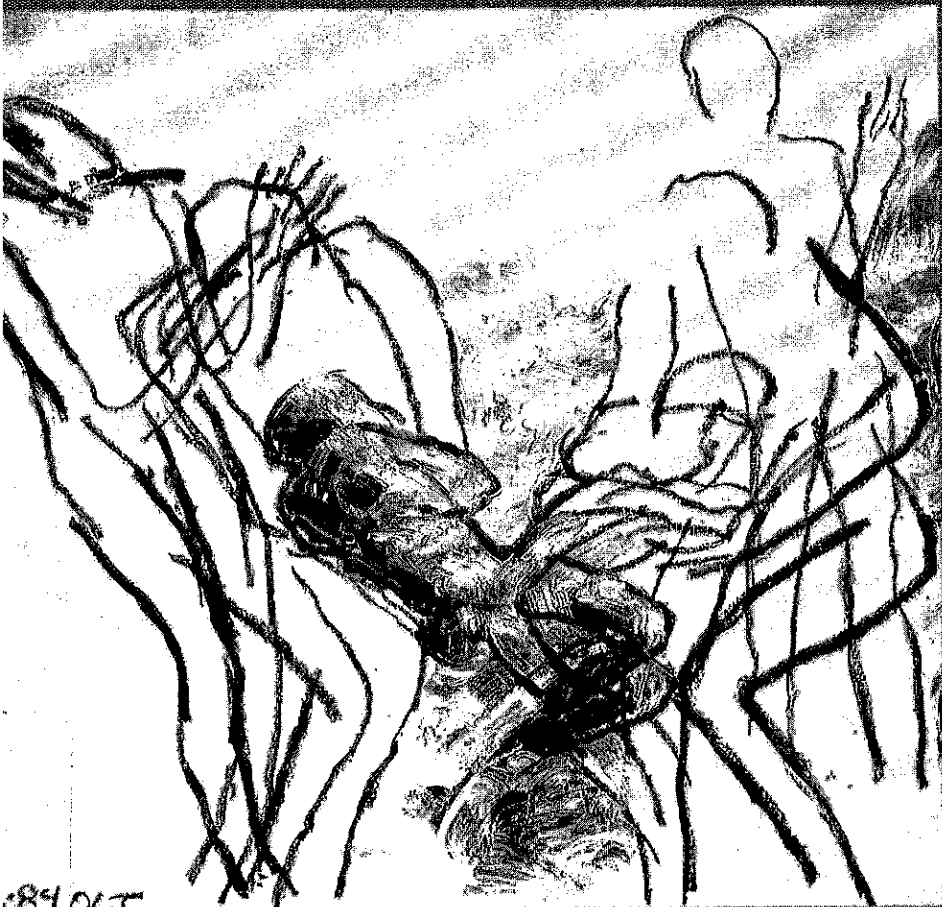


SCENES OF Subjection

TERROR, SLAVERY, AND SELF-MAKING
IN NINETEENTH-CENTURY
AMERICA



SAIDIYA V. HARTMAN

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ya V. Hartman

Scenes of **Subjection**

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IN NINETEENTH-CENTURY AMERICA

Saidiya V. Hartman

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Contents

Introduction 3

I FORMATIONS OF TERROR AND ENJOYMENT

1 Innocent Amusements: The Stage of Sufferance 17

2 Redressing the Pained Body: Toward a Theory of Practice 49

3 Seduction and the Ruses of Power 79

II THE SUBJECT OF FREEDOM

4 The Burdened Individuality of Freedom 115

5 Fashioning Obligation: Indebted Servitude
and the Fetters of Slavery 125

6 Instinct and Injury: Bodily Integrity, Natural Affinities,
and the Constitution of Equality 164

Notes 207

Selected Bibliography 255

Index 277

Scenes of Subjection

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 blood-stained gate is an inaugural moment in the formation of the enslaved. In this regard, 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; this is confirmed by the event’s placement in the opening chapter on genealogy.²

I have chosen not to reproduce Douglass’s account of the beating of Aunt Hester in order 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 immure 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 sufferance? 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

ie 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 in 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.

