

2 Claims to Freedom: Private Property and the New World Liberal Subject

[Routing the Argument] The chapter examines a paradigmatic selection of texts from the archive of the late seventeenth-century English Atlantic. These are: John Locke's *Two Treatises of Government* (1689), which will be the focus of my discussion and which I will read in tandem with "The Fundamental Constitutions of Carolina" (1669), which Locke co-wrote; and the "The Germantown Friends' Protest Against Slavery" (1688). By way of revisiting these texts, I seek to show how the New World's liberal subject is constituted in these paradigmatic writings through notions of ownership; how, in other words, concepts of freedom and individuality manifest themselves in these writings over and against the systems and practices of New World chattel slavery. The subject of these texts is the white liberal Human, who "establishes, maintains, and renews" (Wilderson, *Red* 11) its existence and its liberty in the modern Western world vis-à-vis the sentient being of the slave. Private property – here conceptualized as the ability to own one's own self as well as enslaved others – is that which creates the ground on which the liberal subject's claims to freedom in the New World are made. It also is the *structural* ground on which relationality between *subjects* is created. As I work my way through these paradigmatic texts and the twentieth- and twenty-first century critical discourses on them, I conceptualize the intricate connection between freedom and bondage as the property paradigm.

The need to establish difference stemmed not only from the Old World but from a difference in the New. What was distinctive in the New was, first of all, its claim to freedom and, second, the presence of the unfree within the heart of the democratic experiment – the critical absence of democracy, its echo, shadow, and silent force in the political and intellectual activity of some not-Americans. The distinguishing features of the not-Americans were their slave-status, their social status – and their color.

– Toni Morrison, *Playing in the Dark*

Generally, property is divided into two major areas: realty and personalty. Realty is land, whereas personalty is possessions—for instance, jewelry, money, furniture, or (formerly) slaves.

– qtd. in Patrice D. Douglass, "The Claim of Right to Property"

2.1 Introduction

Ideals of private property are central to the making of Western modernity. The multi-faceted concept of private property not only "references the things that

are owned, as in common usage, but also a social system in which the right and ability to own are protected by the state” (Hong 180). Within a Western liberal context, that is, private property has become “the basis for making claims of natural rights and political liberties” (Graeber 35). Private property needs to be understood as a “powerful metaphor for existence in a liberal social framework [...] its reach is not only material and political, but also cultural and symbolic” and, as such, property affects “knowledge, social interactions, notions of law, and concepts of the self” (Davies 7, 24). Famously, John Locke “named property as a system that produces a subject defined through its ability [...] not simply to own but, first and foremost, to own itself” (Hong 181). As philosophers, political scientists, as well as legal scholars have shown with respect to the history of the United States, moreover, class, gender, sexual, and racial hierarchies have been elaborated and shaped by configurations of property from the very beginning (see e.g., Harris, “Whiteness”; Hong; J. Morgan, “*Partus*,” “Archives”).

The chapter revisits a paradigmatic selection of texts from the archive of the late seventeenth-century English Atlantic for the ways in which they employ private property as a means to constituting the liberal subject and its claim to freedom and/as (self-)possession. In doing so, I build towards the study’s overall argument that Toni Morrison’s novel *A Mercy* fundamentally interrogates the complex entanglements between individual liberty, slavery, and private property. In thus investigating the intricate connections between private property and (white) self-making, *A Mercy* breaks new critical ground on which to think about, confront, and dismantle those affiliations on the literary level of representation. The function of the chapter, in other words, is to delineate a conceptual frame in which Enlightenment tenets like freedom, subjectivity, and citizenship have taken center stage. As I will show in the third chapter of the study, *A Mercy* interrogates, decodes, and dismantles this frame as actually being specifically and exclusively about white freedom and self-making.

I will discuss John Locke’s *Two Treatises of Government* (1689); “The Fundamental Constitutions of Carolina” (1669); and the “The Germantown Friends’ Protest Against Slavery” (1688). The main emphasis in my discussion of these texts will be on Locke’s *Two Treatises*, which I will discuss in a first step. Fundamentally, Locke’s ideas on ownership and possession put forth in the *Two Treatises* remain an important point of reference for many conceptualizations of (exclusive) private property as well as for critical discourses on such ideas until this day (Graeber; Hong; Rose). Following political theorist Crawford Brough Macpherson, Locke was “the first to make a case for property of *unlimited amount* as a *natural* right of the individual, prior to governments and overriding them” (Macpherson, *Property* 15; see also Macpherson, *Political Theory*). He thus laid the conceptual foundation for the by now common definition of the liberal indi-

vidual's inherent capacity for self-possession. My analysis of the *Two Treatises* is two-fold: First, I engage with the ways in which philosophers and political scientists, among others, have made sense of the intricate relationship between Locke's ideas of private property and his thoughts on slavery as configured in the *Two Treatises*. I then confront these discussions with a reading of the *Two Treatises* that critically looks at how Locke conceptualizes white liberal subjectivity in/for the New World. I supplement this reading with a brief discussion of "The Fundamental Constitutions of Carolina" (1669), the original draft of which Locke co-wrote (Hinshelwood 567). In a second step, I will turn to the third and final text to be examined in the chapter: the "Germantown Friends' Protest Against Slavery." Issued in 1688, this document presents an early moment in the development of Quaker antislavery discourse. My reading of the "Protest" is located at the fault line between, on the one hand, the text's antislavery impetus and, on the other, its situatedness in white practices of enslavement. As I hope to show, the text bears witness to an understanding of the value of whiteness at the New World colonial scene and thus speaks to the notion, pushed by Critical Race theorists and legal scholars such as Cheryl I. Harris and Derrick A. Bell, Jr., that whiteness and private property are in fact mutually constitutive categories (see also Hartman, *Scenes*; Hong, Lipsitz; Wilderson, *Red*).

My reading is geared towards showing how notions of private property provide the philosophical conditions for the white liberal subject to emerge in these seventeenth-century texts and that chattel slavery and the regimes of property subtended by it constitute the fertile economic, social, cultural, and political ground for this kind of coming into being. Scholars of slavery and of Western modernity have long argued that "[m]odernity's enabling fiction has been to see itself grounded in an advocacy of universal freedom for humankind" that was defined against slavery (Broeck, "Never" 241). As Hong has it, if "property becomes the basis for freedom, defined as the ability to exercise one's will in the absence of the influence of others, this definition of freedom needs an antithesis—enslavement" (182). Inscribing this configuration "far beyond their own historical and geographical moment," moreover, the writings under scrutiny here need to be understood as part of a tradition of texts that would "[marginalize] the foundational function of slave trading/holding, mark[ing] it as a peripheral aside of state- and nation-building, and consequently instrumentaliz[ing] the notion of 'slavery' as an abstraction, as a useful foil" (Broeck, "Never" 241) for their own "claims to freedom" (Morrison, *Playing* 48). As one historian and philosopher aptly summarizes:

By the eighteenth century, slavery had become the root metaphor of Western political philosophy, connoting everything that was evil about power relations. Freedom, its conceptual

antithesis, was considered by Enlightenment thinkers as the highest and universal political value. Yet this political metaphor began to take root at precisely the time that [...] slavery [...] was increasing quantitatively and intensifying qualitatively to the point that by the mid-eighteenth century it came to underwrite the entire economic system of the West[.] (Buck-Morss 821)

