SCENES OF
SUBJECTION

ALSO BY SAIDIYA HARTMAN

Wayward Lives, Beautiful Experiments:
Intimate Histories of Social Upheaval

Lose Your Mother:
A Journey Along the Atlantic Slave Route

SCENES OF SUBJECTION

Terror, Slavery, and Self-Making in Nineteenth-Century America

SAIDIYA HARTMAN

Foreword by Keeanga-Yamahtta Taylor
Afterword by Marisa J. Fuentes and Sarah Haley
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For those who made the way

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FOREWORD

Keeanga-Yamahtta Taylor

In the United States, we like to discuss the distortions of the nation's history as amnesia, when it is more appropriate to understand our affliction as selective memory clotted with omissions intended to obscure the raw truth about our society. A few years ago, I traveled to New Orleans for a family vacation after a semester of teaching about slavery in the United States. I was anxious to visit the city knowing that by the time the United States ended its role in the transatlantic slave trade, New Orleans had become the center of a robust, internal marketplace for enslaved labor. Today, Americans think of New Orleans as a cultural capital known for its street parties and its Cajun and Creole cuisine, and some may even be familiar with its history of jazz and other Black artistic creations. But there is almost no trace of its vital role in the history of American slavery.

There have been more recent efforts in New Orleans to place a plaque here or there, near areas where tourists traverse, but only to be found by the most adroit. Today, Jackson Square, located in the French Quarter, is at the heart of local tourist attractions and restaurants, but there is hardly any mention or marker of its former function as an open-air marketplace for buying and selling enslaved men, women, and children. There is no public memory of it as the site of the public execution of slaves who participated in an 1811 slave rebellion, the largest in American history. Nor is there

any recollection that in its grisly aftermath, the heads of executed slaves were hoisted upon the pikes of the wrought iron gates adorning the park.

New Orleans is hardly unique as a site of selective memory when it comes to the public reckoning with its local history of slavery. From the local to the national, our history of slavery has been recast as part of our narrative of forward progress. Where slavery is depicted as our founding "national sin," it is as quickly dispatched as having been exorcized through the carnage of the Civil War, setting the United States upon its essential course toward a more perfect union. Slavery's essential role in building the nation's treasure that would, in turn, facilitate its rise as the most powerful nation on earth has been minimized, if not wholly ignored. As have been the roots of slavery to the nation's enduring crisis of racism and its attendant impacts within the lives of Black people thereafter.

Saidiya Hartman's powerful exploration of slavery and freedom in the United States, *Scenes of Subjection: Terror, Slavery, and Self-Making in Nineteenth-Century America*, first appeared in print in 1997, during the last period of spoiled "race relations" in the twentieth century. Just a few years prior to its publication, the United States had experienced the Los Angeles rebellion, the largest urban insurrection in American history. In response to the uprising, the American state rallied its political forces around crime legislation and a prison-building bonanza. The draconian response provoked the unprecedented outpouring mobilized in the form of the Million Man March, organized by Louis Farrakhan and led by the Nation of Islam. The march was not conceived of as a protest, but became a massive gathering of Black men dejected and marginalized within an increasingly repressive United States. The mounting instability of racial politics in the late 1990s precipitated then-president Bill Clinton's poorly conceived "conversation on race," to be facilitated by a new commission to study "race relations" in the United States.

Shortly after its formation, that commission produced a dubiously titled report called, the "One America Initiative." The remedies that emerged for healing the "racial divide" in the United States included a heated debate over whether the president should apologize for slavery. In 1998, when Bill Clinton traveled to Africa, the intensifying debate over the apology continued, even as his spokesperson assured the American public, "He certainly is going to talk about the legacy of slavery and the scar that it represents on America," but an apology would be, "extraneous and off the point." In lieu of an apology, he eventually conceded the painfully obvious: "Going back to the time before we were even a nation, European Americans received the fruits of the slave trade, and we were wrong in that."

Twenty-five years later, the United States is embroiled in new turmoil in its latest iteration of a national reckoning about the continuing role of racism in American society. In the summer of 2020, the cumulative weight of the Trump presidency's embrace of white supremacy, coupled with the horrific carnage produced by the unprecedented onslaught of a novel coronavirus chewing its way through Black communities, gave way to unprecedented protests, when an explosive video captured a modern-day lynching of George Floyd at the hands of a white police officer. It provoked the latest national awakening about the continued power of racism within American society, which has returned us to old and unresolved discussions about the role of slavery in American history as a way of understanding the longevity of racism in the United States. This has included a renewed discussion about reparations for African Americans as compensation for a history of unpaid labor. To that end, the only federal legislation to emerge from the rebellions and protests of the summer of 2020 has not been for police reform or in the establishment of new programs intended to improve the life chances of Black people; it has been the establishment of Juneteenth, a new

national holiday to commemorate when federal troops arrived in Texas and freed the enslaved.

This kind of national celebration of the symbolic, while leaving undisturbed the architecture of oppression that has made African Americans disproportionately vulnerable to premature death and a "travestied" freedom, has been a hallmark of the Black experience since the abolition of slavery. This is not to say that the national recognition of the end of slavery is unimportant, but it does serve to reinforce what formally concluded, while paying almost no attention to what carried on after slavery. Instead, the celebrations of the abolition of slavery and the misassumption that it inaugurated Black people into personhood and then citizenship have served to mute other conversations about the ways that one form of bondage gave way to new coercive relationships. This is less about cynicism concerning the immutability of racism or even anti-Blackness than it is an expression of extraordinary pessimism about American liberalism and all of its haughty conceits about its universalism, autonomy, and justice.

Neither a historian nor social scientist, Saidiya Hartman is a scholar of criticism, law, cultural history, and slavery. *Scenes* was a pioneering achievement of interdisciplinary scholarship just as such work was being called upon to provide differing insights while applying varied methodological applications as a means to invoke different kinds of interventions. Here, Hartman's work breathed new life into scholastic understanding of performance studies, as well as prescient analyses of racial capitalism in cultural studies and criticism. Indeed, *Scenes* should be considered among the texts that have spelled out the mutually constitutive relationship between racism and capitalism in American history. Hartman has become a master at cracking through disciplinary and genre roadblocks and facades that for years have acted as gatekeepers around specific bodies of knowledge. Yet *Scenes* and subsequent work from

Hartman upholds scholarly standards of rigor based in evidence and command of scholarly debates, including where one fits and departs from the conversations. Indeed, *Scenes of Subjection* does not retell the history of slavery and emancipation; instead Hartman is asking us to think differently about these events. Not as part of the narrative arc of justice and progress in American history, but as affirmation of a kind of deeply constrained and compromised conception of democracy and liberty in the first place, which inevitably then gave way to constrained and compromised visions of freedom in slavery's aftermath. Hartman is challenging the assumption that the continued forms of subjugation endured by ordinary Black people after slavery's end are only the result of ongoing patterns of exclusion from the governing and financial institutions of the country, leaving inclusion as the solution. Instead, Hartman has asked us to consider different questions, namely, what is meant by *freedom*? If freedom is simply the opposite of bondage, while affording nothing other than the right to compete with other free people in a human scrum for income, food, clothing, and housing, then it is an exceedingly thin and narrow conception of liberty. If, however, we think of freedom as a right to move through life with genuine self-possession that can only be rooted in the satisfaction of basic human needs and desires, then Black emancipation in the United States was something altogether different. Indeed, how could a conception of freedom that was so intimately conjoined with enslavement produce any other outcome, when the only thing separating slavery from freedom was the declaration that it was over? With no effort to address the past, to heal the deformation cast unto Blackness that had been used to rationalize and legitimize slavery, and with no effort to ease the transition from property to person with freedom dues, then, as Du Bois lamented, the freedpeople enjoyed an ever-brief moment in the sun only to return to a condition as near to slavery as slavery itself.

It is also important to convey that the historical omissions and

the occurrences of unfreedom that shape the Black entry into personhood in the United States and that have been perpetuated thereafter, are not simply oversights, unfortunate slips, or other kinds of accidental erasures born of ignorance and, essentially, innocence. They are contrived, mean-spirited, and deliberate. The United States' self-idealization as an "exceptional" country in its democratic founding and promises of unfettered social mobility *necessarily* diminishes the centrality of slavery and racism in the country's ascendance as a world power. Indeed, the country's periodic return to slavery as a metaphorical "original sin" not only creates an origin story for racism in the United States, but it also explains its persistence after slavery as a hangover or vestige in an otherwise narrative arc bending toward progress. Where racism does reoccur, it is the work of backward individuals who see color. Where disparities in jobs, housing, education, and beyond exist, the problem is with the individual unable to assimilate into the affluence that America has to offer. The notion of "systemic racism" is rejected, while lapsed personal responsibility is assumed. And where white poverty is hidden, and thus exoticized upon discovery, Black poverty is ubiquitous, expected, and ultimately, paradigmatic.

Hartman is suggesting that instead of thinking of America's persisting crises of racial inequity, domination, and subjugation as the accumulated toll of missed opportunities, failed programs, and policy conundrums, that perhaps we consider a deeper, existential problem with American democracy itself. American freedom, liberty, justice, and ultimately democracy came into being through slavery, genocide, rape, dispossession, murder, and terror. Indeed, it was the actual existence of slavery that crystalized the moral valence of liberty and freedom for the founders. It is well known that the leading lights of the American Revolution compared their status as colonial subjects of the British Parliament to enslavement. The founders invoked slavery as a rallying cry to marshal their forces.