Therefore, 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. What concerns me here is the diffusion of terror and the violence perpetrated under the rubric of pleasure, paternalism, and property. Consequently, the scenes of subjection examined here focus on the enactment of subjugation and the constitution of the subject and include the blows delivered to Topsy and Zip Coon on the popular stage, slaves coerced to dance 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 treated 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 if 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 part of burden. While Moses detailed the outrages of slavery and highlighted the cruelty 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’ entitlement 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 entitlements 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. Thus in taking up the language of humanism, 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, 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.

Here 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, a submissive, culpable or criminal agent, or one possessing restricted capacities for self-fashioning) has been recognized as one of the striking contradictions of chattel slavery, the constitution of this humanity remains to be considered. In other words, 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. Similarly, the failure of Reconstruction generally has been thought of as a failure of implementation—that is, the state’s indifference toward blacks and unwillingness to ensure basic rights and entitlements sufficed to explain the racist retrenchment of the postwar period. I approach these issues from a slightly different vantage point and thus consider the outrages of slavery not only in terms of the object status of the enslaved as beasts of burden and chattel but also as they involve notions of slave humanity. Rather than declare paternalism an ideology, understood in the orthodox sense as a false and distorted representation of social relations, I am concerned with the savage encroachments of power that take place through notions of reform, consent, and protection. As I will argue later, rather than bespeaking the mutuality of social relations or the expressive and affective capacities of the subject, sentiment, enjoyment, affinity, will, and desire facilitated subjugation, domination, and terror precisely by preying upon the flesh, the heart, and the soul. 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.

Likewise, in considering the metamorphosis of chattel into man catalyzed by the abolition of slavery, I think it is important to consider the failure of Reconstruction not simply as a matter of policy or as evidence of a flagging commitment to black rights, which is undeniably the case, but also in terms of the limits of emancipation, the ambiguous legacy of universalism, the exclusions constitutive of liberalism, and the blameworthiness of the freed individual. Therefore I examine the role of rights in facilitating relations of domination, the new forms of bondage enabled by proprietorial notions of the self, and the pedagogical and legislative efforts aimed at transforming the formerly enslaved into rational, acquisitive, and responsible individuals. From this vantage point, emancipation appears less the grand event of liberation than a point of transition between modes of servitude and racial subjection. As well, it 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

In response to these questions, I contend that the recognition of the humanity of the slave did not redress the abuses of the institution nor 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 a guilty conscience. Put differently, I argue that 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; by the same token, the failures of Reconstruction cannot 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. For these reasons the book examines 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.

In exploring these issues, I do not intend to offer a comprehensive examination of slavery and Reconstruction or to recover the resistances of the dominated but to critically interrogate terms like "will," "agency," "individuality," and "responsibility." As stated previously, this requires examining the constitution of the subject by dominant discourses as well as the ways in which the enslaved and the emancipated grappled with these terms and strived to reelaborate them in fashioning themselves as agents. For these reasons, the scenes of subjection at issue here consider the Manichaean identities constitutive of slave humanity—that is, the sated subordinate and/or willful criminal, the calculation of humanity, the fabrication of the will, and the relation between injury and personhood. While the calibration of sentence and terms of punishment determined the constricted humanity of the enslaved, the abased and encumbered individuality of the emancipated resulted largely from the equation of responsibility with blameworthiness, thereby making duty synonymous with punishment. The enduring legacy of slavery was readily discernable in the travestied liberation, castigated agency, and blameworthiness of the free individual. By the same token, 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, and fanciful expressions

of freedom, all of which justified coercive labor measures and the constriction of liberties. Apparent here are the entanglements of slavery and freedom and the dutiful submission characteristic of black subjectivity, whether in the making and maintaining of chattel personal or in the fashioning of individuality, cultivation of conscience, and harnessing of free will.