In recent Black Studies discourses, “the violence and dishonor and disaffiliation constitutive of enslavement and the radical breach introduced by the Middle Passage” continue to structure the status of freedom as ambiguous, past and present (Hartman, *Scenes* 72). By this route, in the post-Emancipation world “the roots of freedom [are] located in slavery and the meaning of freedom was/[is] ascertained by its negation” (172). In what follows, my thinking is influenced by and indebted to such post-slavery (as defined in the introduction to this study) scholarship on this inversion, which has opened critical epistemologies of white Western modernity and continues to confront its liberal subject. As one articulation of these trajectories, Afropessimism pushes any critical engagement of private property (and, by extension, of Western civil society more generally) towards an analysis on a structural plane.²³ In contrast to Marxist theorizations of private property that have tended to discuss property primarily in relation to rights or entitlements to something, which describe the social relationship between proprietors²⁴, Afropessimism focuses attention on a different kind of relationality, or non-relationality, that the property concept entails: namely, that the regimes of violence subtended by the Middle Passage create a relational void for the slave (Wilderson, *Red* 18). In *Red, White, and Black: Cinema and the Structure of U.S. Antagonisms*, Wilderson explains why a Marxist framework can neither account for the slave’s status in the world nor for slavery’s violent positioning power. Following Wilderson’s critique of Marxism, the worker “labors in the market or sells [their] labor as commodity [and they] can claim to be alienated and exploited in the process of producing the commodity” (Weier, “Consider” 422). In contrast to the slave, who is “the commodity itself,” the worker is able to “reclaim a reformation of the modes of production as a solution to [their] conflict with civil society” (422). In other words, the worker, while being exploited and alienated, is still able to claim rights to ownership, both of themselves and of other things and commodities. Wilderson goes on to tell us that the worker’s “essential inca-

²³ I will discuss Afropessimism’s premises and interrogation of white Western modernity in more detail in the next chapter.

²⁴ Wesley N. Hohfeld in “Some Fundamental Legal Conceptions as Applied in Judicial Reasoning” was first in pushing conceptualizations of private property towards the realm of the social at the beginning of the twentieth century. See also Macpherson, *Property, Political Theory*; Rose.

capacity (powers which cannot accrue to the worker, suffering as exploitation and alienation) is the essence of capacity, life itself, when looked at through the eyes of the Slave” (*Red* 8). For the enslaved, the violence of slavery fundamentally positions through the modalities of “accumulation and fungibility,” which create an *absence* of relationality (59). We continue reading:

It is sad, in a funny sort of way, to think of a worker standing in the same relationship to the sellers of goods as any other buyer, simply because his use-value can buy a loaf of bread just like the capitalist’s capital can. But it is frightening to take this ‘same relationship’ in a direction that Marx does not take it: If workers can buy a loaf of bread, they can also buy a slave. (13)

The implications of this in thinking about private property are two-fold, at least: First, the above suggests that to think about private property as social relationality means to think about “a proletariat who ‘stands in precisely the same relationship’ to other members of civil society due to their intramural exchange in mutual, possessive possibilities, the ability to own either a piece of Black flesh or a loaf of white bread or both” (13). Second, the relational void created by slavery opens up precisely the white subject’s ‘possessive possibilities.’ That is, the non-relationality of the Black ‘sentient being’ needs to be understood to create the relationality between different subjects of property in the first place (11, 41). In what follows, I conceptualize this nexus of proprietorial configurations of selfhood, freedom, and slavery – the intricate connections between freedom and bondage – as the property paradigm in my readings.

2.2 John Locke’s *Two Treatises of Government* (1689): Critical Contexts

Ever since the first edition of Locke’s *Two Treatises* was published at the end of the seventeenth century, the book has inspired dynamic intellectual debate on questions of government, sovereignty, political power, civil society, as well as the form and function(s) of private property (Laslett).²⁵ Since World War II,

²⁵ Peter Laslett furthermore notes in his introduction to the *Two Treatises*: “It has been printed over a hundred times since the 1st edition appeared with the date 1690 on the titlepage. It has been translated into French, German, Italian, Russian, Spanish, Swedish, Norwegian, Hebrew, Arabic, Japanese and Hindi: probably into other languages too. It is an established classic of political and social theory, perhaps not in the first flight of them all, but familiar to eight generations of students of politics all over the world, and the subject of a great body of critical literature” (3).

these debates have largely taken place across different fields and disciplines, such as political science, philosophy, the study of history, as well as, more recently, (comparative) literary studies.²⁶ In general, political theorists and philosophers have in the second half of the twentieth century been concerned with developing approaches to Locke's writings that focus both on the text itself as well as on its historical context (see e.g., Harpham; Kelly, *Reader's Guide*, "Reception"; Rogers; Stanton; Woolhouse and Stanton). Research on the concept of private property in Locke's *Two Treatises* encompasses numerous approaches, "show[ing] a confusing variety of often contradictory accounts of [the] genesis [of Locke's ideas on property, and their] meaning and status within his political and moral philosophical thought" (Stapelbroek 201). For instance, a dominant strand of the scholarship on the meaning of Locke's ideas of private property focuses on questions regarding the composition and dating, as well as the historical context of the text, for Locke scholars have often struggled to relate the fifth chapter of the *Second Treatises*, which is entitled "Of Property" and in which Locke elaborates on his views on private property, to the remainder of the *Treatises* (Laslett 59–66; Stapelbroek 201).

The chapter's focus on liberal individualism and its (propertied) subject as theorized in the *Two Treatises* does not permit any further thorough reconstruction of the reception history of Locke's work and the various co-existing interpretative frameworks within this history. Instead, in the context of my argument I restrict myself to re-visiting critical engagements of Locke's conceptualizations of private property with an eye to the reciprocal relationship between Western liberalism, colonialism, and slavery in the *Treatises*. That is, while twentieth-century Locke scholarship has often focused on reading Locke's *Two Treatises* in its domestic context (e.g., Woolhouse and Stanton), political scientists and philosophers have increasingly taken the historical context of English colonial and economic expansion into consideration in their readings since the 1990s (e.g., Arneil, "Trade"; Mishra).²⁷ At the heart of this line of inquiry is Locke's relationship with the American colonies, which James Tully brought to the scholarly scene with the publication of his study *An Approach to Political Philosophy: Locke in Contexts* in 1993.²⁸ More recently, the academic interest in questions

²⁶ Political scientist Edward J. Harpham traces the main trajectories of twentieth-century scholarship on the *Two Treatises* in his field in *John Locke's Two Treatises of Government: New Interpretations*. For feminist readings of John Locke's writings, see e.g. Hirschmann and MacClure.

²⁷ David Armitage in "John Locke, Carolina, and the 'Two Treatises of Government'" summarizes the main – and often opposing – positions of this research trajectory.

²⁸ For a rebuttal of Tully's arguments and a perspective that sees "America belong[ing] only at the margins of [Locke's] main concerns in the *Two Treatises*," see Buckle (274).

about the alliance between Locke's writings and English colonial investments has shown in scholarly efforts to juxtapose conventional readings of the *Two Treatises* with interpretations of "The Fundamental Constitutions of Carolina" (1669). David Armitage, for instance, zooms in on Locke's active role in the drafting of the "Fundamental Constitutions" and argues that Locke was working on the fifth chapter of the *Second Treatises* at the same time that he was revising the "Fundamental Constitutions" in 1682 (602). For Armitage, this suggests that "there was an immediate and identifiable colonial context that contributed to [Locke's] distinctive theory of property" and that, subsequently, the arguments made in his famous fifth chapter were strongly influenced by "the hold the master-slave relationship had over his political imagination" (602, 619).

Marxist Critiques of John Locke's *Two Treatises*

Before continuing my discussion of this strand of Locke scholarship, I need to spend some time addressing C. B. Macpherson's influential study *The Political Theory of Possessive Individualism*, which was published in 1962.²⁹ As mentioned earlier, Macpherson suggested that the seventeenth-century political theories of John Locke, among others, largely attributed a "possessive quality" to the modern individual (*Political Theory* 3). While not explicitly interested in the affiliation of slavery and liberalism in Locke's work, I invoke Macpherson's Marxist perspective on modern political society, which he theorized as being fundamentally shaped by 'possessive individualism,' as one of the first, if not the most influential twentieth-century critique of Locke's *Two Treatises* from the academic, political Left. Although not all critical readings of Locke's views on modern individualism have overtly committed themselves to his Marxist agenda, Macpherson's arguments have "never been seriously challenged" (Graeber 36; cf. also Greeson, "American Enlightenment," "Prehistory"). As such, his work here not only stands as paradigmatic for Marxist analyses of Locke's book but also as a watershed in the critical evaluation of the function of property in Locke's *Two Treatises*.

