

Race and the Democratic Aesthetic: Jefferson, Whitman, and Holiday on the Hopeful and
the Horrific
(Draft)

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Introduction

They [citizens of Wisconsin and Missouri] had never heard of Billie Holiday, let alone “Strange Fruit.” ... They had never heard anything remotely like this. ... I remember one girl just broke down and started sobbing. I was propagandizing, spreading the word. It made an impact on people. For the first time in their lives it made them think about the lynching victims as humans, as people.¹

Southern trees bear strange fruit
Blood on the leaves
Blood at the root
Black bodies swinging in the southern breeze
Strange fruit hanging from the poplar trees
Pastoral scene of the gallant south²

America’s history is marked by a striking image—black bodies swinging in the southern breeze. Abel Meeropol—a Jewish American—first articulated the line in his 1937 published poem, “Bitter Fruit,” after viewing Lawrence Beitler’s graphic and horrific photo depicting the lynching of Thomas Shipp and Abram Smith (figure 1). Although Meeropol eventually put the words to music, it was jazz singer Billie Holiday’s haunting rendition of the song, now titled “Strange Fruit,” first recorded in 1939 that made it a classic.³ The shift from *bitter* to *strange* marks an important transition in understanding the meaning of lynching in America. For Meeropol’s use of *bitter* captures the unsavory quality of the image—an image whose bitterness would otherwise make it an unfit subject for human consumption. To use *bitter* brings to mind a harsh,

¹ Labor organizer, Warren Morse, cited in David Margolick, *Strange Fruit: The Biography of a Song* (New York: HarperCollins, 2001), 49.

² Cited in Margolick, *Strange Fruit*, 10; Billie Holiday, Frank Newton and Café Society Band, *Strange Fruit*, Commodore Records, New York, 1939. For Holiday’s 1959 performance see MonsieurBaudelaire. Billie Holiday—Strange Fruit. “Chelsea at Nine” [Video]. *YouTube*. 1 June 2012.

³ The evolution of the song is captured nicely in Margolick, *Strange Fruit*. I shall draw extensively from this work in Part III of the paper. Of course, Holiday was not the first to sing the song, although it achieved its greatest popularity in the figure of Billie Holiday.

disagreeably acrid taste.⁴ And yet the commonness of black bodies hanging from trees between the 1880s and 1960s explained, perhaps implicitly, the necessity of changing the title.⁵ How *strange*, we might say, that white Americans did not find the visual spectacle of black suffering *bitter*, a fact that pointed not only to asymmetrical power relations between the two races, but inequality regarding the ethical and political status of blacks.



Figure 1 Thomas Shipp and Abram Smith, lynched in Marion, Indiana, on August 7, 1930. Detail of photograph by Lawrence H. Beitler. [copy right status, unclear]

⁴ “bitter,” *Oxford English Dictionary*, 2nd edition, 2012. <http://www.oed.com> (12 March 2012).

⁵ See data source in Daniel T. Williams, “The Lynching Records at Tuskegee Institute,” in *Eight Negro Bibliographies*, compiled by Daniel T. Williams (New York: KrausReprint, 1969), 1-15. For some classical reflections on lynching see Ida B. Wells, *A Red Record*, in *On Lynchings* (Amherst, NY: Humanity Books, 1895/2002); 55-151; National Association for the Advancement of Colored People, *Thirty Years of Lynching in the United States, 1889-1918* (New York: National Association for the Advancement of Colored People, 1919); Fitzhugh W. Brundage, *Lynching in the New South: Georgia and Virginia, 1880-1930* (Urbana: University of Illinois Press, 1993); James H. Madison, *A Lynching in the Heartland: Race and Memory in America* (New York: Palgrave, 2001).

Black lynching in America was not merely a direct violation of natural rights and human dignity. To speak in this language is to render the problem in purely legalistic terms that obscures the ethical framework in which respect for rights and the dignity of persons first take hold. By *ethical framework* I mean the constellation of norms and practices that informs and guides the development and assessment of persons, their standing in the community, and the institutions central to that community. Black lynching was conterminous with and troubled the meaning of a democratic ethos. How does one practically and conceptually engage the simultaneous existence of a professed commitment to equality and liberty alongside the fact that white Americans visually digested those with whom they otherwise shared the polity? After all, the swinging of black bodies from trees was emblematic of an aesthetically charged spectacle much like we see in Beitley's photo that underscored the insecurity of black life amid the moral depravity of white America. Participants were socially habituated to the permissibility of black suffering and this habituation was of a piece in the theater of terror that reminded black folks of their position as a subordinate class. Could there be hope in a society that holds both a commitment to democracy and a commitment to domination?

In this essay, I take the juxtaposition of hopefulness and the horrific to provide uncommon insight into matters of race and an appropriate democratic ethos. I engage this vexing issue by reflecting on the normative possibilities latent in Holiday's performative rendition of Meeropol's song. The song aspires to capture America's imagination by deploying the very method that sustained and sanctioned black suffering—namely, the spectacle. As Amy Wood notes of anti-lynching activity, “lynching opponents trusted the same assumptions about spectatorship that bolstered prolynching thought—that to see an

event was to understand its truth.”⁶ Just as the lynching of black Americans was an event in which a sense of community was formed, as white Americans joined together in a carnivalesque cultural experience to flout the very notion of black security, Holiday attempts to foreground the spectacle of pain through a rhythmic counterweight. The song collapses the distance between the visual and auditory, recasting the normative response to lynching. As black Americans often made clear through song, literature, and visual art words and images are not inert—having no inherent power of action—they are in an ethical and political register, ways of living.

In reading the song this way, I interpret Meeropol and Holiday as attempting to re-educate the American public. As with lynching itself, re-education works within an artistic, and increasingly affective, context; it re-stages the lynching of black folks as a form of suffering (*the source of its bitterness*) and it seeks to use the fact of consumed suffering (*what marks the strangeness of the fruit*) as a means for educating the sensibilities of the viewing public. The aim is to properly align the intellectual and emotional senses of the listening public with the demand of reality, and this allows us to read the song in its proper conceptual register: as a form of democratic protest. I use the adjective *democratic* to illuminate the normative complexity of protest. The song is not merely an objection, but is crucially an appeal that both sees the citizenry as capable of being responsive to and accepting responsibility for ethical and political horrors.

⁶ Amy Louise Wood, *Lynching and Spectacle: Witnessing Racial Violence in America, 1890-1940* (Chapel Hill: University of North Carolina Press, 2009), 5; cf. Orlando Patterson, *Rituals of Blood: Consequences of Slavery in Two American Centuries* (DC: CIVITAS/Counterpoint, 1998), ch. 2; “Shawn Michelle Smith, “The Evidence of Lynching Photographs,” in *Lynching Photographs* (with Dora Apel) (Berkeley: University of California Press, 2007), 10-41; Dora Apel, “Lynching Photographs and the Politics of Public Shaming,” in *Lynching Photographs* (with Shawn Michelle Smith), 42-78.

In order for my interpretation of the song to gain normative traction, I turn to two figures that stand in an uncertain relationship to black pain: Thomas Jefferson and Walt Whitman. My claim is not that they are concerned with the suffering of black folks or their subordination. Instead I appeal to the ethos of democracy these two elucidate and in which they locate the possibility of America's ethical and political transformation. In Jefferson's diverse writings, we find a dynamic and open process for understanding democratic development. Development is an emergent property of viewing "the people" as an aspirational category, a site for symbolic action where new configurations of self, society, and the character of both might be re-imagined (**Part 1**).⁷ In Whitman's *Democratic Vistas*, the content of aspirations become possibilities insofar as they capture the heart of the people to whom they are directed (**Part 2**).⁸ I thus follow Jason Frank in believing that for Whitman to capture the heart entails not merely the stipulation of argumentation, but a process of reasoning that is aesthetical tinged, painting a picture of self and society to which we become emotionally drawn.⁹ Crucially, I add that to become emotionally drawn is, in Whitman's thinking, simultaneously to express a judgment of value about the object or subject in question.

⁷ Elsewhere I have argued for the normative importance of this view of the people for understanding W. E. B. Du Bois's classic work, *The Souls of Black Folk*. In that context, however, I was not interested in teasing out the Jeffersonian lineage of this idea (see Melvin Rogers, "The People, Rhetoric, and Affect: On the Political Force of Du Bois's *The Souls of Black Folk*," *American Political Science Review*, 106.1 [February, 2012]: 188-203). Here, I argue more forcefully for the centrality of this idea to Jefferson's understanding of democratic life. In a longer book project, I maintain that this Jeffersonian account was used by historically excluded groups in ways that Jefferson could not imagine, and which his own commitment to the logic of democracy could not conceptually prevent.

⁸ The version of *Democratic Vistas* used here is Whitman's 1876 version. This is the second printing of his 1871 edition that contains Whitman's additions (see Walt Whitman, *Democratic Vistas*, ed. Ed. Folsom [Iowa: University of Iowa Press, 1876/2010]). All other references to Whitman's writings shall be drawn from *Poetry and Prose*, ed. Justin Kaplan (New York: Library of America, 1996).

