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Can the Unfree Be Held Morally Responsible? A Douglassonian Conception of Freedom and Distributed Moral Agency

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Abstract: *Can those dominated and oppressed by racialized power structures be held responsible for their actions? On some plausible accounts of moral responsibility, the answer is “no”: domination exempts the oppressed from moral obligations because they are structurally deprived of the freedom to make choices for which one might be blameworthy. In this article, I use the work of Frederick Douglass to offer a different understanding of moral responsibility. Attending to specific arguments that Douglass makes regarding the moral responsibility of slaves, and the tensions it raises with other parts of his corpus, I argue that one’s ability to act as a moral agent is deeply tied to the environmental resources at their disposal. Drawing on distributed theories of cognition, I offer a Douglassonian conception of “distributed moral agency,” contending that Douglass’s writings draw our attention to various environmental factors that can scaffold moral responsibility, even among the enslaved.*

Soon after the murder of George Floyd, a video of activist and performance artist Kimberly Jones went viral. The performance responded to criticisms of property destruction and violence at the hands of protesters,¹ with the bold claim that “the social contract is broken”: to criticize those rioting without taking into account the sociopolitical circumstances in which such activity happens is to misunderstand the context and, consequently, distort the moral stakes of such activity. If we take the condition and oppression of Black communities into account, on the other hand, we can explain, excuse, and perhaps justify the perceived deviant behavior. This dovetails with academic theories like Shelby’s (2007), which claim that given the unjust condition of the racialized poor in America, certain forms of civil obligations do not apply to them (e.g., respect for private property), although they still retain natural obligations

(e.g., respect for life). Jones and Shelby speak to a broader intuition: that the oppressed generally ought not to be held to the same standards of moral culpability due to being structurally deprived of the freedom and recognition to make choices for which one might otherwise be blameworthy.

In contrast, others—often associated with Black conservatism—condemned the rioting that happened in the aftermath of the Floyd murder. Glenn Loury (2020), for instance, called for analysts to “condemn this violence without equivocation,” echoing a similar critique Loury (1993, 42) posed in the wake of the Rodney King riots toward White liberal apologists: “in an effort to avoid the accusation of being a racist, with the good intention of ‘understanding’ the rage, incivility, and incapacity... these people abandon their responsibility to treat blacks with the seriousness that they reserve for whites.” To

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¹https://youtu.be/sb9_qGOa9Go

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excuse Black Americans from the rigors of morality that others are held to, on account of the former's structural position, is itself racist in Loury's view.

Call the first view "structuralist" and the second view "conservative." These views may, at first glance, seem intractably opposed, oriented by incompatible political and intellectual commitments regarding, say, the ontological status of structural racism or the moral importance of self-reliance. Yet both views share a presupposition: that considerations of moral responsibility—that is, when and why people should or should not be seen as blameworthy or praiseworthy for their actions—are inherently *political*, albeit in different ways. Structuralists are concerned with how politics ought to affect our practices of moral responsibility; conservatives are concerned with the political effects of how we practice moral responsibility. The structuralist thinks racial inequality tempers, changes, or eliminates the ascription of moral responsibility; the conservative thinks that the denial of moral responsibility further exacerbates the problem of racial inequality.

In this article, I try to reconcile these two concerns by way of Frederick Douglass's writings on the subject. Douglass's thought is difficult to locate within one ideological orientation (see Turner 2018). Regarding moral responsibility, I aim to show, Douglass appears both conservative and structuralist: he is deeply concerned with the political import of seeing the oppressed as morally responsible, but he also recognizes how sociopolitical conditions affect the moral agency of the oppressed. Indeed, while Douglass documents how racialized power corrupts and stunts individual potential and flourishing in world-historic ways, he also demonstrates the resilience of human moral sentiment and emancipatory ambition in equal measure. Douglass's thought thus embodies the political tensions inherent to this debate surrounding moral responsibility.

I use this tension as a point of departure to argue for a distributed conception of moral responsibility, according to which the capacity to make moral decisions is dependent upon the environmental resources that facilitate such reason-informed decision making. Although slaves generally are deprived of the resources needed to effect moral agency, they are not always or constantly so deprived; Douglass shows that environmental and external factors serve to enable moral reasoning amongst the enslaved, facilitating moral responsibility. This distributed conception of moral responsibility allows us to both recognize the political circumstances that alter moral responsibility (à la the structuralist) while retaining the moral and political goods that come with moral responsibility (à la the conservative).

Political Dimensions of Moral Responsibility

In philosophy, the debate over moral responsibility largely centered on the question of whether free will could be squared with determinism, which seemed to preclude such free will, and therefore, moral responsibility. However, following Strawson's (1974) groundbreaking "Freedom and Resentment," philosophers have increasingly analyzed moral responsibility in terms of the social practice of praising and blaming, and the prerequisites that attach to such practices (see Hieronymi 2020). Instead of probing the more abstract question of how to square the determinist circle, Strawson encouraged theorists to note that attributing moral responsibility to someone was intrinsic to being in relations with them, and thus generally unavoidable, the merits of determinism notwithstanding.

Strawson attributed the basis for such practices to the "reactive attitudes," the feelings of gratitude and resentment that we feel in response to others' actions. These reactive attitudes are themselves informed by the "quality of will" we impute to the actor, particularly their intentions and the degree to which our well-being was a concern to them when acting. To put this in Strawson's terms, moral responsibility is to be understood in terms of "the many different kinds of relationship which we can have with other people...[and] the kind of importance we attach to the attitudes and intension toward us of those who stand in these relationships to us, and of the kinds of reactive attitudes and feelings to which we ourselves are prone" (1974, 6). It is not whether we can or cannot ascribe moral responsibility; we do so as a matter of course in order to express attitudes that are basic to human relationships. When we do not, it is because we adopt the "objective stance"—suspending normal emotional responses—out of recognition that the other party is not part of normal social relationships (for instance, because of age or mental impairments).

