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Abstract

This essay places Isaiah Berlin's famous "Two Concepts of Liberty" in conversation with perspectives defined as black fugitive thought. The latter is used to refer principally to Aimé Césaire, W. E. B. Du Bois and David Walker. It argues that the trope of liberty in Western liberal political theory, exemplified in a lineage that connects Berlin, John Stuart Mill and Benjamin Constant, has maintained its universal meaning and coherence by excluding and silencing any representations of its modernity gestations, affiliations and entanglements with Atlantic slavery and European empires. This particular incarnation of theory is characterized as the Western discursive and hegemonic effects of colonial-racial foreclosure. Foreclosure describes the discursive contexts in which particular terms or references become impossible to formulate because the means by which they could be formulated have been excluded from the discursive context. Through an examination of the action of foreclosure, based largely on unraveling the liberal-colonial convergences of *Two Concepts* the essay reflects on the political and theoretical problems posed for black political thought by the hegemony of Western formulations of liberty that deny their indebtedness to Western colonialism. Drawing upon juxtapositions between white liberal/republican thinkers and black fugitivity thinkers, it argues a particular lineage

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of black political thought is compelled to conceive of itself as an escape from the colonial and racial hegemony of Western liberty.

Keywords

Isaiah Berlin, black political thought, liberty, black fugitivity, foreclosure

This is the classical liberal view, in whole or part expressed in various declarations of the rights of man in America and France and in the writings of men like Locke, Voltaire, Tom Paine, Constant and John Stuart Mill. When we speak of civil liberties or civilized values, this is part of what is meant.

– Isaiah Berlin¹

And that is the great thing I hold against pseudo-humanism: that for too long it has diminished the rights of man, that its concept of those rights has been—and still is—narrow and fragmentary, incomplete and biased and, all things considered, sordidly racist.

– Aimé Césaire²

Isaiah Berlin was many things but he was not a black political theorist. Berlin's famous *Two Concepts of Liberty*³ first published in 1958 is an eloquent statement of a hegemonic modern convention in Western political theory of *colonial-racial foreclosure*. This occurs in relation to the liberty/freedom⁴ question where its contested meanings are routinely theorized within the terms of liberalism, democracy and republicanism, and their constitutive entanglements in Western colonialism and race governance are occulted as part of their representative formulation. Modern political theory has remained resolutely inoculated against the exposure of colonial aporias, liberal antinomies and racial atrocities in the formative constitutions of Western polities and concepts of liberty. Although Berlin might seem the least likely candidate to carry any weight of this indictment and an arbitrary point of departure for thinking about these themes, his prominence in scholarly reflections on liberty/freedom cannot be easily ignored. The renowned status of *Two Concepts* has largely been achieved by its providing an almost obligatory point of entry into these discussions. What makes *Two Concepts* so instructive for my purposes is its exemplary inscription of *colonial-racial foreclosure* in addressing liberty/freedom in the West. By the same token, a similar strategy is reproduced in recent republican theoretical challenges to the *Two Concepts*, best represented in the work of Quentin Skinner and Phillip Petit. Their compelling advocacies of a *third concept of liberty* are

also remarkable in resuming an unremitting silencing of the colonial-racial formations of Western political ideas of liberty. These particular foreclosures make a virtual outlaw of black political thought, where conceptions of freedom seek to escape the captivity of Western hegemonic law and lore. In this essay, I unravel that hegemony in its attachments to the routine exorcism of the modern histories of Western colonialisms and race governance from its concepts of liberty. Against that background I argue *black fugitive thought*, principally theorized here in relation to Aimé Césaire's *Discourse on Colonialism* (1955) and David Walker's *Appeal to the Colored Citizens of the world* (1830), symptomatically exposes and circumvents the Western hegemony of liberty.

One Liberty, Two Liberties

Having already made several references to the idea of "foreclosure," it is necessary to clarify its theoretical meaning. In Lacanian psychoanalysis, foreclosure refers to the preemptive exclusion of possible references and their locutions from the realm of the symbolic, the field of representation or discourse. Although foreclosure is a structural feature of all discourse, of interest are the hegemonic effects of specific strategies, since what is foreclosed is the possibility of particular representations. Hence certain redacted themes or objects become unsayable, lacking in referentiality because they are routinely prohibited by the conventions or rules of what can be formulated in a particular discourse. Foreclosure makes certain expressions impossible, insofar as the locutions that would allow that expression have already been denied any existence within the valorized discourse. In other words, "foreclosure is a mechanism that simply treats the foreclosed as if it did not exist."⁵ Judith Butler usefully argues that rather than regarding foreclosure as the site of a discourse's deficits, it should also be considered in terms of what it produces. Foreclosure makes it possible for some things to be formulated in what is said, written, or represented and others not. The "action of foreclosure" is repetitive and quotidian because its proscription of particular discursive terms, themes or questions is never finalized; the conventional, hegemonic or normalizing discourse remains ever threatened by what has in effect been *constitutively foreclosed*. This suggests that political and hegemonic strategies can be invested in seeking to secure particular repetitions of the conditions of impossibility and possibility in what is thinkable and sayable. Navigating the relation between political theory, the liberty question and colonial-racial foreclosure, I ask, "what must remain unspeakable"⁶ for modern Western representations of liberty to sustain their power of universal reiteration in contemporary political theory?