It was part rhetoric and metaphor, but it was also buttressed by a reality that, in fact, they intimately understood that slavery meant an abject absence of freedom and total subordination to another person's will. The deep understanding of slavery, as slaveholders, formed their understanding of freedom and liberty. Moreover, the enslaved embodied abject Blackness, thus providing a negative mirror for white men to imagine their lives in sharp contrast to. Consider the insights of a white lawyer from South Carolina who wrote in 1775, "Liberty . . . is a principle which naturally and spontaneously contrasts with slavery. In no country on earth can the line of distinction ever be marked so boldly. . . . Here there is a standing subject of comparison, which must be ever perfect and ever obvious. . . . The constant example of slavery stimulates a free man to avoid being confounded with the blacks. . . . Slavery, so far from being inconsistent, has, in fact, a tendency to stimulate and perpetuate the spirit of liberty." It is not only that slavery provided a negative meaning for American liberty, but its realization within private property, possessive individualism, and its eventual glorification of the so-called free market, narrowed its benefits to an even smaller number, initially to be shared among wealthy white men with land and eventually to white men of any standing.

Given the symmetry between slavery and freedom, then, for Hartman, the persistence of unfreedom in the aftermath of slavery was predictable. The voices of those African Americans who lived within and then after slavery could attest to this confounding reality as clearly as anyone. In 1937, a woman who had lived in slavery and was later interviewed in the controversial Works Progress Administration project that recorded survivors of slavery could speak to these continuities. Her name was Patsy Mitchner, and she perfectly captured the riddle of American freedom in Black hands. She said, "Slavery was a bad thing, and freedom, of the kind we got, with nothing to live on, was bad. Two snakes full of poison. One lying

with his head pointing north, the other with his head pointing south. Their names was slavery and freedom. The snake called slavery lay with his head pointed south, and the snake called freedom lay with his head pointed north. Both bit the nigger, and they was both bad."[1]

It is important to note that Hartman's examination is not a new tributary feeding the larger pools of critical race theory that have examined the ways that American law has been a tool in stripping the meaning and substance out of Black achievement of civil rights. As she writes in her endnotes:

> Legal liberalism, as well as critical race theory, has examined issues of race, racism, and equality by focusing on the exclusion and marginalization of those subjects and bodies marked as different. . . . The disadvantage of this approach is that the proposed remedies and correctives to the problem—inclusion, protection, and greater access of opportunity—do not ultimately challenge the economy of racial production or its truth claims or interrogate the exclusions constitutive of the norm, but instead seek to gain equality, liberty, and redress within its confines.

In other words, by simply examining the regime of exclusions that has been at the heart of liberal critiques of the American state, the *nature* of the state has gone underexamined. This is especially true of mid-twentieth-century racial liberalism, which held the assumption that the central problem in the United States was that of exclusion, as opposed to extraction, accumulation, and dispossession as organizing principles for the American state and the political class that facilitates its function. In other words, the racial liberals assumed that the inclusion of Black Americans into the American mainstream would produce a large Black middle class, as had been done among white Americans. While it is undoubtedly true

that some portions of Black Americans were incorporated into the mainstream of American society, different modes of inclusion also included new opportunities for economic exploitation, dispossession, and extraction from African Americans as well. It was a well-rehearsed pattern, even if in different eras, different intentions motivated the rhetoric of inclusion. For example, after Emancipation, the inclusion of African Americans into contract-making—a document joining together parties based on their own will and volition—did not only create new opportunities for autonomy, but also for new forms of coercion as the elite of the white South raced to reconstitute their labor force under conditions as close to slavery as they could legally finagle.

It is the nature of the liberal American state to which Hartman returns, and its particularly pernicious effects in the lives of Black people. But the absence of self-determination afforded to freedpeople meant that even when they were formally accepted into the body politic or civic society, inclusion existed within a web of coercive inducements masquerading as sovereign individualism. Capitalist societies like the United States proselytized the virtues of autonomy and self-possession, while simultaneously organizing an economic order that produced class differences that impaired unfettered access to rights, property, and other forms of wealth and possession. As Hartman points out, after slavery, there were two freedoms in the United States: freedom from bondage and the freedom to starve. Freedoms correlated with the market produced enormous wealth and power for some, but immiserating poverty for others, and in the process, undermined the autonomy, liberty, and self-possession of the poor and working classes. In other words, post-Emancipation American freedom was imagined as consistent and the fulfilment of a market-based economy, thus valorizing individualism and autonomy as products of personal success, in contrast to what historian Thomas Holt observed: "Throughout most of human history the

highest value or good has been to achieve a sense, not of autonomy, but of belonging, that psychic and physical security of incorporation into the group." Nevertheless, these were the conditions of freedom into which Black freedpeople were liberated. Their situation was then compounded by color and utter dispossession, thereby heightening the coercive measures undertaken to compel Black people to return to the work that had previously defined their existence.

Hartman is also suggesting something beyond the deficiencies of the American state to understand the continuing patterns of subjugation that define the Black experience. Part I of *Scenes* is dedicated to interrogating the ways that the Black subject is constructed and how this construction contributes to their marginalization in the aftermath of slavery. Indeed, the insistence that Black freedpeople could simply slip into the garments of American citizenship with no trace of the "badges or incidents" of slavery as garish adornments upon their person, was to ignore the ways that Blackness had been cast as abject in the hands of buyers and sellers of Black bodies. This blind spot obscured the ways that slavery, race, and racism marked the Black body, then ignored how those etchings placed the Black subject outside of and beyond the rationale and logic of universalism, including the legal frameworks that had been built to govern a republic conceived of as only for white men. Within the regime of slavery, slave subjectivity did not exist in any formal capacity beyond the ways that the state could define the crimes of the enslaved and enumerate punishment against the enslaved. But with no punishment by the nineteenth century for the rape or murder of the enslaved, Black women, men, and children were effectively excluded from the liberal framework of personhood and all its attendant rights and responsibilities.

The absence of legal protections made the enslaved vulnerable to the forms of depraved violence that pervaded the institution of slavery. The display of violence against the enslaved to engender

sympathy or empathy as a means to gather opposition to slavery called upon white sympathizers to put themselves in the place of the slave to form an opposition to slavery. In doing so, the experience of the enslaved person is lost again, while the emotional drama of the white sympathizer is the action that must be assuaged. The result may, in fact, be the end of slavery, but nothing has been done to repair or restore the harm done to the enslaved. In fact, the experiences of the enslaved have barely been attended, because the focus has been trained on the emotional experience of white witnesses. It is also an example of the ways that, within the liberal framework, even abolitionists were complicit in reinforcing conceptions of abject Blackness while decrying slavery. For Hartman this is not a morality play; it is simply to say that slavery was so closely sutured to freedom in America that it was impossible to imagine the social relations of Black and white outside of its paradigm.

Hartman argues for a different approach in distilling the brutality of slavery. By looking at what she describes as the "quotidian routines of slavery," Hartman suggests that we can see something even more insidious about the institution. In this way, she examines the demand of slaves as entertainment for white audiences as a potentially more fruitful place to understand slavery as a site of domination. Here, Hartman's delve into performance and the multiple meanings of "embodiment" in her discussion of Blackness as an invention of white society not only draws attention to a different kind of brutality during this period, but it also prefaces the extraordinary complexity of Black freedom after slavery. The forced jocularity created through the command of white audiences, but also as deception deployed by the enslaved, in both cases as a means to dissimulate either terror or disobedience, was also evidence of the brutality of slavery. Whether making the enslaved dance through the Middle Passage, charm on the auction block, or minstrel to brighten the doldrums of white workers, Blackness is construed as

irrevocably joyful, carefree, lascivious, and impervious. Even where enslaved people slipped into the affectations of Blackness to comfort an owner with their submission, there was no greater evidence of subjection.

But the misunderstanding of Black participation within these formal and informal routines could also be touted as evidence of volition, will, and agency within the framework of slavery. These perceptions reinforced ideas that remained popular about American slavery well into the twentieth century, namely that the institution was familial and pastoral, thereby assuming the complicity of the enslaved, albeit with periodic eruptions of patriarchal violence. Where those ideas don't necessarily prevail, we still find their trace. Consider the school of the new social historical studies of slavery that emerged in the 1960s and '70s. A feature of the new social history was the search for slaves' resistance to their condition as evidence to challenge the perception that slaves were so dominant that they had no conceivable lives outside of the direction of their owners. The new social historians, many of whom had been influenced by the social movements of the 1960s, wanted to show that slaves had their own lives independent of slavery, where examples of their autonomy and self-possession could be identified. Hartman, in anticipation of Walter Johnson's later and well-known and critical essay "On Agency," cautions against the easy invocation of "slave's agency" as a means of capturing "slave humanity."[2] If agency is an expression of free will and volition—the very essence of liberal self-making and self-possession—then how do we locate these expressions in the actions of human property? The notion of the consent or autonomy of slaves to opt in or out of anything essentially "neutralizes the dilemma of the object status and pained subject constitution of the enslaved and obscures the violence of slavery." Well-intended efforts to "humanize" the enslaved by pointing to disparate moments of activity can assume consent with

enslavement elsewhere. Conflating agency with activity imposes a kind of autonomy and freedom in the choices made by the enslaved that obfuscates the conditions of subjection and abjection understood in a system of slavery. As Hartman argues, "If agency is simply about the capacity to act, it does not tell us nearly enough about the conditions within which one is acting, the material makeup of the forces that one is acting against, or the wider contexts within which these actions take place." Implied in the hunt for slave agency is an implicit representation of slavery as a negotiated relationship where the enslaved could haggle over the terms of their bondage. In the end, the notion that slaves wielded choice or had agency in their daily negotiations within slavery softens our perceptions of the system while humanizing its architects. This, of course, doesn't mean that the enslaved did not resist their enslavement. As Hartman points out: "Strategies of domination don't exhaust all possibilities of intervention, resistance, escape, refusal, or transformation." The question is how to understand the constraints shaping resistance without reinscribing enslavement as a normative condition.