In his study, Macpherson contended that the *Two Treatises* fundamentally were not only about exclusive private property but also about the claims and rights – most notably the right to one's own self – that the modern individual

29 For critiques of Macpherson's arguments see generally, for instance, Broeck, "Never"; Pocock; Tully, *Approach, Discourse*.

gained precisely through the modalities of possession (*Political Theory* 1). This individual essentially becomes

the proprietor of his own person or capacity, owing nothing to society for them. The individual was seen neither as a moral whole, nor as part of a larger social whole, but as an owner of himself. The relation of ownership, having become for more and more men the critically important relation determining their actual freedom and actual prospect of realizing their full potentialities, was read back into the nature of the individual. *The individual, it was thought, is free inasmuch as he is proprietor of his person and capacities.* The human essence is freedom from dependence on the wills of others, and freedom is a function of possession. (*Political Theory* 3; emphasis mine)

Macpherson thus asserts that Locke puts “a natural individual right to property [at the center of] his theory of civil society and government” (198). Drawing from this proposition, Locke’s labor-based theory of private property and its appropriation spoke to emergent capitalist market relations (204–238). Macpherson argues that the notion of property in the *Two Treatises* and in Locke’s version of political society is closely knit to questions concerning “class differentials” and that property of land or goods constitutes one of the fundamental assumptive logics of his thought (221–238). Only those individuals who own that kind of property will have the capacity to fully participate in Locke’s version of political society: “Not every proprietor of land is necessarily a full member of the society but every full member is assumed to be a proprietor of land” (250). Macpherson ultimately claims that Locke’s views on both modern individualism and civil society “[consist] of relations of exchange between proprietors. Political society becomes a calculated device for the protection of this property and for the maintenance of an orderly relation of exchange” (3).

However, while Macpherson’s reading of Locke’s text crucially points to the fact that it was the right to self-ownership and private property, which gave the modern individual its inherent freedom – with freedom becoming a “function of possession” – it fails to account for the notion that Locke did not refer to all human beings in the same way in thinking about the modern (self-)possessing individual. This comes to the fore if we consider Locke’s conceptualizations of private property in relation to the systems of (settler) colonialism and slavery in the New World. Importantly, Broeck draws our attention to this when she argues that what is missing from Macpherson’s otherwise crisp analysis of Locke’s text is “the factor of New World slavery that constituted a particular group of humans as exterior to [the above] ‘exchange of equals’ in that they were turned, by force of the violence of European ‘equals,’ into the ‘exchanged’ objects of European equality” (“Never” 239). In other words, even though Macpherson’s study critically re-visits Locke’s *Two Treatises* within the historical context of English

seventeenth-century political theory and political practice (1), his Marxist framework does account for Atlantic slavery as a fundamental precept of Western modernity and its possessing subject. (I will come back to this in my own reading of the *Two Treatises* below).

***Two Treatises* and Atlantic Slavery**

I return now to the above debates on the intricate connections between liberalism, slavery, and colonialism in the *Two Treatises* in order to link those to the “possessive nature” (Macpherson, *Political Theory*) of Locke’s liberal subject. As mentioned before, Locke scholars have become more and more interested in the manifestations of these conceptual confluences in Locke’s thought—especially so in the wake of post-colonial criticism’s entry into the academic landscapes of the global Northwest in the late 1980s and early 1990s. That is also to say that alongside this general interest in the colonial affiliations of Locke’s writings, the debate has shifted to, and continues to revolve around, questions concerning the uses of the concept of slavery and the proclamation of universal individual liberty in Locke’s thought (Bernasconi and Mann; Dunn; Farr, *Natural Law*, “So Vile”; Glausser; Hinshelwood; Welchman; Uzgalis, “Locke’s Legacy”). There is, in other words, a keen and ongoing interest in the notion that Locke, as an historical figure, was actively involved not only in many of the English colonial affairs in the New World on an administrative level but also in the trading of African slaves, for example through his monetary investments in the Royal Africa Company (Bernasconi and Mann 89; Glausser 200–204; Welchman 71–74).³⁰ More often than not, critics and readers of Locke’s work have struggled to reconcile these historical facts and Locke’s views on slavery with his political arguments on universal liberty. That is, they have conceived of this seeming inconsistency between Locke’s factual involvements in the transatlantic slave trade, on the one hand, and his groundbreaking conceptualizations of universal freedom, on the other, as an irresolvable paradox. Within the realm of philosophy, as Jennifer Welchman points out, the response to the questions raised by the ‘incongruity’ of Locke’s conduct and his ideas has typically been that they are “of merely historical interest and that consequently, it is for historians, rather

30 As early as the 1960s, Peter Laslett “connected Locke to new world slavery” when he published the definite edition of the *Two Treatises* (Farr, *Natural Law* 495–496; see also Arneil, “Trade,” *John Locke and America*). Another important study from the 1960s is David Brion Davis’s *The Problem of Slavery in Western Culture*, which was published in 1966 and in which Davis argues that Locke sought to justify chattel slavery in the *Two Treatises* (118–121).

than philosophers, to try to answer them. How as a matter of fact a philosopher comes [...] to advance the arguments he or she advances is entirely irrelevant to their critical evaluation" (68). Consequently, "the very facts that would seem to convict Locke of gross moral and/or philosophical turpitude," as Welchman continues to explain, "have been made the basis of ingenious reconstructions" of Locke's uses of slavery in the *Two Treatises* (69). In this context, Bernasconi and Mann explicitly point to the long history of the "attempt to reconcile Locke's involvement in the slave trade with his reputation as a philosopher of liberal freedom" (89). Because such attempts were already made in the early eighteenth century, they "cannot simply be dismissed as the product of the recent fashion for so-called political correctness, as some academics want to do" (Bernasconi and Mann 89). In other words, these reconstructions continue to provide a platform for lively debate, with the most prominent positions of this debate either claiming that Locke sought to justify chattel slavery in the New World or firmly rejecting the notion that Locke sought to defend slavery in his text and arguing instead that Locke's (rhetorical) use of the notion of slavery in his text to be geared towards opposing absolutist monarchical rule (Farr, *Natural Law*; Glausser). Another attempt at dealing with Locke's uses of the notion of slavery in the *Treatises* has recently been made by political theorist Brad Hinshelwood. In his "The Carolinian Context of John Locke's Theory of Slavery," Hinshelwood responds to these long-standing debates by claiming that the colony of "Carolina is in fact the focus of Locke's theory of slavery" (565). Reconstructing the *Treatises'* uses of the notion of slavery against the backdrop of Locke's active involvement in the drafting of the "Fundamental Constitutions," Hinshelwood suggests that the *Treatises* in fact discuss the enslavement of American Indians in this context (564). In this way, Hinshelwood follows in the steps of other political scientists walking down this explanatory route, like James Tully, who as early as 1993 speculated that Locke's theory and use of slavery in the *Treatises* "may also refer to Amerindian slavery" (*Approach* 143–144).³¹

31 Another paradigmatic example is Barbara Arneil's study *John Locke and America: The Defence of English Colonialism*, which sets out to shed light on the "role of America and its aboriginal population in Locke's political theory which has been largely overlooked in previous scholarship on the *Two Treatises*" (2). Arneil's work shows painstaking attention to colonial detail, as she looks at the colonial discourses within which Locke wrote the *Two Treatises* and examines how these discourses manifest themselves in his ideas of private property (132–167; see also Arneil, "Trade"). However, despite this explicit focus on the substantiations of English colonial discourse in Locke's text, Arneil significantly does not contemplate Atlantic slavery in her study. For discussions on John Locke and Indigenous peoples in his thinking, see generally Miura and Squadrito.

