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Bernard R. Boxill

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Abstract Although Frederick Douglass disclaimed any patriotism or love of the United States in the years when he considered its constitution to be pro-slavery, I argue that he was in fact always a patriot and always a lover of his country. This conclusion leads me to argue further that patriotism is not as expressly political as many philosophers suppose. Patriots love their country despite its politics and often unreasonably, although in loving their country they are concerned with its politics. The greatest among them freely dedicate themselves selflessly to the improvement of their country, partly because they love it, and partly because they are moved to take on great projects.

Keywords Abraham Lincoln · American constitution · Declaration of independence · Frederick Douglass · Love of country · Love of fame · Patriotism · Thomas Jefferson

I

Early in his career Frederick Douglass often maintained that he had and could have no patriotism. His argument for taking this stand was straightforward: To have patriotism is to love one's country; consequently to have patriotism one must have a country; but he had no country; consequently he had and could have no patriotism.¹ Douglass also used his claim to have no country to reject accusations of being a traitor. Again his argument was straightforward: A traitor is a betrayer of his

¹ Douglass (1982a, p. 60).

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country; consequently a traitor must have a country; but he had no country; consequently he was not and could not be a traitor.²

Around the same time that Douglass was claiming that he had and could have no patriotism he was also often claiming that he did not and could not love the United States.³ This claim did not follow from his claim to have no patriotism. That claim was based on his claim that he had no country; but it does not imply that he did not and could not love the U.S.. One can love a country even if it is not one's country, though one cannot, of course, love it in the way that a patriot loves his country. To support his claim that he did not love the U.S., Douglass therefore had to appeal to a claim that went beyond his claim that the U.S. was not his country. The claim he appealed to was that the U.S. was simply too wicked for him to love.⁴

Douglass expressed these views while he was on his first visit to England. The reasons for this visit are relevant to the present issue so I will recount them briefly. Douglass was born a slave in Maryland. When he was about twenty he escaped from slavery and settled with his wife in New Bedford, Massachusetts, where he eventually came to the attention of William Lloyd Garrison, the great abolitionist. Garrison was impressed by the intelligence and articulateness of the young man and promptly employed him as an anti-slavery lecturer hoping that Douglass would be especially effective in this role because he was a recently escaped slave. But although Douglass went so far as to show his audiences the stripes on his back, many refused to believe that he had ever been a slave because they thought that he spoke too well and too learnedly. To prove that he was what he said he was Douglass wrote and published his first book, *Narrative of the Life of Frederick Douglass an American Slave*, giving specific details of his life as a slave including his master's name and city of residence. As a result, although the book did what it was intended to do and succeeded in proving his claim to have been a slave, it also revealed who he was, thus making it possible for his master Thomas Auld to send slave catchers up North to bring him back to Maryland and slavery. To avert this terrible reversal in his fortunes Douglass fled to England where he would be safe from Auld for the English recognized no one in England as a slave.

When English friends bought his freedom from Auld Douglass promptly returned to the U.S.. And a few years later, despite his earlier insistence that he was not and could not be a patriot, that the U.S. was not his country, and that he did not love the U.S., Douglass began to insist that the opposite was true. Specifically he began to claim that the U.S. was his country, that he loved her and that he was a patriot.⁵ This change of heart was evidently not because he believed that the U.S. had become less wicked. In his opinion the U.S. was as wicked as ever and perhaps more so. In his view for example the Slave Power appeared to have become more entrenched and more aggressive than ever before, managing to get a new and more obtrusive Fugitive Slave Law passed that gave judges monetary incentives to find any blacks captured in the North to be escaped slaves, thus making every nominally free Black

² Douglass (1985b, p. 102).

³ Douglass (1982a, p. 60).

⁴ Douglass (1982a, p. 60).

⁵ Douglass (1985a, pp. 92–93).

person in the U.S. liable to be kidnapped, judged to be an escaped slave, and sent south into slavery. For her increased wickedness Douglass criticized her more harshly than ever, though like most patriots whose patriotism is doubted when they criticize their country, Douglass began to argue that he criticized the U.S. precisely because he was a patriot and loved her as his country; that had he been less of a patriot and less of a lover of his country he would have criticized her less.⁶ Interestingly the U.S.'s wickedness had apparently lost its power to prevent Douglass from loving her and from claiming her as his country. This was a radical turnabout. From claiming that he had no country and in particular that the U.S. was not his country, Douglass and gone on to claim that he had a country and that the U.S. was that country; from claiming that he was not a patriot he had gone on to claim that he was a patriot; and from claiming that he did not love the U.S. he had gone on to claim that he did love the U.S.. What had provoked these metamorphoses?