⁹ Jason Frank, *Constituent Moments: Enacting the People in Postrevolutionary America* (Durham, NC: Duke University Press, 2010), ch. 6.

Drawing on the historical resources of David Margolick's *Strange Fruit: The Biography of a Song*, I return to Meeropol and Holiday and maintain that the hope of the song is best understood within the framework stipulated by Jefferson and Whitman (**Part 3**). On the one hand, the song presupposes that the meaning of the people is not yet settled and this bespeaks the openness of democracy, on the other, the song and what Meeropol referred to as Holiday's "styling" of it aspire to engender aversion to black suffering by white Americans.¹⁰ Holiday, I maintain, claims for herself, her black brethren, and America the essential framing elements Jefferson and Whitman employed for thinking about democratic development, although she puts them to use for ends quite distinct from both. Her voice and performance discloses anew the meaning of lynching—reassessing differently what was previously comprehended and witnessed. The economy of the song thus tries to strike a balance between the horrific that necessitated its construction and the sense of hope that points toward the possible transformation of the auditors.

Jefferson and the Condition of Social Possibilities

When we hear the phrase "the people" in Western political discourse, we typically think, at a descriptive level, of those individuals belonging to a society in which they are accorded certain rights and privileges. We usually have in mind a set of indispensable liberal freedoms that are institutionally affirmed. The idea of the people at this level is a designation of membership with a set of entitlements by virtue of one's position in society.

¹⁰ Cited in Margolick, *Strange Fruit*, 30.

But we also mean something more robust. The phrase alerts us to a program of sorts, a vision for improving the social and political world, and for bringing about a new world in which all persons enjoy security. It is a recognizably aspirational vision: for the political goals it champions, the ethical outlook it proffers, and the emotions it seeks to engender all tend toward bringing into existence a new world. In its aspirational mode, the concept of the people inspires faith and it provokes action.¹¹ This is a fundamental feature of the American worldview (not without historical precedent however) in which it often describes and re-describes its political and cultural identity, what Daniel Howe aptly calls a preoccupation with “making the American self.”¹²

This dualistic account is not without its problems, and in Jefferson we find both its possibilities and limitations. I shall come back to the limitations in a moment. For the greater part of this section, I argue that the idea of the people provides the background horizon for understanding America as a site of symbolic action and that Jefferson ties it to the very legitimacy of democracy. How we should think about the aspirational category is theorized in Whitman’s meditation on the importance of aesthetics to democracy. When taken together, Jefferson and Whitman provide a useful entry point for understanding the power of Holiday’s performance of “Strange Fruit.”

In his classic 1789 letter to James Madison, formulations used on several other occasions, Jefferson articulates his vision of the unboundedness of the people. “I set out

¹¹ In at least two other places I have tied the aspirational view of the people to faith (see Rogers, “The Fact of Sacrifice and the Necessity of Faith: Dewey and the Ethics of Democracy,” *Transaction of Charles S. Peirce Society: A Quarterly Journal in American Philosophy*, 47.3 [November, 2011]: 274-300; “The People, Rhetoric, and Affect,” 201-02).

¹² Daniel Howe, *Making the American Self: Jonathan Edwards to Abraham Lincoln* (Cambridge: Harvard University Press, 1997).

on this ground which I suppose to be self-evident,” he explains, “*that the earth belongs in usufruct to the living; that the dead have neither powers nor rights over it.*”¹³ Although Jefferson advances this thought in the context of undercutting the idea of generational debt, his reflections are not limited to economic matters. His thinking is far more radical. He applies it to the relationship among citizens and their connection to political authority so as not to permanently bind later and even present generations to prior laws, unresponsive to emerging grievances.¹⁴

In Jefferson we find a close connection between democratic sovereignty and the idea of ethical and political development; it foregrounds the importance of understanding the people as an aspirational category. For him, the concept of the people serve as the legitimating core of democracy, and does so precisely because it transcends America’s political present and includes its past and future. This view informs his thinking, when, in his 1816 letter to historian Samuel Kercheval, he connects the meaning of law and the constitution to an unfolding vision of political life:

Some men look at constitutions with sanctimonious reverence, and deem them like the ark of the covenant, too sacred to be touched. They ascribe to the men of the preceding age a wisdom more than human, and suppose what they did to be beyond amendment . . . *But I know, that laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths disclosed, and manners and opinions change with the circumstances, institutions must advance also, and keep pace with the times. We might as well require a man to wear still*

¹³ Thomas Jefferson (hereafter TJ) to James Madison, September 6, 1789, *The Writings of Thomas Jefferson* (hereafter *WTJ*), ed. Albert Ellery Bergh, vol. VII (Washington DC: Thomas Jefferson Memorial Association, 1907), 457 (original emphasis); cf. TJ to John Wayles Eppes, June 24, 1813, *WTJ*, vol. XIII, 269-79; TJ to Governor William Plumer, July 21, 1816, *WTJ*, vol. XV, 46-47; TJ to Thomas Earle, September 8, 1823, *WTJ*, 470-71. All other citations to Jefferson’s works will be from this collection unless otherwise noted.

¹⁴ Cf. David N. Mayer, *The Constitutional Thought of Thomas Jefferson* (Charlottesville, VA: University of Virginia Press, 1995); Garrett Ward Sheldon, *The Political Philosophy of Thomas Jefferson* (John Hopkins University Press, 1993).

*the coat which fitted him when a boy, as civilized society to remain ever under the regimen of their barbarous ancestors.*¹⁵

Jefferson's sensitivity to the developmental character of the natural and social world is part of his political ontology. My use of political ontology has a specific meaning; it informs our most basic sense of being an actor in relation to our life chances and the life chances of the communities to which we belong. Ontology in this sense is always in danger of reifying the descriptions it offers of humans and their world.¹⁶ What is striking about Jefferson, emblematic of the passage, is that his political ontology avoids reification; both political actors and their world are open to criticism. Precisely because the environment is evolving, he reasons, it is a mistake to think solutions articulated in the past will *necessarily* be effectual in the future. Jefferson does not, as Judith Shklar mistakenly argues, affirm a "politics of perpetual newness," but his work does defend a politics of evolutionary development.¹⁷ For him, as for the later pragmatists, the test of our beliefs is their ability to redeem their worth in the face of experience; they become verified and re-verified to the extent they continue to produce satisfactory results in managing the world we inhabit. Jefferson understands the meaning and agency of the people through their ability to construct and re-construct their social and political world and he therefore counsels a pragmatically inflected and historically sensitive hope.

¹⁵ TJ to Samuel Kercheval, July 12, 1816, *WTJ*, vol. XV, 70-73 [emphasis added]; cf. TJ to John Adams, June 15, 1813, *WTJ*, vol. XIII, 252-56.

¹⁶ See Stephen White, *Sustaining Affirmations: The Strengths of Weak Ontology in Political Theory* (Princeton: Princeton University Press, 2000), 6-7.

¹⁷ Judith Shklar, "Democracy and the Past: Jefferson and His Heirs," in *Redeeming American Political Thought*, ed. Stanley Hoffman and Dennis F. Thompson (Chicago: University of Chicago Press, 1998), 174.

An important political implication follows from this line of reasoning: the people—understood at an inter-generational level—can never be represented in their entirety in any specific expression of the people’s will. This also means that the sovereign people can never wholly be identified with the legal and institutional apparatus (i.e. the constitution and its government) that claims to articulate its aspirations. The rejection of this identification opens an on-going, iterative, and contestatory vision of political life (the source of Jefferson’s radicalism) that reflexively points to a space that can be claimed, tentatively occupied, and reclaimed.

Jefferson did not invent this idea; he, like most Americans, inherited it. After all, since its modern emergence, the idea of the people functions to dissolve the line of demarcation between rulers and ruled that previously defined monarchical, aristocratic, and ecclesiastical societies. It addresses, at least theoretically, an important danger at the heart of political rule—namely, that some of us might find ourselves at the tyrannical mercy of some others of us. The people thus serve as a periodic monitor, evaluating power holders and rendering them changeable. The changeable character of power holders thus rest on a descriptive designation of the people—it refers to those with rights and privileges of citizenship, enshrined in a constitutional structure and often on visible display during electoral cycles. As John Locke maintains in his *Second Treatise of Government* in the seventeenth century, political representatives hold power in “trust,” and the logic of this follows, as Thomas Paine aptly argues in *The Rights of Man* in the eighteenth century, from “ingrafting representation upon democracy.”¹⁸

¹⁸ John Locke, *Second Treatise of Government*, in *Two Treatises of Government and A Letter Concerning Toleration*, ed. Ian Shapiro (New Haven: Yale University Press, 1690/2003), §149, §155, §210, §221-222, §227-228, §230, §240; Thomas Paine, *The Rights of Man*, in *Collected Writings*, ed. Eric Foner (New York: Library of America, 1792/1995), pt. 2, 567. For the importance of trust to politics on which I rely

The representational paradigm implies a remainder that can never be completely absorbed. This remainder forms the morally appealing core of democracy precisely because it is a site of aspirations that have yet to be articulated. It is what we might call constitutive power—the power for acting, instituting, and establishing. Government derives its existence from that power; it forms the channel through which agential energy moves.