While this research focus pinpoints the ways in which settler colonialism and Indigenous dispossession figure in Locke's text, however, this line of critical inquiry effectively subdues Atlantic slavery as a crucial element of Locke's configurations of private property and/as the basis of white liberal subjectivity. In this endeavor I follow Sabine Broeck, who in "'Never Shall We *Be* Slaves': Locke's *Treatises*, Slavery, and Early European Modernity" contextualizes the *Treatises* "as one of the discursive moments of early modernity, which *actually legitimize the slave trade*" (238, 243; emphasis mine).³² Both reflecting on and criticizing Locke criticism's previous engagements of the reciprocal relationship between Locke's modern individualism and English colonialism and Atlantic regimes of slavery, Broeck argues that it is the simultaneity – rather than the alleged contradiction – of chattel slavery and (bourgeois European) white liberty that needs to be foregrounded in any critical reading of Locke's text and its New World colonial context.³³ Broeck contends that Locke employs the notion of slavery in the *Treatises* not to reflect on chattel slavery in the New World but as a rhetorical tool with which to think about the bourgeois individual's emancipation from feudal rule: "Generations of critics have looked past the fact that when Locke speaks about 'slavery' – as the opposite of 'liberty' – he does not allude to actual New World chattel labor" (244). Instead, the notion of slavery becomes "in [Locke's] rhetorical repertoire [...] a signifier for the oppression of free gentlemen, and thus an indispensable move to define 'liberty'" (244).³⁴ In Locke's argument, that is, slavery functions "as the most effective signifier to attack what free Englishmen see as oppression of their rights" (237), or, to echo Buck-Morss again, a powerful metaphor that indexes "everything that was evil about power relations" (821). In Locke's formulation, then, the "the rebuttal of 'slavery' [...] had nothing to do with a universal rejection of slavery, but on the contrary, became a motor of the Atlantic slave trade *and* of early modern bourgeois emancipation in tandem" (Broeck, "Never" 237).

32 Similarly, Welchman has expanded on well-established interpretations of the *Two Treatises* by drawing attention to the transatlantic slave trade and the ownership of slaves as the essential context of the text's production. More recently, Shilliam has endeavored to make a similar argument as he shifts attention to a global vision of coloniality in Locke's *Two Treatises*.

33 Sibylle Fischer has recently made a similar argument in her essay "Atlantic Ontologies: On Violence and Being Human." Fischer notes, "Rather than seeing Locke as equivocating and disavowing knowledge he had (a critical reading that post hoc insulates his political theory against any infection from his view on slavery,) it makes more sense to think of Locke devising a political theory that actually responds to the realities of Atlantic slavery."

34 Farr rightly acknowledges this but fails to acknowledge the colonial context of transatlantic slavery as an important referential horizon of Locke's text (cf. *Natural Law*, "So Vile").

Before turning to my own re-reading of the *Two Treatises* in the next section, I want to address two interlocking points that Broeck makes, which will be crucial for my own project. One: Broeck connects Macpherson's arguments concerning possessive individualism to the histories of Atlantic slavery to argue that Locke's claims about private property need to be understood as "philosophical and political arguments [for the emerging enlightened liberal subject's claim to] *freedom as self-possession*" ("Never" 236). Locke did not in any way argue for freedom to "secure the gradual realization of a universal ethics, but to find the most effective rhetorical counterpoint to refute" his contemporaries' arguments in favor of feudal rule, most notably those of Robert Filmer (236). Following Broeck, Locke's arguments "propelled a European post-seventeenth-century discursive tradition in which 'freedom' became an object of negotiation, always already in relation to 'slavery' [...] This negotiation, however, becomes effective only in the abstract" (236). That is, the Enlightenment's enthusiasm for scientific and human emancipation needs to be understood as being condensed in a self-descriptive narrative that "altogether bypasses the historical experience of lively and angry early modern controversies around the slave trade, slavery, and issues of mastery, ownership, and oppression of human beings" (236).³⁵ Put another way, white European and Atlantic freedom needs to be understood as being parasitic, both on a material and an epistemic level, on slavery; or, as Toni Morrison has it in the second epigraph to the chapter, as parasitic on "the presence of the unfree within the heart of the democratic experiment."

Two: Locke essentially frames private property in terms of appropriation by means of labor in his *Treatises*. Broeck shifts critical attention to the question of slave labor as a fundamental yet unacknowledged presence within Locke's thinking when she writes that "African bodies and their labor capacity [...] function as the crucial absent presence, the invisible lever in [Locke's] argument about the legitimate accumulation of 'property'" ("Never" 242). What Broeck suggests is that Locke's conception of property as that which is accumulated through labor inextricably includes the "the purposeful ownership of chattel labor [...] [as] an *a priori element of property* deliberately built into the Lockean system" in the context of English colonial and economic expansion to the New World (242–243). That is, the forced labor done by the enslaved becomes the key means by which property is appropriated in the context of New World cultivation. This is also to say that it is *not* the labor of Locke's liberal subject by which property is appropriated in this context.

35 On the relationship between *Race and the Enlightenment*, see generally e.g., Bernasconi and Cook; Eze; Uzgalis, "On Locke."

Two Treatises Re-Visited

So far, I have been trying to detail the myriad ways in which philosophers and political scientists have tried to think about John Locke's *Two Treatises* and his ideas about exclusive private property within a liberalist framework of English colonial and mercantile expansion. An important element of such endeavors is the attempt to make sense of the notion of slavery in Locke's writings from varied theoretical standpoints, most of which do not acknowledge chattel slavery as the conceptual foundation on which Locke builds his theory of individual freedom as self-possession in the *Treatises*. Drawing on Broeck's work, I have suggested that Locke criticism often avoids engaging with white practices of enslavement in the New World, thus ignoring the fundamental importance of these practices for early Enlightenment conceptions of political and human freedom on both sides of the Atlantic. In this section, I re-visit the interconnected concepts of *nature*, *land*, *labor*, and *cultivation* in Locke's *Two Treatises* as I trace the ways in which Locke employs these terms to conceptualize private property. At stake is the coming into being of Locke's liberal subject both in relation to these concepts and against slavery.

With *The Second Treatise of Government: An Essay Concerning the True Original, Extent, and End of Civil Government*, Locke announces that he seeks to provide an account of what he thinks society and the appropriate distribution of political power, civil government, and political representation should look like (Locke 267–268).³⁶ Following the rebuttal of Sir Robert Filmer's *Patriarcha* (1680) and his theses on authoritative, monarchical rule in the *First Treatise*, Locke begins the *Second Treatise* by defining political power as “a Right of making Laws with Penalties of Death, and consequently all less Penalties, for the Regulating and Preserving of Property” (Locke 268). Following from this, Locke argues that sovereign power should be devoted to securing the

Freedom of Men under Government to have a standing Rule to live by, common to every one of that Society, and made by the Legislative Power erected in it; A Liberty to follow my own Will in all things, where the Rule prescribes not; and not to be subject to the inconstant, uncertain, unknown, Arbitrary Will of another Man [...] This *Freedom* from Absolute, Arbi-

³⁶ Throughout this section of this chapter, my reading will focus on the fifth chapter “Of Property” of the *Second Treatises* while also obtaining textual evidence for my arguments from other parts of the text, if necessary. For the sake of convenience, I have opted for quoting page numbers instead of section signs from Locke's text. All quotes are from Peter Laslett's 1988 edition of the *Two Treatises* and all emphases are John Locke's if not indicated otherwise. The spelling, too, is Locke's.

trary Power, is so necessary to, and closely joyned with a Man's Preservation, that he cannot part with it, but by what forfeits his Preservation and Life together. (284)

In other words, the main end of political rule is the preservation of private property in combination with a promise of individual freedom within the politico-legal framework of civil society. In the last few lines, the paragraph furthermore establishes an intimate connection between the liberal subject's freedom from the rule or will of others and its drive towards (self-)preservation. Arguing within the domain of natural law, Locke claims that it was God who gave the drive towards one's own preservation to the reasonable subject in the first place when he created the world (205). Anchoring a strong sense of self-preservation in this subject itself (286), Locke believes that the main reason why 'Man' would ultimately decide to enter civil society is to ensure self-preservation by way of the protection of one's property (209–210, 360; cf. also Euchner 97–98).