The domination and subordination at the core of American enslavement shaped the afterlife of Black Americans as freedpeople. The continuation of abuse and recurring efforts across the South to reimpose the conditions of slavery on the freed were enshrined into law with the Black Codes in slavery's immediate aftermath. The codes were ultimately abolished and replaced with a new federal law, the 1866 Civil Rights Act, which along with the Reconstruction Amendments, was passed to allow for African Americans to become citizens of the United States. Black people were no longer formally excluded from the rights endowed by citizenship, but they were also freed with almost no discernible means to create new lives outside of bondage. Their newfound poverty was now mapped onto an existing antipathy of Blackness that had not only built up over two centuries of legal enslavement, but that had also been reinforced by new

expertise and pseudoscience that elocuted the inferiority and social and scientific deformation of Black people. Moreover, not only had conceptions of freedom like autonomy and possessive individualism only ever been imagined as quintessentially white, the 1866 Civil Rights Act used whiteness as the baseline standard for understanding the rights available to Black people. In the legislation, the enumeration of the rights of citizenship is followed by the phrase "as is enjoyed by white citizens." The efforts to base new laws, rights, and citizenship on a concept of *white* universalism obscured more than it clarified. It created the conditions where specific Black demands for redress, repair, or standing could only be construed as "special rights." The law performed colorblindness in a country where the color-conscious subordination of Black people had been a core feature since its eighteenth-century founding.

In this sense, the modern United States came into formation when the U.S. Supreme Court, in the 1883 *Civil Rights Cases*, hollowed out the Civil Rights Act of 1875, which had relied upon an expansive reading of the Thirteenth Amendment as abolishing slavery and all of its requisite "badges and incidents," invariably including the private sector, where racism could rage like wildfire. The *Civil Rights Cases* ruling was the final wedge necessary to separate the laws governing the supposed public sphere from the private. The ruling declared the private sphere to be free from the legal requirements to recognize the rights of Black citizens, effectively reconstituting Black citizenship to an exceedingly small set of locations. The justices wrote:

> The XIIIth Amendment relates only to slavery and involuntary servitude (which it abolishes); . . . yet such legislative power extends only to the subject of slavery and its incidents; and the denial of equal accommodations in inns, public conveyances and places of public amusement (which is forbidden

> by the sections in question), imposes no badge of slavery or involuntary servitude upon the party, but at most, infringes rights which are protected from State aggression by the XIVth Amendment.

Justice Joseph P. Bradley continued:

> When a man has emerged from slavery, and by the aid of beneficent legislation has shaken off the inseparable concomitants of that state, there must be some stage in the progress of his elevation when he takes the rank of a mere citizen, and ceases to be the special favorite of the laws, and when his rights as a citizen, or a man, are to be protected in the ordinary modes by which other men's rights are protected. There were thousands of free colored people in this country before the abolition of slavery, enjoying all the essential rights of life, liberty and property the same as white citizens; yet no one, at that time, thought that it was any invasion of his personal status as a freeman because he was not admitted to all the privileges enjoyed by white citizens, or because he was subjected to discriminations in the enjoyment of accommodations in inns, public conveyances and places of amusement. Mere discriminations on account of race or color were not regarded as badges of slavery. If, since that time, the enjoyment of equal rights in all these respects has become established by constitutional enactment, it is not by force of the Thirteenth Amendment (which merely abolishes slavery), but by force of the Thirteenth and Fifteenth Amendments.

With the court abdicating any legal responsibility for the defense and protection of Black citizens, while preserving a socially permissible private sphere of racism, the eventual *Plessy v. Ferguson* ruling

in 1896 was inevitable. This is not the discourse of fatalism, but it is at the core of the actual reckoning we must grapple with. The legal tools inscribed by the most powerful court in the country reflected the deteriorated status of Black people, while also working to further degrade their condition. The lack of power inherent in not even being able to accurately define your social position is an affront to any notion of self-determination, self-possession, autonomy, and is certainly not liberty. It is a state of subjection, different from enslavement, but unfree, nonetheless.

Scenes of Subjection is not a dour lament on the fixity of this condition, but it is an unrelenting argument that these conditions cannot be changed by tinkering with laws that never address the root of the affliction in the first place. We must look at the totality of the society and the foundation upon which it was built to understand why, even more than one hundred and fifty years after slavery, ordinary Black people continue to suffer from the vicious entrapments of racism. Twenty-five years after this spectacular book first appeared, a twenty-first-century social movement evincing the most elemental recognition of humanity calls itself Black Lives Matter in hope to make it so. It is a centuries-long quest that may only be recognized with the realization that it may require a completely different society, where inclusion and humanity are understood expansively and broadly, where freedom is the absence of coercion, and human need and fulfilment are the bottom upon which our lives can be rebuilt.

PREFACE

The Hold of Slavery

The conviction that I was living in the world created by slavery propelled the writing of this book. I could feel the force and disfigurement of slavery in the present. The life of the captive and the commodity certainly wasn't my past, but rather the threshold of my entry into the world. Its grasp and claim couldn't be cordoned off as what happened then. For me, the relation between slavery and the present was open, unfinished.

In rereading *Scenes of Subjection*, I am struck by the breathlessness of the prose, by its ardent desire to say it all, to say everything at once. If it were possible, I might have written it as a 345-page-long sentence. This sentence would be written in the past, present, and future tense. Temporal entanglement best articulates the still open question of abolition and the long-awaited but not yet actualized freedom declared over a century and a half ago. The hold of slavery was what I sought to articulate and convey. The category crisis of human flesh and sentient commodity defined the existence of the enslaved and this predicament of value and fungibility would shadow their descendants, the blackened and the dispossessed.[1] I also hoped to change the terms in which we understood racial slavery, by attending to its diffuse terror and the divisions it created between life and not life. The scenes of subjection I endeavored to unpack were not those of spectacular violence—the thirty-three

lashes at the whipping post, the torture, rape, and brutality ubiquitous on the plantation, the public rituals of lynching and dismemberment, the vast arsenal of implements employed to harm and maim, the Sadeian pursuits, the endless variations of humiliation and dishonor, and the compulsive displays of the broken and violated body—all of which were endemic to slavery and key to the cultivation of antislavery sentiment and pedagogy. My interest lay elsewhere. To be subjected to the absolute power of another and to be interpellated as a subject before the law were the dimensions of subjection that most concerned me. I intended to bring into view the ordinary terror and habitual violence that structured everyday life and inhabited the most mundane and quotidian practices. This environment of brutality and extreme domination affected the most seemingly benign aspects of the life of the enslaved and could not be eluded, no matter the nature of one's condition, whether paramour, offspring, dutiful retainer, or favored nursemaid. The shift from the spectacular to the everyday was critical in illuminating the ongoing and structural dimensions of violence and slavery's idioms of power.

No less important was the domain of practice. In creating an inventory of ways of doing and a genealogy of refusal, I tried to account for extreme domination *and* the possibilities seized in practice. Black performance and quotidian practice were determined by and exceeded the constraints of domination. This dimension has received less attention in the reception of the book. The focus on its arguments about empathy, terror and violence, subjection and social death has overshadowed the discussion of practice. *Scenes* endeavored to illuminate the countless ways in which the enslaved challenged, refused, defied, and resisted the condition of enslavement and its ordering and negation of life, its extraction and destruction of capacity. The everyday practices, the ways of living and dying, of making and doing, were attempts to slip away from the status of commodity and to affirm existence as not chattel, as not property, as

not wench. Even when this other state could not be named, because incommensurate or untranslatable within the conceptual field of the enclosure, the negation of the given was ripe with promise. The wild thought and dangerous music of the enslaved gave voice to other visions of the possible and refused captivity as the only horizon, opposed the framework of property and commodity, contested the idea that they were less than human, nurtured acts of vengeance, and anticipated divine retribution.

This subjugated knowledge or speculative knowledge of freedom would establish the vision of *what might be*, even if unrealizable within the prevailing terms of order. It explains why a commodity might describe themself as human flesh, or a fugitive trapped in a garret write letters describing a free life in the North, or a hand laboring in the field read the signs and take note of "the drops of blood on the corn as though it was dew from heaven" and in the woods discern in the arrangement of leaves a hieroglyph of freedom coming, or an ex-slave prove capable of imagining "an auspicious era of extensive freedom," as does Olaudah Equiano in *The Interesting Narrative*: "May the time come—at least the speculation is to me pleasing—when the sable people shall gratefully commemorate the auspicious era of extensive freedom."[2] It is a curious and prescient formulation. How does one commemorate what has yet to arrive?