II

One explanation that leaps to mind appeals to his famous change of mind and heart about the U.S. Constitution. Early on, for example when he was on his first trip to England, and still under the influence of Garrison and Wendell Phillips, Douglass believed firmly that the Constitution was radically pro-slavery.⁷ If this belief was correct, then as Douglass often repeated the Constitution did not and could not recognize him as a human being making it understandable for him to disclaim all patriotism, and all love for the U.S.. Later on, however, Lysander Spooner, Gerrit Smith and others managed to convince Douglass that Garrison and Phillips were mistaken in claiming that the Constitution was pro-slavery. On their account, and with that account Douglass eventually fully and enthusiastically concurred, the Constitution was really, when properly read and interpreted, radically anti-slavery.⁸ Arguably this change of mind about the Constitution could explain Douglass's change of heart and mind about the U.S.. After all, some important things would follow if the Constitution were indeed radically anti-slavery; it would follow, for example, that the Constitution had been designed and was pledged to protect Douglass in the secure enjoyment of his rights as a citizen of the U.S.. Supposing that human beings naturally love the things that they believe protect what they value, and that Douglass valued his rights, it follows that he would naturally love the U.S.'s Constitution, when he became convinced that it was radically anti-slavery.

But does it follow that he would love the U.S.; that he would consider it his country; that he would love it because he believed it was his country, and consequently, that he would be a patriot? Loving the constitution of a country does not straightforwardly imply loving the country it is the constitution of; neither does it imply being a patriot of that country. An English patriot who was persuaded by the arguments of Spooner and Douglass that the U.S. Constitution was designed to

⁶ Douglass (1985a, pp. 92–93).

⁷ Douglass (1982b, p. 101).

⁸ Douglass (1985b, pp. 340–366).

end slavery and secure justice would presumably love that constitution if he loved freedom and justice. But it does not follow that the U.S. would be his country, and even less that he would be a U.S. patriot. England would probably continue to be his country, and he would presumably remain an English patriot. As for loving the U.S. we can fairly speculate that he might well find himself unable to do so, precisely because he thought that its constitution was just. Given that the U.S. supported slavery, despite having a constitution specifically designed to end slavery, he would have to suppose that its government and people were wickedly misreading, misinterpreting, or simply ignoring its constitution. Indeed this was precisely how Douglass responded after he joined Spooner and Smith in defending the Constitution. The more he sang the virtues of the Constitution the more he mourned the vices of the government and the people. In his view the Constitution was good and right, but the people had allowed the Slave Power to get a hold of the government which then disobeyed the Constitution it was pledged to obey; instead of ending slavery as the Constitution demanded, the government with the connivance of the people protected and actually tried to extend slavery. How could he love a country with such a government and such a people?

In addition to being traitors to their own constitution and supporting a crime that it condemned and was designed to put an end to, Douglass added that the country was a country of hypocrites.⁹ If the U.S. had changed her Constitution to make it say plainly that she was a slave holding country, she would still, of course, be wicked, but at least she would be honest. But the U.S. did not possess even the questionable virtue of being truthful about her wickedness; she continued the farce of designating herself the home of the free, and of paying tribute to a constitution that was designed to end slavery, all the while betraying its principles, and trying her best to secure and even extend her system of slavery. Douglass felt that this particular aspect of the U.S.'s wickedness to be especially execrable. Of the many accusations that he flung at the U.S., perhaps the most frequent and impassioned was that she was hypocritical. And when he reflected on the fact that the Constitution was anti-slavery, and consequently that he was in fact a U.S. citizen, his indignation at the way the U.S. treated him could only have increased. Evidently then, if Douglass had reason to find the U.S. too wicked to love *before* he became persuaded that her constitution was anti-slavery, it would seem that he would have even more reason to find her too wicked to love *after* he became persuaded that her constitution was anti-slavery.

In fact the exact opposite seems to have occurred. Despite having all these reasons not to love the U.S., after he became persuaded of the justice of her constitution, Douglass as we have seen claimed to love the U.S., to hold her as his country, and to be a patriot. If his change of heart about the U.S. Constitution does not plausibly explain his change of heart about the U.S., what does? Perhaps the answer to this question lies in tying the Constitution more closely to the people of the U.S.. U.S. citizens made and ratified the U.S. Constitution; the Framers made it in Philadelphia in the summer of 1787, and the U.S. citizens ratified it a short time later; consequently it seems the citizens should get some credit for the U.S.

⁹ Douglass (1982d, p. 269).

Constitution. If the Constitution is righteous and wise, then this should reflect favorably on the people who made and ratified it; that is, they must be righteous and wise at least to some degree. Or in other words, if Douglass loved the U.S. Constitution because it was anti-slavery and in general worthy of being loved, he should in all consistency love U.S. Citizens too for they had made and ratified the Constitution.

Unfortunately this attempt to tie Douglass's love of the U.S. to his love of its Constitution fails; at any rate, I am sure that Douglass would not accept it. To understand why, we need to distinguish between the citizens of the Founding generation and the citizens of succeeding generations including those of Douglass's generation. I think that Douglass admired the citizens of the Founding generation, especially the Framers of the Constitution. In his view they were men of great wisdom and learning who with consummate skill and insight into human nature somehow managed to fashion a constitution well designed to secure a large number of worthy, if apparently disparate and even opposing ends, most conspicuously and importantly, the ends of holding the union together while also putting an end to slavery. But Douglass did not similarly admire the succeeding generations, far from it. He thought that these generations had betrayed the Founders and Framers and the legacy they had left. Instead of building on that legacy and completing or at least continuing the work that the Founders and Framers left for them to do, these generations sought only to preserve the union giving in weakly to the Slave Power when it threatened to end the union if its demands to strengthen and extend slavery were not met. Consequently, even if Douglass loved the Constitution and therefore admired its makers and ratifiers, who of course were undoubtedly U.S. citizens, it does not follow that he loved the U.S. as a whole, which naturally includes the betrayers of the makers and ratifiers of its Constitution.