Two Concepts is a classic demonstration of the “action of foreclosure” as a colonial-racial art of liberalism during the Cold War. Berlin’s formulations emerged from a concern at the end of the 1950s that the “fundamental problems of politics” were being neglected by professional philosophers.⁷ However his framing of the Cold War as a confrontation between Western democracy and eastern European communism neglected how that ideological axis was also heavily penetrated by anti-colonialism, U.S. civil rights and anti-apartheid.⁸ With that in mind I want to ask what is the constitutive significance of the colonial and racial silences that underline Berlin’s *substantiation of and distinction between* “negative liberty” (“non-interference”) and “positive liberty” (“self-mastery”). When clarifying “negative liberty” Berlin argues, “I am normally said to be free to the degree to which no man or body of men interferes with my activity.” Important to the securing of negative liberty, beyond a certain limit (e.g., the rule of law), is the occlusion of coercion, the most freedom denying of which (given Berlin’s various metaphorical references to it) is *slavery* of any kind. In short, negative liberty means the “wider the area of non-interference, the wider my freedom.”⁹ What is interesting about this characterization is that it is based on a concept of liberty that assumes an uninterrupted and unproblematic presence, the meaning of which is signified only by the threat of its potential absence, associated with any form of interference. In other words, in the logic of Berlin’s argument, negative liberty seems to be *an accomplishment*, as if it was a value attained with the elimination of interference that paradoxically can only be conceived retrospectively.

In contrast, positive liberty is *aspirational*, predicated on the enduring denial of the liberty it hopes to realize. Berlin describes it as a mode of self-direction, independent of external forces, including the desire to be a subject rather than an object. It is a declaration in which slavery is again its nemesis resulting in a “wish to be somebody, not nobody; a doer—deciding, not being decided for, self-directed and not acted upon by external nature or by other men.” Continuing the metaphor of slavery Berlin describes as the reaction to this absence of freedom the feeling of being treated “as if I were a thing, or an animal, or a slave incapable of playing a human role, that is of conceiving goals and policies of my own and realizing them.” Yet for Berlin it is only positive liberty that in its fundamental resistance to and overcoming of slavery ultimately succeeds in instituting a new form of slavery. Adjudicating from the perspective of negative liberty, Berlin argues positive liberty has been, “at times, no better than a specious disguise for brutal tyranny.”¹⁰

Berlin’s idea of positive liberty culminating in tyranny is clearly associated with the excesses and collectivisms of a European history he attributes to the French and Russian revolutions. This approach privileges Western

liberalism as the heir to and adjudicator of the meaning of liberty (and of slavery). Hence it is the deformation of individualism by collectivism that renders it incommensurable with negative liberty. The positive conception of liberty is readily contaminated by its opposite into which it easily degenerates once self-mastery or self-determination posits an idealized self valued for its greater rationality, beyond an empirical, lesser self, demeaned for its emotional and base associations. Berlin associates this with the idea of a transcendent collectivism that he identifies with populist investments in a Marxist historical class subject or a Nietzschean will to power. These kinds of collectivism are seen by him as oppressing liberty, particularly where resistant individual sensibilities are incompatible with “nationalist, Communist, authoritarian and totalitarian creeds” and indicted for not conforming to selves that have been ordained on their behalf by the creed itself or its representatives.¹¹

Between these reformulated, Cold War poles of liberty and slavery, Berlin introduces a series of oppositions that conflate the contemporary meaning of freedom in political philosophy with the concerns of Western hegemony in geo-politics. Negative liberty signifies an actual accomplishment of true liberty, humanism and individualism, against which positive liberty signifies a failed aspiration in false liberty, despotism and collectivism. For Berlin, the critique of “self-mastery” by the adjudication of “non-interference” means that positive liberty is an aspiration that can never actually become an accomplishment. Its degeneration to a form of collectivist enslavement is confirmed by the perpetuation of its aspiration in the tyranny of ineluctable accomplishment. Whatever the merits of Berlin’s *incommensurability* thesis,¹² it is my argument here that it did not merely demarcate a geo-political frontier in political philosophy between NATO and the Warsaw Pact. Arising from Berlin’s foreclosure of any sustained reflections on the global colonial world was its normalization of a racial frontier presumed between the liberties attributed to *white visible peoples presumably with histories and politics* and the lack of liberties associated with *non-white unspeakable peoples apparently without histories and politics*.¹³ The idea of the Cold War as mediating political conflicts within a Western colonial global order was not something that had any *locus standi* in Berlin’s representations of Anglo-American liberal political theory, the tradition from which he drew his normalizing locutions. Consequently, his framing of the liberty question in the Cold War eclipsed all the ways in which the politics of anti-colonialism and race were deeply entangled in figurations of freedom throughout the global conflicts between the alliances of the American and Soviet super powers as well as within them.¹⁴ But at the same time his unrelenting critique of positive liberty seemed to mirror and mask an unflinching condemnation of anti-colonialism.

So how might we think about the racial and colonial implications of Berlin's formulations of liberty *and their foreclosures* as tropes of Western hegemony?