A large swath of philosophical literature following Strawson has been devoted to cashing out what exactly "quality of will" means or consists in (for instance, the quality of agents' judgments, their regard for others, or their characters—see Shoemaker 2013). Others have offered different criteria for when and why some agent is a deserving object of such attitudes. For instance, some deemphasize agents' quality of will in favor of their capacity for rational deliberation (Fischer and Ravizza 1998). Others locate moral responsibility in the degree to which agents' actions are attributable to their "real selves" (Gorman 2022). We need not adjudicate this

debate here. What is important to note is that all these views are, generally speaking, examples of “internalist” conceptions of moral responsibility (Cicurria 2015; Khoury 2018) in that they focus on internal facts about an agent in determining or attributing moral responsibility: a person will be an appropriate target of our reactive attitudes if they have the appropriate internal capacities, intentions, or dispositions.

Cicurria (2020) has contended that such internalist approaches are inherently depoliticizing in that they do not attend to the “malignant asymmetries of power that influence culturally normative perceptions of responsibility, which are, in essence, political artefacts.” Manne (2017, xvi-xvii) for instance, begins her influential account of misogyny by noting how practices of imputing responsibility are tied up with power dynamics in ways that Strawson missed. For Manne, domination does not require dehumanization; one can also dominate by recognizing others’ humanity, and thus their moral responsibility (in specific norm-laden ways), in order to compel certain forms of behavior and subservience. While the Strawsonian intervention was itself political in that it moved the emphasis away from the metaphysical stakes of moral responsibility and toward its status as a shared social practice (see Cicurria 2015; Long 2016, 128), the focus on agents’ internal traits obscured the political stakes of the debate.

In response, some have sought to politicize the notion of moral responsibility through a more “externalist” approach. Externalists contend that moral responsibility is determined not just by internal facts about an agent’s psychology, character, or rational capacity but also by facts about their environment (Webster 2021). The determination of what renders someone morally responsible is doubly social and contextual in this view (Vargas 2018). First, because what counts as, say, the correct quality of will, will be contingent on the expectations and prioritized reasons of a given society at a given time: the marginalized are often bound up in morally unfair norms of responsibility (e.g., the expectations of women in misogynistic societies). Second, because one’s ability to live up to such standards will be affected by the various external facts of their historical and social context, being dominated will often mean that one does not have the ability to actually control one’s actions, thus altering when we ought to justifiably attribute moral responsibility to an oppressed agent (Oshana 2006). Externalists thus claim we must be sensitive to how hierarchies, power inequalities, and the presence of domination affect both the “who” and “what” of moral responsibility (see e.g., Hutchison, Mackenzie, and Oshana 2018).

Externalists therefore enable a more explicitly political conception of moral responsibility very much in keeping with what I called, in the introduction, the structuralist views: the fact of structural oppression ought to affect our moral appraisal of the behavior of the oppressed because moral responsibility is sociopolitically constituted. To pretend otherwise—to hold the oppressed to the same standards of blameworthiness as we do the free—requires adopting a depoliticized internalism, which ignores the social and contextual determinants of the third-personal ascription, and the first-person achievement, of moral responsibility.

Moral Responsibility and Political Agency

I imagine many readers will find this structuralist/externalist account of moral responsibility plausible, or at least as descriptively resonant with influential strands of contemporary political discourse. It is interesting to note on this score that Douglass offers some notes of caution for the externalist thesis. Perhaps most interestingly: he does this on *political* grounds. Douglass worries that altering, waiving, or diminishing the standards of morality for the enslaved and the formerly enslaved is itself a tool of domination and oppression. We should resist the temptation to temper practices of moral responsibility because doing so misrecognizes the oppressed as agency-lacking objects, which is incompatible with either internal or interpersonal demands of citizenship.

In this section I reconstruct what I call Douglass’s “political internalism,” which is composed of two key ideas: first, that moral responsibility can be achieved in spite of one’s social or political circumstance (call this “Responsibility as context-resistant”); and second, that recognizing this moral responsibility is crucial for the ennobling and liberation of the oppressed subject (call this “Responsibility as politically valuable”).

Responsibility as Context-Resistant

Douglass offers numerous descriptions of ethical decision-making, communal bonds, and moral sentimentality among slaves throughout his corpus, seeming to imply moral agency in spite of the slave’s dominated status. This moral capacity is on immediate display in the beginning of *My Bondage, My Freedom* (1855, *Bondage* hereafter) in Douglass’s description of his grandmother’s log cabin. While also working as a description of slavery’s

insidious disruption of natural familial bonds, Douglass is at pains to detail his grandmother's various moral attributes, as well as the care and esteem attached to her by other slaves, and which she displays for her grandchildren. Immediately, we are introduced to an enslaved person who acts, and acts consciously, according to moral reasons and who evokes the reactive attitudes from others.

In his various narratives, examples of moral action increase in the first-person perspective after Douglass learns to read, which he recounts in both *Narrative of Frederick Douglass* and *Bondage*. Kohn (2005, 498–99) has referred to this as the Kantian moment of emancipation in Douglass's narratives, where emancipation includes being capable of ascertaining, being moved by, and moving others, through reason, giving "tongue to interesting thoughts of my own soul" as Douglass puts it. Through this education, Douglass gains the capacity for "answerability" (Shoemaker 2013, 108), the ability to articulate one's reasons for action and to answer in terms of them. This moral capacity is expanded in the famous confrontation between Douglass and the slave-breaker, Covey. This is likely the most-discussed part of Douglass's corpus so I would not belabor a description here. Suffice it to say, that after a particularly brutal assault from Covey, Douglass attempted to plead for justice from his owner, only to be rebuffed. Returning to Covey's plantation, Douglass is taken in by an enslaved friend, Sandy Jenkins, and his free wife, who house and feed him for the night. Note here that Jenkins is consciously engaging in a supererogatory action, which prompts reactive attitudes of gratitude from Douglass.