In light of these concerns, part I examines a variety of scenes ranging from the auction block and the minstrel stage to the construction of black humanity in slave law. In this part, issues of terror and enjoyment frame the exploration of subjection, for calculations of socially tolerable violence and the myriad and wanton uses of slave property constitutive of enjoyment determine the person fashioned in the law and the blackness conjured up on the popular stage. Part II interrogates issues of agency, willfulness, and subjection in the context of freedom. In particular, it examines the liberal discourse of possessive individualism, the making of the contractual subject, and the wedding of formal equality and black subjugation. The period covered thus extends from the antebellum era to the end of the nineteenth century. Despite the amazing tumults, transitions, and discontinuities during the antebellum period, Reconstruction, and the Gilded Age, I feel this scope is justified by the tragic continuities in antebellum and postbellum constitutions of blackness. The intransigence of racism and the antipathy and abjection naturalized in *Plessy v. Ferguson* recast blackness in terms that refigured relations of mastery and servitude. Thus, an amazing continuity belied the hypostatized discontinuities and epochal shifts installed by categories like slavery and freedom.

The first chapter, "Innocent Amusements: The Stage of Sufferance," examines the role of enjoyment in the economy of chattel slavery. Specifically it considers enjoyment in regard to the sanctioned uses of slave property and the figurative capacities of blackness. In this chapter, I contend that the value of blackness resided in its metaphorical aptitude, whether literally understood as the fungibility of the commodity or understood 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 as well as for an exploration of terror, desire, fear, loathing, and longing.⁸ In examining the torturous constitution of agency and the role of feelings in securing domination, the chapter looks at popular theater, the spectacle of the slave market, and the instrumental amusements of the plantation. At these sites, the reenactment of subjection occurs by way of coerced agency, simulated contentment, and the obliteration of the other through the slipping on of blackness or an empathic identification in which one substitutes the self for the other.

In these instances, the exercise of power was inseparable from its display because domination depended upon demonstrations of the slaveholder's dominion and the captive's abasement. The owner's display of mastery was just as important as the legal title to slave property. In other words, representing power was essential to reproducing domination. As James Scott states, a significant aspect of maintaining relations of domination "consists of the symbolization of domination by demonstrations and enactments of power."⁹ These demonstrations of power consisted of

forcing the enslaved to witness the beating, torture, and execution of slaves, changing the names of slave children on a whim to emphasize to slave parents that the owner, not the parents, determined the child's fate, and requiring slaves to sing and dance for the owners entertainment and feign their contentment. Such performances confirmed the slaveholder's dominion and made the captive body the vehicle of the master's power and truth.

The innocent amusements and spectacles of mastery orchestrated by members of the slaveholding class to establish their dominion and regulate the little leisure allowed the enslaved were significant components of slave performance. Consequently, it is difficult, if not impossible, to establish an absolute and definitive division between "going before the master" and other amusements. Moreover, this accounts for the ambivalent pleasures afforded by such recreations. The vexed character of good times and the reelaboration of orchestrated amusements for other ends are the focus of the second chapter, "Redressing the Pained Body: Toward a Theory of Practice." In "going before the master," the enslaved were required to sing or dance for the slave owner's pleasure as well as to demonstrate their submission, obsequiousness, and obedience. What was demanded by the master was simulated by the enslaved; yet the capitulation of the dominated to these demands must be considered as pragmatism rather than resignation since one either complied with the rules governing socially sanctioned behavior or risked punishment. In addition, 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; at the same time, the reliance on masquerade, subterfuge, and indirection also obscured the small acts of resistance conducted by the enslaved. After all, how does one determine the difference between "puttin' on ole massa"—the simulation of compliance for covert aims—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. However, 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 willful submission in the domain of law are examined in the third chapter, "Seduction and the Ruses of Power." It contends that the rhetoric of seduction—the power ascribed to the dependent and the subordinate—deployed in the law licensed extreme acts of violation in the name of feelings, intimacy, and reciprocity rather than recognizing the influence of the weak. Issues of sexual violation and domination are the particular focus of the chapter, and in this regard, seduction is considered "a meditation on freedom and slavery" and willfulness and subjugation in the arena of sexuality.¹⁰ In effect, seduction is consid-

