

THE KANT AND RACE DEBATE: A FREDERICK DOUGLASS INTERVENTION

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ABSTRACT: Samuel Fleischacker is interested in two questions that are—what he refers to as—a rephrasing of three implications Charles Mills takes away from his encounter with Kant: (1) Is Kant’s moral philosophy racist at its core? and (2) Whether it is or not, how should we respond to the fact that Kant displays open racism in some of his writings when we study, teach, or try to make use of his purportedly egalitarian teachings? Frederick Douglass was an abolitionist who wrestled with similar questions regarding the liberatory and inclusive nature of emancipatory documents like the Constitution. In this essay, I want to consider Douglass’s changing views on this issue and reasons behind them to think about how he might offer insights into this current debate concerning Kant and race. In doing so, I will consider to what extent Fleischacker adheres to Douglass’s guidelines on this matter as he makes his case. I then offer suggestions on how to move forward.

Samuel Fleischacker is interested in two questions that are—what he refers to as—a rephrasing of three implications Charles Mills takes away from his encounter with Kant: (1) Is Kant’s moral philosophy racist at its core? and (2) Whether it is or not, how should we respond to the fact that Kant displays open racism in some of his writings when we study, teach, or try to make use of his purportedly egalitarian teachings? Contra Mills, his answer to the first question is no. And in response to the second question, Fleischacker suggests that we should be honest about Kant’s racism in our writings and classrooms.

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While reading “Once More unto the Breach,” I could not help but think about another historical debate concerning the writers of a text *and* its meaning and uses. This historical debate concerned the U.S. Constitution and took place 100 years after Kant wrote the *Groundwork*. It entailed two questions and two implications: Was the Constitution a proslavery document, written by slave holders and therefore should be rejected? Or was the Constitution an antislavery document that, although written by men who held humans in chains, could be wielded for freedom and therefore should be embraced?

Frederick Douglass was an abolitionist who wrestled with these questions and held both positions in his lifetime. In this essay, I want to consider Douglass’s changing views on this issue and reasons behind them to think about how he might offer insights into this current debate concerning Kant and race. In doing so (and for philosophical fun), I will consider to what extent Fleischacker adheres to Douglass’s guidelines on this matter as he makes his case. I then offer suggestions on how to move forward.

1. DOUGLASS AND THE CONSTITUTION

In an essay entitled “The Constitution and Slavery” published in *The North Star* on March 16, 1849, Douglass—defending the “Garrisonian” interpretation of the Constitution as a proslavery document—declares that “the Constitution, if strictly construed according to its reading, is a proslavery instrument.” He offers up several reasons to support his view.

He notes that because slavery existed before the Constitution, and slaveholders took a large share in making it, it is therefore clear that they created it in the service of “aid[ing] and strength[ing] that heaven-daring crime” (Douglass 2016, 39). He then goes on to examine certain parts of the document such as the following:

Article 5th, Section 8—Congress shall have power to suppress insurrections.
 Article 1st, Section 9—The migration or importation of any such persons as any of the states now existing shall think proper to admit, shall not be prohibited by Congress prior to the year one thousand eight hundred and eight; but a tax or duty may be imposed, not exceeding ten dollars each person.
 Article 4th, Section 2—No person held to service or labor in one state, escaping into another, shall in consequence of any law or regulation therein, be discarded from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due. (40)

Douglass suggests that although ambiguous, on his interpretation, the uses (or abuses) of these articles in satisfying oppressive ends, reveals the proslavery intentions behind them. He believes that this is enough to prove his point (that it is a proslavery document). Thus, he ends the essay confidently by saying, “We might just here drop the pen and the subject, and assume the constitution to be what we have briefly attempted to prove it to be, radically and essentially proslavery, in fact as well as in its tendency” (42). Given its proslavery nature, Douglass believes it was “conceived in sin and shaped in iniquity” and is “the most cunningly devised and wicked compact” (39, 38). Thus, he concludes that it is a “compact demanding immediate disannulment and one which with our view of its wicked requirements, we can never enter” (42).

