not think the letter of the law should determine interpretation. Instead, as he explained,

> the original intent and meaning of the Constitution (the one given to it by the men who framed it, those who adopted it, and the one given to it by the Supreme Court of the United States) makes it a pro-slavery instrument.[33]

This emphasis on original intent, original meaning, and, especially, the subsequent practice of the nation was characteristic of the Garrisonian approach.

In this same month, John C. Calhoun, joined by 48 Southern politicians, published an address to his fellow Southerners warning of "acts of aggression and encroachment" by an abolitionized North.[34] In response, Douglass penned a detailed and sarcastic critique of the address.[35] Calhoun and company had argued that the Constitution explicitly recognized and protected slavery. Of the language for the return of escapees, Calhoun had asserted, "All is clear. There is not an uncertain or equivocal word to be found in the whole provision."[36] In response to this misrepresentation, Douglass delights to point out that "the word slave . . . is the word of this conclave, and not of the Constitution."[37] Douglass brandishes the interpretative possibilities that unfold because of the Constitution's lack of clarity:

> The language in each of the provisions to which the address refers, though doubtless *intended* to bolster up slavery, and to respect slave property, has been so ambiguously worded as to bear a very different construction; and taken in connection with the preamble of that instrument, the very opposite of the construction given it by this wily band of slaveholders, and they have just reason to apprehend that such a construction may yet be placed

> upon that instrument as shall prove the downfall of slavery.[38] (Emphasis in original.)

While Douglass sees the political advantage of constitutional literalism (if it does not say "slave," it does not mean "slave"), he is not yet prepared to adopt it. Here, he remains fixed in his view of the founders' nefarious intention. The absence of the words "slave" or "slavery" from the Constitution indicates the wicked cunning of the drafters, who "were ashamed of the *name*" of their crime but adept in devising federal protection for it.[39] (Emphasis in original.) Thus, Douglass affirms the slavocrats' brutally honest translation of the Constitution's shamefaced euphemisms:

> We are for admitting that the Constitution is just what these slaveholders in this address say it is; and on conscientious grounds demand the immediate dissolution of the American Union, as required by liberty and the law of the living God.[40]

Whether or not slaveholders took note of Douglass's journalism, abolitionists certainly did. His flirtation with literalism occasioned much excitement, with his Boston associates suspecting him of incipient apostasy, while political-action types like Gerrit Smith were greatly pleased. Douglass responded in March 1849 with another long piece, "The Constitution and Slavery," which walks a tightrope stretched above the abolitionist factions.[41] He begins by insisting that his "only aim is to know what is truth and what is duty," as a result of which he holds himself "perfectly free to change [his] opinion in any direction, and at any time which may be indicated by our immediate apprehension of truth, unbiased by the smiles or frowns of any class or party of abolitionists."[42] No such change, however, is announced, as Douglass then simply rehearses the Garrisonian take on each of the supposed slave provisions of the Constitution and repeats the standard call for "immediate disannulment."[43]

At the end of the piece, however, Douglass does take the very un-Garrisonian step of saying that he is "prepared to hear all sides" and

give a "candid consideration" to the views of "our friend Gerrit Smith." Inviting Smith to write for *The North Star*, Douglass assures him that

> he cannot have a stronger wish to turn every rightful instrumentality against slavery, than we have; and if the Constitution can be so turned, and he can satisfy us of the fact, we shall readily, gladly and zealously turn our feeble energies in that direction.[44]

This truth-seeking humility on Douglass's part is crucial. Today's students could already benefit by following along as Douglass weighs the evidence and changes his mind, but maybe more important than the substantive transformation is the attitude that makes transformation possible. Douglass refuses to regard his current position on the Constitution as "correct beyond the possibility of an honest doubt."[45] By granting a hearing to those who disagree with him, he is not allowed to dismiss them as "bent upon making the worse appear the better reason."[46] Of course, there is such a thing as sophistry—Douglass was convinced that Calhoun was a sophist—but it must be proved, not assumed. One must start from the arguments rather than the ascription of motives. In 1849, Douglass pursued this more naive approach of epistemic uncertainty with respect to the Liberty Party, but it soon led him to approach the founders—and the charters they drafted—with the same open-mindedness.