Liberalism, Colonialism

Minimally liberalism has been described as a "tradition of thought whose central concern is the liberty of the individual, which is ignored or ridden roughshod over by organicist philosophies of various kinds."¹⁵ While something like this is clearly the populist epiphany Berlin had in mind he seems not to have ruminated on the entangled "counter-history" of that same tradition in which various luminaries and valorized practices of liberalism were conventionally ensconced with the colonial institutions of racial slavery and Empire.¹⁶ We can reveal the fault-lines of this kind of foreclosure by placing *Two Concepts* in conversation with an equally famous contemporaneous political analysis, Aimé Césaire's *Discourse on Colonialism*. Writing against the liberal-colonial grain of Western humanism, outside the representational law of Western hegemony, Césaire interrogated the global politics of the mid-1950s from the vantage point of the West and its Empires rather than the West and its liberalisms. The 1950s was a devastating decade for Western colonial and racial violence and torture in places like Korea, Algeria, Madagascar, Kenya, and the Southern United States.¹⁷ Césaire understood the Cold War in these various colonial antagonisms; they were produced by the Western rule of law and its expropriation and violations of non-European and non-white peoples for the "public purposes" of Western nations.¹⁸ The global question of freedom cut through North and South, as well as East and West, with its political ramifications running up against an anti-colonial and anti-racist critique of liberalism.¹⁹ *Discourse* obliges us to consider how negative liberty might be conceptualized if approached from the anti-colonial perspective of positive liberty. In particular, what happens to our understanding of *Two Concepts* if positive liberty, the *aspiration* to "self-determination," is located in the unfreedoms of the "non-European" colonies, and negative liberty, the *accomplishment* of "non-interference" is associated specifically with the freedoms of the European metropolises (and it could also be said "White America") at the end of the 1950s?

In *Two Concepts* the colonized, non-Western world is construed as having scant regard or need for genuine liberty. Without naming the theme of colonialism directly (the term is never used by him) Berlin dismisses non-Western anti-colonialism as more concerned with demands for self-determined identity and "recognition" than actual liberty itself or the desire for "equality of legal rights." Equating the desire for "proper recognition" with restoring

the integrity of “class or nation, or color or race,” Berlin argues being “recognized as a self-governing individual human being” is not the same as embracing the ultimate individualism of liberty. Berlin’s brief survey of what he deems to be the misguided freedom trajectories of anti-colonialism finds its terminus in the following:

It is this desire for reciprocal recognition that leads the most authoritarian democracies to be, at times, consciously preferred by their members to the *most enlightened oligarchies*, or sometimes causes a member of some newly liberated Asian or African state to complain less today when he is rudely treated by members of his own race or nation than when he was governed by *some cautious, just, gentle, well-meaning administrators from outside*. (emphasis added)²⁰

It should be apparent that Berlin unsuccessfully conceals a liberal-colonial dilemma here for his espousal of negative liberty. It has two aspects. First, conceding that both the colonized Asians and Africans were genuinely concerned with freedom would implicate Western liberal democracies like Britain and France in the colonial categories of tyranny and authoritarianism. This was something unthinkable and therefore unspeakable within his Western liberty schema. Second, even conceding the lesser positive liberty claims of the colonized would require acknowledging European colonialism as an impediment not only to that liberty, but ultimately to the greater value of negative liberty insofar as the colonial regime could be identified as clearly interfering with the possibility of independent lives pursued by racially proscribed non-European individuals. Not surprisingly, Berlin’s foreclosures resolve this dilemma through exempting Western colonialism from violence and authoritarianism and more pointedly reclaiming negative liberty as a presumptive Western privilege.²¹

Césaire’s *Discourse* confronts similar colonial-racial foreclosures in taking to task various contemporary French thinkers who conceptually bear an uncanny liberal-colonial family resemblance to Berlin. One in particular, Octave Mannoni, a psychoanalyst, is worth mentioning. His book, *Prospero and Caliban: The Psychology of Colonization*, published in 1950, documented the experiences of the colonized in Madagascar. Mannoni concluded that the Malagasies did not desire independence because they failed to express themselves in claiming “more freedom for the individual.”²² Their concerns with nationalist independence were not to be confused with demands for “greater personal freedom.” What he viewed as the Malagasies’ devotion to re-establishing a relation of “dependency” with new political leaders indicated that “political systems and constitutions meant nothing to them.”

Mannoni's *dependency thesis* clearly echoes Berlin's *recognition thesis*. Both see the appellation "freedom" as a misnomer to describe the objectives of anti-colonialism and regard European colonialism, appropriately sanitized as preferable to the colonized establishing their own governments. Césaire describes these intellectual formulations as "racism." Consequently much of *Discourse* is engaged in unraveling the liberty question from the euphemisms indulged by this tradition of Western liberal thinkers and laying bare their political formulations in colonial-racial foreclosures. Césaire paraphrases the exemplariness of Mannoni's liberal-colonial views in the following way: "The Negroes can't even imagine what freedom is. They don't want it, they don't demand it. It's the white agitators who put that into their heads. And if you gave it to them, they wouldn't know what to do with it."²³ What Césaire helps us to expose in this 1950s homology between liberalism and colonialism, is a Western narrative of freedom that incorporates the imperatives of the colonizers and exorcises the predicaments of the colonized.