Land and the appropriation thereof are the building blocks of Locke's theorizations of private property and individual liberty, particularly as regards colonial rule in the so-called New World (Locke 290). Robbie Shilliam writes in this respect, "Locke cognitively works out the rights and obligations of primitive accumulation by reference to the specific rights and obligations of colonialism, and as part of the broader colonizing and proselytizing project that the English crown is embarking upon in earnest" (5). Starting from the premise that the world and all the divinely ordained land on it commonly belongs to 'human-kind,' Locke argues that there must be some way in which individuals may be able to take a part of the commonly held land and its goods for their own subsistence:

The Earth, and all that is therein, is given to Men [by God] for the Support and Comfort of their being [...] yet being given for the use of Men, there must of necessity be a means *to appropriate* them [land and its natural produce, such as fruit] some way or other before they can be of any use, or at all beneficial to any particular Man. (Locke 286–287)

While Locke here initially sets a limit on the amount of land provided by "the spontaneous hand of Nature" that any individual may appropriate (286),³⁷ he also clearly states that the notion of labor constitutes the primary way in which land and all its produce may be seized as private property: "As *much*

³⁷ Locke argues initially that any individual may appropriate as much as possible, provided that what has been harvested will be used completely in order for it not to spoil and that 'man' does not take so much that nothing will be left for other individuals (289–93; cf. also Euchner 88–97).

Land as a Man Tills, Improves, Cultivates, and can use the Product of, so much is his Property" (290). In Locke's architecture, that is, labor becomes a property-generating force (Euchner 90). Locke writes:

Though the Earth, and all inferior Creatures be common to all Men, yet every Man has a *Property* in his own *Person*. This no Body has a right to but himself. The *Labour* of ["Man"'s] Body, and the *Work* of his hands, we may say, are properly his. Whatsoever then he removes out of the State that Nature hath provided, and left it in, he hath mixed his *Labour* with, and joyned to it something that is his own, and thereby makes it his *Property*. (Locke 287–288)

It is important to note that Locke's conceptualizations of labor and the appropriation of land/private property are intricately connected to his understanding of the liberal subject as a self-possessing individual. This entitlement to one's own self functions as a fundamental precept in all of Locke's subsequent theorizations of property. The above passage shows that it is this core tenet on which Locke grounds his ideas of a claim or right to private ownership, for the right to private property is built on the right one's own self. Locke illustrates this at numerous other places in the text, for example when he goes on to state, "And thus, I think it is very easie to conceive without any difficulty, *how Labour could at first being a title of Property* in the common things of Nature" (302).

Locke qualifies the concept of labor in two corresponding ways. Apart from being the principal way in which land may be appropriated as private property, firstly, labor is theorized as a function, which attaches value to any object seized. For Locke, it is "*Labour* indeed that *puts the difference of value* on every thing" (296). In the example he gives in order to prove this, Locke juxtaposes cultivated land with uncultivated land, arguing that the former holds much more value than the latter, precisely because it has been labored upon: "the difference is between an Acre of Land planted with Tobacco, or Sugar [...] and an Acre of the same land lying in common, without any husbandry upon it [...] the improvement of *labour* makes the far greater part of *the value*" (296). Thus, the notion of cultivation is paramount to Locke's labor-based theory of private property, for it is the cultivation of formerly common wasteland – or the "*value of Human industry*," as Locke has it (297) – which would ultimately provide prosperity based on possession. Secondly, Locke also defines this type of industriousness or "possessive accumulation" in terms of a division of labor (Shilliam 7). Locke writes that

'tis not barely the Plough-man's Pains, the Reaper's and Thresher's Toil, and the Bakers Sweat, is to be counted into the *Bread* we eat; the Labour of those who broke the Oxen, who digged and wrought the Iron and Stones, who felled and framed the Timber employed

about the Plough, Mill, Oven, or any other Utensils, which are a vast Number, requisite to this Corn, from its being seed to be sown to its being made Bread, must all be *charged on* the account of *Labour*, and received as an effect of that: Nature and the Earth furnished only the almost worthless. (298)

This passage conveys a strong sense not only of the expenditure of human labor in the form of – to stay with Locke's example – the manifold steps to be taken to make bread; the trope of 'industriousness' also suggestively opens up a distinction between cultivated and uncultivated natures, respectively.

Cultivation thus takes center stage within this framework of the labor-based appropriation of land. While land constitutes "the *chief matter of Property*" in this framework (290), Locke makes a distinction between uncultivated land that lies 'waste' and cultivated land at several points in his text (e.g., 297, 299). The difference between the two, of course, lies in the extent to which the land has been labored on and, following from Locke's earlier logic, the extent to which value has been attached to the land. This merits closer examination. Locke writes:

For I aske whether in the wild woods and uncultivated wast of America left to Nature, without any improvement, tillage, or husbandry, a thousand acres will yield the needy and wretched inhabitants as many conveniences of life as ten acres of equally fertile land doe in Devonshire where they are well cultivated? [...]

There cannot be a clearer demonstration of any thing, than several Nations of the *Americans* are of this, who are rich in Land, and poor in all the Comforts of Life; whom Nature having furnished as liberally as any other people, with the materials of [...] fruitful Soil [...] yet for want of improving it by labour, have not one hundredth part of the Conveniences we enjoy [...]

And as different degrees of Industry were apt to give Men Possessions in different Proportions, so this *Invention of Money* gave them the opportunity to continue and enlarge them. (294, 296–297, 301)

First, Locke connects the issue of cultivation to the geographical locations of 'America' and Devonshire in England, respectively, to claim that the 'needy and wretched American nations' will not benefit from their unimproved land as much as the industrious people in Devonshire who cultivate their land successfully and, therefore, enjoy 'all the Comforts of Life.' In Locke's architecture such a marked distinction between the "'success' of possessive accumulation at home, through enclosures" and ineffective and unprofitable agriculture abroad clearly helps Locke "[legitimize] the same procedures abroad, through colonialism [...] It is a global vision of colonial incorporation," as Shilliam holds in this respect (8, 7–8).

Second, the concept of cultivation functions as the lever with which Locke is able to differentiate between various groups of people, namely those who labor in order to cultivate their land and those who do not. In conjunction with the previous example regarding geographical location, cultivation here specifically signals the increase of the land's value, which only a particular group of people is able or willing to bring about. That is to say, the mastery of nature in the form of the cultivation of land becomes a distinguishing characteristic of Locke's liberal individual. Decidedly, property comes into play at this juncture: only those who are capable to own property will ultimately become successful cultivators/colonizers/subjects. As Broeck explains,

According to Locke, everything a free man does to safeguard and accumulate his private property is legitimate, provided he does not encroach on another free man's property. This includes the appropriation and possession of formerly common 'waste' land beyond a free individual's own possibilities and needs to exhaust its riches as long as this person does not leave land uncultivated. Not to tolerate wasteland requires working it according to one's operational abilities, which are of course determined by one's property status. ("Never" 243)

Last but not least, the intimate affiliation of property, cultivation, and labor shows in conjuncture with the invention of money, as the above passage from the *Treatises* shows. In Locke's architecture, money functions as a means by which the abovementioned limitations to appropriation – spoilage and subsistence – may be circumvented. Money enables his liberal individual to possessively accumulate as much as possible, for it constitutes "some lasting thing that Men might keep without spoiling, and that by mutual consent of Men would take in exchange for the truly useful, but perishable Supports of Life" (Locke 300–301). With the invention of money, in other words, limitless appropriation is established as an incontrovertible fact in Locke's textual orbit. Importantly, Locke goes on to tell us that there are still parts of the world where the inhabitants have not consented to the use of money, which means that their land remains uncultivated and is thus not profitable in any way: "yet there are still *great Tracts of Ground* to be found, which (the Inhabitants thereof not having joyned with the rest of Mankind, in the consent of the Use of their common Money) *lie waste*" (299). Locke's solution to this, as Shilliam explains, is colonial expansion: Locke's "famous proclamation, 'in the beginning all the world was America,' is therefore not so much a reference to a primeval past as it is an invitation for freemen to exercise their natural right of possessive accumulation in the colonies with their expanding frontiers" (Shilliam 8).