In the context of social death, everyday practices explored the possibility of transfigured existence and cultivated an imagination of the otherwise and elsewhere, cartographies of the fantastic utterly antagonistic to slavery. The enslaved refused to accept the order of values that had transformed them into units of currency and capital, beasts and crops, breeders, incubators, lactating machines, and sentient tools. At secret meetings and freedom schools, hidden away in loopholes of retreat and hush arbors, gathered at the river or dwelling in the swamp, the enslaved articulated a vision of freedom

that far exceeded that of the liberal imagination. It enabled them to conceive other ways of existing, flee the world of masters and invite its fiery destruction, anticipate the upheaval that would put "the bottom rail on top," nurture a collective vision of what might be possible when no longer enslaved, and sustain belief in the inevitability of slavery's demise. A messianic vision of the last days and the end of world was articulated in a range of quotidian practices, from work songs to the ring shout, a circle dance of worship and divine communion. Such practices shaped the contours of the day-to-day. An expansive register of minor gestures, ways of sustaining and creating life, caring for one another, undoing slavery by small acts of stealth and destruction, communal dreaming, sacred transport, acts of redress, and faith in a power greater than master and nation made it possible to survive the unbearable while never acceding to it. The arrangement of stars in the night sky, the murmur and echo of songs traveling across a river, the revered objects buried near a prayer tree, the rumors of fugitives in the swamp or maroons in the hills nourished dreams of a free territory, or an existence without masters, or a plot against the plantation, or reveries of miraculous deliverance.

In the archive of slavery, I encountered a paradox: the recognition of the slave's humanity and status as a subject extended and intensified servitude and dispossession, rather than conferring some small measure of rights and protection. The attributes of the human—will, consciousness, reason, agency, and responsibility—were the inroads of discipline, punishment, and mortification. This foreshadowed the subject of freedom and the limits of personhood bound indissolubly to property. The recognition of the formerly enslaved as a newly endowed subject of rights was not the entry to the prom-

ised land. This should not have been a surprise. Western humanism was born in the context of the Atlantic slave trade and racial slavery. It became apparent that being a subject was not the antidote to being a slave, but rather that these figures were intimate, twinned. I wanted for some other end: a true abolition of property, a leveling of the vertical order of life, a messianic cessation, a way of keeping terror at bay, a rampart against devastation and the dangers of what lived on.

Any certainty about the historical divide between slavery and freedom proved to be increasingly elusive. The exclusion and hierarchy constitutive of the discourse of rights and man and the racism of the white republic and the settler nation were robust and not to be eradicated by acts or proclamations or field orders or amendments. The movement from slave to "man and citizen" would be impeded, thwarted. The restricted vision of freedom offered by the liberal imagination, a vision even more attenuated and hollowed out by counterrevolution, economic predation, antiblack violence, and white supremacy, would not transform the plantation, or abolish racial slavery and its badges or indices, or eradicate caste, or negate the legacy and stigma of having been chattel.

With the advent of Emancipation, only the most restricted and narrow vision of freedom was deemed plausible: the physical release from bondage and the exercise and imposition of the contract—this and little more. In the aftermath of slavery's formal demise, the old relations of servitude and subordination were recreated in a new guise. The signs of this were everywhere apparent: The enslaved failed to be compensated for centuries of unremunerated labor. They never received the material support or resources necessary to give flesh to words like "equality" and "citizen." The gulf between blacks, marked and targeted as not human or as lesser humans and social inferiors, and white citizens only widened. A wave of revanchism and counterrevolution engulfed the nation.

Racist violence intensified and white citizens committed a series of massacres with the goal of returning the newly freed to their proper place. The "gift of freedom" gave birth to the landless tenant and the indebted worker. The enslaved were transformed into a new kind of property—alienable labor or property in the self; but in all other ways they were without resources. This property in the self was to be sold and exchanged, at least as an ideal. Again, one entered the world of objects and social relations congealed as the circulation of goods and things. The contract enabled the transition from slavery to involuntary servitude, and the much-lauded exercise of choice was shored up by the threat of punishment and imprisonment. The liberty to sell one's labor resulted in sharecropping, peonage, and immiseration, and the failure to exercise this liberty led to the chain gang or being leased as a convict. Coercion rather than consent defined the free market and free labor. Equality was interpreted and adjudicated to enforce segregation, the regime of separate but equal, and the hierarchy of racially differentiated life. The enormity and tragedy of this stopped me in my tracks.

It was not hindsight but the restricted scope of freedom, especially when contrasted with what might or could be, that made me pause and question: What, exactly, were the social arrangements envisioned and desired after Emancipation? Was captivity the prevailing schema, not by default but design? Could an idea of freedom fundamentally bound to property do anything other than reproduce dispossession and confirm the alienability and disposability of life and capacity? Could democracy built on racial slavery and settler colonialism ever sustain freedom, repair what has been broken, return what has been stolen, release land to earth, provide to each according to their needs, and enable all to thrive? The answer remains a resounding "no." As many ex-slaves remarked, freedom without material resources was another kind of slavery. So, when my attention turned to freedom and its philosophical and legal

foundations, I realized how formative and enduring the hold of slavery continued to be. The liberal conception of freedom had been built on the bedrock of slavery.

With striking ease and facility, new modalities of involuntary servitude emerged to replace and replicate the old one. Abolition remained an aspiration, rather than a feat realized and completed. I didn't yet have the language of the "afterlife of slavery" to describe the structural hold of racial slavery. Yet, it is clear I was writing toward this concept, which would be developed in *Lose Your Mother* and "Venus in Two Acts."[3]

If the conventional narrative "from slavery to freedom" failed to capture the temporal entanglement of racial slavery as our past and our present, the lasting effects of the slave's exile from and precarious belonging to the category of the human, the recursive character of violence and accumulation, and the long duration of unfreedom, then how might I frame and approach such matters? How might I interrupt the traditional account, revise historical chronology, cast doubt on the progressive arc and telos of narrative, and blast open the time of slavery? I searched for a critical lexicon that would elucidate slavery and its modes of power and forms of subjection, and challenge the prevailing understanding of the enslaved as a constricted or impaired version of the worker and the individual, terms which seemed to obscure the state and condition of enslavement rather than clarify it. This framework, even as amended for the black worker and newly minted subject, failed to perceive or comprehend the modes of domination, the distribution of death, the role of reproductive labor, and the forms of gendered and sexual violence that sustained racial slavery.[4] So how best to describe this anomalous existence distributed between the category of subject and object, person and thing? Or the figurative capacity that enabled the captive to fulfill any and every need, from cotton production to fellatio. The plantation was hell, factory, killing ground, and

Sodom. In attempting to explicate the violence of slavery and its idiom of power, *Scenes* moved away from the notion of the exploited worker or the unpaid laborer toward the captive and the fungible, the commodity and the dominated, the disposable and the sexually violated, to describe the dynamics of accumulation and dispossession, social reproduction and social death, seduction and libidinal economy, and to highlight the vexed relation of the enslaved to the category of the human.

In striving to describe the context of racial slavery, what quickly became apparent was the insufficiency of the prevailing concepts of power, subjection, exploitation, and politics. Slavery was the blind spot in critical theory.[5] I was determined to name and articulate the character of power, which was an assemblage of extreme domination, disciplinary power, biopower, and the sovereign right to make die. The dimensions of subjection traversed the categories of human, animal, and plant. The modes of accumulation and exploitation failed to be explained by precapitalist modes of production or the factory floor. The character of gendered and sexual difference, and negated maternity and severed kinship, bore no resemblance to the intimate arrangements of the white bourgeois family and cast out the enslaved from the nomenclature of the human.

Scenes of Subjection was a radical departure from the extant historical literature. Conservative scholarship had minimized the role of racial slavery in the making of capitalist modernity, failed to theorize race, characterized slavery as a premodern mode of production, denied the magnitude of the violence required to produce the human commodity and reproduce the relations of master and slave, and replicated the assumptions of romantic racialism and the plantation pastoral by describing slavery as a paternal institution characterized by reciprocity and consent, an approach which has been characterized as "Aunt Jemima in Dialectics."[6] The work of radical historians and intellectuals was devoted to refuting such

assertions and celebrating slave agency, excavating slave culture, demonstrating black humanity and resilience in the face of dehumanization, recognizing the enduring totality of African beliefs and values despite the rupture of the Middle Passage, and fundamentally challenged the idea of the damaged person or psyche produced by centuries of enslavement. They did so by emphasizing the vitality of black culture, the autonomous zones created in the slave quarters and the provision grounds, and the strength of the black family. The goal of these radical scholars was to affirm black humanity in the confines of racial capitalism and the plantation's brutality. *Scenes* was indebted to the work of these radical scholars, but mine was a different task. I set out to detail the entanglement of humanity and violence, liberal philosophy and racial reason, the human and its devalued others.

The matters engaged in *Scenes*—the domain of practice, the everyday forms of making and doing, black performance, the imagination of freedom, social death and the afterlife of slavery, the violence of the archive and methods for transposing its statement, involuntary servitude and the longstanding struggle to elude and defeat it, the antagonism to capitalist discipline, the refusal of work, the movement of the unsovereign, dispossession and racialized enclosure, transfiguration, and a language for black existence not bound to property or the subject—would preoccupy me for two decades.