Re-framing the Western liberty question in this way draws us beyond Berlin's foreclosures into Césaire's narration of the geo-political formation of the West as conterminously liberal and colonial, civilized and barbaric, humanist and racist.²⁴ Outside the law of Western representations of its own hegemony, *Discourse* challenges us to think against what has been foreclosed. Working through these colonial and liberal imbrications, a very different conceptual lineage intrudes upon the *Two Concepts*. It distinguishes itself normatively as *race governance* expressed at times in non-racial terms, rendered unspeakable, unless exposed, as part of the Western inheritance of negative liberty in international law and political theory.²⁵ What I mean by race governance needs to be clarified. Although the signifier race is now regularly and rightly problematised for erroneous biological associations, it has also been too easily sanitized as a demographic or sociological marker and dissociated from its modern colonial formation in relations of violence, regulation and administration.²⁶ I understand race politically as a constituted, relational, Western colonial category of governance. Race was culturally enumerated in the Western colonial practices that established social assemblages of hegemonic *Europeanness* and subaltern *non-Europeanness*. Since the sixteenth century, European colonialisms in the Americas, Asia, Africa, and Oceania, race governance was constituted, demarcated, and calculated in relation to these assemblages of populations and things (i.e., territories, corporealities, cultures, economies, religions, and discourses). Always with a self-assembled *Europeanness* (metaphorically coded white) economically administering, culturally regulating and politically legislating an externally assembled *non-Europeanness* (metaphorically coded non-white, black, red, yellow etc.). The sanitized discourse of race governance can be described in

James Tully's phrase as postulating that "the only right ordering of all humanity globally is the gradual establishment of European-style, identical republican or constitutional states that legally recognize individuals as negatively free, formally equal and substantively unequal, and dependent on a single system of laws and representative government."²⁷

That *Two Concepts* is informed by a normative commitment to race governance is unmistakable. Yet it might be argued it remains an open question as to how that normativity structures Berlin's universalist conceptualization of liberty, if at all. Césaire engages what is foreclosed by the *Two Concepts* where he argues that globally and not just individually, the Western colonial imperative emerged historically from the violent gestation of a constitutive geo-political form of Western self-determination. Ironically this configuration resembles much of what attracts the opprobrium Berlin attributes to positive liberty, forcing into sharp relief the West's tyrannical race governance of the colonized non-Western world between the sixteenth and twentieth centuries.²⁸ It raises questions concerning the nature of the Western relationship between negative liberty, positive liberty, and colonialism foreclosed by *Two Concepts*. Drawing answers from Césaire requires we recognize a colonial dimension in both negative liberty and positive liberty, tracing their thematic congealment in three propositions. First, negative liberty depicted as the superior liberty is intimately associated with the West, this insinuates the West as the collectivist authority to adjudicate on its absence in both the Cold War non-West, and the colonized non-West. Second, insofar as negative liberty is a Western accomplishment, this suggests positive liberty (collectivized as self-determination) was also the condition of possibility for the West's attainment of negative liberty. Third, racially normative governance establishes the basis of non-interference in the West's hegemonic institution of Christianity, capitalism, democracy, nation-states and the rule of international law. This suggests a Western reliance on the imbrication of negative liberty, positive liberty and colonialism. It leaves us asking, what does this mean for the *Two Concepts* in a renewed engagement with the *Western* dimensions of contemporary political theory?

Colonial Freedom, Unfreedom Colonized

We need to take seriously Partha Chatterjee's caution against accepting uncritically the conventional lineage claims of Western political institutions. According to Chatterjee, "contrary to the long-enshrined received narrative, those institutions and their normative principles were not the products of an exclusively endogenous development but the result of Europe's encounters with its colonial territories, first in the Americas and then in Asia and

Africa.”²⁹ As we have seen, Berlin betrays no comprehension of this, indeed he tries to avoid the political problems this Western lineage poses for political theory by overlaying the anti-colonial implications he adumbrates with Western liberal deliberations that foreclose any engagement with the political institution of the colonial. This becomes apparent when viewed within the European colonial scenarios that Berlin’s easy detachment of liberalism from colonialism routinely erases. During the late 1950s, anti-colonialism could be interpreted as a critique of negative liberty (i.e., non-interference from non-Europeans) embodied in French or British colonialism given their denial of positive liberty (i.e., self-determination) to “non-Europeans” like the Algerians or Kenyans.³⁰ That Berlin cannot conceive of this interpretation is an indication of the liberal-colonial logic he has affirmed that upholds the colonial rule of accomplished European negative liberty over the aspirational claims of non-European positive liberty.

The liberal-colonial logic I am referring to is located in Berlin’s contention that a “principle” or a “practical compromise” has to be found to reconcile the fact that at times the freedom of some will be incurred at the expense of the freedom of others. This too can be read as a classical expression of British or French colonialism, whose instrumental ideologies of “native” development or “native” protection through civilizing mandates established such principles.³¹ Within the colonial context of the Cold War, Berlin ignores the implication that the positive liberty he proscribes is the only possible collective aspiration for liberty among those whose freedoms are curtailed by the liberal-colonial practical compromise. Because of the emphasis he gives to the need for a principle that preserves “a minimum area of personal freedom,” he re-establishes the preeminence of negative liberty at the expense of sustaining a relation that in effect is liberalism’s practical compromise with colonialism. Insinuating an antagonism between the two liberties, the preservation principle Berlin desires for negative liberty simply underwrites those who have liberty and undermines those who do not, respectively *the colonizers and the colonized*. This raises the curiously neglected question of whether the European colonizer’s concept of liberty is the liberal inheritance of Western political theory.