This argument is inconclusive because it assumes wrongly that loving a country entails loving every one of its generations. Since every country has its ups and downs, if it is possible to love a country at all it must be possible to love it even if some of its generations are distinctly unlovable. If so, then even if Douglass found the generations of U.S. citizens succeeding the Founding generations impossible to love, it does not follow that he would find the U.S. as a whole similarly impossible to love. By his own admission Douglass greatly admired the Founding generation for their accomplishment. Surely then it would not be so difficult for him to love the U.S. at least for its future possibilities, supposing that the founding generations of a country play a pivotal and privileged part in helping to determine the general course of its history.

The general premises of above argument are interesting, and powerful. In some sense they are true. The founding generations of a country do play a pivotal role in its later history, the U.S. Constitution may have been as wise and just as Douglass took it to be, and he certainly did admire the Founding generation. Nevertheless consideration of certain further details about Douglass's admiration for the Framers and ratifiers of the Constitution suggests that the argument is unsound. To begin, let us consider Douglass's claim that "the intentions of those who framed the Constitution, be they good or bad, for slavery or against slavery, are to be respected so far, and so far only, as we find those intentions plainly stated in the

Constitution,”¹⁰ This seems like common sense. When we agree to a contract we agree to what is written in the contract, not to what those who prepared the contract intended, but perhaps failed to put in it. In this respect the Constitution is like a contract. When the U.S. citizens ratified the Constitution they agreed to what was written in the Constitution not to what the Framers might have intended to put in it, but did not. Nevertheless, as Douglass liked to remind his audiences, many authorities interpreting the Constitution routinely ignored this elementary point. Wendell Phillips, for example, the Garrisonian who wrote most extensively and learnedly in defense of the pro-slavery interpretation of the Constitution, defended this interpretation partly by appealing to James Madison’s notes of the debates at the Constitutional Convention published at his death 30 years after the Convention had been concluded and the Constitution ratified.¹¹ These notes revealed that many of the Framers had expressed pro-slavery sentiments and intentions in those debates and Phillips appealed to this fact to support his interpretation of the Constitution as pro-slavery. By Douglass’s lights this was unfair and unsound because what the people had ratified was the written constitution, not the debates. Indeed the people could not have ratified the debates because they did not know what had been said in them. The debates had been conducted behind closed doors and their contents had been revealed only years after the Constitution had been ratified. Of course if some of the Framers pro-slavery sentiments and intentions had found their way into the written document of the Constitution this fact could be used to defend a pro-slavery interpretation of the Constitution. But, and this was Douglass’s crucial point, to defend a pro-slavery interpretation of the Constitution these sentiments and intentions had to be found in the written document of the Constitution and in fact none had been found.

Douglass’s argument is compelling up to this point. Whether his further argument that pro-slavery intentions did not find their way into the Constitution is equally compelling is more open to debate. I do not have to enter that debate. The point I wish to make has already been made, namely, that Douglass was perfectly prepared to concede that some of the Framers had pro-slavery sentiments. This concession demonstrates conclusively that Douglass could never have really wholeheartedly loved the Framers. He hated slavery and could not possibly have loved people with pro-slavery sentiments. Further, Douglass was also aware that even among the anti-slavery Framers, ending slavery was not a first priority, as he believed it should be in truly moral people; and finally he also knew that many if not most of even the anti-slavery Framers did not regard black people with the esteem their humanity deserved and in opposing slavery simply wanted to wash their hands of the crime it involved. Nevertheless despite their shortcomings and the many different, often conflicting values they sought to secure, the Framers when disciplined by debate and deliberation somehow managed to write a constitution designed to secure among many other worthy ends, the ending of slavery, and for that considerable achievement Douglass acknowledged them to be “great” men. At the same time, however, he revealed his reservations about them with the comment

¹⁰ Douglass (1985b, p. 347).

¹¹ Douglass (1985b, p. 348).

that the “point from which I am compelled to view them is not, certainly, the most favorable.”¹² That is, Douglass accorded the Framers the kind of wary admiration that he later accorded Lincoln, but he did not accord them the unreserved love and esteem that could have founded his love for the U.S. which he declared to be the love of a patriot for his country.

III

I have pressed my reservations about the view that Douglass became a patriot because he changed his mind about the U.S. Constitution. Nevertheless, I am persuaded that Douglass spoke truly when he claimed to love the U.S. and to be a patriot. I will now explain why I am so persuaded, and will begin by suggesting that Douglass always did love the U.S., and was always a patriot even in those early days when as a Garrisonian he claimed that her constitution was pro-slavery and consequently that he had no country, could not be a patriot, and could not love the U.S.. This suggestion will seem bold and even incredible. I have tried hard but unsuccessfully to find reasons to explain how Douglass could truly claim to be a patriot *after* he had decided that the U.S. Constitution was anti-slavery and *after* presumably he had some reason to love her and consider her his country. How then could I be right that he did love her and that she was his country *before* his change of mind about her constitution, that is, when he still considered her constitution to be pro-slavery?