In all of the critical discourse concerning (the uses of) slavery in Locke's *Treatises*, the question that is frequently bypassed is that of *who* labors on the

vast uncultivated land masses that the New World provides for Locke's free individual (Broeck, "Never" 243).³⁸ Broeck explains that the accumulation of property

includes the appropriation and possession of formerly common 'waste' land beyond a free individual's own possibilities and needs to exhaust its riches as long as this person does not leave land to lie uncultivated. Not to tolerate wasteland requires working it according to one's operational abilities, which are of course determined by one's property status. Because this status includes the potential ownership of chattel as *a matter of course*, working land productively with this chattel labor force becomes an advantage for the society's healthy development as a whole. ("Never" 243; emphasis mine)

In the colonial context of Locke's *Treatises*, the productive and profitable accumulation, appropriation, and cultivation of land "*by means of* slave labor is clearly implicated as the immediately available and even pressing option" (243). Against this backdrop, Locke's statement that "the Grass my Horse has bit; the Turfs my Servant has cut, and the Ore I have digg'd in any place where I have a right to them in common with others, become my *Property*" (Locke 289), needs to be reevaluated as one that *readily* assumes the easy availability of a slave labor force as part of the liberal individual's ability to exercise the 'natural right to possessive accumulation in the colonies.' Locke's narrative effectively conceals this, "presenting to readers a pastoral idyll of private wealth in harmony with social benefit, all produced originally by honest labor upgraded by the practical invention of money" (Broeck, "Never" 243).

2.3 Post-Slavery Readings: The *Two Treatises* and "The Fundamental Constitutions of Carolina" (1669)

Having looked at John Locke's theorizations of exclusive private property within the context of his late-seventeenth-century vision of civil society and appropriate political representation, it has become clear that these rely exclusively on a conceptualization of labor-based accumulation. At the center of the *Two Treatises of*

³⁸ While the question of *who* labors is of utmost importance at this juncture, it also is necessary to note in this context that I do not understand enslavement/racial slavery to be merely defined as coerced labor. Instead, I follow Orlando Patterson's definition of slavery as social death (i.e. natal alienation, general dishonor, and openness to gratuitous violence), which post-slavery theoretical trajectories have taken up and expanded on by introducing terms/concepts such as *accumulation* and *fungibility* to describe the slave's violent positioning in the world. I will discuss this in more detail in the next chapter.

Government, Locke's meditations on ownership and possession, is the industrious individual, who acquires property by means of the cultivation of land. Locke fundamentally equips this individual with the right to a labor force built of slaves. At stake in Locke's uses of slavery, then, is not so much a project of universal liberation but the constitutive force that slave ownership generates for the liberal imagination of/and the self. Again, Wilderson reminds us that the social death of the slave (absence of relationality) and the fact that they can never be the subject of property opens up the master's possessive possibilities on a structural level. The slave is that "against which Humanity establishes, maintains, and renews its coherence, its corporeal integrity," to which (the claim of right to) private property is absolutely essential, as I have tried to show (Wilderson, *Red* 11). Again, freedom thus is a function of possession. The notion that ownership of chattel slaves and their labor capacity was indeed a matter of course and, by extension, a vital element of not only of European New World colonial and economic expansion but also of the emerging self-possessed liberal subject can be further traced and illustrated in Locke's other writings. Specifically, I am referring here to "The Fundamental Constitutions of Carolina" (1669). In turning to the "Fundamental Constitutions," I suggest that this set of colonial instructions, like the *Treatises*, needs to be read as another site of the liberal subject's emergence. First released on March 1, 1669, Locke was one of the principal authors of the "Fundamental Constitutions" (Armitage 607). Critics, historians, and political philosophers have labored considerably not only to show that Locke co-wrote the "Constitutions" but also to establish that he had been involved in later revisions to these colonial instructions in spite of the fact that Locke's "flight to France in November 1675 ended his tenure as secretary to the Proprietors" and, therefore, his immediate participation in their colonial affairs (Hinshelwood 573). That is, while scholars "long assumed that Locke's involvement with Carolina in France was virtually nonexistent, and that Locke did not pay serious attention to colonial affairs again until 1696, when he took up a post on the Board of Trade," it has by now been shown that Locke's involvement with Carolina continued while he was composing his *Treatises* (573; see also Farr, *Natural Law*). For example, both Hinshelwood and Armitage suggest that "Locke was in fact working on his sections on slavery" in the *Treatises* at about the same time that he participated in substantial revisions of the "Constitutions" in 1682 (Hinshelwood 574). Again, like other frequently cited and engaged (biographical) evidence that connects Locke to the systems and practices of Atlantic slavery, such as his material and monetary investments in the transatlantic slave trade, this goes to show that chattel slavery needs to be understood as a crucially important but *utterly disavowed* referential frame for Locke's early

Enlightenment thinking and fundamental conceptualization of liberty, subjectivity, and property.

With the “Fundamental Constitutions,” the Lords Proprietors as the principal party interested in establishing a profitable colonial venture “between Virginia and the Spanish settlements in Florida” gave instructions as to the social and political organization of the nascent Carolina colony (Hinshelwood 567). Armitage explains that

[t]hough frequently revised and just as often ignored by the settlers, the *Fundamental Constitutions* did formally provide the frame of government for the colony until they were overthrown by the settlers forty years after they had first been promulgated in 1669. They were repeatedly published in Locke’s lifetime, both in manuscript copies for the settlers and in a variety of printed versions, from deluxe large-paper printings (presumably for the Proprietors) to abbreviated summaries designed to encourage emigrants. (607)

Initially a relatively small colony (Hinshelwood 568), the Lords Proprietors’ envisioned Carolina to be ruled by landed aristocracy and they “hoped that property guarantees for lower-class migrants (‘leet-men’), in addition to the provisions for religious freedom, would lure leet-men and ‘attract and keep the weightier sort’ to lead the settlement” (568). In other words, the aim was to create “a secure, agriculturally self-sufficient colony” (569). To this end, the “Fundamental Constitutions” “apportioned land and provided the legal and institutional framework for the infant colony” (Armitage 609). The “Constitutions” gave instructions on the organization of Carolinian colonial society along strict hierarchical lines, which, in turn, structured the colony according to claims of right to property of land. Thus, the “Constitutions” were

explicitly designed to ‘avoid erecting a numerous Democracy’ and placed all authority perpetually in the hands of ‘the true and absolute Lords and Proprietors of the province.’ Beneath them would be the hereditary nobility composed of landgraves and caciques who would have jurisdictional authority over a further hereditary class of perpetual serfs or leet men. (Armitage 609)

Indeed, for many of the lower-class settlers/leet-men, the text’s stipulations would give promises both of social and economic upward mobility by way of providing of land as well as a legal representation and a judicial system geared towards their adequate handling of their concerns (Hinshelwood 568). With the “Constitutions,” the Lords Proprietors also “‘consistently tried to balance their interests with Indian rights.’ Indians were granted religious freedom and parcels of land within the baronies set up by the Proprietors, and the Proprietors reserved all rights to negotiate land purchases and other matters with the natives” (568). The Lords Proprietors hoped to avert any (potential) conflict about land

rights between the European settlers and the indigenous peoples in the colony (568). From their very inception, then, the “Fundamental Constitutions” were written in order to secure and protect the settlers’ property interests at the New World colonial scene.