But things soon take a turn. Douglass—a thinker and activist whose thinking was always evolving—became convinced of the arguments made by the abolitionist and philanthropist Gerrit Smith, as well as William Goodell and Lysander Spooner, that the constitution was *not* a proslavery document. In a published letter to John G. Whittier in 1844 entitled “Constitutional Argument Against American Slavery,” Smith explains his view.

Why should we regard the Federal Constitution as proslavery? Whenever I read it, it presents itself as a noble and beautiful Temple of Liberty. Whenever I read its Preamble, I see the Goddess of Liberty standing in the porch of this Temple; and whenever I read its Amendments, so fraught, as they are, with the deep solicitude of our fathers for the utmost security of human rights, I see in them the buttresses, by which the builders of this Temple gave it additional strength and glory. Is the Constitution proslavery? As well might you hold the Constitution responsible for any other trampling on its principles. To seek in that instrument for authority, for the conduct of Government, in the cases of the Creole, Amistad, Florida War, or, in any other of its murderous and diabolical agencies in behalf of slavery, would be as vain as to seek there for the justification of its violations of Indian Treaties. . . . The fact, that the nation, in its national capacity, favors and upholds slavery, proves nothing against the Constitution;—for this it may do, and the Constitution not be responsible for it—for this it may do, in utter repugnance, and in bold defiance, of the Constitution. (Smith 1844, 4)

So, in an 1851 essay, entitled “Change of Opinion Announced” published in *The Liberator*, Douglass announces that his opinion has changed. He writes: “We had arrived at the firm conviction . . . that it [the constitution] is consistent in its details with the noble purposes avowed in its preamble” (Douglass 2016, 43). Smith was so influential to Douglass’s change of opinion that he dedicated *My Bondage and My Freedom* to Smith noting, “by ranking slavery with piracy

and murder, and by denying it either a legal or constitutional existence, this volume is respectively dedicated” (Douglass 1855). The Constitution was no longer, on Douglass’s view, a proslavery document. It was also, according to Douglass, neither the psychological nor sociological reason for slavery. There were other things to blame. In an 1857 speech made about the Dred Scott decision he says: “It is clearly not because of the peculiar character of our Constitution that we have slavery, but the wicked pride, love of power, and selfish perverseness of the American people. Slavery lives in this country not because of any paper Constitution but in the moral blindness of the American people” (Douglass 2016, 126).

Douglass’s biographer describes his “conversion” as follows:

Douglass caught the scent of a potent idea—that constitutional principle could be elevated above constitutional practice and affect real power. He learned a new cast of mind—political philosophy as well as action—and he took to it eagerly. . . . Actual provisions of the document, coupled with natural law, made the Constitution a source of antislavery principles; history, Douglass believed, had made it proslavery in practice. (Blight 2018, 215)

I believe Douglass’s honest assessment about his previous epistemic failures, which informed his former opinion, is instructive for thinking about responsible ways in going about these matters in general, and the issue of Kant and race in particular. So, in highlighting them, I will explore the ways in which I see Fleischacker putting these lessons in practice in his argument concerning Kant, racism, and egalitarian writings.

2. LESSONS FROM DOUGLASS

Douglass continues “Change of Opinion Announced” by admitting the flaws in his previous method. He writes: “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.” And he writes of this process—that “it is always attended with disadvantages” (Douglass 2016, 43). It would have been easy for Douglass to continue to focus on the lives of the framers of the Constitution in determining the nature of the Constitution. There was too much history available to back up his argument. For example, the fact that Americans trafficked and enslaved Africans, enacted brutal violence on them with impunity, and continued to deny them freedom and rights—all under the providence of the Constitution—was the clearest of examples. There was also too much biography available to back up his argument. For example, of the 55 delegates to the Constitutional

Convention, about 49% of them owned slaves. Thomas Jefferson, the author of the initial draft of the Declaration of Independence, was a slave holder. Five years after declaring independence, Jefferson completed the first version of *Notes on the State of Virginia* (his only book), where he claims that Blacks are emotionally, aesthetically, and intellectually inferior to whites. But it was the letter, not the founders, that soon became of upmost importance for Douglass's interpretation.