"Months of Thought and Investigation"

The next two years consisted of a back-and-forth with Smith, in part by private letters, in part through public exchanges. The engagement began in earnest in March 1849, when Douglass delivered "Comments on Gerrit Smith's Address." Douglass begins by separating the "ought" from the "is." Agreeing with Smith that "government ought to be just, merciful, holy," Douglass states that the question at issue is "what the government of the United States is *authorized to be, and to do, by the Constitution*

of the United States." (Emphasis in original.) Unlike Smith, who wanted to make the law (including the Constitution itself) "subject to the understanding of right," Douglass rebuts by saying that "the Supreme Court has no conscience above the Constitution of the United States." Basically, the higher law is not constitutional law. Instead, Douglass defends the notion of a written Constitution as an essential check on "the voice of an ever-shifting majority, be that good or evil."[47]

Douglass defends constitutionalism, even if not the US Constitution. So, unless Smith can offer rules of reading that justify the importation of natural law into the written law, Douglass will

> continue to understand the Constitution not only in the light of its letter, but in view of its history, the meaning attached to it by its framers, the men who adopted it, and the circumstances in which it was adopted.[48]

Douglass certainly sees the strategic advantage in Smith's antislavery reading: "We candidly confess that, could we see the Constitution as they do, we should not be slow in using the ballot-box against the system of slavery, or urging others to do so."[49] However, Douglass is not a utilitarian consequentialist: "If there is one Christian principle more firmly fixed in our heart than another, it is this, that it is wrong to do evil that good may come."[50] Douglass will not act unless he believes he has moral right, and hence moral power, on his side.

Paying more attention to the tumultuous political scene in the lead-up to the Compromise of 1850, Douglass penned harsh evaluations of "crafty" Henry Clay and "temporizing" Daniel Webster.[51] As battles over slavery broke out on many fronts, the old idea of gradual emancipation coupled with expatriation experienced a revival of sorts. Decades earlier, Jefferson had proposed this two-pronged approach when he undertook to revise the laws of Virginia in the immediate wake of the American Revolution.[52] For Jefferson, colonization offered a way to make good on the fundamental natural right to liberty of all persons without having to grant political

rights and civic equality to blacks in America.[53] The American Colonization Society (ACS) had been founded in 1816 to implement this tidy "solution" to the twin dilemmas of slavery and race. The roster of supporters was impressive, including founding-era statesmen James Madison and James Monroe, as well as noted abolitionists Garrison and Smith.

However, by the 1830s, abolitionists of all stripes had abandoned the project in disgust, with Garrison penning a full exposé of the ACS's pro-slavery motives and effects in his 1832 *Thoughts on African Colonization*. Garrison devoted the entire second part of the work, "Sentiments of the People of Color," to documenting the overwhelmingly hostile reaction of free blacks to the idea of exodus. Spanning the years 1817 to 1832, 60 pages' worth of anti-colonization statements issued by gatherings of free blacks throughout the country (including in Delaware, Maryland, and Washington, DC, where slavery was legal) showed that Jefferson's prediction that oppression would erode the love of home had been wrong. Garrison concluded that "their *amor patriæ* is robust and deathless," felt even by "the unhappy slave."[54]

Despite the ambivalence we have seen from Douglass respecting patriotism, he never wavered in his opposition to emigration schemes. Indeed, his very first public speech, only six months after escaping slavery, was a denunciation of colonization. We don't have the text of his remarks, but we know that the 21-year-old runaway slave "Mr. Douglass" participated in a gathering of "colored citizens" in New Bedford, Massachusetts, on March 12, 1839. Interestingly (and unusually for these protests), the resolutions they adopted were modeled on the Declaration of Independence. After quoting the self-evident truths of equality and liberty, the document appeals to the sovereignty of the people to declare that

> when any of that people shall become honestly convinced that Slavery and African Colonization tends to tyranny, or are anti-republican in their nature, it is their *right*, it is their *duty* . . . to take a manly, a decided and an inflexible stand against the usurpation of their dearest rights.[55] (Emphasis in original.)

The signers pledge themselves

> *determined* to lay our unfettered bodies on the soil that gave us birth; and in the language of the red man to exclaim, "Shall we say to the bones of our *fathers* in yonder graves, get ye up and, go thither?"[56] (Emphasis in original.)

Assuming that the Native American reference is to the Cherokee removal and the Trail of Tears, which began in 1838, the New Bedford meeting threatens to resist—"Come weal, come woe, come life or death!"—any attempts at forced relocation. Despite the revolutionary temper of the document, it also affirms, perhaps inconsistently, that Garrison's "principles of NON-RESISTANCE are not detrimental to the abolition of American slavery."[57]

Serving as president of the ACS from 1836 to 1849 ("He is President of nothing else," said Douglass snidely), Clay was a frequent target for abolitionist criticism.[58] He was singled out in the 1839 New Bedford resolutions. In response to an 1847 speech Clay gave in Lexington, Kentucky, Douglass wrote a public letter, "To Henry Clay," wherein he accused Clay of "pretended opposition to Slavery" and "mere cant, by which to seduce the North into your support."[59] He counsels Clay, as one "in the very winter of life" who must be beyond "any ambitious desires to become the President of the United States," to

> emancipate your own slaves. . . . Leave them free as the Father of his country left his, and let your name go down to posterity, as his came down to us, a slaveholder, to be sure, but a repentant one.[60]