Thinking about what might be the liberal-colonial inheritance and legacy of *Two Concepts*, it is important to consider Berlin’s affinity with the two philosophers he describes as the “fathers of liberalism,”³² namely, John Stuart Mill and Benjamin Constant, who are prominently invoked in his elliptical discussions of anti-colonialism.³³ On three occasions, Berlin cites Mill’s *On Liberty* (published in 1859) as an authority in distinguishing what he takes to be a profound incompatibility between anti-colonialism and authentic conceptions of liberty. First, anti-colonialism is deemed deficient because it is

associated with what Mill described as “pagan self-assertion”; analogous to what might be disparaged today as *identity politics*. Second, it is found wanting because it is construed as oblivious to Mill’s notion of the “harm principle” which suggests that interference with the behavior of individuals is permissible only to the extent that it prevents harm being done to others. Third, it is seen as questionable because it is accused of not embracing civilized standards that seek the “maximum degree of non-interference compatible with the minimum, demands of social life.”³⁴ Although not expressly stated as such, Berlin inflects Mill’s views on the racial tethering of liberalism and colonialism, with respect to liberty. Mill’s concern with the universalism of liberty was radically less inclusive when it came to the rights of the colonized non-West. Without any hint of double standards, Mill argued, “we may leave out of consideration those backward states of society in which the race may be considered as in its nonage.” In those instances he argued, “despotism is a legitimate form of government in dealing with barbarians provided the end is their improvement and the means justified by actually effecting that end.” This was because liberty, “as a principle, has no application to any state of things anterior to the time when mankind have become capable of being improved by free and equal discussion.”³⁵ Mill provides an ontological division of the world into regions of liberty in the colonizing West and regions of despotism in the colonized non-West, with both regions ruled by the West’s instruments of *race governance*. In other words, for Mill the Western liberty question was bifurcated racially between European colonizers who possessed liberty and sought to protect it and the non-European colonized who did not and sought to acquire it from their colonizers.³⁶ However, what I am also suggesting is that Mill, like Berlin who follows him, does not conceptualize liberty, its protections and threats, outside of what might be described as its *Western possessive individualism*, the racial liberties of elite white European and white American citizens. This is extremely close to saying without saying that liberty is a racial value, invariably at the dispensation of a white Western birth right.³⁷

We can also trace a similar lineage of adherence to white Western birth rights in Benjamin Constant. Berlin’s analysis in *Two Concepts* was heavily influenced by Constant’s speech, *The Liberty of the Ancients compared with That of Moderns*, published in 1816.³⁸ Constant’s reflections on liberty return us to the trope of slavery which is posed as the ultimate threat to the liberty of citizens who actually have their liberties intact, in countries where they are not subject to despotic or foreign rule. Particularly deserving of attention is Constant’s disregard of the colonial-racial significance of the geographical sites of liberty he identifies early in his speech, “First ask yourselves, Gentleman, what an Englishman, a French-man, and a citizen of the United

States understand today by the word ‘liberty.’”³⁹ It is remarkable given the time period that Constant does not imagine a similar question as worth asking of the enslaved black populations of the English and French colonies, or of the colonized Native Americans and enslaved black populations of the United States. Constant forecloses the contemporaneous context of racial slavery, exploring instead distinctions between the modern liberty of individualism and the political liberty of the Ancients. For Constant, modern liberty encapsulated among other things “the right to be subjected only to the laws, and neither arrested, detained, put to death or maltreated in any way by the arbitrary will of one or more individuals.” Ancient liberty guaranteed the sovereignty of each individual citizen in affecting the deliberations of a republican government but “had no notion of individual rights” and allowed private actions to be “submitted to a severe surveillance.”⁴⁰ While he suggested the two liberties should find some form of rapprochement, there is no doubt that for Constant individual liberty was sovereign. This perhaps explains his repeated use of the trope of slavery to caution against the valorization of the Ancient republics that, like Sparta, virtually enslaved their own citizens in a monastic idealization of life, or that, like Athens, required a substantial community of slaves in order to have the leisure time to participate in public assemblies. Yet references to slavery occur only in relation to Western antiquity and contemporary metaphor, while the significance of Atlantic racial slavery is foreclosed by the use of references to antiquity and its contemporary metaphors. Indeed, as part of making his case for the intrinsic modern superiority of individual liberty, Constant argues without any obvious sense of irony that “thanks to commerce, to religion, to the moral and intellectual progress of the human race, there are no longer slaves among the European nations.”⁴¹ As far as Constant is concerned, even without saying it explicitly, the action of colonial-racial foreclosure makes it possible to assume that liberty is the racial preserve of European and American citizens who are propertied white males. In other words, freedom is represented as if embodied in a hegemonic Western possessiveness, almost an accident of white racial birth.

What is striking as we move from Berlin to Mill to Constant is that in each of these iconic signs of liberalism, the Western liberty question is identified racially with a political ontological distinction. This obtains between white citizen freedom and non-white, non-citizen unfreedom, where the latter’s realization of freedom can only be derived from the being and meaning of freedom as whiteness. A conceptual picture begins to emerge of modern freedom as a conception in Western liberal political theory that has routinely been enunciated from the colonial site of the citizen, an always already free white European or white American male, posited as the subject of rights, bearing the implications for reflecting on the meaning of liberty’s possible or

threatened absence.⁴² However, while this conceptual picture has long been recognized what has long been neglected is the extent to which its Western political formulation has perpetuated a conceptual inheritance that has largely subordinated the meaning of freedom for the colonized and the enslaved to the meaning of freedom for the colonizers/enslavers as the citizens. How that predicament confronts black political thought with the challenge of escaping its political and conceptual captivity by racial-colonial foreclosure is a question to which I now turn.⁴³