Before being sent back to Covey, Jenkins gives Douglass a root that he claims has magical powers, which will protect him if he wears it on his person. An incredulous Douglass takes the root, and upon returning, decides to fight back against Covey in a radical act of self-assertive equality. Hereafter, Douglass claims, he was a "freeman in fact" though still a "slave in form," an assertion that Roberts (2015) picks up on to note that there are degrees of freedom that can be attained within the legal bounds of institutional slavery. Here, we might say that Douglass demonstrates "reason-responsiveness," in the sense of not only being able to be moved by reasons for action but capable of translating such reasons into choices of action.

These moments of liberation result in a more defiant and consciously moral Douglass. Douglass details the Sunday school he creates in order to teach other slaves to read. The still-enslaved Douglass began his schools with a few pupils at first in the woods under a tree, then later in the shade of a barn, and then, finally in the house of

a free colored man, at which point the scholars numbered 40. Again, here, Douglass details his awareness at the time of the moral nature of what he was doing—as well as the moral hypocrisy of those who forbade him. He recalls that the sermons delivered from the pulpits at St. Michaels, which preached the moral and reciprocal qualities of slavery—"that the relation of master and slave was one of reciprocal benefits; that our work was not more serviceable to our masters, than our master's thinking was serviceable to us"—were "in vain": "*Nature* laughed them to scorn" (*Bondage*, 201). Douglass is clear that he and his fellow slaves were not merely bound by the pleasure of companionship or escape from drudgery, but through a sense of moral obligation persisting in spite of their situation: "there were no mean advantages taken of each other, as is sometimes the case *where slave are situated as we were*; no tattling; no giving each other bad names to Mr. Freeland; and no elevating one at the expense of the other" (197, emphasis added). As in his grandmother's house, we see here an acknowledgment of, and motivated adherence to, moral codes amongst the enslaved.

This sense of moral obligation is put on display when Douglass and others are caught attempting to escape. "We were a band of brothers" Douglass notes (*Bondage*, 216) all committed to "own nothing" and not snitch on each other: "we were quite resolved to succeed or fail together, as much after the calamity which had befallen us, as before." More telling than the observance of this moral code, however, is the attitude of disgust and sense of blame they held for those who did *not* observe it. They actively tried to determine who it was who had betrayed them. "Several circumstances," Douglass notes, "seemed to point Sandy out, as our betrayer.... and yet, we could not suspect him. We loved him too well to think it possible that he could have betrayed us. So we rolled the guilt on other shoulders" (217). Such a betrayal is understood by all to be a moral wrong, a violation of an obligation that would bring "guilt" upon the transgressor (so much so that they find it impossible to believe that their friend could have done it). Here, Douglass imputes not just moral responsibility to the potential betrayer (implied by assigning guilt) but the mutual acknowledgment and assumption of such responsibility by the other conspirators.

Responsibility as Politically Valuable

These implications of moral responsibility do not seem to be an accident of rhetorical description. In both his autobiographical writings and his more overtly political

commentaries, Douglass presents a case that moral responsibility is not, and should not, be lessened in light of a subject's oppressive condition. Indeed, Douglass seems to say something like the opposite at times: that being freed from oppression requires being seen, and seeing oneself, as morally responsible.

During the war effort, Douglass (1863) contended that Black men must join the cause and take up arms not just because it was in their interest, but because morality demanded it of them, their subordinated status notwithstanding: "if color should not be a criterion of rights, neither should it be a standard of duty." Douglass reaffirms this view in speeches regarding what postslavery Black freedom would look like in postabolition America. In a passage that his libertarian interpreters have made much hay out of, Douglass responds to the question "What shall we do with the Negro?" with a famous *laissez-faire* answer:

I have had but one answer from the beginning. Do nothing with us! Your doing with us has already played the mischief with us. Do nothing with us! If the apples will not remain on the tree of their own strength, if they are worm-eaten at the core, if they are early ripe and disposed to fall, let them fall! I am not for tying or fastening them on the tree in any way, except by nature's plan, and if they will not stay there, let them fall. (Douglass 1865, 12)

Primarily motivated by a concern for white paternalism, which he understood to lead to subjugation as easily as it leads to charity, Douglass (1865, 12-13) extends this political view to its implications for moral responsibility: "And if the Negro cannot stand on his own legs, let him fall also. All I ask is, give him a chance to stand on his own legs! Let him alone!...your interference is doing him a positive injury. ...If the Negro cannot live by the line of eternal justice, so beautifully pictured to you in the illustration used by [Wendell] Phillips, the fault will not be yours, it will be his who made the Negro, and established that line for his government."

This conviction seems to emanate from the belief that lessening moral responsibility will undermine efforts at black liberation. There is a strand of black conservatism that reaches back to this element of Douglass for inspiration (Ondaatje 2007, 168-69), seizing on Douglass's emphasis on individualist self-help and self-reliance (Smith 2002, 122) to argue against the overreach of political power that stretches beyond securing liberal rights (Macedo 1991; Myers 2013; Sandefur 2018; Wortham 1979, 141-42). Conservatives also plausibly find in Douglass this correlating notion of moral

responsibility. As Loury has put it recently and provocatively: "No responsibility means no glory...To cast oneself as a helpless victim, to filter experience constantly and at every instance through a sieve that catches everything that one has control over while leaving the outcome to invisible, implacable historical forces: something is pathetic about that posture" (2019, 12). From the conservative view, attenuating black moral responsibility is not merely patronizing but fundamentally antithetical to black progress, which requires cultivating such habits and dispositions.