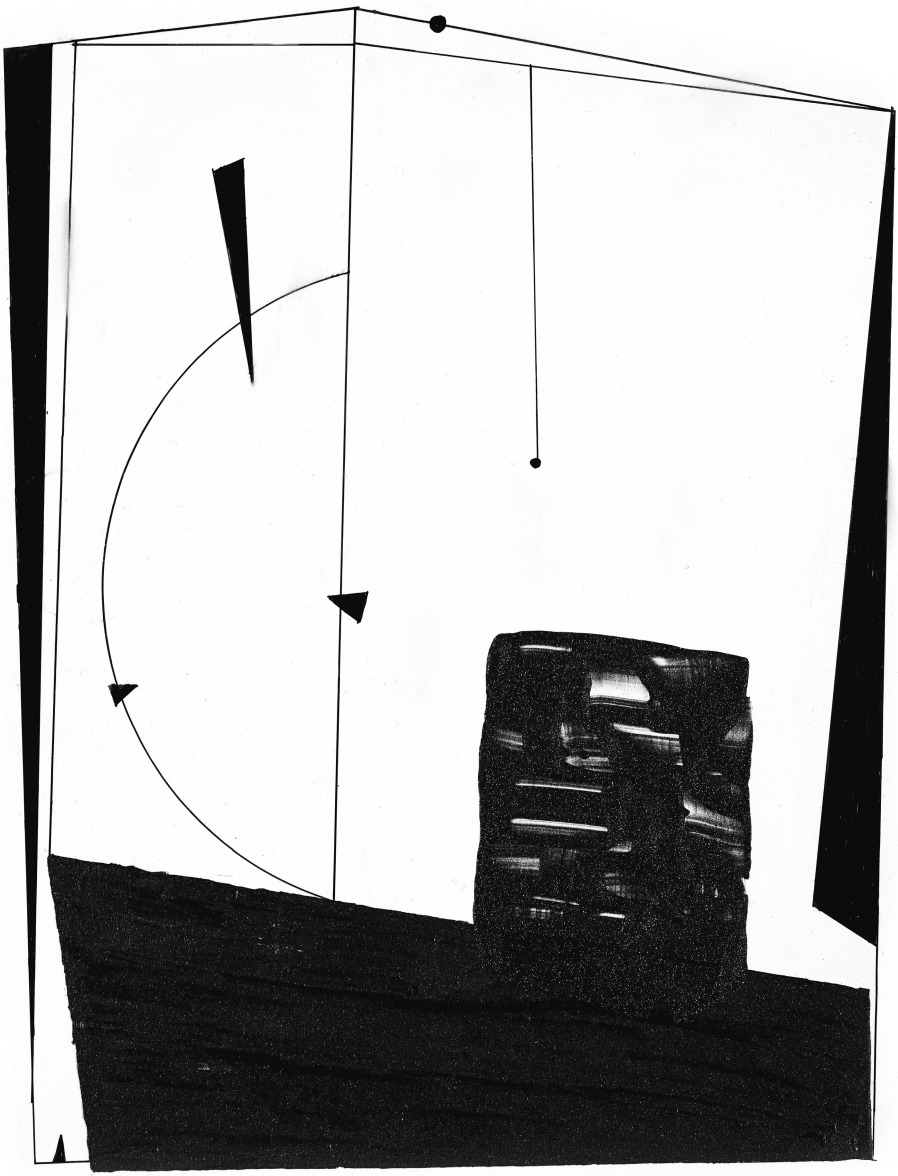
In *Scenes*, I first wrestled with questions of the archive—what it enabled and what it prevented us from knowing or discerning. Could I use its statements, yet destroy the master's tools? It was in these pages that I initially used the term "fabulation," but the term was latent, not yet emergent. Even then, I wanted to use the archive to create another order of statements, to produce a different account of what had happened and what might be possible. Here the work of novelists and poets provided a model.[7] I sought to create a method

that acknowledged and comprehended the violence of the archive and the forms of silence and oblivion it produced, and yet endeavored to use the archive for contrary purposes. It was an engagement that reckoned with the power of the archive but dared attempt to exceed the limits imposed and render a radically different account of black existence. For the archive is also a repository of practices, a textual trace of the repertoire that transforms and refuses the given.

I feel extremely fortunate that the contribution of *Scenes* has been significant enough to merit its republication on its twenty-fifth anniversary. My peers as well as a generation of younger scholars have embraced *Scenes* and extended and elaborated its critical vocabulary: empathy, fungibility, subjection, black performance, the property of enjoyment, the attenuation of consent and agency, the figurative capacities of blackness, sexual violence and negligible injury, redress, the violence of reciprocity and mutuality in the context of extreme domination, the ruses of power, the nonevent of Emancipation, infidelity to the timeline of history or embrace of temporal entanglement, affirming other ways of knowing or subjugated knowledge. It is impossible for me to read the book today without hearing these other voices, without reading between the lines for the contributions of my interlocutors.

The freighted last paragraph of the book attempted to underscore the incompleteness of freedom and the hold of slavery. What did it mean to exist between the "no longer" enslaved and the "not yet" free? What awaited us was another century of extreme domination, precarious life, dispossession, impoverishment, and punishment. What awaited us were centuries of struggle animated by visions that exceeded the wreckage of our lives, by the avid belief in what *might* be.

SCENES OF
SUBJECTION



a gesture toward other planes

Introduction

The "terrible spectacle" that introduced Frederick Douglass to slavery was the beating of his Aunt Hester. It is one of the most well-known scenes of torture in the literature of slavery, perhaps second only to Uncle Tom's murder at the hands of Simon Legree. By locating this "horrible exhibition" in the first chapter of his 1845 *Narrative of the Life of Frederick Douglass*, Douglass establishes the centrality of violence to the making of the slave and identifies it as an original, generative act equivalent to the statement "I was born."[1] The passage through the bloodstained gate is an inaugural moment in the formation of the enslaved. It is a primal scene. By this I mean that the terrible spectacle dramatizes the origin of the subject and demonstrates that to be a slave is to be under the brutal power and authority of another.[2]

I have chosen not to reproduce Douglass's account of the beating of Aunt Hester to call attention to the ease with which such scenes are usually reiterated, the casualness with which they are circulated, and the consequences of this routine display of the slave's ravaged body. Rather than inciting indignation, too often they inure us to pain by virtue of their familiarity—the oft-repeated or restored character of these accounts and our distance from them are signaled by the theatrical language usually resorted to in describing these instances—and especially because

they reinforce the spectacular character of black suffering. What interests me are the ways we are called upon to participate in such scenes. Are we witnesses who confirm the truth of what happened in the face of the world-destroying capacities of pain, the distortions of torture, the sheer unrepresentability of terror, and the repression of the dominant accounts?[3] Or are we voyeurs fascinated with and repelled by exhibitions of terror and suffering? What does the exposure of the violated body yield? Proof of black sentience or the inhumanity of the "peculiar institution"? Or does the pain of the other merely provide us with the opportunity for self-reflection? At issue here is the precariousness of empathy and the uncertain line between witness and spectator. Only more obscene than the brutality unleashed at the whipping post is the demand that this suffering be materialized and evidenced by the display of the tortured body or endless recitations of the ghastly and the terrible. In light of this, how does one give expression to these outrages without exacerbating the indifference to suffering that is the consequence of the benumbing spectacle, or contend with the narcissistic identification that obliterates the other, or the prurience that too often is the response to such displays? This was the challenge faced by Douglass and other foes of slavery, and this is the task I take up here.

Rather than try to convey the routinized violence of slavery and its aftermath through invocations of the shocking and the terrible, I have chosen to look elsewhere and consider those scenes in which terror can hardly be discerned—slaves dancing in the quarters, the outrageous darky antics of the minstrel stage, the constitution of humanity in slave law, and the fashioning of the self-possessed individual. By defamiliarizing the familiar, I hope to illuminate the terror of the mundane and quotidian rather than exploit the shocking spectacle. The terror and the routine violence of racial slavery were perpetrated under the rubric of pleasure, property, and personhood.

The scenes of subjection examined here entail the enactment of subjugation and the constitution of the subject; and they include the blows delivered to Topsy and Zip Coon on the popular stage, the obligatory revels of slaves in the marketplace, the simulation of will in slave law, the fashioning of identity, and the processes of individuation and normalization.

Human Flesh

When Charlie Moses reflected on his years of slavery, the "preacher's eloquence" noted by the Works Progress Administration interviewer who recorded his testimony did not blunt his anger. In recounting the harsh treatment received by colored folks, he emphasized that the enslaved were used like animals and handled as if they existed only for the master's profits: "The way us niggers was treated was awful. Marster would beat, knock, kick, kill. He done ever' thing he could 'cept eat us. We was worked to death. We worked Sunday, all day, all night. He whipped us 'til some jus' lay down to die. It was a poor life. I knows it ain't right to have hate in the heart, but, God almighty!" As if required to explain his animosity toward his former owner who "had the devil in his heart," Moses exclaimed that "God almighty never meant for human beings to be like animals. Us niggers has a soul an' a heart an' a min'. We ain' like a dog or a horse."[4]

In some respects, Tom Windham's experience of enslavement was the opposite of that described by Charlie Moses; he reported that his owner had treated him well. Nonetheless, like Moses, he too explained the violation of slavery as being made a beast of burden. While Moses detailed the outrages of slavery and highlighted the atrocity of the institution by poignantly enumerating the essential features of the slave's humanity—a soul, a heart, and a mind—Windham, in conveying the injustice of slavery, put the matter

simply: "I think we should have our liberty 'cause us ain't hogs or horses—us is human flesh."[5]

The flesh, existence defined at its most elemental level, alone entitled one to liberty. This basic assertion of colored folks' claim to freedom implicitly called into question the rationales that legitimated the exclusion of blacks from the purview of universal rights and entitlements. As Moses and Windham were well aware, the discourse of humanism, at the very least, was double-edged, since the life and liberty they held in esteem were racial privileges formerly denied them. In short, the selective recognition of humanity that undergirded the relations of chattel slavery had not considered them men deserving of rights or freedom. In taking up the language of *human* being and *human* flesh, they seized upon that which had been used against and denied them.

However, suppose that the recognition of humanity held out the promise not of liberating the flesh or redeeming one's suffering, but rather of intensifying it? Or what if this acknowledgment was little more than a pretext for punishment, dissimulation of the violence of chattel slavery and the sanction given it by the law and the state, and an instantiation of racial hierarchy? What if the presumed endowments of man—conscience, sentiment, will, and reason—rather than assuring liberty or negating slavery acted to yoke slavery and freedom? Or what if the heart, the soul, and the mind were simply the inroads of discipline rather than that which confirmed the crime of slavery and proved that blacks were men and brothers, as Charlie Moses had hoped.