Constitutive power is never relinquished even within the representational paradigm. Historically, political reformers appealed to this power and through it they redescribed the content and boundaries of the polity. This was the same power that legitimized the Declaration of Independence in 1776 and Constitution in 1787. From the people’s “authority,” explained James Wilson in the 1790s, “the constitution originates: for their safety and felicity it is established: in their hands it is as clay in the hands of the potter: they have the right to mould, to preserve, to improve, to refine, and to finish it as they please.”¹⁹ In 1844, Ralph Waldo Emerson described this same power as the inexhaustible site for re-making America, what he called “a new yet unapproachable America.”²⁰ The same idea ultimately led W. E. B. Du Bois to conclude in 1920 that the “foundation of the argument for democracy” is that “the argument must be continually

see John Dunn, “Trust and Political Agency,” in *Interpreting Political Responsibility: Essays 1981-1989* (Oxford, UK, Blackwell, 1990), ch. 3.

¹⁹ James Wilson, *Lectures on Law*, in *The Works of James Wilson*, ed. Robert Green McCloskey, vol. 1 (Cambridge: Harvard University Press, 1790-91/1967), 304. For a contrasting, but earlier view see Alexander Contee Hanson remark that the notion of a sovereign people is “subversive to all government and all law” (Hanson [writing as *Aristides*] to the People, in *Representative Government and the Revolution: The Maryland Constitutional Crisis of 1787*, ed. Melvin Yazawa [Baltimore: John Hopkins University, 1787/1975], 125).

²⁰ Ralph Waldo Emerson, “Experience,” in *Essays and Lectures* (New York: Library of America, 1844/1983), 485.

restated and emphasized.”²¹ From the eighteenth, nineteenth, and twentieth centuries, the aspirational category consistently denoted (albeit controversially) the power of the people to give direction to their lives, quite apart from its constitutional embodiment, and even that new direction could never describe aspirations that had yet to be expressed. In this role, the people did not merely monitor, but could breathe new life into the world.

The dualistic character of the people—its descriptive and aspirational dimensions—is central to Jefferson’s political philosophy; indeed, he pushes it to its logical conclusion. “Cherish, therefore, the spirit of our people,” he recommends in his letter to Edward Carrington, “and keep alive their attention. Do not be too severe upon their errors, but reclaim them by enlightening them.”²² Jefferson’s use of spirit is more than rhetorical flourish. As Samuel Johnson observes in his 1755 Dictionary—the most commonly used dictionary in the eighteenth century and one with which Jefferson was familiar, owned and recommended—spirit denoted “temper” or “habitual disposition of mind.”²³ Applied to the citizenry, it refers to a characteristic orientation underwriting American democracy (“the mainspring” as Jefferson calls it).²⁴ Appeal to the people’s

²¹W. E. B. Du Bois, *Darkwater: Voices from Within the Veil* (New York: Dover, 1920/1999), 82

²² TJ to Edward Carrington, January 16, 1787, in *Writings*, ed. Merrill D. Peterson (New York: Library of America, 1985), 880. There are several portions of these lines worth noting: the language of “our people” signals Jefferson particularism that is in tension with his incipient cosmopolitanism; his encouragement to “keep alive their attention” and to “reclaim them by enlightening them” highlights the faith he places in the transformative possibilities of the people or what might be described as the source of his perfectionism. This second dimension of his thinking is a piece of the larger emphasis he places on character and its central place in democratic transformation.

²³ Samuel Johnson, *Samuel Johnson’s Dictionary*, ed. Jack Lynch (New York: Levensger Press, 1755/2002), 476. For Jefferson’s recommendation of the Dictionary as an aid to fixing in us “the principles and practices of virtue” see TJ to Robert Skipwith, August 3, 1771, in *Writings*, 740-45.

²⁴ TJ to Richard Price, February 1, 1785, *Writings*, 798.

“good sense” when they are in error, Jefferson counsels, for it *may* yet, he believes, contain the source of their enlightenment.²⁵

Faith in the people underscores a fundamental issue at the heart of democratic rule as Jefferson conceives it. After all, the notion of a developing social world cast doubt on placing faith in the constitution. The legitimacy of democratic rule is therefore found not in the past or present, but in a community’s responsiveness to the future. Precisely because of the need to make the citizenry responsive, Jefferson (and later generations) emphasize the importance of character in theorizing the democratic self, and the language of “sense,” “sensible,” and “sensibility” achieves primacy in American political discourse because it accentuates the malleability of the cognitive and affective dimensions of the self.

The spirit of openness runs underneath the political ground upon which we find the descriptive view of the people. It is the latent rebelliousness of political life—what makes the hope of Whitman’s poet and Holiday’s performative appeal intelligible.

Constitutionalism draws its authorizing power from this spirit, and can never

²⁵ TJ to William Carmichael, 1786, *WTJ*, vol. VI, 31. Three points should be noted here. First, this is not to deny Jefferson’s belief in the importance of a natural aristocracy. He too, like Adams, believes in the necessity of having “the real good and wise” at the helm (TJ to John Adams, October 28, 1813, *Writings*, 1306). The disagreement, however, is about the precise relationship between the masses and wise men. On this point, Jefferson part ways with Adams. He believes that one can appeal to the people’s capacity for judgment and rejects the wholesale claim, that one finds in Adams, that the people are “addicted to Corruption and Venality” (John Adams to Abigail Adams, July 3, 1776, in *Adams Family Correspondence*, ed. L. H. Butterfield, vol. 2 [Cambridge: Harvard University Press, 1963], 28). Second, I deliberately employ “may” to denote the uncertainty of appealing to the people’s good sense. The capacity for good sense does not imply for Jefferson that the people will always employ it effectively. That one has the capacity for good sense generates faith in the people, but not certainty in the appropriate deployment of that capacity. After all, Jefferson is clear that the citizenry is always in danger of having their capacities corrupted by their fellows or their institutions. This second point undercuts the long-standing attribution to Jefferson of blind optimism. For a longer critique of the attribution of optimism see Maurizio Valsania, *The Limits of Optimism: Thomas Jefferson’s Dualistic Enlightenment* (Charlottesville, VA: University of Virginia Press, 2011). Third, precisely because the people’s capacities could be corrupted, Jefferson like others in the tradition of American and African American political thought place special emphasis on cultivating the moral and intellectual virtues of character. For a longer argument on the importance of character to Jefferson’s thinking see Jean Yarbrough, *American Virtues: Thomas Jefferson on the Character of a Free People* (Lawrence, KS: University Press of Kansas, 1998).

(theoretically) extinguish it without compromising the very legitimacy of the idea of democracy in the first instance. Jefferson applies the logic of holding power in trust otherwise associated with the relationship between political representatives and their extant constituency to the wider temporal framework of past, present and future generations. What the Greeks called *demokratia*—literally, power of the people—is, in Jefferson’s hands, temporalized. To his mind, we can now speak of past, present, and future generations holding power in trust (or in usufruct to use his language) for a people not yet in existence.

This reading of Jefferson should not be confused with unvarnished acceptance, especially given that I wish to harness it for reflecting on race and democracy. His nationalism and its connection to his defense of racial homogeneity must remain a source of concern. The openness of the people and the contestatory politics it invites (much in keeping with the aspirational view) is consistently tethered to a constraining particularism. This is largely because the idea of the people contains an ambiguity. Although the aspirational core of the people is used by Jefferson to disrupt binding the present and future of America, the definite article (*the*) implies a unitary view of political society that is often harnessed for exclusionary ends.²⁶ Jefferson translates this unitary quality into a vision of national particularism—a vision of political, but nonetheless racially homogenous oneness—that is the *specific* content of his own aspiration for America. We need only think of his emphasis on the Anglo-Saxon heritage of the American polity in 1774 and his demeaning description of blacks in Query XIV of his

²⁶ Reginald Horsman, *Race and Manifest Destiny: The Origins of American Racial Anglo-Saxionism* (Cambridge, MA: Harvard University Press, 1981), 15-22; Rogers Smith, *Civic Ideals: Conflicting Visions of Citizenship in US History* (New Haven: Yale University Press, 1997), 72-77; Gregg D. Crane, *Race, Citizenship, and Law in American Literature* (New York: Cambridge University Press, 2002), 20-29.

1787 English edition of *Notes on the State of Virginia*.²⁷ Arguments like his fueled the very idea of white supremacy that ultimately justified the lynching of black Americans. This particularism haunted the American imaginary, threatening to permanently limit its reach and close the political and affective borders of the nation. Later thinkers sought to disconnect the people as an aspirational category from specific visions of homogeneity to which it was often tied.