ered a story of intimacy and power that dissimulates the violence of the law and the violation of the enslaved. In exploring these issues, the chapter reads Harriet A. Jacobs's *Incidents in the Life of a Slave Girl, Written by Herself*, as an effort to deform the masterful rhetoric of seduction by positioning the "slave girl" as a willful agent determined to obtain freedom rather than her owner's affection and employing cunning and duplicity in the narrative. In this regard, the reversibility of seduction both legitimates violence and enables an enactment of rebellion and a usurpation of power in Jacobs's narrative.

Jacobs's narrative is also instructive regarding the issue of freedom. The critique of freedom exemplified by the loophole of retreat—a space of freedom that is at the same time a space of captivity—and the difficulties experienced in trying to assume the role of free and self-possessed individual prefigure the critique of emancipation advanced by former slaves in the postbellum context.¹¹ The entanglements of slavery and freedom underlined by Jacobs's continued servitude and vastly improved yet far from ideal condition are the central issues examined in the second half of the book. Part II focuses on the extended servitude of the emancipated, the fashioning of the obligated and blameworthy individual, and the injurious constitution of blackness. In this section I consider the changes wrought by emancipation and the shifting registers of racial subjection. Chapter 4, "The Burdened Individuality of Freedom," serves as an introduction to part II. Primarily it focuses on the legacy of slavery in the postbellum context and the instability and ambivalence of rights discourse. The fifth chapter, "Fashioning Obligation: Indebted Servitude and the Fetters of Slavery," extends this discussion by examining the contractual subject represented in pedagogical manuals for the freed. Basically, it contends that will and responsibility replaced the whip with the tethers of guilty conscience. Of particular interest are liberal notions of responsibility modeled on contractual obligation, calculated reciprocity, and, most important, indebtedness since debt played a central role in the creation of the servile, blameworthy, and guilty individual and in the reproduction and transformation of involuntary servitude.

Chapter 6, "Instinct and Injury: Bodily Integrity, Natural Affinities, and the Constitution of Equality," examines issues of rights, equality, and exclusion. Based upon the argument advanced in the preceding chapters regarding the entanglements of slavery and freedom, I maintain that the vision of equality forged in the law naturalized racial subordination while attempting to prevent discrimination based on race or former condition of servitude. What concerns me here are the corporeal politics spanning the divide between slavery and freedom—the bodily degradation of the African espoused in the majority opinion of *Dred Scott v. Sanford* by Judge Roger Taney (which Taney insisted excluded blacks from the "person" of the Constitution imagined by the founding fathers and was sufficient reason for their continued exclusion) and the feared loss of white bodily integrity that upheld the separate-but-equal doctrine in *Plessy v. Ferguson*. I argue that *Plessy* exemplifies the corporeal anxieties of the liberal order and illuminates the double bind of equality and exclusion that distinguishes modern state racism from its antebellum predecessor rather than simply providing an instance of the dismantling of the civil rights agenda legislatively enacted in the years 1865–1875. Thus this reading does not consider *Plessy v. Ferguson* an aberration of liberal ideals but rather a striking

example of the commonplace—the wedding of equality and exclusion in the liberal state. Of signal importance in *Plessy* are the strategies of disavowal that remove the state from the domains that it in effect constitutes, the primacy granted to affect in determining the scope and enjoyment of rights and the duties of the state, and the reinscription of degradation in the elaboration of the separate-but-equal doctrine.