Douglass's political internalism, however, is not wedded to a conservative self-reliant individualism (Turner 2018). Instead, it is grounded in a more holistic worry about the sorts of social patterns that attenuated moral responsibility produces. Douglass indeed qualifies this apparently *laissez-faire* politics by what he calls a concern for "fair play": "Give him fair play and let him alone, but be sure you give him fair play. He is now a man before the law. I rejoice at it. What we want, what we are resolved to have, is the right to be men among men" (1869, 252). Resisting the temptation to temper moral responsibility thus need not be in service solely of *laissez-faire* politics, but also in securing the background conditions of justice.

Why would moral responsibility be crucial for securing background justice beyond individual rights and virtues? As Douglass (1865, 7) puts it with regards to the suffrage question, "men are so constituted that they derive their conviction of their own possibilities largely by the estimate formed of them by others. If nothing is expected of a people, that people will find it difficult to contradict that expectation." Given our inherently social nature, Douglass contends that to hold the oppressed to lesser standards of moral responsibility is to reduce them in the esteem of themselves and others, thus undermining the project of emancipatory freedom and equality. Indeed, Douglass contends that the aim among sympathetic whites to lessen moral standards for their black counterparts is borne of the same paternalistic and dehumanizing impulse that leads Southerners to deny suffrage to former slaves, so that they may be "prepared" for freedom. Douglass's political internalism thus seems more aligned with someone like Orlando Patterson who distinguishes individual moral responsibility from political responsibility, such that a commitment to the former does not require a *laissez-faire* attitude in the latter (1973a, 124-25). Patterson argues strenuously against the reduction of black moral responsibility, not to protect a culture of self-help or individualism, but rather to avoid reinscribing racial distinctions and the superior status of those who are suspending judgment

(1973a, 127–28; 1973b, 43). We can thus have a political internalism without conservatism.

Indeed, Douglass seems worried that lessening moral responsibility was a double-edged sword: to excuse the oppressed because they are trapped in a system that makes their actions not their own is to open the door to the same excuse from the oppressors. Douglass contends that slavery corrupts oppressor and oppressed alike, since “there is no relation more unfavorable to the development of honorable character, than that sustained by the slaveholder to the slave” (*Bondage*, 61). Yet despite this, he argues it would be harmful to admit such considerations—“the doctrine of circumstances”—in determining blameworthiness since such a doctrine destroys any possibility of moral accountability. Such a position is made clear in his response to Chalmers, and his Christian apologetics regarding slaveholding: “He says that distinction should be made between the character of a system and the character of the persons whom circumstances have implicated therewith. Yes, circumstances—the doctrine of circumstances.... This doctrine carried out does away with moral responsibility. All that a thief has to do in justification of his theft is to plead that circumstances have implicated him in theft, and he has Dr. Chalmers to apologize for him and recognize him as a Christian” (Buccola 2018; Douglass 1846; Saunders-Hastings 2021, 735). To excuse individuals their moral lapses because of the structures and circumstances in which they are embedded is to undermine the notion of moral responsibility tout court, a practice that is essential for moral accountability and moral progress.

To summarize, Douglass wants to maintain the moral agency of the enslaved for two reasons: first, because empirically the natural moral capacity is stubborn and stronger than the corrupting influence of slavery, and second, because conceding such moral agency is to concede too much to slavery’s corrupting influence, accepting the lower status of the slave and relaxing the moral demands we can make on both the enslaved and the enslaving.

Externalist Concerns

Despite this political internalism, Douglass does not completely deny the externalist thesis. While Douglass is concerned with the political effects of tempering moral expectations for black Americans, he seems to contradict this elsewhere, suggesting that what the enslaved and oppressed can be held responsible for is mitigated by context. Douglass thus embodies the tension be-

tween these competing views, providing a way of thinking about moral responsibility as both affecting and reflecting power dynamics.

Indeed, it is ironic that, in the passage above, Douglass emphasizes thievery (“All that a thief has to do in justification of his theft is to plead that circumstances have implicated him in theft”) to illustrate the problems with the doctrine of circumstances, as he elsewhere seems to excuse stealing on such grounds. One striking example comes in *Bondage* when Douglass discusses his return to the service of Thomas Auld in St. Michael’s, where he is systematically malnourished. This malnourishment leads Douglass to steal. However, Douglass is at pains to show he did not steal from an unreasoning instinct, but rather only after “considering the matter closer, before [he] ventured to satisfy [his] hunger by such means” (139)—after moral reflection.

Douglass begins by telling us that he was not inclined to steal, and, in fact, he loathed the very idea of stealing. This is in keeping with his generally Lockean respect for property and self-ownership (Buccola 2013, 52). Furthermore, Douglass’s ability to receive and respond to such moral reasons is in keeping with his context-resistant understanding of moral responsibility. Yet, stealing from Auld did not bother him because, he argues, to do so was not really theft at all: “[T]he same reason why I might, innocently, steal from him, did not seem to justify me in stealing from others. In the case of my master, it was only a question of removal—the taking his meat out of one tub, and putting it into another; the ownership of the meat was not affected by the transaction. At first, he owned it in the tub, and last, he owned it in me” (139). A slave, Douglass argues, is by definition the property and the tool of his master, to be used at, and for, its owner’s pleasure. By taking and eating the master’s meat, he was not unjustly acquiring it, since he was still the master’s possession; it is merely “the taking his meat out of one tub, and putting it into another.” Thus, the young Douglass could still endorse the moral prohibition of stealing—which he tells us he still did—while taking food from his master, as the latter was not prohibited under the former.