The irony, of course, is that most challenged homogeneity by appealing to the aspirational view of the people Jefferson defended in the first instance. His hypocrisy may well have been damaging to his character, but it did not need to constrain the nation's future. Cherish the spirit of openness, to recall his idea. How far one could push openness on matters of race was a source of deep doubt, undoubtedly helped by his racism. As Jefferson reflected on the inclusion of African Americans, for instance, he concluded that “deep-rooted prejudices entertained by the whites; ten thousand recollections, by the blacks, of the injuries they have sustained” made the process of persuading each race that inclusion was a genuine possibility difficult, if not impossible.²⁸ But the practice of persuasion provides an important clue for understanding how the battle for America's soul was so often waged—a battle in which Holiday's song was squarely located. “[I]n a republican nation,” Jefferson wrote to David Harding in 1824, “whose citizens are to be led by persuasion and not by force, the art of reasoning becomes of first importance.”²⁹

²⁷ Jefferson, “A Summary View of the Rights of British America” (1774), in *Writings*, 103-23; *Notes on Virginia* (1787), *WTJ*, vol. XIV, 179-208.

²⁸ Jefferson, *Notes on Virginia*, *WTJ*, 192.

Persuasion requires speakers and writers to confront communities through speech with experiences. When Jefferson refers to persuasion, he has in mind not a form of rhetoric that leads people away from the truth, what we call manipulation, but one that directs and guides its auditors to intimations of the truth that if acted upon, he believes, will produce a better way of life. Persuasion, in this second form, appeals to the audience's capacity for judgment—that is, attempting to transform both their sense and sensibility. Rhetoric is thus expressive of the world-making power of the self whose projections in the world are dependent on those engaged. The aim, as I argue elsewhere, is to create a feeling of ownership by the one on the receiving end of persuasion; auditors, as we say, turn things over in their mind with the aim of rejecting, endorsing, or amending the beliefs with which they are presented.³⁰ In being a co-participant in the process, the auditors retain and employ their reflective agency.

The process Jefferson has in mind is not lost on Whitman. In *Democratic Vistas*, he underscores the dynamism of reflective agency: “the process of reading” (although not confined to that practice alone), “is not a half-sleep, but, in [the] highest sense, an exercise, a gymnast's struggle; that the reader is to do something for himself, must be on the alert, must himself or herself construct indeed”³¹ Rhetoric is the quintessential mode of engagement for one who believes (as Jefferson and Whitman did) that the

²⁹ TJ to David Harding, April 20, 1824, in *The Life and Selected Writings of Thomas Jefferson*, ed. Adriene Koch and William Peden (New York: Modern Library, 2004), 651; cf. James L Golden and Alan L. Golden, *Thomas Jefferson and the Rhetoric of Virtue* (Lanham, MD: Rowman and Littlefield, 2002).

³⁰ Rogers, “The People, Rhetoric, and Affect,” 188-203; cf. Danielle Allen, *Talking to Strangers: Anxieties of Citizenship Since Brown v. Board of Education* (Chicago: University of Chicago Press, 2004); Bryan Garsten, *Saving Persuasion: A Defense of Rhetoric and Judgment* (Cambridge: Harvard University Press, 2006).

³¹ Whitman, *Democratic Vistas*, 76. Although Whitman here references reading, in the previous paragraphs he refers to musicians and orators as well.

people's mind is open. Through this method the rhetorician and auditor become co-participants in constructing a shared political and ethical life. For both Jefferson and Whitman, appealing to the audience's capacity for judgment is a means to bind the polity to new visions of itself—that is, to tap into the receptivity that judgment entails and harness the power of the polity's potentiality.³²

Whitman and the Democratic Aesthetic

If Jefferson understands persuasion as essential to the aspirational view of the people, it is in Whitman that we find engagement with how to render the process of binding efficacious. This, for him, is fundamentally a matter of providing persuasion with an aesthetically charged content—a view not lost on Jefferson. “We are,” explains Jefferson, “wisely framed to be as warmly interested for a fictitious as for real personage. The field of imagination is thus laid open to our use and lessons may be formed to illustrate and carry home to the heart every moral rule of life.”³³ In Whitman, the notion of reasoning takes on a capacious character that weds the affective and reflective dimensions of the self in one process—a full embrace of the role Jefferson accords the imagination. Our affective states become judgments of value about the world. “Long enough,” writes Whitman, “have the People been listening to poems in which common Humanity, deferential, bends low, humiliated, acknowledging superiors. But America listens to no such poems. Erect, inflated, and fully self-esteeming be the chant; and then America will listen with *pleased ears*.”³⁴

³² The themes of “receptivity” and “potentiality” in Whitman are most skillfully explored in George Kateb, *The Inner Ocean: Individualism and Democratic Culture* (Ithaca: Cornell University Press, 1992), ch. 10.

³³ TJ to Skipwith, *Writings*, 742.

³⁴ Whitman, *Democratic Vistas*, 59 (Italics mine).

Pleased ears are the expression of a latent possibility made manifest; the American self, Whitman suggest, is capable of responding affirmatively to practices that reject domination and embrace freedom. Pleased ears are also denotative of an active process by the listener, what Whitman calls “supple and athletic minds” that meet the sound of the poet, vocalist, and orator.³⁵ As Whitman says in what might appropriately be considered the Epilogue of *Leaves of Grass*: “The reader will always have his or her part to do, just as much as I have had mine.”³⁶

The role he accords aesthetics runs throughout *Democratic Vistas*; it configures aesthetics as a co-operative project among selves in re-arranging sense and sensibility and in turn re-making character. The aim of aesthetics thus presupposes the vision of openness already stipulated in Jefferson—the people understood as an aspirational category—in which “the poems of the purports of life” might be articulated.³⁷ In this section of *Democratic Vistas*, Whitman not only ties the purports of life to the meaning of death, but he sees in the fact of death the possibility to affirm and locate life’s purpose. Death may vivify life and cast into relief the ends to which life should aim.

The purports of life contain an important clue to the significance of aesthetics for Whitman. If a powerful picture of self and society can potentially elicit a longing to be that self and to inhabit that society, might the same logic generate aversion? This is the hope of Holiday’s performance—a deployment of art to repel one’s fellows from embracing forms of life detrimental not only to themselves, but more significantly to

³⁵ Whitman, *Democratic Vistas*, 76.

³⁶ Whitman, *Leaves of Grass*, in *Prose and Poetry*, 667.

³⁷ Whitman, *Democratic Vistas*, 68

others. But before we get there, three questions emerge. 1. Why is this understanding of art significant? 2. How does the developmental function of art work? 3. And from whence does art derive its guidance?

In his classic work of political theory, *The Public and Its Problems*, John Dewey famously referred to Whitman as democracy's seer: "Democracy will come into its own for democracy is a name for a life of free and enriching communion. It had its seer in Walt Whitman. It will have its consummation when free social inquiry is indissolubly wedded to the art of full and moving communication."³⁸ Dewey's own thinking and invocation of Whitman placed them both in a tradition of thinking that emphasized democracy's openness, what Whitman called the possibility for "trying continually new experiments."³⁹ In this moment one is reminded both of his connection to that tradition and that which makes him democracy's seer.

We have frequently printed the word Democracy. Yet I cannot too often repeat that it is a word the real gist of which still sleeps, quite unawakened, notwithstanding the resonance and the many angry tempests, out of which its syllables have come, from pen or tongue. *It is a great word, whose history, I suppose, remains unwritten, because, that history has yet to be enacted.*⁴⁰

For Dewey, seer signifies a person in possession of profound moral or spiritual insight—the kind of perception that is distilled from one's experiential engagement with the world.

Elsewhere he uses a word often employed to describe the seer—that is, as being *prophetic*. As he explains, "There is a prophetic aspect to all observation; we can

³⁸ John Dewey, *The Public and Its Problems*, ed. Melvin L. Rogers (College Park: Pennsylvania University Press, Forthcoming 2012), 141. For a richer account that aligns Whitman with Deweyan pragmatism see Stephen John Mack, *The Pragmatic Whitman: Reimagining American Democracy* (Iowa, University of Iowa Press, 2002).

³⁹ Whitman, *Democratic Vistas*, 31.