In short I argue that despite the shift from the legal-status ascriptions characteristic of the antebellum period, the emphasis on the blood, sexuality, and commingling in postemancipation racial discourse ultimately refigured the status-race of chattel slavery. Here again, sentiment sanctions black subordination because affinity and desire ultimately eclipse equality. While the inferiority of blacks was no longer the legal standard, the various strategies of state racism produced a subjugated and subordinated class within the body politic, albeit in a neutral or egalitarian guise. Notwithstanding the negatory power of the Thirteenth Amendment, racial slavery was transformed rather than annulled. As suggested earlier, this transformation was manifested in debt-peonage and other forms of involuntary servitude that conscripted the newly emancipated and putative free laborer, an abiding legacy of black inferiority and subjugation, and the regulatory power of a racist state obsessed with blood, sex, and procreation. The encumbrances of emancipation and the fettered condition of the freed individual, 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 thereby 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 dominant 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. Accordingly, this examination of the cultural practices of the dominated 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, government reports, et cetera. Because these documents are “not free from barbarism,” I have tried to read them against the grain in order 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

ing 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 in order that the ruins of the dismembered past be retrieved, turning to forms of knowledge and practice not generally considered legitimate objects of historical inquiry or appropriate or adequate sources for history making and attending to the cultivated silence, exclusions, relations of violence and domination that engender the official accounts. Therefore the documents, fragments, and accounts considered here, although claimed for purposes contrary to those for which they were gathered, nonetheless remain entangled with the politics of domination. In this regard, the effort to reconstruct the history of the dominated is not discontinuous with dominant accounts or official history but, rather, is 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, modes of self-fashioning, and figurations of freedom—and to investigate the construction of the subject and social relations contained within these documents. Consequently, this effort is enmeshed with the relations of power and dominance that it strives to write against; in this regard, it both resists and complies with 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 informed 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 construction 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 transcribed 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 do try to exploit the surface of these accounts for contrary purposes and

to consider the form resistance assumes given this context. My attempt to read 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 misshaping and deforming the testimony through selective quotation and the amplification of issues germane to this study.

Of course the WPA testimony is interested, provisional, and 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 sources 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; nonetheless he concedes that they are an important source of information about slavery.¹⁷ I agree with Blassingame's assessment and would also add that there is no historical document that is not interested, exclusive, or a vehicle of power and domination, and it is precisely the latter that I am trying to bring to the fore in assessing everyday practices, the restricted confines in which they exist, and the terms in which they are represented. Besides, contemporaneous narratives and interviews are no less selective in their representations of slavery. The WPA testimony is an overdetermined representation of slavery, as are all of the accounts. Therefore, the work of reconstruction and fabulation that 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. In so many words, I approach issues of subjectivity and agency by examining the possibilities and constraints of various practices from performance to the rhetorical strategies of law. Again, 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 encompasses the slave on the auction block and those sharing their recollections decades later.¹⁸ In this regard, 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 resemblance between "puttin' on ole massa" 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 by 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. In short, how does one adequately render the double bind of emancipation—that is, acknowledge the illusory freedom and travestied liberation that succeeded chattel slavery without gainsaying the small 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 the forms of involuntary servitude that followed in the wake of slavery, 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 the dispossession inseparable from becoming a "propertied person"? If one dares to "abandon the absurd catalogue of official history," as Edouard 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 In this case, common sense challenges the official accounts of freedom and stresses the similarities and correspondencies 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, fail to 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, electoral activities, et cetera, 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 that 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 unrepresentable. 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 infrapolitics of the dominated and the contestations over the meaning of abolition and emancipation.

The intervention made here 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. In this regard, it is hoped that the instances of insurgency and contestation narrated herein and the relentless proliferation of small acts of resistance perhaps offer some small measure of encouragement and serve to remind us that the failures of Reconstruction still haunt us, which in part explains why the grand narratives continue to hold sway over our imagination. Therefore, 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 ONE

Formations of Terror and Enjoyment