Likewise, it would have been easy for Fleischacker to go behind the letter of Kant's egalitarian writings and focus on the life of Kant the man—his racism clearly admitted in his own words—in order to inform Fleischacker's interpretation of Kant's egalitarian writings. The evidence, as he describes, is numerous. For example, whether he is citing racist opinions or presenting his own, racist views are present in Kant's work. Concerning Blacks, Kant wrote that “by nature [the Blacks have] no feeling that rises above the ridiculous” (FBS 2:253).¹ In a 1775 essay, “On the Different Races of Man,” he notes: “This fellow was quite black from head to foot, a clear proof that what he said was stupid.” Of the Native populations, he writes that “from the circumstance that hardly another reason can be given for why this race, which is too weak for hard labor, too indifferent for industry and incapable of any culture—although there is enough of it as example and encouragement nearby—ranks still far below even the Negro, who stands on the lowest of all the other steps that we have named as differences of the race” (TTP 8:175–6). But like Douglass, Fleischacker engages in two epistemically responsible exercises instead. He looks at its plain reading *and* he also considers certain rules of interpretation.

In his famous speech “What to the Slave is the Fourth of July?” delivered a year after “Change of Opinion Announced,” Douglass discusses his new view. He tells his audience: “Now, take the Constitution according to its plain reading, and I defy the presentation of a single proslavery clause in it. On the other hand, it will be found to contain principles and purposes, entirely hostile to the existence of slavery” (Douglass 2016, 70). Regarding its plain reading, Douglass takes his New York audience to task on how to read it.

Now let us approach the Constitution from the standpoint thus indicated, and instead of finding in it a warrant for the stupendous system of robbery,

¹Kant's ([1764] 2007a) “Observations on the Feeling of the Beautiful and Sublime” = FBS; Kant's ([1788] 2007b) “On the Use of Teleological Principles in Philosophy” = TTP.

comprehended in the term slavery, we shall find it strongly against that system. . . . Six objects are here declared, “Union,” “defense,” “welfare,” “tranquility,” and “justice,” and “liberty.” Neither in the preamble nor in the body of the Constitution is there a single mention of term slave or slaver holder, slave master or slave state, neither is there any reference to the color, or the physical peculiarities of any part of the people of the United States. Neither is there anything in the Constitution standing alone, which would imply the existence of slavery in this country. “We, the people”—not we, the white people. . . . I ask, then, any man to read the Constitution, and tell me where, if he can, in what particular that instrument affords the slightest sanction of slavery? (129)

Similarly, Fleischacker believes that on the plain reading of Kant’s major works, they are not racist. They are egalitarian. In his major work, Kant argues that human beings are equals; are all owed respect; are all ends in themselves. He clearly states: “Human beings are never to be treated as a means but always as ends.” But Fleischacker goes a step further in arguing that “the major works [Kant] left to us in any case make little if any room for racism, whatever Kant himself thought.” On its plain reading it is not racist, but it is also not racist at its core.

This leads me to Douglass’s views on interpretation. In the aforementioned speech, Douglass continues: “Now, there are certain rules of interpretation for the proper understanding of all legal instruments. . . . They are plain, commonsense rules, such as you and I, and all of us, can understand and apply” (Douglass 2016, 69). And here lies the novel contribution of Fleischacker’s essay. In his attempt to show that Kant’s work is not racist at its core, he takes us on a historic intellectual journey as a way to interpret Kant’s *Groundwork* anew, adhering to proper rules along the way, as well as offering up new ways of seeing the *Groundwork*. I will attempt to show that the rules of interpretation he relies on are consistency (uniformity of thought), charity (the plausibility of the argument within reason), and context (standard assumptions and motivations within a historical context). The *major* way in which Fleischacker defends the claim is by noting a shift in Kant’s thinking. (It is here where we see the combination of consistency, clarity, and context employed.) This philosophical shift has to do with practical reason and motivation, and it occurs at or around 1785.