Douglass's reasons for thinking that the U.S. could not be his country when he believed her constitution to be pro-slavery do not stand up to scrutiny. He seemed to think that the U.S. could not be his country because of something about her political system. Thus, when he claimed to have no country and in particular claimed that the U.S. was not his country, he did so by claiming that the U.S. Constitution, the foundation of the political system, was pro-slavery. His argument seems to have proceeded as follows: To say that the Constitution is pro-slavery is to say that it condones and provides for the enslavement of blacks and blacks only; consequently it must suppose that blacks are especially fit to be slaves; but whatever is fit to be a slave is fit to be property; consequently the Constitution must suppose that blacks are fit to be property; but Douglass is black; consequently the Constitution must suppose that Douglass is fit to be property; but whatever is fit to be property cannot be a human being; consequently the Constitution must suppose that Douglass is not a human being; consequently the U.S. cannot be his country.

There are obvious gaps in this argument. For one thing, being black does not without qualification make one especially fit to be a slave. It does not today and it did not in those periods of the world's history, for example, in the age of classical Greece and Rome, when practically anyone was liable to be enslaved if he or she fell into the wrong hands. But Douglass was speaking of the U.S. up to and including his day. In his day only blacks were enslaved. Before his day the white people who were the majority and the ruling element of the country had enslaved

¹² Douglass (1982c, p. 364).

Native Americans, but for various reasons they had abandoned the practice and confined themselves to enslaving blacks. Indeed they had sailed to Africa, captured blacks living there, and brought them to the U.S. specifically to be slaves. And they never literally enslaved each other in the U.S.. Clearly then Douglass was right to suppose that if the Constitution was pro-slavery the implication was that being black (or Indian) made one especially fit to be enslaved. It is also possible to quibble with Douglass's assumption that anyone deemed fit to be a slave and therefore fit to be property could not be considered a human being. This assumption seems false. Aristotle claimed to believe that some people were natural slaves, meaning that such people were fit to be slaves.¹³ But even if it followed that natural slaves were fit to be property, it did not follow that natural slaves could not be considered human beings. Aristotle at least did not seem to believe that this followed. But I believe that this quibble can be straightened out and therefore propose not to challenge Douglass's view that if the Constitution was pro-slavery, it did not recognize him to be a human being.

But from the uncontested claim that the pro-slavery Constitution did not consider him to be a human being Douglass apparently drew the further conclusion that the U.S. could not be his country. This reasoning seems unsound. I am ready to grant that only human beings can have the U.S. as their country, and consequently that if Douglass was not a human being that he could not have the U.S. as his country. But Douglass was a human being. The fact that the Constitution did not recognize him to be a human being does not imply that he was not a human being. Constitutions can fail to recognize the truth. Perhaps this gap in line of reasoning that I have attributed to Douglass can be filled by supposing that it is not simply being human but being recognized as human by the laws that is a necessary condition for being a citizen.

But even if the laws denied that Douglass was human and on that ground withheld citizenship from him, it does not follow that the U.S. could not be his country. Being the citizen of a country and it being one's country are different things. One can fail to be a citizen of a country, although it is nevertheless one's country. I take this to be the case because although a country must have inhabitants and these inhabitants must have customs and habits and traditions, and perhaps even laws, it need not have citizens. The very idea of citizenship may be unknown in some countries. But it does not follow that in such countries there can be no patriotism. Patriotism is a very old idea. Commentators often note that it is much older than nationalism, but it is also much older than the idea of citizenship. There were patriots, people claiming to love their countries, long before ideas of citizenship were heard of or invented, and consequently long before these people thought or could think of themselves as citizens. Consequently someone could be a patriot, and so have a country, even if he or she was not a citizen of that country. If so, then even if the U.S. Constitution failed to recognize Douglass as a human being, and even if this implied that he was not and could not be a U.S. citizen, it does not follow that he could not have a country, that the U.S. could not be that country, and that he could not be a patriot.

¹³ Aristotle (1996).

Could the U.S. be Douglass's country if, in addition to denying him citizenship, it proposed also to expel him from within its borders or to deport him and all other black people from the country? Many notable U.S. citizens dreamed of deporting all blacks from the country even after such a project should have been dismissed as not only immoral but also impractical. Beginning with Thomas Jefferson and possibly even earlier, white statesmen and slave holders often claimed to be willing to free their slaves on the condition that the freed slaves would then be expelled from the country.¹⁴ And throughout most of Douglass's life even many opponents of slavery including Lincoln clung to the hope of somehow ridding the country of all blacks.¹⁵ But even deporting and banishing a person from a country does not necessarily mean that it cannot be his country. It is possible for avowed patriots to be stripped of their citizenship and exiled, banished, or deported. And it is possible too for them to continue to truly insist on their patriotism and on their love of the country that exiled them even while they are in exile.