Still lingering on the political scene in 1849, Clay triggered a renewed "out with the negroes" movement in Kentucky in consequence of his proposal for gradual emancipation in conjunction with expatriation. Douglass responded to Kentucky's interest in federal funding for colonization

with a blistering editorial, closing with the lines "We live here—have lived here—have a right to live here, and mean to live here."[61]

A strong oppositional reflex was a confirmed element in Douglass's character. His master's ban on learning to read inspired the young Douglass to master the alphabet on his own—and, in doing so, to overmaster his master. When the masters sought to solidify slavery by uprooting free blacks, Douglass thrust his American roots deeper. His speech in Boston's Faneuil Hall on May 31, 1849, set forth black claims on the continent and the nation. He points out that the black presence on the soil was contemporaneous with the European presence. Beyond the simple right to be there, blacks have claims to citizenship based on contribution ("Some of our number have fought and bled for this country") and devotion ("We are lovers of this country").[62]

The conclusion of the speech strikes a new note of militant resistance. Douglass created a sensation when he said he would welcome the news that "the slaves had risen in the South, and that the sable arms which had been engaged in beautifying and adorning the South were engaged in spreading death and devastation there." Douglass invokes the American Revolution (as well as the French Revolution of 1848), summoning Americans to be consistent in their Lockean political philosophy: "There is a state of war at the South at this moment. . . . Should you not hail, with equal pleasure, the tidings from the South that the slaves had risen . . . ?"[63] In throwing off Garrisonian nonresistance and pacifism, Douglass returned to the lessons he learned at age 16 during his physical battle against the brutal slave breaker Edward Covey: "A man without force is without the essential dignity of humanity."[64]

Once his philosophy was in accord with his natural temperament, Douglass made full use of the 1776 appeal. Witness this example from his autobiography:

> The slaveholder, kind or cruel, is a slaveholder still—the every hour violator of the just and inalienable rights of man; and he is, therefore, every hour silently whetting the knife of vengeance

> for his own throat. He never lisps a syllable in commendation of the fathers of this republic, nor denounces any attempted oppression of himself, without inviting the knife to his own throat, and asserting the rights of rebellion for his own slaves.[65]

In the legislative maneuverings of 1850, Douglass was disgusted by Clay and disappointed in Webster. He was more impressed with a newcomer to the Senate, William H. Seward. Nonetheless, he found deficiencies in the scope of Seward's opposition to the compromise measures.[66] Whereas Seward demanded "the Rights of *Habeas Corpus* and Jury Trial" for suspected fugitives (an attempt to provide protection for free blacks), Douglass regarded "the trial of a man for his freedom" as an abomination, because the "right to liberty" is indefeasible for all men, runaways or not.[67] While the Garrisonians denounced slavery as sin, Douglass began to focus more on slavery as a violation of rights. The shift is subtle. Certainly, Douglass grounded his understanding of human beings as rights-bearing individuals in equal creation by God, but his language was becoming more political, less exclusively religious. As he explains in his second "Lecture on Slavery," the right to liberty "is self-evident" and

> existed in the very idea of man's creation. It was *his* even before he comprehended it. He was created in it, endowed with it, and it can never be taken from him. No laws, no statutes, no compacts, no compromises, no constitutions, can abrogate or destroy it.[68] (Emphasis in original.)

In 1850, Douglass recognized that "the present storm-tossed condition of the public mind" involved not only the compromise measures themselves but the battle over the character of the Constitution.[69] In an editorial titled "Oath to Support the Constitution," Douglass formulated his rejection of the document in a new way. Instead of reasserting the proslavery character of the Constitution (on which Garrisonians and Calhounites spoke with one voice), he now argued that "Liberty and Slavery—opposite

as Heaven and Hell—are both in the Constitution."[70] Douglass seems to have become more receptive to the constitutional arguments made by the Liberty Party and the new Free Soil Party, both of which highlighted the antislavery character of the Constitution.

Nonetheless, because of this "fundamental contradiction" embedded in the document, Douglass argued that an oath to support the Constitution is logically impossible for either the slaveholders or the proponents of "Free Soil" in the North. While heartened by the Free Soil members' rejection of the Compromise of 1850, Douglass was not convinced that their subscription to the Constitution could be made legitimate "based on alleged necessity."[71]

> They have a theory of human government, which makes it necessary to do evil, that good may come. We are not convinced that that theory is correct; and we must continue to hold, *for the present*, that the Constitution, being at war with itself, cannot be lived up to, and what we cannot do, we ought not to swear to do; and that, therefore, the platform for us to occupy, is outside that piece of parchment.[72] (Emphasis added.)