⁴⁰ Whitman, *Democratic Vistas*, 37. [Emphasis added].

perceive the meaning of what exists only as we forecast the consequences it entails.”⁴¹

Hence faith in the people, Whitman explains, depends not on “churches and creeds” if they are meant to turn our gaze away from the experience and demand of life, but on the development of the “identified soul.”⁴²

This notion of prophetic (*the workings of a bounded imagination*) as well as the meaning of the soul (*as that which is present but indeterminate*) often leads Whitman to cast his democratic vistas as “speculations” or “suggestions”⁴³ about a future not yet realized. “Democracy too,” he explains, “is law, and of the strictest, amplest kind. . . . the law over all, and law of laws, is the law of successions; that of the superior law, in time, gradually supplanting and overwhelming the inferior one.”⁴⁴ But because the law of succession always points to what has yet to be embodied or enacted, Whitman’s writings function in a hortatory mode. It is philosophy as poetic ministry aimed at what George Kateb calls the soul’s “potentiality.”⁴⁵

Crucially, Whitman is not merely describing his own poetry; he means to make a larger claim about artists as such. Writing of the artists, he contends: “They too, in all

⁴¹ Dewey, *Individualism: Old and New*, in *John Dewey: The Later Works, 1925-1953*, vol. 5, ed. Jo Ann Boydston (Carbondale: Southern Illinois University Press, 1988), 76; cf. “For the mind, which along builds the permanent edifice, haughtily builds it to itself. By it, with what follows it, are conveyed to mortal sense the culminations of the materialistic, the known, and a prophecy of the unknown” (Whitman, *Democratic Vistas*, 49).

⁴² Whitman, *Democratic Vistas*, 42-43. We hear a similar claim in *Leaves*, where Whitman says of the democratic poet: “In the dispute on God and eternity he is silent, / He sees eternity less like a play with a prologue and a denouement, / He sees eternity in men and women, he does not see men and women as dreams or dots” (Whitman, *Leaves*, 475).

⁴³ Cf. Whitman, *Democratic Vistas*, 15, 18, 44, 50.

⁴⁴ Whitman, *Democratic Vistas*, 24.

⁴⁵ Kateb, *The Inner Ocean*, 245.

ages, all lands have been creators, fashioning, making types of men and women, as Adam and Eve are made in the divine fable.”⁴⁶ Here we return to the development of selves present in Jefferson and in which Holiday participates. We can understand Whitman’s reflections in this mode: an attempt to perceive, and, in his language, “provoke” the realization of a future in light of what is latent in us as communally oriented creatures.⁴⁷

The questions that are prominent in Whitman’s writings, and that prompts Dewey to dub him as democracy’s seer, is thus the following: What language is required for America to understand that which democracy takes to be the case: its communal existence? What, we might ask, would bring democracy’s history into existence? What will create those citizens capable of performing *the democratic*? To this Whitman answers:

What I say in these Vistas has its main bearings on Imaginative Literature, especially Poetry, the stock of all. But in the region of imaginative spinal and essential attributes, something equivalent to creation is imperatively demanded. *For not only is it not enough that the new blood, new frame of Democracy shall be vivified and held together merely by political means, superficial suffrage, legislation, etc., but it is clear to me that, unless it goes deeper, gets at least as firm and as warm a hold in men’s hearts, emotions and belief, as, in those days of Feudalism or Ecclesiasticism, and inaugurates its own perennial sources, welling from the center forever, its strength will be defective, its growth doubtful, and its charm wanting.*⁴⁸

This passage occurs in the introductory section of *Democratic Vistas* that sets the stage for the rest of the text.⁴⁹ In this passage Whitman (*a*) identifies democracy as extending

⁴⁶ Whitman, *Democratic Vistas*, 36.

⁴⁷ “[A] Nation like ours, in a sort of geological formation state, trying continually new experiments, choosing new delegations, is not served by the best men only, but sometimes more by those that provoke it—by the combats they arouse” (Whitman, *Democratic Vistas*, 31).

⁴⁸ Whitman, *Democratic Vistas*, 8-9. (Italics mine)

⁴⁹ I come to this conclusion largely because this passage appears in the first seventeen paragraphs (that is, in paragraph fourteen). It is only in the eighteenth paragraph that Whitman retrospectively marks off the

beyond its legal and political apparatus, he (*b*) identifies art as the basis for eliciting a way of being democratic, and he (*c*) sees art as containing the possibility of informing our sensibilities—those associated with both our cognitive and affective faculties—and thus giving life to a new character. Let us attend to the meaning of this passage.

Why does Whitman understand art in this way? His answer relates directly to his understanding of democracy as a social practice. For him, like Jefferson, democracy is not to be exclusively understood in political terms. The legal and governmental apparatus of democracy are important, but their stability and refinement must always be located within a wider cultural horizon that provides normative sustenance. This is the sense in which Whitman speaks, as in the extended passage above, of a form of democracy that goes deeper and animates the hearts and minds of the citizenry. The question that prompts Whitman to understand democracy in this way is the following: Can we affirm the principles of liberty and equality when the law is silent and when government intervention is stilled? For him one is able to affirm these principles when they become the law of one's life. This way of understanding democracy extends beyond political and legal institutions because it depends on the everyday and habitual. This is democracy understood at the level of ethos or what Whitman calls "culture." Consistent with the principles of liberty and equality, he explains that a democratic culture, is not for "a single class alone." "I should," he continues, "demand of this programme or theory a scope generous enough to include the widest human area."⁵⁰

earlier paragraphs as the introduction: "Out of such considerations, such truths, arises for treatment in these Vistas the important question of Character, of an American stock-personality, with Literatures and Arts for outlets and return-expression, and of course, to correspond, within outlines common to all" (Whitman, *Democratic Vistas*, 10).

⁵⁰ Whitman, *Democratic Vistas*, 40; cf. Jeffrey Stout, *Democracy and Tradition* (Princeton: Princeton University Press, 2004), ch. 1.

Contra Kateb, this conceptualization of democracy is not of “secondary importance at best” for Whitman.⁵¹ In fact, focusing on a democratic ethos is essential because it is both the site of the world-making power of self and society (*both understood as sources of constitutive power*) as well as that place where self and society are most susceptible to development (*how that constitutive power will be deployed*). Constitutive power for Whitman, as Jason Frank observes, functions outwardly toward the world but reflexively on the self that authorizes such power.⁵² Reflexive engagement with oneself is subject to being guided and developed and this requires, Whitman believes, models of living. Law is unsatisfactory if it comes in the form of external imposition, and rational appeal that does not simultaneously inspire the soul will suffer from a motivational deficit. For Whitman, we will lack the resources to understand why we are motivated to live one life rather than another. Hence Whitman famously says in *Leaves of Grass*: “I and mine do not convince by arguments, similes, rhymes. We convince by our presence.”⁵³ That one persuades by mere presence, Whitman suggests, underscores the power of the image that stands out, and from which one can read off a mode of conduct that captures and captivates, and is generative of beliefs.

Whitman’s thinking entails a specific notion of art that aligns it with a democratic ethos. In that section of *Democratic Vistas* where he mentions “pleased ears,” he approvingly quotes the Librarian of Congress: “The true question to ask respecting a book, is, *Has it helped any human soul?*” This, he explains, “is the hint, statement, not

⁵¹ Kateb, *The Inner Ocean*, 242.

⁵² Frank, *Constituent Moments*, chap. 6.

⁵³ Whitman, *Leaves*, 303.

only of the Great Literatus, his book, but of every great Artist.”⁵⁴ Here, we confront Whitman’s understanding of art, but now with resources to re-visit the reference to “pleased ears.” This term may easily imply that which one finds pleasurable quite independent of its deeper positive worth. Consider another human sense—the sense of taste. We might well say that the alcoholic finds liquor pleasurable, but we would be hard pressed to claim that its effects are beneficial to the health of the person. What we discern here is the internal corruption of the person that potentially leads to negative effects outwardly.

Whitman tends to think of the role of art along the lines of improving the interior self; in fact, he calls artistic interventions “[m]other of the true revolution, which are of the interior life.”⁵⁵ Art, then, is part of the perfectionist goals he attributes to democracy, what Emerson calls “*ascension*, or the passage of the soul into higher forms.”⁵⁶ Whitman does not deny that one may be interested in art for its own sake. As he explains, “it may be that all works of art are to be first tried by the art qualities, their image-forming talents, and their dramatic, pictorial, plot-constructing, euphonious and other talents.”⁵⁷ But Whitman is clear that this is not where its import lies in a democratic society. Instead, he anchors the role of art in the space made possible by the constitutive power of self and society; its role is to offer suggestions for ways of living.

Ways of living are not themselves ethically unbounded. As he explains, the moment artists claim their production to be “first-class”—and what artist would aspire to

⁵⁴ Whitman, *Democratic Vistas*, 67.

⁵⁵ Whitman, *Democratic Vistas*, 56-57.

⁵⁶ Emerson, *Essays and Lectures*, 458.