Fugitivity, Escape

In *Black Reconstruction*, published in 1935, W. E. B. Du Bois reflected at length on the post-slavery sabotage and collapse of mid-late nineteenth-century U.S. Reconstruction and the enduring failure to protect the political liberties of emancipated African Americans. Towards the end of that analysis, Du Bois turned his attention to the white tradition of historiography on Reconstruction that had either erased or disparaged the political leadership, participation, insights, and transformations of formerly enslaved black populations. Condemning its actions of foreclosure he wrote, “the chief witness of Reconstruction, the emancipated slave himself [*sic*] has almost been barred from court. His written Reconstruction record has been largely destroyed and nearly always neglected.”⁴⁴ While the presence of emancipated black populations could not be denied in the *white* histories and sociologies of Reconstruction, the political significance of slavery had been suppressed, and it was as if only “caricatures of Negroes” had been “preserved” in the archives rather than the “serious speeches, successful administrations and upright character” of the former slaves. Undoubtedly, argues Du Bois, “every effort has been made to treat the Negro’s part in Reconstruction with silence and contempt.”⁴⁵ Du Bois’s critique in *Black Reconstruction* is similar to that of Césaire’s *Discourse*; it exposes the colonial-racial structure of foreclosure in white hegemonic figurations of universal liberty. But it also reveals more sharply how foreclosure is governmental, invested in subsuming black populations within a racially ascribed incapacity to assume the responsibilities of liberty, hence the caricatures. In addition, it shows how the foreclosures of white historiography racially divested the liberty question of Reconstruction from any critique of its deeper, continued associations with slavery and race; hence the “Negro” is barred from testifying. Du Bois’s *Black Reconstruction*, written primarily against this barring, effectively interrupts what has been foreclosed. Reformulating white-skewed U.S. histories, it escapes that racially emblematic law of representation, by positioning itself within the discourse of black fugitivity, the political discursive legacy of the slave narrative.⁴⁶

African American and Black British slave narratives developed rapidly as a genre between the late eighteenth and mid-nineteenth centuries. Catalyzed by abolitionist movements on both sides of the Atlantic, they are important for developing alternative figurations of Western liberty.⁴⁷ Slave narratives have been variously defined as accounts of “the life, or a major portion of the life, of a fugitive or former slave, either written or orally related by the slave personally”⁴⁸ or “autobiographical narratives written or dictated by ex-slaves of African descent in the eighteenth, nineteenth, and twentieth centuries.”⁴⁹ While factually correct, perhaps what captures the political poignancy of the genre as foundational to black fugitive thought is Frances Smith Foster’s characterization of them as “personal accounts by black slaves and ex-slaves of their experiences in slavery and of their efforts to obtain freedom. Written after the physical escape had been accomplished and the narrators were manumitted or fugitive slaves.”⁵⁰ What is significant is the idea of freedom as a formulation conditional upon escape and the accruing status and rationale of fugitivity in the enactment of that escape. The slave narrative was based on a structure of exposition as escape. This included escaping the prohibitions against speaking outside the racial law of slavery; escaping the societal repression of the slaves aspirations for positive liberty from the site of fugitivity; and escaping political retribution for portraying the constraints, indignities and violence inflicted in the individual life of the slave narrator as a communitarian experience.⁵¹ Implicating racial slavery in sustaining the private space and privileged status of liberties accredited to white citizens, the slave narrative raised both the prospect of extending liberal ideals to the abolition of slavery and concurrent associations of liberal ideals with the institution of slavery. Slave narratives were “intensely political documents”⁵² writing the agency of escape into the logic of fugitivity that produced the narrating black subject.

Conventionally the idea of fugitivity in African American slave narratives is defined by the “slave’s geographical journey of escape, from the slave territories of the U.S. South to the free soil of the North or Canada.”⁵³ But we should not allow that familiar trope to obscure the political meaning of the relation between liberty, escape and fugitivity. Samira Kawash usefully suggests we can think about this in four connected ways, which expose the “liberal humanist” conception of freedom not only as socially hegemonic but as racially oppressive. First, in “stealing him- or herself” the black fugitive both “violated the law of property” and became “an outlaw.” Second, the black fugitive exposed “the groundlessness of the originating distinction between person and property.” Since the former slave was none of these, she/he could only occupy “this non-place between master and slave” in terms of “silence, invisibility and placelessness.” Third, the black fugitive “never exists as

subject,” as an outlaw the fugitive is “not subject to the law nor recognized as subject by law.” In being located as exterior to the law, the fugitive slave exposes the law to its “outside” or what might be described as racially prescribed terrain of unfreedom. Fourth, as the black fugitive is “neither self possessed nor simply property” she/he cannot be “recognized as a political subject and therefore can never be free” in accordance with the enduring status of fugitivity.⁵⁴ What Kawash manages to convey so insightfully are the political predicaments of escape that confront the encounter of black fugitivity with the Western institution of negative liberty in its mode of race governance. Negative liberty was effectively white liberty exempt from the intrusiveness and incursions of racial profiling. Although it provided the philosophical grounds for emancipation, it also established the political conditions that conferred black fugitivity, since it was evident that freedom from the law of slavery was not homologous with freedom from the rule of race.⁵⁵