Note how carefully Douglass hedges his current rejectionist position with that qualifying phrase "for the present." While continuing to remain "outside" the Constitution, Douglass is more forthright in asserting his patriotism. The crisis of 1850 had brought forth much talk of patriotism as partisans made the case for various Union-saving measures. In a series of seven lectures on "American Slavery" begun in December 1850, Douglass was willing to bid for the label. Contrasting his "genuine patriotism" with the version "impiously" arrayed on the side of slavery, Douglass said, "I, too, would invoke the spirit of patriotism."[73]

In a private letter to Smith in January 1851, Douglass indicated his frustration with the perversity of the Garrisonian position: "I have about decided to let Slaveholders and their Northern abettors have the Laboring *oar* in putting a proslavery interpretation upon the Constitution. I am sick

and tired of arguing on the slaveholders' side of this question."[74] (Emphasis in original.) The sticking point for Douglass remained his understanding of the "intentions of the framers."[75] He was prepared to admit that a sole focus on the text may be a sound hermeneutic for legal documents, but he had lingering moral qualms. The passage is worth quoting in full:

> May we avail ourselves of legal rules which enable us to defeat even the wicked intentions of our Constitution makers? It is this question which puzzles me more than all others involved in the subject. Is it good morality to take advantage of a legal flaw and put a meaning upon a legal instrument the very opposite of what we have good reason to believe was the intention of the men who framed it? Just here is the question of difficulty with me. I know well enough that slavery is an outrage, contrary to all ideas of justice, and therefore cannot be law according to Blackstone. But may it not be law according to American legal authority?[76]

Less than four months later, in another letter to Smith, Douglass had resolved his qualms. Referring to "months of thought and investigation," he announced that he was "prepared to contend for those rules of interpretation which when applied to the Constitution make its details harmonize with its declared objects in its preamble."[77] Three weeks later, he issued the forthright editorial "Change of Opinion Announced."[78] Over the next decade, he would detail how he read the various contested clauses of the Constitution, but here he limited himself to highlighting the disadvantage of his previous mode of interpretation:

> We found, in our former position, that, when debating the question, we were compelled to go behind the letter of the Constitution, and to seek its meaning in the history and practice of the nation under it—a process always attended with disadvantages; and certainly we feel little inclination to shoulder disadvantages of any kind, in order to give slavery the slightest protection.[79]

Demanding that the Constitution "be wielded in behalf of emancipation," Douglass now regarded both the charter of government and its ordinary processes, especially the ballot, as "powerful instrumentalities against Slavery."[80]

"Cling to This Day—Cling to It, and to Its Principles"

What enabled Douglass to finally reconcile morality with politics? Certainly, the results are clear: The reconciliation made him pro-Union (now arguing that slavery would be abolished only through the Union rather than through its dismemberment), pro–political party (now faced with difficult decisions about whether to support only Liberty Party candidates or more moderate Free Soil and eventually Republican candidates), and pro–slave insurrection (hence his endorsement of resistance to the Fugitive Slave Act and his financial support for John Brown). Never does Douglass say he switched to a Machiavellian calculus that one can do evil to produce good—although, of course, Machiavellians usually don't own their "effectual truth." My view is that Douglass continued a man of principle; he did not give up on doing rightly, but he did add the virtue of political prudence to his understanding of a principled life. Prudence permits one to choose the lesser of two evils. Let's say Douglass moved from Immanuel Kant not all the way to Machiavelli but to the proper mean of Aristotle.

There is one clue about the final stage of Douglass's conversion. Unlike some of his new mentors, especially Lysander Spooner, dean of the antislavery constitutionalists, Douglass did not "fling to the winds" the question of authorial intention.[81] With his "*sola scriptura*" rule of interpretation, Spooner had disallowed "all speculations as to the opinions of the Constitution makers."[82] In another letter to Smith, Douglass says something a little different: "I am only in reason and in conscience bound to learn the intentions of those who framed the Constitution *in the Constitution itself*."[83] (Emphasis in original.) For Douglass, intention still matters and is discoverable in the text. The text is the record of its maker's

intention—an intention that can then be confirmed through knowledge of the historical record.

Over the course of the 1850s, Douglass's interest in the founders grew as he developed a sophisticated reading of the text that did not scorn research into the wider context. In a certain sense, both the extreme Garrisonian proslavery reading and the extreme Spoonerian antislavery reading were the creations of purists. As soon as Garrison espied compromise in a document (or an institution or a person), he rejected it as hopelessly compromised. Spooner, too, was an absolutist of sorts. He simply refused to see any compromise with slavery in the Constitution. The charter was worthy of support because it was pure, with the admirable preamble controlling the meaning of each provision and invalidating any interpretation at odds with true justice. Yet for most Americans—who did know something of their history—Spooner's literalism seemed too much like a semantic trick. It's true that the words "slave" and "slavery" do not appear in the Constitution. But is slavery there all the same? And if so, what does that mean about our ability to swear an oath to the Constitution?