In 1785, according to Fleischacker, Kant “was beginning to work out his view about moral motivation.” Before this, Kant thought reason alone cannot move us to moral action. The incentive toward moral motivation was found in faith in God and the afterlife. But Fleischacker also notes that “the idea that reason cannot of itself move us to moral

action allows for the possibility that certain features of our empirical make-up—drives, desires, instincts—may play a role.” When we look at Kant’s lectures on anthropology and physical geography before 1785, he seems to be purporting that these features, however, are found in some people and lacking in others. Some people lack the drive to realize the perfection of humanity. Nonwhites possessed reason but were unable to live up to its demands: “They have inadequate motivation to carry out reason’s demands that they develop their talents.” This means that nonwhites, for Kant, are “less ethically accomplished—less good—less morally worthy—than white people.” So, it’s not surprising to hear Kant claim that “humanity exists in its greatest perfection in the white race.” For him, nonwhites fail to achieve moral qualities that give human beings their full value due to a failure in their incentive system, their ability to make their reason adequately effective in running their lives. However, for Fleischacker, Kant’s idea of perfection shifts at or around the time of the *Groundwork*. This historical shift provides the context in which Fleischacker bases his argument.

Kant came to believe that we need no incentive outside of reason itself in order to live up to the demands of morality. Reason moves us of itself. “It’s practical of itself alone.” This of course has implications for how we interpret his moral philosophy, considering his previous statements about nonwhites in comparison to whites—as it relates to reason. If reason moves us of itself then, Fleischacker writes, “every being that can reason at all must be equally capable of living up to the demands that reason makes of him or her, equally capable, therefore, of achieving the full dignity that comes with rationality.” And since nonwhites can reason *and* live up to reason’s demands, then they too have achieved full dignity. Although inconsistent with his previous racist ideas, Kant does not go back to views concerning perfection once this shift occurs, thus he remains consistent here on.

It is for this reason that we can read Kant’s moral egalitarian claims from the *Groundwork* (such as “all humans deserve equal respect on account of their rationality”) as making little to no room for racism. This is because nonwhites are, conceptually, included, since they are humans with rationality, able to be moved by reason alone, and thus deserving of respect.

We arrive here not by looking at the ills of a writer but by looking at the development of their thinking; that is, noticing how large shifts in their thought inform a consistent, charitable, and context-sensitive interpretation

of their later positions. This is an example of adhering to proper rules of interpretation that Douglass would be proud of.

3. MOVING FORWARD

Douglass truly thought that the Constitution, although “full of potential double meaning” was “a glorious liberty document full of principles and purposes” (Douglass 2016, 69). I am not overly optimistic about our work as philosophers as to also claim that Kant’s *Groundwork* is a “glorious liberty document.” But there is no doubt that it is an insightful egalitarian one. Nor am I claiming that it has a governing power over our lives, like the Constitution. However, Fleischacker provides us with a new way to think about and teach this egalitarian document through his novel interpretation of it.

But Fleischacker also suggests that this does not mean we should not be honest about Kant’s racism to our students and readers. He notes that “as we praise his principles . . . we should bring in his racism forthrightly and wrestle with how such a brilliant and profound philosopher could have conjoined racist attitudes with the egalitarians he argued for in principle.” I think that is right. And this is what a Constitution scholar such as political theorist Danielle Allen (2014) is doing with the founders in her work on the Declaration, and what a historian such as Annette Gordon-Reed (2016) is doing in her work on Thomas Jefferson, to name just two.

However, honesty does not equate to serious intellectual attention. As we are honest in the classroom, for example, we should be careful not to spend too much time wrestling with arguments that are unsound and inadequately supported. For example, in writing about Kant’s racism and teaching, David McCabe believes that teaching Kant’s racist texts alongside his moral philosophy would be a bad idea. “The works in question constitute bad philosophy,” he writes, “not because they are racist, but because they are marked by narrow-mindedness and poor reasoning.” He expresses his worries in more detail.