Citizen Liberty, Slave Liberty

I want to suggest formulations of black freedom are only possible in their rewriting as forms of escape from the Western hegemony of liberty. This means black fugitive thought can only be sustained through the emancipation inherent in escape from the colonial-racial foreclosure underpinning consent to Western hegemony. We have seen the warrant for this approach in Césaire and Du Bois; it can now be further developed in a critical reading of David Walker.⁵⁶ Walker, a free-born African American and anti-slavery activist in the early nineteenth century, in 1830 published his *Appeal to the Coloured Citizens of the World but in particular and very expressly to those of the United States of America*. Comprising in part a rhetorical mobilization for sustained diasporic political activism against plantation slavery, it also developed a subtle if provocative analysis of the mix of liberalism, republicanism, Christianity, race and colonialism in the Western hegemony of American culture. Walker diagnosed the meaning of freedom and slavery in Western hegemonic culture from the Western foreclosed, oppositional focus of the enslaved, their dispersion, descendents and prospects for escape. In short, he contested the liberty claims of modernity in two principal critiques of Western colonial-racial foreclosure.

The first unraveled the racialization of modern liberty. Although nominally a free man of color, Walker described his own freedom as “of the lowest kind,” “the very dregs” and “the most servile and abject kind” since he was ever vulnerable to the rule of race.⁵⁷ His so-called freedom from interference was radically limited by race. Not only did it prevent him from standing for high office, it undermined his freedom of movement, invariably leaving him

susceptible to being enslaved like the majority of the black population in the United States if any white person questioned him and he was unable to produce or demonstrate the credentials of his liberty. Stephen Marshall suggests “Walker’s conception of freedom is markedly similar to the classic characterization of liberty that Isaiah Berlin associated with the canon of Western political philosophy.”⁵⁸ The importance of this observation however lies in also appreciating that unlike Berlin Walker did not privilege negative liberty and demonize positive liberty. Indeed while it might be said in Berlin’s political terms that Walker radically lacked negative liberty, in Walker’s own political terms even the positive liberty that was necessary to rectify this lack was radically insufficient and impoverished if it did not also include “the salvation of our whole body,” the diaspora of black populations, on a world-wide basis. Walker’s awareness of the colonial dimensions of Western hegemony urged that a collectivist, anti-slavery positive liberty was required to shore up an individualist negative liberty degraded by the rule of race.

Walker’s second critique unravels Atlantic racial slavery in modernity (i.e., the Americas) as the more pressing meaning of freedom’s antonym and as the normative basis of metaphorical allusions in political discourse rather than slavery in antiquity (i.e., Greece and Rome). During the course of this critique, Walker indicts Enlightenment luminary Thomas Jefferson whose *Notes on the State of Virginia* published in 1787 extolled liberal and republican values while equivocating on the abolition of slavery, describing it as a “great political and moral evil,” and yet favoring emancipation at some unspecified time in the distant future.⁵⁹ It should be recalled of course that Jefferson himself was a large-scale slaveholder in Virginia. Perhaps this explains the use of his *Notes* to dwell at length on the “eternal monotony” of the slave populations’ “unfortunate” skin color, their lack of “reflection” and undeveloped intellectual capacity, all of which he considered a “powerful obstacle to the emancipation of these people.”⁶⁰ What is particularly striking about Jefferson’s ambiguous defense and abhorrence of slavery, as Walker highlights emphatically, is his disingenuous comparison of U.S. plantation slavery with the slavery of Roman antiquity. Jefferson argued Roman slavery was “much more deplorable” than American slavery and expressed admiration that despite their ordeal the Roman slaves still managed to develop artistic and intellectual abilities, many excelling as poets. Jefferson concluded these achievements were possible because Roman slaves were a “race of whites” and commented instructively that when achieving emancipation how socially they were able to “mix without staining the blood” of their masters.⁶¹ Jefferson regularly used this comparison between white roman slaves and black American slaves to reinforce the idea of congenital racial inferiority

among the enslaved black populations and to absolve the American institution of slavery from the causes of the slaves' perceived intellectual incapacities. In effect, for Jefferson, modernity's American slavery, as odious as it may have been to his moral sensibilities, was not really slavery at all, that dubious distinction belonged to antiquity.

Walker, who was very familiar with these passages of racial abuse from Jefferson's *Notes*, provides not only a riposte but recasts the analysis of slavery politically as a counter-point to Jefferson's moral ambiguities and racial convictions. Walker reminds us emphatically that slavery in all its wretchedness is annexed to "this REPUBLICAN LAND OF LIBERTY!!!!!!!"⁶² His raised tone insists that a novel and unique political formation of slavery had emerged in modernity that had no correspondence in antiquity. Combining a colonial presence with universal claims of liberty and Christian espousals of equality, modernity's Atlantic slavery elaborated its governance through the Western hegemony of race. Within this context, Walker reverses Jefferson's contrast of slavery in modernity with slavery in antiquity to argue that the degradation of black populations in the Americas far exceeded the slaves of the ancient world. Degradation was not just a question of the dehumanizing formation of slavery in place, but also a racial abuse of the definition and provision of freedom in the same place. Walker's appeal to historiography is compelling: "Everybody who has read history knows that as soon as a slave among the Romans obtained his freedom, he could rise to the greatest eminence in the State, and there was no law instituted to hinder a slave from buying his freedom. Have not the Americans instituted laws to hinder us from obtaining our freedom?"⁶³ Walker's stricture here against the Western hegemony of freedom reveals the constitutive colonial relation between racial slavery and liberalism. It requires us to think about the material implications of racial slavery in the Americas being eclipsed by the metaphorical category of slavery in liberal political theory. Walker wrote like a fugitive from the law of race. His *Appeal* continues to be compelling in challenging us to escape the hegemonic Western meaning of liberty. It reminds us of the theoretical and political tasks involved in specifying the modern foreclosed Western colonial history and concept of racial slavery from which alternative meanings of freedom needed to be extricated, distinguished and formulated. With the universalization of liberalism's liberty having evolved dissociated from its detriment of colonized "others," whose regulation it perpetuated in the racialization of their aspirational and potential liberties, Walker's *Appeal* also raises the more perplexing but necessary question of what might it mean to be liberated or escape from this Western liberty.⁶⁴