What Douglass achieved was a vindication of the founders' intent. Instead of denying the presence of compromises in the document, he reexamined key provisions to see whether they amounted to a compromise of the principle of human liberty. Is it possible to construct a compromise that isn't compromising? The paradox here is a permanent one. Should we celebrate the spirit of compromise and mutual concession? Should we venerate those statesmen who ingeniously craft modes of adjustment that pacify intestine feuds? Should we lament the rise of extremists for whom "compromise" is a dirty word?

Yes, yes, and yes. And yet "compromise" is sometimes a dirty word: "She compromised herself and all she ever stood for" or "they were discovered in a compromising position." Garrison was always uncompromising, but the supremely prudent Abraham Lincoln could also be uncompromising. Think of the intransigence on display in the final paragraph of Lincoln's 1860 Cooper Union address:

> Neither let us be slandered from our duty by false accusations against us, nor frightened from it by menaces of destruction to the Government nor of dungeons to ourselves. let us have faith that right makes might, and in that faith, let us, to the end, dare to do our duty as we understand it.[84]

As Douglass's experience of the world grew, he became more discerning in his evaluations of the proper types of, and times for, compromise. He never joined in the admiration for Clay, "the Great Pacificator" who engineered both the Missouri Compromise and the Compromise of 1850, but he did come to value the "prudence" spoken of in the Declaration and the principle-preserving, practical compromises devised by the antislavery delegates to the Constitutional Convention.[85]

To illustrate, take Douglass's verdict on the Constitution's much-maligned three-fifths clause. Unlike Spooner, Douglass is willing to concede that "all other Persons" does refer to the enslaved population. Of course, from a consistently antislavery perspective, it would have been preferable not to count the enslaved at all, since counting them either fully or fractionally increased the slaveholding states' political power in both the House of Representatives and the Electoral College.

Yet in Douglass's view, even as a compromise measure, the three-fifths clause "leans to freedom."[86] How so? Douglass points out that it deprived the slaveholding states of two-fifths of the enslaved portion of "their natural basis of representation"—that natural basis being simply all the men, women, and children of a region.[87] Thus, the provision can be understood as a penalty levied on those states that persisted in denying liberty to their population. Granting that it was not in the Constitutional Convention's power to place all human beings on a footing of equal liberty, the document can be admired for the way in which it "leans to freedom." In the midst of widespread unfreedom, the Constitution presses in the better direction.

What about the Constitution's avoidance of the words "slave" and "slavery"? Whereas the Garrisonians denounced the resort to euphemism as a connivance, Douglass saw that it could instead be seen as

an antislavery success since the refusal to use those words denied any constitutional legitimacy to "property in man."[88] Slavery existed under the laws of the separate states, but it did not exist under, by, or through the Constitution of the United States. We might say the founders built better than they lived, in hopes that the building could serve as a permanent dwelling for a post-slavery nation. In his further study of the founding era, Douglass found plenty of evidence that in the decades before the invention of the cotton gin, "all regarded slavery as an expiring and doomed system, destined to speedily disappear from the country."[89] This insight allowed Douglass to see the flaw in the Garrisonian tendency to judge the past based on the present, attributing the obvious vices of mid-19th-century America to the original plan. Employing his knack for metaphor, Douglass stated:

> The American Government and the American Constitution . . . are as distinct in character as is a ship and a compass. The one may point right and the other steer wrong. A chart is one thing, the course of the vessel is another. The Constitution may be right, the Government wrong. If the Government has been governed by mean, sordid, and wicked passions, it does not follow that the Constitution is mean, sordid, and wicked.[90]

The result of Douglass's comprehensive realignment can be seen in the first great speech that he delivered after his 1851 change of opinion. In the most quoted passages of "What to the Slave Is the Fourth of July?," Douglass savages the government, church, and society of the day with all his usual force. What is new and important is that this scathing denunciation is sandwiched between two sections that celebrate the nation's founding charters. Douglass begins the speech with praise for the Declaration and ends it with praise for the Constitution. Moreover, for the first time, he addresses his audience as "Fellow Citizens."[91] Throughout the 1850s, Douglass continued to defend and explicate the antislavery intention of the Constitution, defending the framers against "a slander upon

their memory";[92] the July 4 address, however, stands as his most extensive tribute to the American Revolution. Above all, Douglass credits the "saving principles" of the Declaration.[93] Of the "statesmen, patriots and heroes" who contended for those principles, Douglass insists that their fight was not for themselves alone: "Their statesmanship looked beyond the passing moment, and stretched away in strength into the distant future."[94]

It is worth noting that Douglass characterizes the Revolutionary generation as having "declared for liberty."[95] Repeatedly, Douglass invokes liberty, never mentioning equality, although he does twice add "justice," referring to "the great principles of justice and freedom" and "the great principles of political freedom and of natural justice."[96] This might well strike us as surprising. Our tendency is the same as that of our students: We see slavery as a violation of the Declaration's equality principle. And, of course, it is.