One might, I suppose, present Kant’s racist views as a case study illustrating the risks of human beings’ overconfidence in what we take to be our own objective reasoning. But the value of that lesson would have to outweigh the second reason against this way of proceeding—namely, that after encountering some of these highly objectionable passages, all sorts of students might find it difficult to be genuinely receptive to the powerful philosophical ideas (about metaphysics, free will, morality, aesthetics, and so on) that Kant advanced. They may well

conclude that anyone who could have written such things couldn't really have expressed any ideas worth attending to. (McCabe 2019, 8)

3.1. *As a result, McCabe offers the following suggestions*

Present Kant's work, but also mention the troubling fact of his racism. This could be accompanied by an invitation to students to identify places in Kant's work where they think important parts of his argument either are distorted by his racism or are blind to considerations he should have addressed. For instance, in the *Groundwork* Kant refers to South Sea islanders as an example of people living lives of idle luxury and failing to develop their talents in the way (Kant thought that) all persons should. It might be worth discussing with students whether persons in certain parts of the world really don't have to work as hard as others to meet their basic needs, and whether Kant reached the conclusion he did because he already had a view of the diminished capabilities of South Sea islanders. Students could also explore the question how should we understand our basic needs, and against what background? We might pursue the question of how far Kant's view that human beings have a moral obligation to develop their talents reflects beliefs he held as a Northern European Protestant man at a particular point in history without wider applicability, whether the influence of one's cultural context on one's ideas thereby renders one's claims parochial, and so on. (8)

Wrestling entails thinking about how perspective influences arguments and the moral implications of cultural analysis. Here, Kant and his racism becomes only an entry point into deeper learning about argumentation and morality, instead of a major focus. Fleischacker notes that we should "wrestle with how such a brilliant and profound philosopher could have conjoined racist attitudes with the egalitarians he argued for in principle." But I think we should not be content with making this a one-off discussion point. We will do students a disservice if we merely insert or reflect momentarily to only move back to the text. Courses or sections of syllabi should be dedicated to such wrestling—falling under the banners of topics like "Principles and Practice," "Egalitarianism and its Contradictions," and "Philosophical Wisdom and its Failings." What these topics open up is a wider and deeper analysis of the particular epistemic and moral failures of philosophers such as Kant and his contemporaries—failures to which present-day thinkers are not immune.

Such wrestling also provides another space ripe for exploration. This concerns education and ignorance. Back to Douglass. Using Kant as an example can also reveal a contradiction to Douglass's arguments. Education, for Douglass, meant emancipation. He believed that "without education, [a person] lives within the narrow, dark and grimy walls of ignorance." But education

means “light and liberty . . . the uplifting of the soul of man into the glorious light of truth, the light only by which men can be free.” Thus, he claimed that “to deny education to any people is one of the greatest crimes against human nature” (Douglass 2016, 355). But Kant is an example that education only takes you so far. It can even lead you in a nonliberatory direction by providing you with the tools to deny liberty to others. Note that what Kant discovered about Blacks was not found through direct encounters with them but through books—Kant’s readings of travelogue material about Blacks, as well as other racist views by such thinkers as David Hume and scientists of his day. This offers an opportunity for philosophers and their students to explore education’s limits and risks, as well as what else needs to be done to uplift all the souls of humans into the light of truth—regardless of color.