I am interested in the ways that the recognition of humanity and individuality acted to tether, bind, and oppress. For instance, although the captive's bifurcated existence as both an object of property and a person (whether understood as a legal subject formally endowed with limited rights and protections, or as a submissive, culpable, or criminal agent, or as one possessing restricted capacities

for self-fashioning) has been recognized as one of the striking contradictions of chattel slavery, the constitution of this humanity (or legal personhood) remains to be considered. The law's recognition of slave humanity has been dismissed as ineffectual and as a volte-face of an imperiled institution. Or, worse yet, it has been lauded as evidence of the hegemony of paternalism and the integral relations between masters and slaves. The violence part and parcel of personhood and the recognition of the slave as a subject (we might even say the imposition of being made a subject) are the heart of my concern. It is a matter that largely has escaped scrutiny.

I approach these issues from a different vantage point and consider the outrages of slavery not only in terms of the object status of the enslaved as commodity, beast of burden, and chattel, but also as they involve notions of slave humanity. Rather than dismiss paternalism as ideology, understood in the orthodox sense as a false and distorted representation of social relations, I engage seriously its premises. My intent is to illuminate the savage encroachments of power that take place through notions of reform, consent, reciprocity, and protection. Contrary to our expectations, sentiment, enjoyment, affinity, will, affection, and desire facilitated domination and terror precisely by preying upon the flesh, the heart, and the soul. The mutuality of social relations and the expressive and affective capacities of the subject augmented and fortified violence. It was often the case that benevolent correctives and declarations of slave humanity intensified the brutal exercise of power upon the captive body rather than ameliorating the chattel condition.

Metamorphosis

The metamorphosis of chattel into man and citizen was the promise of abolition. The failure of Reconstruction made it impossible to achieve and secure this desired end. This failure was not only a

matter of policy or weak implementation or evidence of a flagging commitment to black rights, which was undeniably the case; the limits of emancipation, the ambiguous legacy of universalism, the exclusions constitutive of liberalism, and the blameworthiness of the freed individual were no less decisive in producing new forms of involuntary servitude and inequality. The rights of contract and the wage failed to disestablish fundamental aspects of slavery; emancipation made the lives of the formerly enslaved more precarious: rights facilitated relations of domination, and new forms of bondage were enabled by proprietorial notions of the self. The pedagogical and legislative efforts aimed at transforming the formerly enslaved into rational, acquisitive, dutiful, and responsible individuals required coercion and the regular threat of arrest, punishment, and death. From this vantage point, emancipation appears less the grand event of liberation than a point of transition between modes of servitude and racial subjection. It also leads us to question whether the rights of man and citizen are realizable or whether the appellation "human" can be borne equally by all.[6]

The selective recognition of the humanity of the slave did not redress the abuses of the institution nor prevent the wanton use of the captive warranted by his or her status as chattel, since in most instances the acknowledgment of the slave as subject was a complement to the arrangements of chattel property rather than its remedy; nor did self-possession liberate the former slave from his or her bonds, but rather sought to replace the whip with the compulsory contract and the collar with guilty conscience. Put differently, the barbarism of slavery did not express itself singularly in the constitution of the slave as object but also in the forms of subjectivity and circumscribed humanity imputed to the enslaved. Nor can the failures of Reconstruction be recounted solely as a series of legal reversals or troop withdrawals; they also need to be located in the very language of persons, rights, and liberties. With this in mind, I

attend to the forms of violence and domination enabled by the recognition of humanity, licensed by the invocation of rights, and justified on the grounds of liberty and freedom.

I do not offer a comprehensive examination of slavery and Reconstruction or recover the resistances of the dominated, but critically interrogate terms like "will," "agency," "individuality," and "responsibility." To do so requires questioning the formation of the subject by dominant discourses as well as the ways in which the enslaved and the emancipated grappled with these terms and endeavored to reelaborate and refuse them in fashioning themselves as agents and in striving to make a free life. The scenes of subjection at issue here include the Manichaean identities constitutive of slave humanity—that is, the contented subordinate and/or willful criminal, as well as the calculation of humanity in increments of value, the fabrication of the will, the performance of subjection, and the relation between injury and personhood. While the calibration of sentience and terms of punishment determined the constricted humanity of the enslaved, the encumbered individuality of the emancipated resulted largely from the equation of responsibility with blameworthiness, making duty synonymous with punishment. The enduring legacy of slavery was readily discernable in the travestied liberation, thwarted agency, coerced labor, interminable servility and blameworthiness of the free individual. The ubiquitous fun and frolic that supposedly demonstrated slave contentment and the African's suitedness for slavery were mirrored in the panic about idleness, intemperate consumption, recalcitrance, and fanciful expressions of freedom, all of which justified coercive labor measures and the constriction of liberties. The entanglements of slavery and freedom were undeniable and everywhere apparent. Dutiful submission remained the defining characteristic of black subjectivity, whether in the making and securing of the captive as chattel personal (an item of moveable personal property) or in the fashioning of individuality, cultivation

of conscience, training and discipline of free labor, and harnessing of the will.

Figurative Capacities

In the economy of racial slavery, the enjoyment of property was predicated on the figurative capacities of blackness—the ability to be an object or animal or not-quite-human or guilty agent. The value of blackness resided in this metaphorical aptitude, whether literally understood as the fungibility of the commodity or as the imaginative surface upon which the master and the nation came to understand themselves. As Toni Morrison writes, "The slave population, it could be and was assumed, offered itself up as surrogate selves for meditation on problems of human freedom, its lure and its elusiveness."[7] Indeed, blackness provided the occasion for self-reflection and for an exploration of terror, desire, fear, loathing, and longing.[8]

Figurative capacity is another way of describing the mutability of the commodity and the paradox or conundrum of agency for the oscillating subject-object of slave law. In the scene of subjection, agency is produced or feigned by means of terror and violence; sentiment and reciprocal relations, or mutuality, secure the extreme domination of slavery. The power of the weak, or servile love, enhanced the enjoyment of property, albeit disguised as intimacy or shared affection. The rhetoric of seduction crafted a story of intimacy and consent, willfulness and submission that dissimulated the violence of rape and sexual assault. This distinctive meditation on slavery and freedom encompassed and engulfed the domain of sexuality with ruthless effect.

The seeming polarities of terror and enjoyment frame this exploration of subjection. Calculations of socially necessary and socially tolerable violence and the varied uses of property determine the person fashioned in the law—an anomalous subject of restricted

sentience and qualified value—and the blackness conjured on the popular stage. The obliteration and engulfment of the slave and/or black occurred, as well, by slipping on blackness and stepping into the skin of the other; and by way of an empathic identification in which the self stands in for and subsumes the other.

The exercise of power is inseparable from its display. Domination depended upon demonstrations of the slaveholder's dominion and the captive's abasement. Representing power was essential to wielding it. A significant aspect of maintaining relations of domination, as James Scott notes, "consists of the symbolization of domination by demonstrations and enactments of power."[9] Such performances made the captive body the vehicle of the master's power and truth. What was demanded by the master was simulated by the enslaved. To "go before the master" required the enslaved to strike it up lively, or witness the beating, torture, and execution of fellow captives, or be subjected to necessary and gratuitous acts of punishments. A child's name might be changed on a whim or made the punchline of a joke to confirm that the slaveholder, not the parents, decided the child's fate, or the community forced to gather and listen intently as the gospel of slavery was recited with malice. The fulfillment of or compliance with these demands must be considered as pragmatism rather than resignation, since one either yielded or risked brutal punishment. It is difficult if not impossible to establish an absolute and definitive division between "going before the master" and other amusements. This accounts for the ambivalent pleasure afforded by such recreations. At the same time, these performances constituted acts of defiance conducted under the cover of nonsense, indirection, and seeming acquiescence. By virtue of such tactics, these performances were sometimes turned against their instrumental aims. The

reliance on masquerade, subterfuge, and indirection also obscured the small acts of resistance conducted by the enslaved. This opacity enabled them to flourish and made them illegible and uncertain.

After all, how does one determine the difference between dissemblance or "puttin' on ole massa"—the simulation of compliance for covert aims, the yes'm to death and destruction—and the grins and gesticulations of Sambo indicating the repressive construction of contented subjection? At the level of appearance, these contending performances often differed little. At the level of effect, however, they diverged radically. One performance aimed to reproduce and secure the relations of domination and the other to manipulate appearances in order to challenge these relations and create a space for action not generally available. Since acts of resistance exist within the context of relations of domination and are not external to them, they acquire their character from these relations, and vice versa. At a dance, holiday fete, or corn shucking, the line between dominant and insurgent orchestrations of blackness could be effaced or fortified in the course of an evening, either because the enslaved utilized instrumental amusements for contrary purposes or because surveillance necessitated cautious forms of interaction and modes of expression.

The simulation of agency and the enactment of willed submission unfolded along lines no less brutal in the domain of law, especially as it concerned matters of intimacy and sexuality. The rhetoric of seduction licensed sexual violence by ascribing power to the dependent, the subordinate, the servile, and the violated. Carnality and reciprocal desire eclipsed rape; consent was taken for granted, indifferent to force of compulsion. To act or to want was to assent to violence or invite punishment. How could the always wanting and always willing utter "no"? The conflation of coercion and consent underscores the limits of will and capacity in a state of extreme domination. In such circumstances, was it possible to experience a condition or

feeling "akin to freedom"? No one knew better the ambivalence of a free state than Harriet Jacobs. As she recounted in *Incidents in the Life of a Slave Girl*, the loophole of retreat is a space of freedom that is at the same time a space of captivity.[10] The difficulties experienced in trying to assume the role of the free and self-possessed individual prefigure the critique of emancipation advanced by the formerly enslaved.