Nonetheless, I think Douglass's focus on liberty is the more natural and sound approach.[97] The real objection to enslavement is not that it treats other persons or groups unequally but that it deprives the enslaved of their liberty. After all, one could remedy the inequality by enslaving everyone (a possibility in degenerate democracy about which Tocqueville warned). What mattered to Douglass was the moral content of equality. Was there equality of rights, equality of liberty? Douglass's autobiography was titled *My Bondage and My Freedom*. Keeping that opposition in mind is an important corrective for us today, when the notion of equality has gone off the straight and narrow rails laid out by the individual natural rights to life and liberty.

A Thought for Our Time

Douglass's remarkable journey did not cease when he became physically free from enslavement. He sought fuller forms of freedom, especially political freedom. Before he could agitate for citizenship and civil rights, Douglass had to discover himself to be a political being: He found a way

to belong to a political community, he became a patriot, he came to regard whites (even those who declined his fellowship) as fellow citizens, and he developed the virtues required of citizens, learning to listen as well as to speak.

Something like Douglass's roundabout journey back to 1776 must be taken by students today, who often begin from a place of political alienation. Douglass's quest was long and arduous, involving not only rigorous thought but a sentimental education of sorts. What is the lesson for teachers? Well, we can't just inform students that they have been bamboozled by ideologues and bad history. We can, however, strive to interest students in great lives and original texts. It is often better to begin not in 1776 but instead with a figure like Douglass who is still admired and who expressed reservations about the founding that resonate today. By following along with Douglass, students encounter the evidence, which turns out to be overwhelming, that the founding generation regarded all human beings, male and female, black and white, as endowed with natural rights.

Once students see that the founders might have meant what they said, then they can start to grapple with the political complexities of the era. They acquire a sense of history. They learn something of political prudence and the difference between the best and the achievable. They learn to balance appreciation and criticism. As their powers of judgment develop, they experience a dramatic release from their prejudices and a release from the sense of shame about their nation's origins that has been instilled in them. They start to wonder what else they might be misinformed about. Now they are truly students: curious, aware of important questions (both timeless ones like the ambiguity of compromise and time-bound ones like the specific compromises of the Constitution), and eager to grapple with challenging texts. They become both humble and bold. They exchange their easy moralism and their easy cynicism for something more difficult and rewarding. With any luck, they end up where Douglass did, advising his July 4 audience to "cling to this day—cling to it, and to its principles, with the grasp of a storm-tossed mariner to a spar at midnight."[98]

Notes

1. Frederick Douglass, "The Meaning of July Fourth for the Negro," in *The Life and Writings of Frederick Douglass*, ed. Philip S. Foner, vol. 2, *Pre–Civil War Decade: 1850–1860* (International Publishers, 1950), 183.

2. See *Eighth Annual Report of the Board of Managers of the Mass. Anti-Slavery Society* (Boston, 1840), 94. Garrison began publishing the abolitionist newspaper *The Liberator* in 1831 and founded the American Anti-Slavery Society in 1833.

3. Frederick Douglass, "The Right to Criticize American Institutions," speech, American Anti-Slavery Society, New York, May 11, 1847, in *The Life and Writings of Frederick Douglass*, vol. 1, *Early Years, 1817–1849* (International Publishers, 1950), 236.

4. An illustrative but mortifying example from my own classroom: a student caught shoe shopping online during a class devoted to Jefferson's fears of a postrevolutionary descent into consumerism.

5. Frederick Douglass to William Lloyd Garrison, January 1, 1846, in *The Life and Writings of Frederick Douglass*, 1:126.

6. Douglass to Garrison.

7. Thomas Jefferson, "Manners," query 18 in *Notes on the State of Virginia*, in *The Portable Thomas Jefferson*, ed. Merrill D. Peterson (Penguin Books, 1977), 214–15.

8. Jefferson, "Manners," 215.

9. Jefferson, "Manners," 214.

10. Frederick Douglass, "Comments on Gerrit Smith's Address," in *The Life and Writings of Frederick Douglass*, 1:375.

11. Douglass to Garrison.

12. Douglass to Garrison.

13. Frederick Douglass to Horace Greeley, April 15, 1846, in *The Life and Writings of Frederick Douglass*, 1:144–47. It is unclear whether the letter gained editorial favor. In Douglass's collected works, this letter shows as having been published in *The Liberator*, not the *Tribune*.

14. Douglass to Greeley, 1:161.

15. Douglass to Greeley, 1:144–49.

16. Douglass to Greeley, 1:148.

17. Frederick Douglass to William A. White, July 30, 1846, in *The Life and Writings of Frederick Douglass*, 1:182.

18. To raise money for the cause, abolitionist-minded women created items decorated with antislavery emblems, such as the Wedgwood medallion "Am I Not a Man and a Brother?"

19. Frederick Douglass to Lynn Anti-Slavery Sewing Circle, August 18, 1846, in *The Life and Writings of Frederick Douglass*, 1:187–88.