Fleischacker suggests that we should also be honest about Kant’s racism to our readers even as we praise his principles. I believe this move will, of course, be most relevant in moral and political philosophy. But we should proceed with caution within the subdisciplines of critical philosophy of race, Africana philosophy, etc. I worry, like Pauline Kleingeld (2019), about developing a Kantianism that incorporates Africana political thought or that is based on interracial models that *go further than Kant does himself*. To engage in such an enterprise is to give him too much credit. As Fleischacker reminds us, “It is not clear that he ever really backs away from his condescending view of the skills of Black people and ‘Americans.’ That feature of Kant’s thinking remains very disturbing. . . . 1785 did not mark the full reversal in Kant’s thought about race that one might have hoped to see.” I am also hesitant to think that we should *overly rely* on Kant’s major works to promote egalitarian ideas around race. Kant, unlike Douglass, never announced his change of opinion. Nor did he explicitly disavow his previous racist work. If so, this current debate would not exist today. As a result, I do not think we should give him intellectual privilege by granting him too much space and attention in making antiracist arguments. Instead, we should expand our interlocutors as to include those who were and are explicitly antiracist writers. Such thinkers include Frederick Douglass, Charles Mills, and others. I do not want, as Fleischacker puts it, to “substitute new, antiracist principles in place of Kant’s own principles”—something he cites Mills for doing in his theorizing of Black radical Kantianism. Rather, I want to challenge researchers to explore resources that go further than Kant did and to incorporate principles not as substitutes but as fresh, insightful, and explicitly relevant additions.

This is not to say that Kant has nothing to contribute in the realm of racial egalitarianism. Rather, it is to say that given his lack of disavowal and the nonspecificity of who is included in his “all human” claims, his

moral analysis and arguments can only take us so far in critical philosophy of race. Given the content and the stakes, this type of work demands that things, positions, and people be explicitly named, particularly the racially marginalized and the racial oppression that has been made invisible in white supremacist societies. As Fleischacker writes, “‘People are equal’ is too abstract.” Philosophers should even ask themselves why the need to incorporate Kant in their antiracist arguments at all. Is it because he has something important and novel to say about racial egalitarianism? Or is it because it will make their antiracist arguments more palpable to philosophy gate keepers, given Kant’s status in the history of philosophy?

4. CONCLUSION

With so much injustice and inequality in the world, we need an abundance of resources for declaring in word and deed that humans deserve to be treated with respect. And if Kant’s egalitarian work is not explicitly or implicitly racist, as Fleischacker claims, that we should heed Douglass’s words concerning the Constitution made on May 23, 1851: “wield [it] in behalf of emancipation” (Douglass 2016, 43). But we should also recognize its limits. Like Douglass, who made use of the Constitution but also scripture, history, natural law theory, and biography in his antislavery arguments, we can accept Fleischacker’s claims concerning Kant and yet feel no need to center Kant’s work in our antiracist arguments, even if we do so in our moral philosophy.

REFERENCES

- Allen, Danielle. 2014. *Our Declaration: A Reading of the Declaration of Independence in Defense of Equality*. New York: Liveright Publishing.
- Blight, David. 2018. *Frederick Douglass: Prophet of Freedom*. New York: Simon and Schuster.
- . 1855. *My Bondage My Freedom*. New York: Miller, Orton, & Mulligan. <https://docsouth.unc.edu/neh/douglass55/douglass55.html>.
- Douglass, Frederick. 2016. *The Essential Douglass: Selected Writings and Speeches*. Edited by Nicholas Buccola. Indianapolis: Hackett.
- Gordan-Reed, Annette, and Peter Onuf. 2016. *The Most Blessed of the Patriarchs: Thomas Jefferson and the Empire of the Imagination*. New York: Liveright Publishing.
- Kant, Immanuel. (1764) 2007a. “Observations on the Feeling of the Beautiful and Sublime.” 1764, Guyer, Paul (transl.). In *Anthropology, History, and Education*, edited by Günther Zöllner and Robert B. Loudon. Cambridge: Cambridge University Press.
- . (1788) 2007b. “On the Use of Teleological Principles in Philosophy.” 1788, Zöllner, G. (transl.). In *Anthropology, History, and Education*, edited by Günther Zöllner and Robert B. Loudon. Cambridge: Cambridge University Press.

- Kleingeld, Pauline. 2019. "Dealing with Kant's Sexism and Racism." *SGIR Review* 2(2): 3–22.
- McCabe, David. 2019. "Kant Was a Racist: Now What?" *APA Newsletter Teaching Philosophy* 18(2): 2–9.
- Smith, Gerritt. 1844. *Constitutional Argument against American Slavery*. Utica, NY: Jackson & Chaplin.