This is consistent with Douglass’s political internalism: he sees no tension between the oppressed status of the slave and their status as a moral agent. Stealing is still wrong, and slaves are still morally responsible to acquire things in the right ways. It is simply that in this particular situation and position, the application is inappropriate. Douglass essentially performs an ironic *reductio* of a slavemaster’s claims upon the slave: either the slave is the sort of subject that can be held morally accountable for something like theft—in which case she is no slave,

or the slave cannot be said to steal from her master at all. Douglass is quick to note the limited nature of this argument, which he apprehended as a slave: “it was necessary that the right to steal from others should be established; and this could only rest upon a wider range of generalization than that which supposed the right to steal from my master” (139). This argument only justified his taking from Auld. The prohibition on stealing from others generally still stood, as Douglass still understood himself to be morally responsible for his actions.

However, because of his destitute position, the need to take from others and the morality of doing so, pressed him. He continues:

“I am,’ thought I, ‘not only the slave of Master Thomas, but I am the slave of society at large. Society at large has bound itself, in form and in fact, to assist Master Thomas in robbing me of my rightful liberty, and of the just reward of my labor; therefore, whatever rights I have against Master Thomas, I have, equally, against those confederated with him in robbing me of liberty. As society has marked me out as privileged plunder, on the principle of self-preservation I am justified in plundering in turn. Since each slave belongs to all; all must, therefore, belong to each.” (140)

Morally, Douglass appeals to his Lockean natural rights—namely his “rightful liberty” and the just rewards of his labor. Yet to this liberal moral argument, Douglass attaches the sociopolitical insight that the master-slave relation is inherently a socially embedded relationship, depending on a whole web of political, economic, and cultural structures that empowers the master over the slave (elsewhere, Douglass talks about such institutions—the law, the church, the schools, the states, political parties, etc.). The slave can take from *his master* because as a slave he is conceptually incapable of stealing from his master. The slave can take from *others*, however, because this position is an unjust position, and society is responsible for this injustice. Douglass offers a similar account in *The Heroic Slave*, his fictional retelling of the story of Madison Washington’s escape, heroic rescues, and rebellion. Washington says of his escape: “during my flight, I felt myself robbed by society of all my just rights; that I was in an enemy’s land, who sought both my life and my liberty.... guided by my own necessities, and in contempt of their conventionalities, I did not scruple to take bread where I could get it” (1852, 165–66). To treat property rights as inviolable and sacrosanct is to misunderstand the social bases of a property regime, the

very social bases that render some in the position of slave (Douglass 1871, 236–37). The ability to take from his master is moralized as a right to take from society because of the latter’s placing him in the position to need to do so.

This appeal coheres well with republican and egalitarian interpreters of Douglass concerned with the civic, institutional, and oppositional bases of freedom and nondomination (Davis 1971; Gooding-Williams 2009; Roberts 2015; Rogers 2020; Turner 2012). By virtue of the community’s role in rendering her a slave, she cannot be held responsible for taking what she needs from that community. While a completely plausible argument, it means that Douglass’s narrower claim to rightfully steal from Auld is generalized at a social level to what looks like the doctrine of circumstances he derides elsewhere: by being deprived of the sociopolitical bases of freedom, the slave should not be held to the same standards as the rest of society, particularly when it comes to something like theft. This is not a full-blown rejection of moral responsibility among the oppressed. To borrow Watson’s (1987) vocabulary, the enslaved are not categorically *exempted* from moral concerns according to Douglass, but they are often *excused* from many moral prohibitions because of the unjust nature their social position.

However given the pervasiveness of such oppression, it is not clear where the line between exception and exemption is. On this more social view of the slave, it is not merely the formal denial of rights that constitutes slavery. Rather, as Douglass (1869, 251) remarks elsewhere, as long as “that out of which slavery sprung, that by which it was sustained, the selfishness, the arrogance of the master...the ignorance and servility of the slave... [the custom of the master bearing] sway over his fellows... rendering the former bondman insecure in his life and property,” we should see slavery as still persisting. One is thus a slave not just when legally deprived of various rights to choose but also by virtue of the mores and habits of slavery persisting. Given this, it is not entirely clear when the enslaved would *not* be excepted from such moral obligations with regards to slave society.

Douglass completes the discussion of his theft by putting the point bluntly:

The morality of free society can have no application to slave society. Slaveholders have made it almost impossible for the slave to commit any crime, known either to the laws of God or to the laws of man. If he steals, he takes his own; if he kills his master, he imitates only the heroes of the revolution. *Slaveholders I hold to be individually and collectively responsible for all the evils which grow out of the horrid relation, and I be-*

lieve they will be so held at the judgment, in the sight of a just God. *Make a man a slave, and you rob him of moral responsibility. Freedom of choice is the essence of all accountability.* (Bondage, 140)

If one is morally responsible, then one is capable of freely choosing one's courses of action. Slaves are stripped of all freedom—legally, politically, economically, and socially—and are, therefore, not morally responsible for either civic or natural obligations (“the laws of God or to the laws of man”). The narrow exception afforded to steal from Auld here gets generalized into what looks like a full-blown exemption from moral responsibility, with slaves categorically cast as improper objects of the reactive attitudes.

This passage brooks numerous readings. Given his political internalism discussed above, one could quite plausibly interpret this last denial of moral responsibility as just rhetorical flourish, a way to shock and implicate his readership (Bennett 2016)—or perhaps, as a further ironic *reductio* demonstrating that slavery is incompatible with social morality. Douglass's intent aside, this passage is interesting for our purposes because it helps clarify the tension. If oppression can, at times, excuse the oppressed from moral responsibility, and if slavery is as pervasive and penetrating an institution as he shows, how do we keep the enslaved from falling into a permanent state of moral exception?