If these remarks are sound the U.S. could have been Douglass's country even if her Constitution denied that he could ever be a citizen. Of course during the period in which he believed that her Constitution denied his humanity, he denied that the U.S. was his country or that he loved her; but this contradicts nothing that I have argued for. My arguments defend my view that the U.S. could conceivably be Douglass's country and that he could conceivably love her even if its Constitution denied his humanity and his citizenship. When Douglass denied that the U.S. was his country or that he loved her he need not have been challenging that view. He might only have been claiming that he found it psychologically impossible to love a country or to consider it to be his country when its fundamental laws treated him as contemptuously as the U.S. Constitution treated him.

But apart from what was conceivable, was Douglass during the period in which he believed that the Constitution denied his humanity in fact a patriot, did he in fact love the U.S., and was she in fact his country? We have so far failed to find reasons to answer this question in the affirmative, but we have been looking for such reasons in the wrong place. Because patriotism is love of one's country, and countries always have some sort of political system or other, the habit has arisen of thinking of patriotism as love of the political system of one's country.¹⁶ And from that habit the further habit has arisen of searching in the political system of a country for the reasons why patriots love their countries. This is why it seemed so natural to try to explain Douglass's love of the U.S. by appealing to his love for its Constitution. But what seemed so natural was mistaken, and the habits on which it was based were supported by mistaken assumptions. As we have seen, patriots often vigorously criticize the political systems of their country. Indeed, they often maintain that they criticize the political system of their country precisely because they are patriots and love their country, and have done this so often that at some times criticism of the political system of one's country has been taken to be the most obvious distinguishing mark if not the essence of the patriot. But if so, then clearly

¹⁴ Jefferson (1982, pp. 137–138).

¹⁵ Lincoln (1992, pp. 88–89).

¹⁶ Primoratz (2002, p. 10).

patriotism cannot necessarily involve, though of course it may involve, love of the political system of one's country.

It remains of course that patriotism normally has a lot to do with a country's political system. Although a patriot may not love his country just because of its political system, just because he loves his country he will be dismayed if it is badly governed and will want to help it to be better governed and to have a better political system. The political system is thus typically not the source of patriotism, though a concern for it is a typical result of patriotism.

Accordingly, there is nothing anomalous about my claim that Douglass loved the U.S. even in the early days when he was convinced that the Constitution was pro-slavery and claimed that he did not love the U.S.. At that time there were obviously no reasons in the U.S. Constitution that Douglass could see to account for his love of the U.S., but as I have shown the reasons why a patriot loves his country are often not found in its political system. A patriot can love his country despite its political system. Correspondingly, there is also nothing anomalous about my view that Douglass's love for the U.S. was not the result of his love of the U.S. Constitution after he became persuaded that it was anti-slavery. The source of a patriot's love of his country need not lie in its political system. Even if Douglass loved the U.S. Constitution when he became persuaded that it was anti-slavery, it does not follow that his love of the Constitution accounts for his love of the U.S..

IV

What does it mean to say that a certain country is one's country? Obviously it does not mean simply that one claims it as one's country because this leaves the question unanswered. Neither does it mean that one loves the country. One can love a country that is not one's country. So we return again to the question, what does it mean to say that a country is one's country? One ready answer to this question is that one's country is the country in which one feels most at home. Feeling at home in a country suggests feeling comfortable in it, knowing one's way around in it, and being effortlessly familiar with its language, landscape, customs and mores. But in this sense feeling at home in a country does not mean that it is one's country. Although the metaphor of home for country is highly suggestive, like all metaphors it must be searched for limitations and these must be carefully spelled out. Feeling at home in a country stresses some of the psychological aspects commonly associated with that country being one's country, but the presence of these aspects in particular cases is not sufficient for a country to be one's country. An individual who has lived in a foreign country for a very long time may feel at home in it in the sense just noted, while all the time that he is feeling so much at home, being clear, and being clearly correct, that the country he is in is not his country. His case also shows that being welcomed as a friend or even as a native by the country's inhabitants is not enough to make it one's country for in addition to feeling at home in a country he may also be welcomed there as a friend and even as a native by the inhabitants of the country, without that country being his country.

To see that a country being one's country involves more than the way one feels about it, let us ask what suffices to make a country *not* one's country. Interestingly, hating a country and being its enemy does not suffice. A spy in a country is an enemy of that country and he may hate it, but it may be his country if he is a traitor. A traitor is an enemy of his country, but his country is still his country; indeed he is a traitor just because it is his country. What makes a traitor's country his country, even if he is its enemy? Psychological answers to that question are obviously not enough. Suppose, for example, one said that a traitor's country is his country because it helped to make him the person he is. This answer must be incorrect because when Douglass declared that he could not be a traitor to the U.S. because it was not his country he was not denying the undeniable fact that the U.S. had helped to make him the person he was. His point surely is that he owed the U.S. no gratitude for making him the person he was. Even if it had helped to make him a good person, he owed it no gratitude because it never intended to make him a good person or to help prepare him for a good life; it intended to destroy him. Let us suppose then that a traitor's country may be his country, because even if he is its enemy he owes it a debt of gratitude for caring and nurturing him and for trying even if unsuccessfully to prepare him for a good life.