20. Frederick Douglass, "Farewell Speech to the British People," speech, London, March 30, 1847, in *The Life and Writings of Frederick Douglass*, 1:206–33.

21. Douglass, "Farewell Speech to the British People," 1:207.
22. Douglass, "Farewell Speech to the British People."
23. Douglass, "Farewell Speech to the British People," 1:229.
24. Douglass, "Farewell Speech to the British People," 1:232.
25. Douglass, "The Right to Criticize American Institutions," 1:236.
26. Frederick Douglass, "American Slavery," speech, Syracuse, NY, September 24, 1847, in *The Life and Writings of Frederick Douglass*, 1:275–76.
27. Douglass, "American Slavery," 1:276.
28. Douglass, "American Slavery," 1:274.
29. Douglass, "American Slavery," 1:278.
30. Frederick Douglass, "To Our Oppressed Countrymen," in *The Life and Writings of Frederick Douglass*, 1:282–83.
31. Frederick Douglass, *My Bondage and My Freedom*, in *Douglass: Autobiographies*, ed. Henry Louis Gates Jr. (Literary Classics of the United States, 1994), 391.
32. Douglass, *My Bondage and My Freedom*, 392.
33. Frederick Douglass to C. H. Chase, February 9, 1849, in *The Life and Writings of Frederick Douglass*, 1:353–54.
34. John C. Calhoun, "The Address of Southern Delegates in Congress to Their Constituents," *The Charleston Courier*, February 1, 1849, http://civilwarcauses.org/address.htm.
35. Frederick Douglass, "The Address of Southern Delegates in Congress to Their Constituents; or, the Address of John C. Calhoun and Forty Other Thieves," in *The Life and Writings of Frederick Douglass*, 1:353–60.
36. Calhoun, "The Address of Southern Delegates in Congress to Their Constituents."
37. Douglass, "The Address of Southern Delegates in Congress to Their Constituents," 1:355.
38. Douglass, "The Address of Southern Delegates in Congress to Their Constituents."
39. Douglass, "The Address of Southern Delegates in Congress to Their Constituents," 1:356.
40. Douglass, "The Address of Southern Delegates in Congress to Their Constituents," 1:355.
41. Frederick Douglass, "The Constitution and Slavery," in *The Life and Writings of Frederick Douglass*, 1:361–67.
42. Douglass, "The Constitution and Slavery," 1:361.
43. Douglass, "The Constitution and Slavery," 1:366.
44. Douglass, "The Constitution and Slavery."
45. Douglass, "The Constitution and Slavery."
46. Douglass, "The Constitution and Slavery."
47. Douglass, "Comments on Gerrit Smith's Address," 1:374–79.
48. Douglass, "Comments on Gerrit Smith's Address," 1:377.
49. Douglass, "Comments on Gerrit Smith's Address," 1:379.
50. Douglass, "Comments on Gerrit Smith's Address," 1:378.

51. Frederick Douglass, "Henry Clay and Slavery," in *The Life and Writings of Frederick Douglass*, 2:105–9; and Frederick Douglass, "Weekly Review of Congress," in *The Life and Writings of Frederick Douglass*, 2:109–15.

52. See Virginia General Assembly, *Report of the Committee of Revisors Appointed by the General Assembly of Virginia in MDCCLXXVI* (Richmond, VA, 1779). For Jefferson's summary and justification of the plan, see Thomas Jefferson, "Laws," query 14 in *Notes on the State of Virginia*, 185.

53. Jefferson was influenced by his belief that a biracial society of former masters and former slaves was impossible and his doubts about black intellectual capacities.

54. William Lloyd Garrison, *Thoughts on African Colonization* [. . .] (Boston, 1832).

55. *The Liberator*, "Great Anti-Colonization Meeting in New-Bedford," March 29, 1839, https://fair-use.org/the-liberator/1839/03/29/the-liberator-09-13.pdf.

56. *The Liberator*, "Great Anti-Colonization Meeting in New-Bedford."

57. *The Liberator*, "Great Anti-Colonization Meeting in New-Bedford."

58. Frederick Douglass, "The American Colonization Society," speech, Faneuil Hall, Boston, May 31, 1849, in *The Life and Writings of Frederick Douglass*, 1:387–99.

59. Frederick Douglass, "To Henry Clay," in *The Life and Writings of Frederick Douglass*, 1:284–90. Newly elected to the House of Representatives and on his way east, Lincoln was in attendance at this speech by the man he termed his "beau ideal of a statesman" and in whom Douglass saw "so much of Satan dressed in the livery of Heaven." Abraham Lincoln, "Eulogy on Henry Clay," Springfield, IL, July 6, 1852, https://www.abrahamlincolnonline.org/lincoln/speeches/clay.htm; and Douglass, "To Henry Clay," 1:289. Lincoln's and Douglass's contrary assessments of Clay (and, one might add, Brown) are food for thought.