“Soul-Enlarging, Soul-Sustaining Objects”

Accepting the moral and political importance of being seen as a moral agent, while also acknowledging how one's freedoms, abilities, and character are affected by sociopolitical circumstance, how do we account for the latter while retaining the benefits of the former? How do we articulate a conception of moral responsibility that is sensitive to both the internalist's and externalist's political concerns? One potential avenue is to follow Buccola (2018) who argues that Douglass understands human nature as malleable and corruptible by circumstance, yet resilient enough to retain agency. However, there are resources within Douglass to offer an answer that avoids controversies surrounding the existence, or relative fixity or malleability, of human character (see Doris 2010). By looking at how Douglass describes moral accountability among the enslaved, we can reconstruct a conception of “distributed moral responsibility,” which is (1) always being facilitated and constituted, in an ongoing manner,

through one's context, à la the externalist, because of the environmental nature of human cognition, but in which (2) slavery (and oppression generally) is never so all-encompassing that it precludes the oppressed subject's moral agency.

Douglass closes his famous “Self-Made Men”—a speech largely dedicated to celebrating the importance of personal discipline and the American meritocratic ethos—by noting how individual capacity and determination are not enough: “We all need some grand, some soul-enlarging, some soul-sustaining object to draw out the best energies of our natures and to lift us to the plains of true nobleness and manly life” (1860, 302). Here Douglass is talking specifically of social goals and moral commitments, but the idea of a “soul-enlarging, soul-sustaining objects” is evocative of something else we see throughout Douglass's accounts of slavery: the role of artifacts, physical objects, social practices, and spatial configurations in enabling the enslaved to exercise their moral capacities. Both socionormative commitments and physical artifacts function as exogenous “soul-enlarging objects” that facilitate moral responsibility.

One way of understanding this is in terms of the “extended mind thesis” (Clark and Chalmers 1998) or the theory of distributed cognition (Hutchins 1995). The basic idea of these concepts is that the cognitive and mental processes usually imputed to individuals—inference and deduction, means-ends reasoning, executive impulse control, and moral reflection—are actually facilitated through a variety of outer artifacts and resources—“cognitive scaffolding” (Clark 1998)—that we enlist in order to complete some set of tasks. Cognition, then, can be said to occur in systems that may be limited to a single human, but often also includes physical objects, other humans, and the cultural and/or social rules that connect them.

Consequently, if we are talking about the political goods of moral responsibility or moral agency, there is no real reason to think of this as something attained or contained internally even by the standards of internalists that appeal to subjects' rational, moral, or emotional capacities. Insofar as moral responsibility requires something about our capacities, we must note that we often use the world around us to scaffold and effect such capacity. This conceptual lens is, I think, a helpful way to reconstruct Douglass's notion of moral responsibility and reconcile his apparent internalism and externalism. Political internalism can be right about the value of moral responsibility while acknowledging that such responsibility is not solely a function of one's internal traits. Similarly, the enslaved can be unfree and still be morally responsible because moral responsibility need not require that

we be fully autonomous, utterly independent from the causal order, and making fully self-determined choices. Distributed moral responsibility is available to enslaved people, for Douglass, and the oppressed more generally, by virtue of their ability to use the world around them—to hack it, as it were—to augment moral capacities. Here I explore this dynamic in Douglass by showing three important classes of such scaffolding at work in his thought: (1) relational conditions of relative equality and (2) physical objects capable of becoming scaffolding by virtue of (3) manipulable, “hackable,” spaces.

Social and Moral Status

As theorists of extended mind and distributed cognition have noted, one of the most ubiquitous classes of scaffolding humans use to augment their cognitive and mental capacities is cultural. It is hard, for instance, to think of an external artifact that augments our cognitive capacities more than language (Clark 1998a, 194–207; Clark and Chalmers 1998, 11). But as others have noted (e.g., Ayala 2018; Davidson and Kelley 2020), norms that govern our interpersonal interactions are also vehicles through which our cognition is carried out. Gallagher (2013, 6) captures this in terms of the “socially extended mind,” by which social practices like legal systems, social institutions, and cultural norms enable long-term processes of cognition.

With this in mind, it is worth underlining that almost all instances of moral responsibility Douglass notes are responsibilities owed *to other slaves*. While linguistic, social, and cultural norms can be vehicles for extended cognition generally, Douglass seems to demonstrate how it is specifically norms and practices of more equal standing that facilitate moral responsibility. Extended mind theorists have made this sort of argument, contending that our relationships form a kind of cognitive scaffolding, making responsibility-promoting reasons and values more salient (e.g., Cash 2010, 660) and contending that access to a social audience makes us more responsive to reasons, and thus more capable of moral responsibility (Holroyd 2018, 143–44). Douglass draws our attention to how particular instantiations of audience and relationality can affect moral responsibility, creating the “standing” for moral judgment (Piovarchy 2020), even in the most unfree of circumstances. Whether with his fellow would-be-escapees or in the Sunday school, Douglass shows that it is slaves’ relative equality with their proximate group of subjects that provides the possibility of more fully realizing their moral agency. Separating people and segmenting them into different classes is thus a crucial way of dis-

rupting this sort of responsibility-enhancing scaffolding to develop.

“Liberating Things”

The significance of relative equal standing is in line with the externalist thesis and will likely resonate with those familiar with Hegelian theories of recognition.² However, these frameworks only capture so much of the story. As I have suggested, it is not only social artifacts, but also physical artifacts, that can help scaffold practices of moral responsibility.