The “Constitutions” refer to slavery in two out of the 120 provisions in total. In the 107th provision it is stated firstly that, like freemen, Carolinian law will allow ‘slaves’ to worship and that this shall not change “that civil dominion his master hath over him, but be in all things the same state and condition as he was in before” (“Fundamental Constitutions”).³⁹ Secondly, section 110 reads: “Every freeman of Carolina shall have absolute power and authority over his negro slaves, of what opinion or religion whatsoever” (“Fundamental Constitutions”). This section of the “Constitutions” labors to achieve various points: For one, it represents part of the Lords Proprietors’ efforts to attract a host of lower class settlers to secure a functioning, prosperous, as well as self-sufficient colony (Hinshelwood 568–569). That is to say, the Lords Proprietors hold out the prospect of a set of claims to ownership, “absolute power and authority over negro slaves” for these leet-men, which is something that they also maintain for themselves. Again, as a set of governmental instructions, the “Constitutions” delineated how the future colony of Carolina would be run along strict hierarchical, semi-absolutist lines, which put the Lords Proprietors, whose power and influence was based on their ownership of land (domestic and colonial) and would be maintained through heredity, at the top of Carolinian (political) society. Accompanying this set of claims is a promise of wealth and prosperity that is to be achieved, self-evidently, by means of the ownership, appropriation, and cultivation of land. Again, the Lords Proprietors conceived of the economic venture of Carolina as one that was to be headed by landed gentry at the same time that they “hoped that property guarantees for lower-class migrants” would help foster the development of the colony significantly (Armitage 568). What section 110 does, I suggest, is to create a relation between two different sets of English colonists across class differentials. For both groups, ultimately, the fact that they are the *subject* of property makes for their prosperity, economic and otherwise, both in the New World colony of Carolina and in the mother country.

39 The full provision/section reads: “One hundred and seven. Since charity obliges us to wish well to the souls of all men, and religion ought to alter nothing in any man’s civil estate or right, it shall be lawful for slaves, as well as others, to enter themselves, and be of what church or profession any of them shall think best, and, therefore, be as fully members as any freeman. But yet no slave shall hereby be exempted from that civil dominion his master hath over him. But be in all things in the same state and condition as he was before” (“Fundamental Constitutions”).

2.4 Whiteness as Property: “The Germantown Friends’ Protest Against Slavery” (1688)

My reading of the “Germantown Friends’ Protest Against Slavery” needs to be framed in explicit ways: The “Protest” was issued as an early statement against slavery in 1688, five years after the founding of Germantown, a Pennsylvania village in the British colony of Philadelphia. Traditionally, historians have posed that the “Protest” had little to no influence on Quaker antislavery discourse until 1844, “at which point it was rediscovered by abolitionists, reprinted, and distributed more widely than its original authors could possibly have imagined” (B. Carey, *From Peace* 73). Brycchan Carey has recently contradicted this notion by arguing that the “Protest” was in fact “a seminal and connected moment in the development of Quaker antislavery discourse” (*From Peace* 73). While the “Protest” “raised the issue of slavery at a time when it was not a matter of general concern,” as Carey notes (70–71), it needs to be pointed out explicitly that it was also issued at a time when “[c]olonial space and its mercantile and productive possibilities provided English gentlemen as a group with an experience of entitlement to being properly themselves and knowing/owning the world for themselves” (Broeck, “Never” 239). Like other actors on the New World colonial scene, that is, the Germantown Quakers depended on Philadelphia’s flourishing economy and on the wealth produced by slave labor (B. Carey, “Inventing” 19). My reading is located at the fault line between the text’s antislavery impetus, on the one hand, and its situatedness in white practices of enslavement, on the other. As I will show, the property of whiteness itself crucially determines conceptions of the New World subject in this early modern text. I argue that the Quakers’ concerns for their reputation as concerns the meaning of slaveholding for their community (religious, economic) show that the “Germantown Friends’ Protest” is in fact a highly self-conflicted text that configures the conceptual conflation of ownership of Black slaves and the making of white liberal selves.

As mentioned before, legal scholar Cheryl I. Harris clarifies that the conceptual conflation of private property and subjectivity was racialized from the start, marking whiteness and with it the promise of individual liberty as the most valuable property to be owned on the early American scene:

Slavery as a system of property facilitated the merger of white identity and property. Because the system of slavery was contingent on and conflated with racial identity, it became crucial to be ‘white,’ to be identified as white, to have the property of being white. Whiteness was the characteristic, the attribute, the property of free human beings. (“Whiteness” 1721)

Harris's arguments on the ways in which the law would enshrine the intimate affiliation of race and property and that whiteness came to function as a "shield from slavery" ("Whiteness" 1718–1720) extend onto the idea that this property interest in whiteness complies with other conceptualizations of property as a metaphysical right in things that are intangible, such as social privileges or expectations (1725–1730). In this context, the law would recognize the notion of reputation, like whiteness, as a specific form of property. Following Harris, this ultimately was an "ideological move" that recognized a "*reputational interest* in being regarded as white" and that would also construct the property of a white identity as a necessary tool for self-preservation (1734; emphasis mine).

Taking the relation between whiteness, property, and reputation as established by Harris into account, I argue that the protesters' concerns about their status in the eyes of the Quaker communities in Europe should be read as a concern about losing their reputational interest in being regarded as *white*. Losing the right to their property in whiteness in the dynamic and complex environment of the New World would mean losing valuable social and legal privileges on which they depended. This becomes somewhat clearer when reading the "Protest" in line with other paradigmatic texts from this period such as Locke's *Two Treatises*, published just one year after the "Protest" was issued. Again, Locke would break new ground with his arguments for "*freedom as self-possession* [that] strategically reject any absolutist voluntarism and boldly advance the rights and obligations of the emerging enlightened subject" (Broeck, "Never" 236). He would famously conceptualize these in his dictum of private property as the liberal subject's "life, liberty and estate," in which ownership came to be defined as both the free English gentlemen's right to own themselves *and* to own slaves (Locke 323–324, 350, 383). In this context, Locke's idea of self-ownership would become "particularly fertile ground for the idea that reputation [...] was similarly property" (Harris, "Whiteness" 1735). There is, however, another way in which reputation, as something that subjects can own, figures in this context. Recent post-slavery discourses have offered tools with which to account for the ways in which property, of reputation, like whiteness, becomes a function that establishes and delineates a relation between subjects (e.g., Hartman, *Scenes*; Sharpe, "Lose"; Wilderson, *Red*). That is to say, while Harris's claims are useful when it comes to describing or analyzing property formations on the level of performativity or identity as well as in relation to the realm of the law, I seek to supplement them here with a view on the structural operative dynamics of power subtended by the Middle Passage. This section, in other words, draws attention to the inextricable structural workings of private property, in which Blackness functions as the ground on which the liberal imagination and its subject unfold. This will become clearer in what comes next.

“Good Reports”: Private Property, Slavery, Reputation

The “Germantown Friends’ Protest” was written and signed by four men who were “part of a group of German and Dutch Pietists, Mennonites, and Quakers [...] who had arrived in Pennsylvania seeking religious freedom” (B. Carey, *From Peace* 72). Relating why these four men were against the slave trade, the document traveled through Quaker institutions and meetings, who each found it ‘a thing of too great A wayt for this meeting to determine,’” before being ultimately dismissed by the Philadelphia Yearly Meeting in 1688 (“Protest”; B. Carey, “Inventing” 22; *From Peace* 72–73). The “Protest” is composed of a large section, made up of three paragraphs, in which the protesters advance their arguments against slaveholding in their colony; their signatures; and two smaller paragraphs, which demonstrate the document’s travels through the Quaker hierarchy. The “Protest” begins with a statement against perpetual slavery – “These are the reasons why we are against the traffick of men-body” – and an invocation of the Quaker doctrine’s Golden Rule⁴⁰ by asking whether there is “any that would be done or handled at this manner? viz. to be sold or made a slave for the time of his life?” (“Protest”; B. Carey, *From Peace* 77–78). My concern in this section is with the following excerpt from the “Protest,” taken from the main body of the text:

In Europe there are many oppressed for conscience sake; and here there are those oppressed^{wh} are of a black colour [...] This makes an ill report in all those countries of Europe, where they hear off, that^{ye} Quakers do here handel men as they handel there^{ye} cattle. And for that reason some have no mind or inclination to come hither. (“Protest”)

These lines show that the protesters are fully aware of the commercial objectives of their colonial enterprise in Pennsylvania. They know that the success of this venture would depend entirely on a “steady influx” of future colonists ‘to come hither’ (B. Carey, *From Peace* 80). Being themselves increasingly engaged in the transatlantic slave trade, the protesters are concerned about “the effect that slavery might have on the perception of potential immigrants that the colony was a place of universal toleration and brotherly love” (B. Carey, “Inventing” 25). Put another way, the notion of reputation plays an important role in the protesters’ thoughts on the meaning of enslavement for their colony. In what fol-

⁴⁰ To briefly elaborate: The Quakers recognized the Golden Rule as their fundamental guiding principle. It instructed them to treat others in the same way that they would wish to be treated in similar circumstances and it would become the “final authority” in all of their arguments against slavery (B. Carey, “Inventing” 30).

lows, I suggest that the protesters' concerns about their reputation need to be approached with some hermeneutic suspicion: What implications may the concept of reputation have in this context, what may it also signify, and what would a loss of reputation mean to whom?