⁵⁷ Whitman, *Democratic Vistas*, 67.

achieve anything else, as Whitman knows all too well—“they are to be strictly and sternly tried by their foundation in, and radiation, in the highest sense, and always indirectly, of the ethic principles, and eligibility to free, arouse, dilate.”⁵⁸ Elsewhere in *Democratic Vistas* he refers to the ethical goal of art as cultivating “moral conscientiousness”—an attempt to assess one’s life by the “the names Right, Justice, and Truth.”⁵⁹ Notice that art is tried indirectly by “the ethic principles” because adherence to them must be non-coercive and voluntary if they are to function at the level of habit.⁶⁰ In this context, Whitman highlights the importance of reflective agency in the very way he configures the role of art; to voluntarily embrace what is on display is to say, with heart and mind, I’m persuaded of its truth. “You shall learn to listen to all sides,” he says in *Leaves of Grass*, “and filter them from yourself.”⁶¹ He repeats the claim later, but now emphasizing the perfectionist role played by attending to the voices of others: “I think I will do nothing for a long time but listen, And accrue what I hear into myself . . . and let sounds contribute toward me.”⁶²

⁵⁸ Whitman, *Democratic Vistas*, 67

⁵⁹ Whitman, *Democratic Vistas*, 62.

⁶⁰ I am reading into Whitman, without much explanation regarding his commitment to it, the notion of habit we find in Dewey’s writings. In *Human Nature and Conduct*, Dewey writes of habit the following: “[W]e need a word to express that kind of human activity which is influenced by prior activity and in that sense acquired; which contains within itself a certain ordering or systematization of minor elements of action; which is projective, dynamic quality, ready for overt manifestation; and which is operative in some subdued subordinate form even when not obviously dominating activity” (Dewey, *Human Nature and Conduct*, in *John Dewey: The Middle Works*, vol. 14, ed. Jo Ann Boydston [Carbondale, IL: Southern Illinois University Press, 31]). I ask the reader to trust my attribution here without it appearing anachronistic.

⁶¹ Whitman, *Leaves*, 28.

⁶² Whitman, *Leaves*, 53.

What truths are we filtering from ourselves? What is the contribution being made to the self? Or to ask the question differently, what is the content of the artistic presence whose mere existence is able to convince? The truth, Whitman adds, is that art can arouse (*as in awaken*) or dilate (*as in expand*) the self, making it both aware of and sensitive to the demands of right, justice, and truth as expressed in the lives on display. Artistic intervention is configured as a device for cultivating ethical attentiveness (*the idea of arousal*) that makes sympathetic identification possible (*the idea of dilation*). What Stanley Cavell says of perfectionism applies equally to Whitman's outlook, guiding the meaning of artistic intervention:

If there is a perfectionism not only compatible with democracy but necessary to it, it lies not in excusing democracy for its inevitable failures, or looking to rise above them, but in teaching how to respond to those failures, and to one's compromise by them, otherwise than by excuse or withdrawal.⁶³

Properly considered, then, pleased ears do not mean subjective taste, as in *I find being an alcoholic pleasurable*. The term signifies hearing appropriately as when one is drawn, almost without reflection, to beautiful sounds. Or in its ethical register it is hearing appropriately, almost without reflection, to the claims of right, justice, and truth. As when the sounds of freedom rather than domination register with pleased ears because these are the sounds of the democratic self. I say *almost without reflection* because for Whitman such sounds tap into an "intuitional sense" coterminous with democracy.⁶⁴ Artistic intervention does not provide what does not exist, rather, for him, it makes manifest what lies below the surface, helping to give it form and shape in the everyday

⁶³ Stanley Cavell, *Conditions Handsome and Unhandsome: The Constitution of Emersonian Perfectionism* (Chicago: University of Chicago Press, 1990), 18; cf. Stout, *Democracy and Tradition*, 28-29.

⁶⁴ Whitman, *Democratic Vistas*, 69.

world. Given that Whitman means to include not only what is heard but what may be seen or felt, his ideas include the vast array of impressions that may stimulate the body.

This way of rendering bodily sense organs is tricky because it may very well be the case that artistic productions put us in touch with truths about self, society and world that are far from pleasurable. After all, Meeropol and Holiday are continuous with a literary and dramatic form that often used lynching rituals in plays and novels to underscore the demeaning attitudes of whites toward blacks, consolidate and direct the energy of black folks in the service of racial justice, and shame the white community.⁶⁵

This account of art is not lost on Whitman; he acknowledges that in order to “fend off ruin and defection” the citizenry “needs new, larger, stronger ... compellers.”⁶⁶

Accepting truths with pleased sense organs may very well involve embracing the value of displeasure. “It may be,” he explains, “a single new thought, imagination, principle, even literary style ... put in shape by some great Literatus ... ‘*may duly cause changes, growths, removals, greater than the longest and bloodiest war, or the most stupendous merely political, dynastic, or commercial overturn.*”⁶⁷ Whitman does not mean to suggest that the transformation potentially produced by artistic intervention is equal to the pain of war, but the form of death (removals, to use his phrase) that potentially occurs because of art’s intervention is one of the spirit and this brings its own growing pains.

⁶⁵ Trudier Harris, *Exorcising Blackness: Historical and Literary Lynching and Burning Rituals* (Bloomington: Indiana University Press, 1984); Kathy A. Perkins and Judith L. Stephens (ed), *Strange Fruit: Plays on Lynching by American Women* (Bloomington: Indiana University Press, 1998).

⁶⁶ Whitman, *Democratic Vistas*, 70.

⁶⁷ Whitman, *Democratic Vistas*, 7-8. (Italics mine).

Let us now bring together the notion of pleased sense organs with his earlier idea that art is meant to “arouse” the self. Given that the term “pleased” is not ethically unbounded, arousal takes on a very powerful meaning for Whitman. Arousal refers to an intentional and a cognitive state; intentional because affect is directed toward an object and cognitive because a judgment has been implicitly made about the object. Sexual attraction is the most obvious example here, but such attraction is not a passive state as in being overwhelmed by the traits the person possesses. In fact, sexual attraction produces arousal because it taps into and makes evident subterranean desires; we are drawn to another by becoming more clearly aware of our own desires and values through the eyes of others. As Alan Trachtenberg points out, this is the “ecstasy of identifying with the physical point of view of another, seeing through the other’s eyes into one’s own, as the psychological basis of a truly democratic culture.”⁶⁸ Recall, for Whitman, one does not sit passively and allow artistic constructions to overtake them; rather, one is an active participant in coming to appropriately confront the constructions and this bespeaks value. This process involves, as Martha Nussbaum explains, at least three salient ideas: “the idea of a cognitive appraisal or evaluation; the idea of one’s own flourishing . . .; and the idea of the salience of external objects as elements in one’s own scheme of goals.”⁶⁹ To say, as Whitman did earlier, that artistic constructions convince by presence in a democratic culture is to say the viewer or listener of artistic constructions evaluate the ethical standing of such productions, that such productions centralize the process of

⁶⁸ Alan Trachtenberg, *Reading American Photographs: Images as History, Mathew Brady to Walker Evans* (New York: Hill and Wang, 1989), 68.

⁶⁹ Martha Nussbaum, *Upheavals of Thought: The Intelligence of Emotions* (New York: Cambridge University Press, 2001), 4; cf. ch. 1 and 15.

becoming for the recipient (however painful), and that such productions illuminate the system of values that otherwise lay dormant (those that must be removed and those that may well need to be embraced in the service of growth). For Whitman, if artistic intervention makes manifest what is latent, then one's arousal about such interventions is an acknowledgement of its worth and its ability to alert us to the corruption of the soul or what may yet ennoble it.

Toward the Peoples' Re-Education: Holiday, Lynching and the Performance of Pain

Whitman's understanding of art is preparatory work for what Holiday puts on display, attempting to awaken the self to the horror of lynching. As Whitman explains, "Literature, Songs, Esthetics, &c, of a country are of importance principally because they furnish the materials and suggestions of Personality for the women and men of that country, and enforce them in a thousand effective ways."⁷⁰ To say that they are effective is an overstatement by Whitman, given the dependency of the orator, poet, visual artist or vocalist on having the audience stand in right relationship to what is being presented.

But enforcement strikes a more important note, for it does not bespeak a legalistic engagement but an ethical one. As Whitman noted earlier, and Holiday seeks to do, song not only aims to bring about "growths," but "removals" as well. Holiday's version of Meeropol's song and her stylized performance of it seeks to evoke in the listener a self-imposed mode of conduct toward black life which, if properly understood, will identify the "fruit" of human suffering hanging from trees as "bitter." Whereas Jefferson's notion of democracy presupposes the people as an aspirational category, and Whitman renders the content of those aspirations efficacious through aesthetic appeals, it is in Holiday that we find these implicit theoretical frameworks but the content she provides extends their

⁷⁰ Whitman, *Democratic Vistas*, 36.

reach to serve racial justice. “Strange Fruit” is a song of democratic protest consistent with the activists and novelists of the 1920s and 30s—both a grievance about and appeal to the polity. To this final theme we now turn. Let us begin with the historical framing.

Spectacle lynching achieved prominence in the wake of the Civil War to terrorize and humiliate African Americans. These events were not confined to a few random mobs, but were sanctioned by local officials and often organized by “respectable” members of the community. Both the events and the publicity of them (distribution of lynching photographs and postcards) served as vehicles to circulate norms of white superiority over black subjects. The success of lynching depended not exclusively on the presence of the victims, but largely on white Americans serving as spectators. In these contexts they were “socially” habituated to find the displays “aesthetically acceptable.”⁷¹ Lynching photographs, similar to Lawrence Beitler’s (see figure 1), as well as detailed descriptions of such events were crucial weapons in the arsenal of white supremacy.