Liao and Huebner (2021) have recently argued that oppressive systems like racism are facilitated through the material and spatial world. Drawing on theories of extended cognition, they introduce the idea of “oppressive things”: material objects and spatial environments that perpetuate racialized frames of attending to and categorizing the world. Their main illustrative example is Kodak’s Shirley card, which was used to calibrate skin-tone coloring during the printing process, and the resulting stock of light-skin-biased photography, which continued into movies, popular culture, and ultimately, the popular imagination. Thus, a physical object, given its genesis and history, functions like a piece of malignant scaffolding, facilitating racially oppressive modes of cognition.

Attention to the role of artifact and environment in Douglass suggests something like the possibility of the opposite: “liberating things”—artifacts that are useful for cultivating the moral responsibility requisite for freedom. *The Heroic Slave*, though replete with celebrations of Madison Washington’s individual courage and moral rectitude, begins with Madison Washington engaging in a dramatic self-affirmation, which eventually leads to the heroic action of the story. But this is not a purely internal meditation; Douglass makes a point of having Washington look upon his own visage in a pool of water—the psychological affirmation is facilitated by a physical self-representation, aiding the act of self-assertion.

Indeed, access to physical representations of oneself is crucial for Douglass, which he explores in his various lectures on photography. The tools of Daguerreotypes and picture making so fascinated Douglass because he understood how the physical rendering of oneself and one’s world enables an otherwise difficult kind of moral evaluation and reasoning. As he discusses in “Pictures and Progress”:

²For a further distinction of Douglassian and Honnethian theories of recognition, which accounts for Douglass’s emphasis on relationality, see Bromell (2019, 274–75).

We can criticize the characters and actions of men about us because we can see them outside of ourselves, and can compare them one with another. But self-criticism, out of which comes the highest attainments of human excellence, arises out of the power we possess of making ourselves objective to ourselves—we can see our interior selves as distinct personalities, as though looking in a glass.... All wishes, all aspirations, all hopes, all fears, all doubts, all determinations grow stronger by action and utterance, by being rendered objective.... (1864, 357–58)

Through externalizing our natural imaginative faculties (“man is everywhere a picture-making animal in the world” Douglass tells us), we also enhance our capacity for reason, as our reason and our imaginations are tied together for Douglass. Pictures function as kinds of reasoning-enabling gadgets, through which “the pictures of life” we mentally conjure are made objective, allowing us to assess ourselves and the world around us by contrasting such pictures with “the fact of life, which makes criticism possible” (1864, 357). Such tools, once solely possessed by the privileged through hiring portrait artists, were now widely available through Daguerreotypes, democratizing the attainment of such abilities.

Douglass’s famous “Oration on Abraham Lincoln” accords a similar importance to physical artifacts. Though mainly a political recounting of Lincoln’s faults and achievements, the speech is occasioned by the dedication of the Freedman’s monument to Lincoln, which was paid for by recently emancipated slaves. What becomes apparent through the speech is that the statue is important for Douglass less because of its memorialization of Lincoln and more as a testament of freed slaves’ capability and achievement of such moral acts of remembrance. Lincoln’s greatness, for Douglass, was a function of his receptivity to the pressure applied to him by the abolitionist movement and the political mobilization of black Americans. Consequently, erecting an artistic and political monument is less a memorial to a great man, and more like the physical and objective means of asserting and aiding a collective identity of who black Americans are, and what they are owed by right.

But liberating things can be more quotidian than these examples suggest. Consider Douglass’s account of the failed escape plot in both *Narrative* and *Bondage*, which showcased the moral disposition among the enslaved to not inform on one another. To his description of their feelings of solidarity, Douglass adds a very particular detail. It is also handfuls of biscuits, which Ms. Freeland brings to two of the slaves, that enable them

to destroy the forged passes, to “own nothing,” and stay true to one another. But perhaps the most dramatic example of this use of everyday objects is to be found in Douglass’s confrontation with Covey, described above. Recall that prior to this confrontation, Douglass is taken into the home of Jenkins’s free wife and is given a root that Jenkins claims has magical properties. The root invites many different interpretations: for instance, the importance of a kind of pan-African spirituality for racial liberation (Jenkins is described by Douglass as “a genuine African” who “had inherited some of the so-called magical powers, said to be possessed by African and eastern nations” *Bondage*, 174). On the view offered here, the root also plays a slightly more prosaic, though no less illustrative role. It is an externalized reminder—like tying a string around one’s finger to remind themselves to do some task—that this is the sort of person he is and can be. The root’s power is not necessarily mythic or extra-agential. Rather, it is the physical facilitation of Douglass’s agency (just as the Freedman’s monument does for freed slaves generally) enabling him to do that which he wanted, but which might otherwise be unable.

The photographs, Sandy’s root, or the biscuits are just some examples of liberating things, which enable the development of moral agency, even in oppressive circumstances. Conversely, even if one has both the on-board capability for such processes and the opportunity to properly develop them, one might still be deprived of such liberating things, or be provided objects that function as oppressive things, which undermines acquiring moral responsibility. Thus, on this Douglassian view, the achievement of moral responsibility is generally distributed onto both our proximate social worlds, in the form of relational status and discursive engagement that can facilitate a quality of will or reason-receptivity, and our proximate material worlds, in the form of objects that are enlisted to carry out reason-responsiveness. Consequently, even for the enslaved it is in principle possible to be morally responsible, given an accommodating proximate environment.

Hackable Spaces

One will have noticed the broad range of “liberating things” discussed above, consisting in a root given to Douglass by Sandy, biscuits passed around by the attempted escapees, a photograph, a statue of Abraham Lincoln, a reflective pool of water, and so forth. This raises the question as to what actually makes an object a potentially emancipatory piece of scaffolding: what makes something a “liberating thing” as opposed to just

something? The answer is that there is nothing inherent to some physical artifact that makes it potential cognitive scaffolding; objects become pieces of cognitive scaffolding by virtue of being put to use for some cognitive purpose—either by an agent who puts it to work in such capacity, or by an outside force that foists it upon an agent's cognitive systems.