But when a person says that a county is his country he may mean something more than that he owes it a debt of gratitude for caring and nurturing him and for trying to prepare him for a good life. Here the metaphor of home for country is highly suggestive. Normally, people feel and have obligations of gratitude to their homes, but their homes owe them something too, something more than the acceptance of their gratitude. Specifically, their homes owe them welcome. When you go home you expect to be recognized and welcomed and to be made to feel at home. If you are rejected as an outsider, as a stranger, with no connections to the country, you rightfully feel that you have been betrayed. Memories of early tenderness and care cause normal human being to feel the strongest love and affection for home. Home having made her children love her, ought not to betray or even disappoint that love. Just because home has been good to its children it is obligated to welcome them back should they return.

These remarks about home and its obligations to its children apply to standard cases of a country and its obligations to persons rightfully claiming it as its country. People owe obligations to their country because it nurtured and cared for them, and it is obligated to welcome them because by nurturing and caring for them,¹⁷ it made them love it. But this standard case cannot apply to Douglass. As we have noted, the U.S. had not nurtured and cared for him and had not caused him to love her and consequently had not in this way incurred an obligation to welcome him. What then did he mean when he claimed that she was his country?

The obligations that help to constitute what it means for a country to be one's country need not be generated only in the ways noted above. Take first a country's obligation to welcome its people and to make them feel at home. As I suggested above a country ordinarily incurs this obligation to its people by nurturing and caring for them, and consequently by causing them to love it. How did the U.S.

¹⁷ A similar sentiment is echoed in Plato's *Crito* 50–54.

incur this obligation to Douglass given that it had not cared or nurtured him? The most plausible answer is based on a famous Lockean argument. According to John Locke, a person makes an object her own by working on it, or as he put it famously, by mixing her labor with it. Locke added a few qualifications, for example, that the person must leave enough and as good for others, that she must not take so much that it wastes in her possession, and that the object in question must not already be the property of someone else.¹⁸ And there is considerable debate over what Locke meant by someone mixing her labor with something. Locke may have meant to exploit the intuition that since one's labor is one's own, one gains a rightful property in whatever one injects one's labor into; but there are well known difficulties with this intuition, and I prefer to stress the alternative intuition that in general it is both fair and for the best that people own the valuable thing that they produce. As stated this intuition applies to the individual production of valuable things, but I see no reason why it cannot be extended to apply to the collective production of valuable things. If I own the valuable things I produce, then I am a co-owner of the valuable things we produce together.

U.S. blacks had made enormous contributions to the well-being and security of the U.S.. Not only had they fought valiantly on its side in its war for independence, when they could have sided with the enemy and perhaps changed the outcome of the war; as the distinguished historian Edmund Morgan put it a 150 years later, "the position of the United States in the world depended not only in 1776 but during the span of a long lifetime thereafter on slave labor. To a very large degree it may be said that Americans bought their independence with slave labor."¹⁹ As a black person Douglass was therefore a member of a group of people who had helped significantly in the building of the U.S..²⁰ U.S. citizens owed him welcome because they were living and prospering in a house that he and his people had helped to build. No one should be a stranger and an outcast in a place that he and his own kith and kin had spilt their blood and sweat to make.

The U.S. was thus obligated to Douglass, but what about his obligation to her, which is as we have seen implied by his claim that the U.S. was his country? Normally, as we have seen, this obligation is generated by the debt of gratitude a person owes to the country that intending well by him nurtured and cared for him. Since the U.S. had not intended well by Douglass and had not nurtured and cared for Douglass, the obligation in question, if he had it, must have been generated in some other way. But to say that it is normally generated by a debt of gratitude is only to say what justifies or supports it; it is not to say what it is. Naturally it depends on the amount of the debt, and by "amount" I mean to include both the extent of the benefit received and the goodness of the intentions of those who extended it. A very small debt in this sense generates a correspondingly small obligation. As the debt becomes greater in both of the sense noted, it generates obligations to respect, esteem, defend, and further the good of, perhaps even revere, the benefactor. This is why everyone agrees that we normally owe our greatest debt of gratitude to our

¹⁸ Locke (1988, pp. 287–290).

¹⁹ Morgan (1972/1973, p. 6).

²⁰ Myers (2008, p. 178).

mothers who carried us in their bodies, risked their lives so that we could have life, and nursed and cared for us.