Increasingly during the 1920s and 1930s, however, both lynching photographs and literary recounting of lynching events found their way into the tactics of anti-lynching activists, especially the NAACP, novelists, and essayists. This is an odd occurrence. Why circulate images and propagate descriptions of such horrific acts? Just as lynching events and photographs tied white participants together in a community organized around norms and practices that involved policing and brutalizing black Americans, anti-lynching activists increasingly came to see the photographs as a visible

⁷¹ Wood, *Lynching and Spectacle*, 75; Smith, “Evidence of Lynching Photographs,” 10-41; Mark Reinhardt, “Painful Photographs: From the Ethics of Spectatorship to Visual Politics,” in *Ethics and Images of Pain*, eds. Asbjørn Grønstad and Henrik Gustafsson (New York: Routledge, 2012), 33-55.

testimony to the moral depravity of white Americans that might galvanize the black community and bring about the transformation of America. As Amy Louis Wood notes:

Lynching opponents also sought to challenge the original intention of these photographs by inverting the racist assumptions of black bestiality and propensities for violence that undergirded the defense of lynching. They instead represented white mobs as savage threats to American civilization, a representation that held particular force in light of the United States' international role as a beacon of democracy.⁷²

Let us reflect on this point with an example. In a 1935 NAACP anti-lynching pamphlet, one sees a lynched Rubin Stacy surrounded by seven white children that gaze at his now lifeless body, with the following caption:

Do not look at the Negro.
His earthly problems are ended.
Instead, look at the seven WHITE children who gaze at this gruesome spectacle.
Is it horror or gloating on the face of the neatly dressed seven-year-old girl on the right?
Is the tiny four-year-old on the left old enough, one wonders, to comprehend the barbarism her elders have perpetrated?⁷³

The pairing of the Stacy lynching with a caption that overtly provides interpretative guidance stands in stark contrast to what we see in Beitler's photo of Thomas Shipp and Abram Smith (see figure 1). In the NAACP photo we see an attempt to reverse the moral lesson of such photographs. In Beitler's photo the white man in the foreground stares intently into the camera and points to the lifeless bodies of Shipp and Smith that hang above, as to say to viewers something like the following: *This is how it ought to be done—how treatment of Negroes is supposed to be exacted.*⁷⁴ In the NAACP photo, the

⁷² Wood, *Lynching and Spectacle*, 184; cf. Shawn Michelle Smith, "The Evidence of Lynching Photographs," 37-41; Apel, "Lynching Photographs," 42-78.

⁷³ Cited in Wood, *Lynching and Spectacle*, 196.

⁷⁴ It should be noted that the two men had already been savagely beaten and killed when they were subsequently staged for the lynching (see Madison, *Lynching in the Heartland*, 10-11).

caption means to undercut the moral legitimacy of a similar treatment, relocating bestiality from the black subject to the white agent. The underlying question at work is the following: *Is this becoming of a civilized people, both the violence on display and the subjection of youth to it?*

How could this approach have any hope of succeeding? After all, given the prominence of racial prejudice, it is not a stretch to imagine the credibility of anti-lynching activists being called into question. As Miranda Fricker rightly notes, “testimonial injustice occurs when prejudice causes a hearer to give a deflated level of credibility to a speaker’s word.”⁷⁵ Here we confront the subtlety of the NAACP’s approach. Lynching photographs were informed by an obvious representational realism: to see the image entailed accepting the truth of its occurrence, allowing viewers to bear witness to the event. But without weaving the photographs into the linguistic tapestry of horror, the image might well become merely a recording of who was killed, how, and the by whom. Both lynching and anti-lynching activists stood within the same epistemological, but contestatory, domain, the latter attempting to re-describe the meaning of the photo and deploy horror in order to transfigure the American public. The NAACP’s caption is thus guided by a critical tripartite assumption, without which the appeal would scarcely make sense—namely, that a standard of being civilized is at work within the wider culture, that it cannot be theoretically squared with the treatment of African Americans accurately on display, and that the American demos can be awakened to this fact. The shared epistemological domain allows for a re-framing of similar images in which the power of language (the NAACP’s caption) aspires to release the horrific

⁷⁵ Miranda Fricker, *Epistemic Injustice: Power and the Ethics of Knowing* (New York: Oxford University Press, 2010), 1 and ch. 1.

reality of the photo. The aspiration of the NAACP thus aligns itself with the theoretical presumption of democratic openness that is a precondition for reframing the photo.

Notice that the questions in the caption seem less interested in distilling a description of the participants and more concerned to confront the viewer with their own thinking. It is a provocation that infuses the photo with new meaning. Lynching opponents sensationalized lynching events and photos in an effort to capture the entire spectacle and re-direct the moral gaze as evidenced by the caption. The aim was to properly align one's reactions to the cruel reality of the event. Lynching now figured as an act of moral barbarity unbecoming of a civilized society. Whereas the photos once served as artistic mementoes of white superiority, they now could potentially be used as artifacts of white cruelty in the context of a new "visual politics."⁷⁶

It is precisely this re-direction of the moral gaze that informs Meeropol's song and which frames Holiday's 1939 rendition of it. As David Margolick explains, Meeropol wrote the poem and ultimately put it to music in response to seeing the Shipp and Smith lynching photo—a photo, that Meeropol says, "haunted him for days."⁷⁷ The poem originally appeared in the *New York Teacher* in 1937, and although previously sung, it was subsequently given to Holiday by Meeropol at Café Society in New York City where she performed it regularly. Up until that point, no single piece of music made lynching its primary subject matter, and the song achieved an amazing degree of success (given the subject and the singer) by becoming #16 on the US Billboard charts. For Meeropol's part he explains: "I wrote "Strange Fruit" because I hate lynching and I hate injustice and I

⁷⁶ See Reinhardt, "Painful Photographs," 33-55

⁷⁷ Margolick, *Strange Fruit*, 21. The remaining paragraphs here will draw liberally from Margolick's text, although for purposes quite distinct from his own.

hate the people who perpetuate it.”⁷⁸ Framed as such the intention behind the song seems confined merely to the expression of anger—a cathartic release that distances Meeropol from those in the photo who approvingly bear witness to the lynching.

Holiday’s description of the song, however, as her “personal protest,”⁷⁹ and her reported response to her mother that she believes singing and performing the song may “make things better” seems to capture more accurately what she and Meeropol intend.⁸⁰ That is, a personal protest captures the identification between the artist and the message being conveyed. There is, I argue, an analogous relationship between the NAACP’s photo and caption, on the one hand, and the song and Holiday’s rendition of it, on the other. Both seek to convey a new ethical sensibility. This raises the question: What does the song mean to tell its listener? That it might make things better most certainly places Holiday in the space opened by the aspirational view of the people. Meeropol and Holiday believe the polity is capable of responding appropriately to the claims of the song—a belief that who the people are (as displayed in the cruelty exacted on black bodies) need not determine who they may yet become. The song, then, is more accurately a democratic protest; it is an articulation of grievances directed to an audience that they believe is capable of hearing appropriately. Consistent with the work of activists, the song lays claim to the image of lynching, recontextualizes it, and gives it back to the demos who may yet be re-educated by it. Meeropol and Holiday’s orientation makes explicit the presumption that the people may not stand beyond reproach. And Holiday’s

⁷⁸ Cited in Margolick, *Strange Fruit*, 10.

⁷⁹ Billie Holiday (with William Dufty), *Lady Sings the Blues* (New York: Penguin, 1956/1984), 84.

⁸⁰ Cited in Margolick, *Strange Fruit*, 31.

specific performance models a form of life that seeks to transfigure the social and political world.

Consider the song in its entirety.

Southern trees bear a strange fruit,
Blood on the leaves and blood at the root,
Black Body swinging in the Southern breeze,
Strange fruit hanging from the poplar trees.

Pastoral scene of the gallant South,
The bulging eyes and the twisted mouth,
Scent of magnolia sweet and fresh,
And the sudden smell of burning flesh!

Here is a fruit for the crows to pluck,
For the rain to gather, for the wind to suck,
For the sun to rot, for a tree to drop,
Here is a strange and bitter crop.⁸¹

The words are simple in their display of the horrific, but the lynched victims are oddly described as “strange fruit” and then subsequently “strange and bitter crop.” The words alert us not only to the spectatorial dimension of lynching as evidenced in the photograph that stimulated the production of the song, but also alerts us to the subtle consumerism at work. The senses of sight and taste are collapsed into one mode of engagement. White Americans are visually consuming and digesting lynched black Americans. The deployment of “strange” and “bitter” now recasts the meaning of “fruit” in its new light—it is unhealthy, a corruption of the soul. The words stage a realignment between the horror of lynching and its negative effects on the polity that are otherwise denied; in its ethical register, the song tells us that we can never distill value from the harm done to black Americans.