60. Douglass, "To Henry Clay," 1:290.

61. Frederick Douglass, "Colonization," in *The Life and Writings of Frederick Douglass*, 2:352.

62. Douglass, "The American Colonization Society."

63. Douglass, "The American Colonization Society," 1:399.

64. Douglass, *My Bondage and My Freedom*, 591.

65. Douglass, *My Bondage and My Freedom*, 301–2.

66. Douglass, "Oath to Support the Constitution," in *The Life and Writings of Frederick Douglass*, 2:115–19.

67. Douglass, "Oath to Support the Constitution," 2:117, 140.

68. Frederick Douglass, "Lecture on Slavery, No. 2," lecture, Corinthian Hall, Rochester, NY, December 8, 1850, in *The Life and Writings of Frederick Douglass*, 2:140.

69. Douglass, "Oath to Support the Constitution," 2:118.

70. Douglass, "Oath to Support the Constitution."

71. Douglass, "Oath to Support the Constitution," 2:119.

72. Douglass, "Oath to Support the Constitution."

73. Douglass, "Lecture on Slavery, No. 2," 2:148.

74. Frederick Douglass to Gerrit Smith, January 21, 1851, in *The Life and Writings of Frederick Douglass*, 2:149.

75. Douglass to Smith, January 21, 1851.

76. Douglass to Smith, January 21, 1851, 2:150.

77. Frederick Douglass to Gerrit Smith, May 1, 1851, in *The Life and Writings of Frederick Douglass*, 2:152–53.

78. Frederick Douglass, "Change of Opinion Announced," in *The Life and Writings of Frederick Douglass*, 2:155–56.

79. Douglass, "Change of Opinion Announced," 1:156.

80. Douglass, "Change of Opinion Announced"; and Frederick Douglass to Gerrit Smith, April 15, 1852, Frederick Douglass Papers, https://frederickdouglasspapersproject.com/s/digitaledition/item/5600.

81. This is what Douglass says Smith does. The description is accurate with respect to Spooner as well. Douglass to Smith, January 21, 1851, 2:150.

82. Douglass to Smith, January 21, 1851. So, for instance, insight into the choices made by the Constitutional Convention could not be sought through study of the *Notes of Debates in the Federal Convention of 1787 Reported by James Madison*, first published in 1840.

83. Frederick Douglass to Gerrit Smith, May 21, 1851, in *The Life and Writings of Frederick Douglass*, 2:157.

84. Abraham Lincoln, "Address at Cooper Institute, New York City," speech, Cooper Institute, New York, February 27, 1860, in *The Collected Works of Abraham Lincoln*, ed. Roy P. Basler, vol. 3, *1858–1860* (Rutgers University Press, 1953), 550.

85. For Douglass's final assessment of the troublesome clauses of the Constitution, see Frederick Douglass, "The Constitution of the United States: Is It Pro-Slavery or Anti-Slavery?" (speech, Glasgow, Scotland, March 26, 1860), in *The Life and Writings of Frederick Douglass*, 2:467–80.

86. Douglass, "The Constitution of the United States," 2:472.

87. Douglass, "The Constitution of the United States."

88. Douglass, "The Constitution of the United States," 2:471.

89. Douglass, "The Constitution of the United States," 2:473.

90. Douglass, "The Constitution of the United States," 2:467.

91. Frederick Douglass, "The Meaning of July Fourth for the Negro," in *The Life and Writings of Frederick Douglass*, 2:181–204.

92. Douglass, "The Meaning of July Fourth for the Negro," 2:201.

93. Douglass, "The Meaning of July Fourth for the Negro," 2:185.

94. Douglass, "The Meaning of July Fourth for the Negro," 2:186–87.

95. Douglass, "The Meaning of July Fourth for the Negro," 2:186.

96. Douglass, "The Meaning of July Fourth for the Negro," 2:187–88.

97. Interestingly, Douglass does talk about equality whenever he discusses the phenomenon of "prejudice against color." He points out that the term is not accurate, since whites have no objection to proximity to blacks so long as blacks are in a

subordinate role. The objection is to the "colored gentleman." Thus, what is called color prejudice is "no less than a *murderous, hell-born hatred* of every virtue which may adorn the character of a *black man*." (Emphasis in original.) To overcome prejudice, the "doctrine of human equality" must be established. Here is how Douglass defines that doctrine: "We believe in human equality; that character, not color, should be the criterion by which to choose associates; and we pity the pride of the poor pale dust and ashes which would erect any other standard of social fellowship." Clearly, equality properly understood does not threaten discriminations based on virtue. Frederick Douglass, "Prejudice Against Color," in *The Life and Writings of Frederick Douglass*, 1:127–30.

98. Douglass, "The Meaning of July Fourth for the Negro," 2:185.