Accordingly, as a general rule we naturally expect patriotism to be greatest among those most favored by their countries, and to be least among those least favored or, like Douglass, not favored at all by their countries. But there are exceptions to the rule. A moderate exception is the case of individuals fiercely patriotic to their adopted countries. It shows that a patriot may not owe his country a debt of gratitude for nurturing and caring for him in his infancy. But it is only a moderate exception because it does not show that patriotism need not be founded on a debt of gratitude. Although immigrants were not nurtured by the country that accepts them, they often owe it debts of gratitude for taking them in, recognizing their talents, and giving them opportunities. The case of Alexander Hamilton comes to mind. The more notable exception to the rule in question is of the patriot who owes no debt of gratitude to his country, the case of Douglass, for example. He owed the U.S. nothing. She had done nothing for him, and on the contrary had tried her best to destroy him. She owed him, but he did not owe her. His obligation to her, implied in his claim that she was his country, therefore had to be freely taken on. I can see no other way of accounting for his having such an obligation. And it must be possible. A correct analysis of the idea of claiming a country as one's own cannot imply that only natives of a country, those born and bred there, can possibly claim it as their country; it must provide for the possibility of an individual adopting a country as his own. Sometimes as I conceded above he owes it a debt of gratitude for taking him in. But sometimes he owes it no such debt because it need not have taken him in with the idea of doing him any good or with any spirit of generosity.

If individuals can freely take on obligations to countries that owe them nothing, it follows that those who already owe debts of gratitude to their countries can take on obligations to their countries beyond those obligations that their debts already generate. Indeed I think that the most notable cases of patriotism are those of individuals who take on such additional obligations. Strictly speaking, the debt of gratitude that even the most favored individuals owe their countries is fairly limited. For example, we expect and require that most natives of a country to be patriotic to the extent of not betraying their countries. But the individuals we single out as great patriots are prepared to do far more than merely not betray their countries. They are prepared to make great kills for their countries even to the extent of being prepared to die for them, and have dedicated a considerable part of their lives and talents to improving, building up, protecting, and defending their countries.

V

So far so good, I think. But since I think that Douglass was a great patriot, the question becomes, why on earth would he dedicate himself to the U.S. in these ways? The fact that he did it freely does not mean that he did it for no reason. So what was Douglass's reason for taking on obligations to the U.S. even beyond the ordinary obligations of those U.S. citizens who had good reasons to be grateful for the good it had done them? A plausible answer to this question, one with which we

should already be familiar, is that he took on these obligations after he became convinced that the U.S. Constitution was anti-slavery, and consequently that despite its bad behavior it was oriented in some fundamental way to achieving worthy ends. This suggestion, in addition to being generally plausible, concedes correctly that obligations of patriotism need not be generated only by debts of gratitude. Even if Douglass became a patriot when he came to believe that the Constitution was anti-slavery, it does not follow that the U.S. had intentionally done him any good nor consequently that he owed it any debt of gratitude. So I take the suggestion as a serious challenge to my earlier contention that Douglass was always a patriot, and more generally that normally the source of patriotism is not the legal or political apparatus of a country.

Yet I think that the suggestion is mistaken. Douglass did not dedicate himself to the U.S. when he came to believe that its Constitution was anti-slavery. His dedication to the U.S. preceded that belief. The reason for his dedication to the U.S. lay in the contents of another great document in the U.S. history, one far greater than even a Constitution designed to end slavery. That document is, of course, the Declaration of Independence. Douglass would have agreed with Lincoln that the Declaration of Independence was the “apple of gold,” and the Constitution was the “picture of silver subsequently framed around it. The picture was made, not to conceal, or destroy the apple; but to adorn and preserve it.”²¹ Lincoln meant that the Constitution was a means to the ends of equality and rights enunciated in the second paragraph of the Declaration of Independence. Douglass dedicated himself to the U.S. because he had dedicated himself to those ends and the U.S., let us remember, was the first country that had declared that its reason for existing was to secure those ends, first for its own people, and then through their example for all people. If it failed, if it could not overcome the curse of slavery with which it was born, perhaps no other country would ever dare take up the project again. Trying to make a greedy and selfish people realize that the ideals they had declared were enough to justify their bloody revolution for independence was a great challenge. But great men freely take on great challenges. They do so partly for the fame that meeting these challenges ensures, for “the love of fame is the ruling passion of the noblest minds,” as Alexander Hamilton put it, but more substantially because meeting these challenges secures a great end, justifies for them the talents they believe they are blessed with, and gives them a reason for living.

Douglass was a U.S. patriot then because he wanted to join and contribute to the first great struggle to secure the human rights of all human beings. Securing these rights in the U.S. would set the stage for securing them universally. But in addition to being a patriot because being a great man he wanted to take up a great challenge, Douglass also took up that challenge because he loved the U.S.. This last point is the hardest of all to establish, but there is evidence for it. Recall the point made earlier in this paper, namely, that Douglass returned promptly to the U.S. when it became safe for him to do so. This was strange behavior from a man denying any patriotism and any love or attachment to the U.S. True enough, with his freedom purchased he would no longer—technically at least—be subject to capture and re-enslavement in

²¹ Cited in Schneider (2006, p. 33).

the U.S., but the mere fact that one cannot be enslaved in a country hardly seems a compelling reason for hurrying to its shores if one does not love it or feel any connection to it. Further, if he could not be legally enslaved in the U.S. if he returned there, he would certainly be subject to racial insult and discrimination. So again, and more pointedly, why could he have wanted to return there if he felt no attachment to the place? It was not as if he had nowhere else to go. He could easily have stayed in England where he claimed to have suffered no racial discrimination and on the contrary had been welcomed and honored. Indeed he had been invited to stay and to send for his wife and family to join him. With all these inducements to stay in England, why did he decide to return to the U.S.?