The extended servitude of emancipation would trouble an absolute and certain divide between bondage and freedom. The constituent elements of slavery would endure despite the changes wrought by emancipation and the shifting registers of racial subjection. The duties and obligations that conscripted the masterless culminated in a new racial order no less brutal than the old regime. Notwithstanding the negative power of the Thirteenth Amendment, racial slavery was transformed rather than annulled. It was a state best described as "slavery in all but name."[11] Blackness recast in the guise of the wage laborer, contractual subject, blameworthy individual and (impaired) citizen refigured the relations of mastery and servitude. The shift from the legal-status ascriptions characteristic of the antebellum period to the regulatory power of a racial state obsessed with matters of blood, sexuality, population, and natural antipathy ultimately reproduced the status-race of chattel slavery. No less significant was the state-sanctioned and extrajuridical violence essential to the making of a "servile race" and disposable population. The encumbrances of emancipation and the unfree condition of the exslave, at the very least, lead us to reconsider the meaning of freedom, if they do not cast doubt on the narrative of progress.

A Note on Method

How does one tell the story of an elusive emancipation and a travestied freedom? Certainly, reconsidering the meaning of freedom

entails looking critically at the production of historical narratives, since the very effort to represent the situation of the subaltern reveals the provisionality of the archive as well as the interests that shape it and determine the emplotment of history. For example, the imperative to construct a usable and palatable national past certainly determined the picture of slavery drawn in the testimonies gathered by the Works Progress Administration, not to mention the hierarchical relations between mostly white interviewers and black interviewees. Bearing this in mind, one recognizes that writing the history of the dominated requires not only the interrogation of the governing narratives and the exposure of their contingent and partisan character but also the reclamation of archival material for contrary purposes. As Gayatri Spivak remarks, "The 'subaltern' cannot appear without the thought of the 'elite.'"[12] In other words, there is no access to the subaltern consciousness outside dominant representations or elite documents. This examination of the cultural practices of the enslaved is possible only because of the accounts provided by literate black autobiographers, white amanuenses, plantation journals and documents, newspaper accounts, missionary tracts, travel writing, amateur ethnographies, songbooks, government reports, et cetera. Because these documents are "not free from barbarism," I have tried to read them against the grain to write a different account of the past, while realizing the limits imposed by employing these sources, the impossibility of fully recovering the experience of the enslaved and the emancipated, and the risk of reinforcing the authority of these documents even as I try to use them for contrary purposes.[13]

The effort to "brush history against the grain" requires excavations at the margins of monumental history for the ruins of the dismembered past to be retrieved and turning to forms of knowledge and practice not generally considered legitimate objects of historical inquiry or appropriate or adequate sources for history making.

I attend to the cultivated silence, exclusions, and forms of violence and domination that engender the official accounts and listen for other sounds, the ways of knowing disguised as jargon and nonsense. The documents, fragments, and accounts considered here, although retrieved for purposes divergent from those for which they were gathered, nonetheless remain entangled with the violence of racial slavery and its afterlife. The effort to reconstruct the history of the dominated is often discontinuous with the prevailing accounts or official history, and it entails a struggle within and against the constraints and silences imposed by the nature of the archive—the system that governs the appearance of statements and generates social meaning.[14]

My interest in reading this material is twofold: in interpreting these materials, I hope to illuminate the practice of everyday life—specifically, tactics of resistance and refusal, modes of self-fashioning, and figurations of freedom—and to investigate the construction of the subject and social relations contained within these documents. This effort is enmeshed with the relations of power and dominance it strives to write against; it resists, complies with, and exceeds the official narratives of slavery and freedom. My reliance on the interviews conducted by the Works Progress Administration raises a host of problems regarding the construction of voice, the terms in which agency is identified, the dominance of the pastoral in representing slavery, the political imperatives that shaped the construction of national memory, the ability of those interviewed to recall what had happened sixty years earlier, the use of white interviewers who were sometimes the sons and daughters of former owners in gathering the testimony, and so on. The transcription of black voice by mostly white interviewers through the grotesque representation of what they imagined as black speech, the questions that shaped these interviews, and the artifice of direct reported speech when, in fact, these interviews were paraphrased

non-verbatim accounts make quite tentative all claims about representing the intentionality or consciousness of those interviewed, despite appearances that would encourage us to believe that we have gained access to the voice of the subaltern and located the true history after all.[15]

With all this said, how does one use these sources? At best with the awareness that a totalizing history cannot be reconstructed from these interested, selective, and fragmentary accounts and with an acknowledgment of the interventionist role of the interpreter, the equally interested labor of historical revision, and the impossibility of reconstituting the past free from the disfigurements of present concerns.[16] With all these provisos issued, these narratives, nonetheless, remain an important source for understanding the everyday experience of slavery and its aftermath. Bearing the aforementioned qualifications in mind, I read these documents with the hope of gaining a glimpse of black life during slavery and the postbellum period while remaining aware of the impossibility of fully reconstituting the experience of the enslaved. I don't try to liberate these documents from the context in which they were collected, but instead augment the surface of archival fragments and slave testimony to write histories at odds with the constellation of values undergirding racial slavery and regard the lives of the enslaved and the forms of practice created and enacted inside the enclosure. My attempt to read the archive against the grain is perhaps best understood as a combination of foraging and disfiguration—raiding for fragments upon which other narratives can be spun and transposing and deforming the testimony through selective quotation and amplification.

Of course, the WPA testimony is circumscribed and provisional, and it is characterized by lapses of forgetting, silences, and exclusions, but what sources are immune to such charges? John Blassingame has detailed the difficulties inherent in using the WPA

narratives because of the power differential between white interviewers and black interviewees, the editing and rewriting of these accounts, and the time lapse between the interview and the experience of slavery; yet he concedes that they are an important source of information about slavery.[17] I agree with Blassingame's assessment and would add that there is no historical document that is not interested, selective, or a vehicle of power and domination; and it is precisely the matter of power and domination that I bring to the fore in assessing everyday practices, both the restricted confines in which they exist and flourish and the terms in which they are represented. Besides, contemporaneous narratives and interviews are no less selective or partisan in their representations of slavery. The WPA testimony is an overdetermined representation of slavery, as are all of the accounts. The work of reconstruction and fabulation I have undertaken highlights the relation between power and voice and the constraints and closures that determine not only what can be spoken but also (the identity of) who speaks. My reading of slave testimony is not an attempt to recover the voice of the enslaved but an attempt to consider specific practices in a public performance of slavery that ranges from slaves on the auction block to those sharing their recollections decades later.[18] The gap between the event and its recollection is bridged not only by the prompting of interviewers, but also by the censored context of self-expression and the uncanny resonance between the dissemblance of the enslaved and the tactics of withholding aimed at not offending white interviewers and/or evading self-disclosure.

The effort to examine the event of emancipation is no less riddled with inescapable ironies, the foremost of these being the discontinuity between substantial freedom and legal emancipation. Inevitably one is forced to confront the discrepant legacy of emancipation and the decidedly circumscribed possibilities available to the freed. How does one adequately convey the double bind of emancipation—that

is, acknowledge the illusory freedom and travestied liberation that succeeded chattel slavery without gainsaying the minor triumphs of Jubilee? Certainly, one must contend with the enormity of emancipation as both a breach with slavery and a point of transition to what looks more like the reorganization of the plantation system than self-possession, citizenship, or liberty for the "freed." In the place of the grand narrative of freedom, with its decisive events and incontrovertible advances, I offer an account that focuses on the ambivalent legacy of emancipation and the undeniably truncated opportunities available to the freed. Lacking the certitude of a definitive partition between slavery and freedom, and in the absence of a consummate breach through which freedom might unambivalently announce itself, there is at best a transient and fleeting expression of possibility that cannot ensconce itself as a durable temporal marker. If periodization is a barrier imposed from above that obscures the involuntary servitude and legal subjection that followed in the wake of slavery, then attempts to assert absolutist distinctions between slavery and freedom are untenable. Fundamentally, such assertions involve distinctions between the transient and the epochal, underestimate the contradictory inheritance of emancipation, and diminish the reign of terror that accompanied the advent of freedom. Put differently, does the momentousness of emancipation as an event ultimately efface the continuities between slavery and freedom and occlude the dispossession inseparable from becoming a "propertied person"?

If one dares to "abandon the absurd catalogue of official history," as Édouard Glissant encourages, then the violence and domination perpetuated in the name of slavery's reversal come to the fore.[19] From this vantage point, emancipation seems a double-edged and perhaps obfuscating label. It discloses as well as obscures since involuntary servitude and emancipation were synonymous for a good many of the formerly enslaved. This is evidenced in "common-sense"

observations that black lives were more valuable under slavery than under freedom, that blacks were worse off under freedom than during slavery, and that the gift of freedom was a "hard deal." I use the term "common sense" purposely to underline what Antonio Gramsci described as the "chaotic aggregate of disparate conceptions" that conform with "the social and cultural position of those masses whose philosophy it is." It is a conception of world and life "implicit to a large extent in determinate strata of society" and "in opposition to 'official' conceptions of the world."[20] Common sense challenges the official accounts of freedom and stresses the similarities and correspondences of slavery and freedom. At a minimum, these observations disclose the disavowed transactions between slavery and freedom as modes of production and subjection.