This creates something of a regress problem. Moral responsibility among the enslaved requires engaging the external environment. But the desire and ability to engage the environment seems to presume the very sorts of moral responsibility we are trying to explain. From where does this initial capacity emanate?

A way of making sense of this is by taking stock of another crucial environmental resource we see in Douglass, which is the role of space. The moral qualities Douglass attributes to his grandmother, for instance, are intimately tied up with its physical separateness of her home from the rest of the plantation. The physical distance from the big house is accompanied with an enhancement and enactment of moral concern. Before his confrontation with Covey, Douglass takes refuge in the home of Sandy's wife, who was a free woman; Sandy's root is an artifact connected to this space. In similar fashion, Douglass details the locations of his Sunday schools, not just to illustrate the clandestine nature of such things, but also because the space itself is significant for the moral quality of the activity engaged in.

Spaces are so important because the correct ones can enable an environment that is malleable and manipulable, allowing objects to be transformed into cognitive scaffolding. This connection between familiar controllable spaces and the augmentation of cognitive abilities is well-understood in dementia mitigation among the elderly (Lovatt 2018; Malafouris 2019) and intuitive to most parents and childcare workers who seek to create welcoming predictable spaces conducive to children's social-cognitive development. Such spaces are crucial pieces of scaffolding for people whose onboard cognitive faculties are in development or in decline. For the enslaved, these sorts of spaces are significant because they provide cognitive refuge from the environment of slavery, which is designed precisely to be inhospitable to such capacity. As we saw earlier, enslavement is constituted by more than just the deprivation of rights. On this distributed view of cognition, we can see that it is also a nexus of legal, material, and physical tools used not only to deprive slaves of rights and freedom, but to deny them the cognitive means of regaining them. Others have noticed, for instance, how Douglass's description of potential clandestine overseers placed throughout a plantation resembles a kind of panoptic technology

(e.g., Nielsen 2011), conditioning the enslaved to expect surveillance and to act accordingly. Such pantopic techniques also serve to render the environment as outside of the one's control and thus not capable of enlistment as cognitive scaffolding.

Proximate spaces that are both in fact and in understanding manipulable by the enslaved and unmanipulated by slavers allows for it to be "hacked," transformed into agency-cultivating scaffolding. It becomes a space in which relational equality can be enacted with less fear of surveillance and objects can be enlisted with less fear that they are actually tools of mastery. It is by these spatial means that moral responsibility can be bootstrapped.

Conclusion

In the introduction, I mentioned Kimberly Jones' defense of the property destruction that followed George Floyd's murder. I do not pretend to be able to fully adjudicate any specific controversies surrounding responsibility for perceived deviance like the Floyd riots. That said, the Douglassian conception of moral responsibility I have offered here suggests certain considerations.

First, there are political reasons to worry about relaxing standards of moral responsibility for the oppressed. To relieve the oppressed of blameworthiness is always potentially to lower them in social status and to encourage the privileged to view them as subordinate. One can affirm such a view without endorsing the conservative-individualist tenor in which it is often stated but, as Douglass shows, out of broadly republican and egalitarian concern with the social bases of freedom.

Yet, this does not mean that we can ignore sociopolitical circumstances when assessing moral responsibility. While Jones's invocation of the social contract is provocative, and dovetails with Shelby's arguments about Black "deviance," the reading of Douglass I have offered draws our attention to a different aspect of Jones' monologue. In response to the question "why would you burn down your own neighborhood?" Jones responds: "it's not ours!" That one's environment is hostile and not one's own is, on this Douglassian conception of moral agency, crucial for an assessment of blameworthiness. The political good that comes from being recognized as morally responsible requires not merely the restoration of rights, or the cultivation of character, but rather the types of environments (social, physical, and spatial) necessary for both. When the built environment and its legal-economic constitution predictably renders one's context alien, one may be less blameworthy for deviance than one might otherwise be.

Thus, the contemporary fact of social inequality must be considered. As we saw in the case where Douglass and his comrades considered the possibility that Sandy had betrayed them, relative equality is a crucial facilitating condition for recognizing each other as morally responsible. Taking this idea seriously pushes back against both the structuralist and the conservative positions. On the one hand, even if tempered generally by oppressive conditions, moral responsibility may still be salient among the oppressed with regards to actions affecting other members of the oppressed class. Thus, in contrast to Jones's claim, it seems that riots which, say, result in the destruction of black businesses and homes are potentially deserving of blame. And yet, in contrast to conservatives like Loury who admonish whites for their unwillingness to condemn, taking social inequality into account suggests questioning the standing of third-parties to ascribe of blame for things like the Floyd riots. While Douglass and his compatriots resented the possibility of Sandy betraying them, the slaveowner would be in no position to blame and be indignant toward Sandy for the same thing. Drawing from clinical approaches to addiction, we might say that relative status inequality can create instances of "responsibility without blame" (Pickard 2017), where those on top of social hierarchies can recognize the agency of oppressed wrongdoers while refraining from practices of blame, instead turning to help cultivate the bases for sustained moral responsibility.

Simply put, we must be hesitant about watering down moral responsibility while also recognizing there are factors that may require it. These contradictory impulses are reconciled by recognizing that moral responsibility is more episodic, external, and contextual than normally thought. Oppression generally renders individuals morally irresponsible by depriving them of the resources needed to respond and react to reasons. However, in particular contexts, the oppressed can have the various resources needed to scaffold such abilities and thus can be responsible for fulfilling their duties (particularly from others who are similarly dominated).

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