One possible answer to this question is that he hated slavery and returned to the U.S. in order to continue fighting it. But this answer is not altogether persuasive. He did not have to be in the U.S. to continue fighting slavery. Indeed, he had continued to fight slavery while he was in England delivering dozens of lectures urging the English to use their considerable influence on the U.S. citizens to get them to end their enslavement of Blacks. Nor could it be objected that his way of fighting slavery in England, by moral suasion, was likely to be less effective than his way of fighting slavery in the U.S.. His way of fighting slavery in the U.S. was also by moral suasion, and the philosophy of Garrison to which he was then committed gave him every reason to believe that moral suasion was the preferred way to contribute to the eventual abolition of slavery in the U.S..

Could he then be returning to the U.S. because he loved her, despite his protestations that he did not? As if anticipating this kind of speculation about his feelings for the U.S., Douglass remained adamant that it was not his country; that he did not love her; that it was extremely wicked; and that he felt no attachment to it. He was returning to the U.S., he maintained, only because three million people identified with him by their complexion as well as many members of his immediate family, including his brothers and sisters and a grandmother remained there in slavery. Douglass passionately maintained that this was indeed his reason for returning to the U.S., but he was not altogether believable. After all, he did not have to go to the U.S. to be rejoined with his family. As we have already seen, he could have brought his family to England to join him, and its members could have lived there with him in freedom. Naturally, he could not bring the three million people indentified with him by their color to England to join him; but his going back to the U.S. would not do them much good; certainly it would not free them, and as we have seen he could fight for their freedom in England as effectively as he could in the U.S..

It could be argued perhaps that he did not want to live in ease in England while they remained enslaved in the U.S. and that he returned to it to share in their burdens. But before we make too much of this argument we should note that there were definite limits to Douglass's willingness to share the burdens of slavery with his black brethren. In the first place he escaped from slavery rather than continue to share in those burdens; then he fled the country when it seemed that he would be compelled to share them again; and finally he became willing to return only when he had some assurance that he would not be enslaved if he returned. We cannot therefore dismiss the suspicion that despite her wickedness and her contempt for

him Douglass loved the U.S. and that that love accounted in part for his decision to return there.

Why would he want to deny that he loved the U.S.? Consider first, that there are often few if any “good” reasons for loving. Love is more often explained by its causes than by its reasonableness. Nevertheless, lovers who prize their reasonableness try to deny their love if they can find no good reasons for it. This goes a long way to explain why, when Douglass was a Garrisonian and therefore believed that the Constitution was pro-slavery, he denied that he loved the U.S.. This belief, supposing that he loved the U.S., would naturally lead him to think of his love as unreasonable, wrong headed, and perhaps even perverse. And being a reasonable person, or wanting to prove to himself that he prized being reasonable, Douglass would therefore very naturally want to rid himself of his love of the U.S. that seemed to him to be so unreasonable. But ridding oneself of a love, even of a love one regards as unreasonable, is not an easy thing to do. Often the best that people can do is to deny that they have these loves. Perhaps they believe that denying them will eradicate them. In any case, it would be perfectly natural for Douglass to respond to the question his prized reasonableness would relentlessly put to him, “How can you love the U.S. when her most basic laws deny your very humanity?” with the answer, “I do not love the U.S..”

How successful Douglass’s efforts to suppress his love of the U.S. were I do not know, but I suspect that they were not very successful. There is an unmistakable hint of desperation in his rhetorical questions, “How can I love a country that dooms 3,000,000 of my brethren, some of them my own kindred, my own brothers, my own sisters ... How can I, I say, love a country thus cursed, thus bedewed with the blood of my brethren?”²² But Douglass would admit his love for the U.S. after he became convinced that its Constitution was anti-slavery. At that point loving the U.S. would not appear to be so wrong headed after all. In any case, if Douglass could not bring himself to admit his love for the U.S., two of his comrades in arms, no less implacably opposed to U.S. slavery and racism than he was, and both at some time driven to the desperate point of recommending emigration to escape her wickedness, admitted it. “We love our country, dearly love her,” Martin Delany admitted forthrightly, “but she don’t love us, and drives us from her embraces.”²³ Garnet (1966) was only slightly more circumspect stressing the primordial affective roots of his love of the U.S.. “the U.S. is my home, my country, and I have no other. I love whatever good there may be in her institutions. I hate her sins. I love the green-hills which my eyes first beheld in my infancy. I love every inch of soil which my feet pressed in my youth...”²⁴ And Douglass admitted those affective roots at least even when he claimed to have no patriotism. “I do not know that I ever felt the emotion,” he said of patriotism, “but sometimes thought I had a glimpse of it. When I have been delighted with the little brook that passes by the cottage in which I was born, with the woods and the fertile field, I felt a sort of glow which I suspect resembles a little what they call patriotism.”²⁵

²² Douglass (1982a, p. 60).

²³ Delany (1988, p. 203).

²⁴ Garnet (1966, pp. 201–202).

²⁵ Douglass (1982b, p. 103).

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