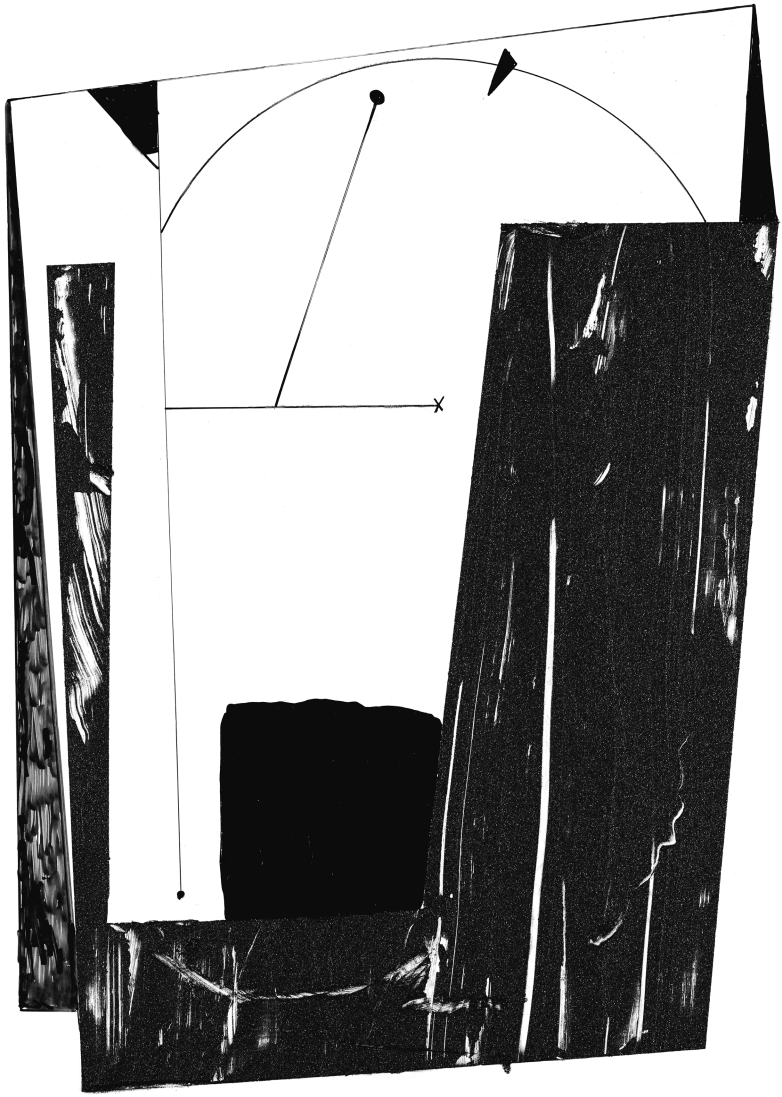
The abolition of chattel slavery and the emergence of man, however laudable, long awaited, and cherished, did not yield such absolute distinctions; instead fleeting, disabled, and short-lived practices stand for freedom and its failure. Everyday practices, rather than traditional political activity like the abolition movement, black conventions, the struggle for suffrage, and electoral activities, are the focus of my examination because I believe that these pedestrian practices illuminate inchoate and utopian expressions of freedom that are not and perhaps cannot be actualized elsewhere. The desires and longings that exceed the frame of civil rights and political emancipation find expression in quotidian acts labeled "fanciful," "exorbitant," and "excessive" primarily because they express an understanding or imagination of freedom quite at odds with bourgeois expectations. Paul Gilroy, after Seyla Benhabib, refers to these utopian invocations and the incipient modes of friendship and solidarity they conjure up as "the politics of transfiguration."[21] He notes that, in contrast to the politics of fulfillment, which operate within the framework of bourgeois civil society and occidental rationality, "The politics of transfiguration strives in pursuit of the sublime, struggling to repeat

the unrepeatable, to present the unpresentable. Its rather different hermeneutic focus pushes towards the mimetic, dramatic and performative." From this perspective, stealing away, the breakdown, moving about, pilfering, and other everyday practices that occur below the threshold of formal equality and rights gesture toward an unrealized freedom and emphasize the stranglehold of slavery and the limits of emancipation. In this and in other ways, these practices reveal much about the aspirations of the dominated and the contestations over the meaning of abolition and emancipation.

This intervention is an attempt to recast the past, guided by the conundrums and compulsions of our contemporary crisis: the hope for social transformation in the face of seemingly insurmountable obstacles, the quixotic search for a subject capable of world-historical action, and the despair induced by the lack of one. I hope that the instances of insurgency and contestation narrated herein and the relentless proliferation of small acts of resistance perhaps offer some measure of encouragement and serve to remind us that the failures of Reconstruction still haunt us. In part, it explains why the grand narratives continue to hold sway over our imagination. While I acknowledge history's "fiction of factual representation," to use Hayden White's term, I also recognize the political utility and ethical necessity of historical fiction. As Walter Benjamin remarked, "Only that historian will have the gift of fanning the spark of hope in the past who is firmly convinced that *even the dead* will not be safe if the enemy wins."[22]

Part I

FORMATIONS OF TERROR AND ENJOYMENT



unforeseen passage in the labyrinth of forms

I

Innocent Amusements

THE STAGE OF SUFFERING

> Innocent amusements, when under proper regulations and when partaken of with moderation, conduce to morality and virtue. . . . Negroes are naturally prone to gaiety, and I conceive it a duty to ourselves as well as them not to change this inclination in them, but rather to promote it by every prudent and allowable means.
>
> —Nicolas Herbemont, *On the Moral Discipline and Treatment of Slaves*

> Everything like rational enjoyment was frowned upon, and only those wild and low sports peculiar to semicivilized people were encouraged.
>
> —Frederick Douglass, *Life and Times of Frederick Douglass*

In an epistle to his brother, John Rankin illumined the "very dangerous evil" of slavery in a description of the coffle, detailing the obscene theatricality of the slave trade: "Unfeeling wretches purchased a considerable drove of slaves—how many of them were separated from husbands and wives, I will not pretend to say—and having chained a number of them together, hoisted over the flag of American liberty, and with the music of two violins marched the woe-worn, heart-broken, and sobbing creatures through the town."[1] Rankin, aghast at the spectacle and shocked by "seeing the most

oppressive sorrows of suffering innocence mocked with all the lightness of sportive music," decried: "My soul abhors the crime." The violation of domesticity, the parody of liberty, and the callous defiance of sorrow define the scene in which crime becomes spectacle. The "very dangerous evil" of slavery and the "agonizing groans of suffering humanity" had been made music.[2]

Although Rankin conceded that the cruelty of slavery "far exceed[ed] the power of description," he nonetheless strove to render its horrors. And in so doing, Rankin makes apparent that the crimes of slavery are not only witnessed but staged. Terms like "stage," "spectacle," and "scene" convey these horrors, and, more important, the "abominations of slavery" are disclosed through the reiteration of secondhand accounts and circulating stories from "unquestionable authorities" to which Rankin must act as surrogate witness. In the effort to "bring slavery close," these circulating reports of atrocity, in essence, are reenacted in Rankin's epistles. The grotesqueries enumerated in documenting the injustice of slavery are intended to shock and to disrupt the comfortable remove of the reader/spectator. By providing the minutest detail of macabre acts of violence, embellished by his own fantasy of slavery's bloodstained gate, Rankin hoped to rouse the sensibility of those indifferent to slavery by exhibiting the suffering of the enslaved and facilitating an identification between those free and those enslaved: "We are naturally too callous to the sufferings of others, and consequently prone to look upon them with cold indifference, until, in imagination we identify ourselves with the sufferers, and make their sufferings our own. . . . When I bring it near, inspect it closely, and find that it is inflicted on men and women, who possess the same nature and feelings with myself, my sensibility is roused" (56–57). By bringing suffering near, the ties of sentiment are forged. In letter after letter, Rankin strove to recreate this shared experience of horror in order to transform his slaveholding brother, to whom the

letters were addressed, as well as the audience of readers. In his letters, pain provides the common language of humanity; it extends humanity to the dispossessed and, in turn, remedies the indifference of the callous.[3]

The shocking accounts of whipping, rape, mutilation, and suicide assault the barrier of indifference, for the abhorrence and indignity roused by these scenes of terror, which range from the mockery of the coffle to the dismemberment and incineration of a slave boy, give rise to a shared sentience between those formerly indifferent and those suffering. So intent and determined is Rankin to establish that slaves possess the same nature and feelings as himself, and to demonstrate the common humanity of all men on the basis of this extended suffering, that he narrates an imagined scenario in which he, along with his wife and child, is enslaved. The "horrible scenes of cruelty that were presented to [his] mind" as a consequence of this imagining aroused the "highest pitch of indignant feeling." In this scenario Rankin speaks not only for, but literally in the place of the enslaved. By believing himself to be and by phantasmically becoming the enslaved, he creates the scenario for shared feelings:

> My flighty imagination added much to the tumult of passion by persuading me, for the moment, that I myself was a slave, and with my wife and children placed under the reign of terror. I began in reality to feel for myself, my wife, and my children—the thoughts of being whipped at the pleasure of a morose and capricious master, aroused the strongest feelings of resentment; but when I fancied the cruel lash was approaching my wife and children, and my imagination depicted in lively colors, their tears, their shrieks, and bloody stripes, every indignant principle of my bloody nature was excited to the highest degree. (56)