⁸¹ Cited in Margolick, *Strange Fruit*, 1.

But if the words attempt to convey the consumption of the horrific on display, it is Holiday's performance that aspires to stimulate an accurate assessment of lynching in her listeners. Hers was an attempt to capture her audience and educate their moral sensibilities through her vocal and dramaturgical display akin to the NAACP caption. Consider two reflections on her performance of the song, one from Meeropol (more appropriately mirroring Holiday's thinking) and the other from artist Albert Hirshfeld:

She gave a startling, most dramatic and effective interpretation, which could jolt an audience out of its complacency anywhere [*sic*]. This was exactly what I wanted the song to do and why I wrote it. Billie Holiday's styling of the song was incomparable and fulfilled the bitterness and shocking quality I had hoped the song would have. The audience gave her a tremendous ovation.⁸²

It was a beautifully rendered thing, like a great, dramatic moment in the theater. To see Billie Holiday alone was something else, but this particular song made one sit and listen and think.⁸³

What is at work in these descriptions but not easily susceptible to textual elucidation is the subtle inflections in Holiday's voice coupled with the somatic indicators (literally, her bodily gestures) that gives the song its "shocking quality" and that makes one "sit and listen and think." Consider one of her last performances of the song in 1959 on "Chelsea at Nine"—a weekly international cabaret show from a London theatre that aired from 1957-1960.⁸⁴ Of course, we might well imagine some variation between 1959 and her earlier performances of the song in Café Society, but perhaps not much. The entire song is accompanied by haunting music, the piano, played in B-flat minor. One need not be a musician to hear the somber and dark quality of the arrangement. In fact, B-flat minor

⁸² Cited in Margolick, *Strange Fruit*, 30.

⁸³ Cited in Margolick, *Strange Fruit*, 40,

⁸⁴ See the performance at MonsieurBaudelaire. Billie Holiday—Strange Fruit. "Chelsea at Nine" [Video]. *YouTube*. 1 June 2012.

functions as a sinister, “dark” key.⁸⁵ Before Holiday begins, the listener is already primed for anguish and for loss; the music itself attempts to fashion and generate an appropriate response to match its grim sound. It is no wonder that upon hearing Holiday perform the song in an apartment in 1938, Charles Gilmore remarked, “the apartment became a cathedral, the party a funeral.”⁸⁶ In fact, Holiday’s regular performance of the song at Café Society involved simple, but deliberate staging—the suspension of service, a darkened room, and only a spot light on Holiday’s face—to set the mood and render the entire atmosphere of the café continuous with the claims of the performance. Similar to the proverbial moment of silence, the staging emplots the audience into a tragic horizon the fitting expression to which can only be mournful contemplation. Holiday’s voice enters; it is an appropriately stern counterpart to the seriousness of the lyrics. The dominant feelings that saturate the song are both contempt and disappointment; it is, in other words, a lamentation directed at the nation of which the audience is a part.

The contempt and disappointment in her voice is coupled, in the “Chelsea at Nine” performance, with somatic indicators. Her body moves uncomfortably, a look of disgust flashes across her face as she sings the lines, “southern trees bear strange fruit.” This is then followed by a grimace framing the words, “blood at the root.” But it is with the lines “bulging eyes and twisted mouth,” that she contorts her own mouth as if to mimic the dead, both raising the volume of her voice and singing the line in a strained vocal that closes with a look of contempt. Holiday models for her viewers and listeners what she deems as appropriate responses to lynching. By aiming her performance to the

⁸⁵ Wilfred Mellers, “Round and About in Górecki’s Symphony No. 3,” *Tempo*, 168.3 (1989): 23.

⁸⁶ Cited in Margolick, *Strange Fruit*, 30.

somatic level of democratic practice, Holiday hopes to re-tell the story of bearing witness to lynching and the reactions it ought to stimulate. It is an attempt to make present, what one would obviously think appropriate—a gasp, a cringe, a look of outrage. What Ralph Ellison said of the novel, might well be said of Holiday’s anti-lynching performance: it is “a way of possessing life, of slowing it down, and of giving it the writer’s [and singer’s] own sense of values in a delicately and subtly structured way. All this, of course, is not simply a matter of entertaining, but is a way of confronting reality, confronting the nature of the soul and the nature of society.”⁸⁷

Her performance is not ethically, cognitively, or emotionally neutral; it is informed by a cognitive-affective vision of a barbaric nation that she mirrors back to the public. The mode of delivery is not exclusively concerned to help us understand lynching, but to aid us in displaying the appropriate emotions to it through a mimetic display of the horrific. The meaning of the song contains a hidden somatic-affective roadmap that Holiday’s gestures make explicit for consideration. In doing so, her words and performance reach out toward the listener asking them to think and feel the norm being conveyed—that such events should at all times be met with disgust. Or to put it differently, she performs the very thing she hopes to arouse in her listener. What Whitman says in *Leaves*, Holiday more effectively realizes and deepens in her performance: “Your very flesh shall be a great poem and have the riches and fluency not only in its words but in the silent lines of its lips and face and between the lashes of your eyes and in the very motion and joint of your body.”⁸⁸ Keeping Holiday’s performance

⁸⁷ Ralph Ellison, *Going to the Territory* (New York: Random House, 1986), 310-11.

⁸⁸ Whitman, *Leaves*, 11.

in mind, the claim is that one can literally read off a mode of conduct, and, as a result, place lynching, its victims, and its perpetrators within a new ethical economy. When I say “read off a mode of conduct” I mean that we can articulate norms against lynching and its perpetrators on the one hand, and norms for the protection of would-be victims of such crimes.

This is a transvaluation of the values that sustained lynching, a reordering of the ethical standing of blacks in the scheme of America’s social and political framework. Holiday’s engagement does not articulate a direct argument for the dignity of black life. Because she aspires to persuade by presence, her encounter is subtle as is the emergence of the new ethical economy she proposes. But it is not mysterious for being so. The revelatory dimension of the words is evident in Holiday’s gestures. Taken by themselves, the words appear descriptive of lynching, but when the entire performance is considered Holiday’s bodily articulation renders a judgment against what is being described. In confronting the audience with and moving them toward the horrific through her somatic engagement, she attempts to simultaneously orient them differently and positively to the black subject. In other words, you cannot consistently be moved at the cognitive-affective level without being drawn to or aroused by the ethical claim being advanced. It is the ethical claim that reflexively endows the black body with worth otherwise flagrantly denied by the act of lynching.

Conclusion

One final word is in order. Placing Jefferson and Whitman—one a middlebrow philosopher and the other a poet—in conversation with the jazz singer Holiday may strike the reader as odd. This is especially so given that this essay, if I have clearly stated and

executed its aims, is about the meaning and possibility of ethical and therefore political transformation in the United States as it relates to racial justice. Of course there are a number of thinkers for whom this approach would not be philosophical heresy. Cornel West, Bernard Williams, Richard Rorty, Martha Nussbaum, Stanley Cavell, and Peter Euben all find in the culture of the Western world resources for thinking through some of the most challenging philosophical and practical problems relating to agency, justice, love, solidarity, and responsibility. What is striking about all these thinkers is the explicit idea that placing poetry and philosophy or song and philosophy in conversation may well be generative of a new kind of life. To say that it may be generative connects the meaning of sincere transformation and the convincing character of democracy to a fundamental idea. Genuine self and collective transformation eschews coercive force as counterproductive in achieving change, as much as democracy rejects illegitimate impositions on the citizenry as ineffective in securing political and ethical agreement. Indeed, development of self and society as well as political and ethical agreement embraces reflective agency as essential to the process. To tether Holiday's song to Jeffersonian and Whitmanian frameworks is to believe, as Holiday's performance conveyed, that political and ethical conversion depends on laying out a vision where one's fellows may re-fashion a good in which all may enjoy dignity and respect. This, of course, is not to reduce Holiday's voice to theirs; it is to locate her within the American moral and political pantheon to which she contributed. The substantive content of "Strange Fruit" brings into view the horror of black life that seems to escape philosophical attention, and Holiday absorbs the horrific meaning of lynching in voice and movement that attempts to model the appropriate response to such cruelty. Hers is an

attempt to “make things better” through a vocal and dramaturgical display that if, taken seriously, performs democracy in the service of racial justice and refashions the people. But laying out that vision through song and display is only part of the democratic equation, for it depends on others actively making that vision their own.

This of course confronts us with a proposition that seems to haunt the entire essay. Citizens constantly depend on those over whom they do not control. And that unsettling thought points us to yet another proposition. What fuels and sustains this hope is a form of faith—faith that the polity has not yet been settled, faith that the people are not beyond reproach, and faith that the nation may yet secure redemption from its sins. Democracy’s legitimacy is less about a well-ordered constitution or appropriate procedures (although important), and more about faith in the possibility of the polity’s transformation despite its manifest failure in practice.