Unease about their reputation governs the main part of the "Protest" and is utilized throughout as the protesters refine their arguments against slavery, which become more radical as the document progresses (B. Carey, "Inventing" 25). That is, they contend that because Quaker doctrine condemns stealing, and because slaves essentially are "stolen things" ("Protest"), Pennsylvania Quakers should avoid purchasing slaves and put an end to capture and enslavement: "And we who profess that it is not lawful to steal, must, likewise, avoid to purchase such things that are stolen, but rather help to stop this robbing and stealing if possible" ("Protest"). As they continue to build their anti-slavery argument, the protesters again draw on the notion of reputation to support their claims. We read:

And such men ought to be delivered out of ^{ye} hands of ^{ye} robbers [slave traders and slave holders], and set free as well as in Europe. Then is Pennsylvania to have a good report, instead it hath now a bad one for this sake in other countries. Especially whereas ^{ye} Europeans are desirous to know in what manner ^{ye} Quaker doe rule in their province; – and most of them doe look upon us with an envious eye. ("Protest")

The paragraph shows that the protesters believe that the colony of Pennsylvania can become a successful venture *only* if the Quakers do not engage in any activities concerning, or practices of, slaveholding. Not only do they argue in favor of ending all future slave trading activities, but they also go so far as to argue for the immediate release of all existing slaves in the colony (B. Carey, *From Peace* 80–81). Only then, they contend, will the Pennsylvania Quakers live up to the colony's reputation among the Quakers in Britain.

I contend that the transaction that takes place around the issue of reputation in fact needs to be understood not as a negotiation of sorts between masters and slaves, as suggested by the notion that they are willing to emancipate the enslaved in their colony, but as a negotiation between masters. That is, even though slaves and their proposed emancipation appear to be at the center of the Germantown Quakers' interests in their reputation, what the Quakers are in fact bargaining with is the *relation with their contemporaries* on both sides of the Atlantic. Slaves here function as barter in the transaction or exchange between subjects that is determined by, to echo Wilderson again, "the ability to own either a piece of Black flesh or a loaf of white bread or both" (*Red* 13). Indeed, linking their arguments about the colony's reputation with the call to emancipate all existing slaves probably was not a very successful rhetorical move by the protest-

ers. As Brycchan Carey has argued, it would not have met with the Quaker community's enthusiasm, for it would have appeared as nothing less than a call to rid many colonists of their legally held property: "Neither English law, emerging colonial practice, nor Quaker notions about private property could countenance such a course of action" (*From Peace* 81). What this indicates is the precarious relationship between an emerging abolitionist discourse and the importance that the intersecting ideas of property, freedom, and white self-ownership would assume in shaping the liberal imagination in this period of the early Enlightenment. Arguing overtly along the lines of the notion of reputation, the protesters' aim appears to be a critique of the Quakers' engagement in the practices of slavery through a "system of trade with the British Caribbean colonies" developed in order to achieve economic prosperity for their colony (B. Carey, "Inventing" 19). What they do in effect, however, is a weighing of the gains and losses of slaveholding for the Quaker community in Pennsylvania. They negotiate their reputation as 'good' Quakers among their communities in Britain *versus* their reputation with the emerging white community of slaveholding propertied men in the colony.

That the possible property in slaves and the possible property in their whiteness seem to collide for the Germantown Quakers at this particular historical moment also shows in the last two paragraphs of the "Protest." These paragraphs are, in the original, handwritten notes that have later been added to the main text, recounting its travels and progress from one Quaker Meeting to the next (B. Carey, *From Peace* 76). Both notes state that the subject of the "Protest" was of "too great a weight" to make a final decision on it ("Protest"). And that, precisely, is what congregation would do—*not* make a decision against Quaker involvement in slavery (B. Carey, *From Peace* 76). This failure to reach a decision against their involvement in slavery shows that in weighing the potential gains and losses of slaveholding for their reputation, the Quaker community willfully invests in and relies on slaveholding as a means of securing their property in whiteness, as well as the attached privileges. Whiteness thus becomes and remains their crucial property to possess, a property that becomes more important than their religious sense of good and evil as Quakers, and their need to be assessed by Quaker standards of virtue as morally righteous in Europe. The protesters' call to emancipate all existing slaves accordingly posed too big a risk for all Quakers in Pennsylvania—a risk of losing their whiteness as property, to which reputation served as a necessary asset in that it was constitutive of the process of being regarded as white and therefore as having proper status in society (Harris, "Whiteness" 1734). In this sense Carey is right in stating that "alienating the property of colonists would have sent a far worse message to potential colonists in Europe than would the presumably widespread knowledge that Af-

ricans were being sold into slavery there” (*From Peace* 81). The Germantown Quakers would not have parted easily with their private human property or, for that matter, with their whiteness.

Finally, in this text from the archive of the English Atlantic, which has been read as a document against slavery, whiteness is conceptualized as reputation, assuming crucial importance in terms of the Pennsylvania Quakers’ reliance on the system of chattel slavery for the success of their colonial project, specifically with respect to their wish to establish an economically and politically successful venture that would continue to draw more Friends from Europe. It thus shows that the protesters’ anti-slavery agenda was an aborted effort. A close look at the conflict between its declaration of anti-slavery, on the one hand, and its simultaneously continued investment in slavery to maintain white identity, on the other, shows how the “Protest” prefigures the social, legal, and epistemological conflation of private property as self-ownership, possession of slaves, and whiteness. Crucially, it sheds light on how white investments in their “possessive possibilities” (Wilderson, *Red* 13) are established over and against the enslaved. It sheds light on how to be able to think and have conflict about the presence of the enslaved in their colony, and not be subjected to divine rule or feudal orders in this process, quintessentially comes within the emerging modern liberal subject’s purview. Intra-white deliberation, in other words, becomes a white possessive investment to begin with and it becomes a means to make and maintain a status quo characteristic of the evolving liberal subject and its claims to freedom.

[Coda]: The Liberal Property Paradigm

Proprietorial conceptions of liberal selfhood are at the center of these early Atlantic texts and their negotiations of freedom at the New World colonial scene. As I have tried to show, what is being established as well as constantly recreated and nourished are the possessive possibilities of the liberal subject. Whether as a matter of course (as in the *Two Treatises* and “The Fundamental Constitutions of Carolina”) or as the ambiguously tackled subject of intra-white negotiations and conflict, I have tried to elaborate on the ways private property functions as foundation for white self-making in this paradigmatic selection of texts. Drawing on Black Studies’ post-slavery interrogations of the discursive promises of universal liberty, I suggest conceptualizing this constant (re-) negotiation as the liberal property paradigm. The theoretical interventions into the complex entanglements between individual, slavery, and private property

– or the “sanctity of property” (Hartman, *Scenes* 122) – as pushed by post-slavery Black Studies’ discourses in recent years are the focus of the next chapter.