Third Liberty, Master Liberty

We could begin to look for an answer to this question in the project of what has become known as the *third concept of liberty*. It seems a promising endeavor particularly given its representation as a radical counter-point to the limitations of negative liberty. Described respectively by Quentin Skinner as “non-dependence” and by Phillip Pettit as “non-domination,” it is increasingly being recuperated as a republican theory of liberty that was suppressed by the hegemony of liberalism in Western modernity.⁶⁵ Perhaps more importantly for our purposes, this concept of liberty is proclaimed as historically inscribed in a radical and unerring opposition to slavery. According to Skinner, “non-dependence” was a significant feature of Roman legal and moral argument as well as the discourse of republican liberty during the Italian renaissance, gaining particular prominence during the English revolution. “Civil liberty” for these “neo-Roman theorists” was strictly a political concept, rather than an individualist one; it emphasized the idea of free subjects in relation to the powers of a free state, a republic. Both the loss of liberty for the individual citizen and for the state was compared to “the condition of enslavement or servitude.” Conceptually the valorized liberty emphasized here differs fundamentally from “negative liberty” insofar as it argues the principle of “non-interference” is an insufficient guarantor of freedom. The principle of non-interference is constitutively susceptible to being dependent on an external power choosing not to interfere. Even if such an external power chose not to interfere that would only confirm an ultimate dependency. For Skinner, removing this ever present liability is the concern of the republican concept of liberty as “non-dependence.”⁶⁶

Because the republican idea of liberty turns so precisely on its radical distinction from slavery, it is important to know something more about the theoretical and historical specificity of slavery from which it is extracted. In this sense, Pettit’s formulations distinguishes “non-domination” from non-interference, arguing that in the latter liberalism places emphasis on constraint or restraint in contrast to liberty, whereas in republicanism the contrast is with slavery. From the republican perspective of “non-domination,” unfree persons are “subject to arbitrary sway” or “subject to the potentially capricious will or potentially idiosyncratic judgment of another.” Non-domination involves the elimination of “arbitrary interference”; it requires “the resilient absence of the interference.” What is at stake here is the elimination of domination that from the republican perspective is encapsulated in the idea of slavery.⁶⁷ For Pettit, the republican tradition is always cast in terms of the opposition between “*liber* and *servus*, citizen and slave.”⁶⁸

The domination characteristic of slavery accrues from the capacity to exert power over another, particularly “a power of interference on an arbitrary basis.”⁶⁹ There is, however, a peculiar conceptual problem with this particular idea of slavery as political domination. It is imagined as occurring to people who are already intact as persons; it is posed as a potential threat to a pre-existing citizenship. It excludes for example the social domination involved in chattel slavery, where the non-citizenship of the pre-existing enslaved has already been established on the basis of an ascribed non-person and violently enforced property status.⁷⁰ This concern with liberty as the threat of slavery to accredited citizens combined with a disregard of the meaning of liberty for the actually enslaved can be also seen in Skinner and Pettit’s symbolic citation of the American Revolution. Both regard it as exemplary of the third liberty’s antagonism to slavery, yet their insights are only made possible by the same colonial-racial foreclosures we saw earlier in the Berlin/Mill/Constant discourse of liberalism. Skinner, for example, reflecting on how contemporary advocates of the Revolution compared their condition to slavery, identifies the 1776 “Declaration of Independence” as symbolic insofar as it was “a declaration of an end to their state of dependence upon—and hence enslavement to—the British crown.”⁷¹ Of course, what this ignores is that the American Revolution was both *for* and *against* slavery. It was *against* the projected metaphorical political enslavement of the thirteen colonies’ white populations to the British crown, and *for* the prevailing institutional, material enslavement of its black populations to the thirteen colonies. Consequently, entangled in the historical and conceptual terms of the third liberty are two narratives of slavery, in mutual political antagonism, the one metaphorical and the other material. Metaphorical slavery was predicated on the idea of an external threat to a fore-grounded, existing white liberty, which in turn was haunted by the prospect of a black freedom repressed by a material slavery.⁷² Susan Buck-Morss has observed that by the eighteenth century slavery had become “the root metaphor” of Western political philosophy, representing everything that could be despised about relations of power. Yet as Atlantic slavery reached its apogee during this period underwriting the entire capitalist economic system of the West, Enlightenment inspired discourses were less concerned with “really-existing slavery than its metaphorical analogy.”⁷³ If it may be argued that eighteenth-century Western political theorists were simply of their time, we are still obliged to explain their contemporary descendants who are equally adept at constructing “Western histories as coherent narratives of freedom”⁷⁴ while remaining silent about the existence and implications of their colonial-racial foreclosures, as if there was no escape.

Conclusion

According to Saidiya Hartman, the former slave's political experience under the regime of late-nineteenth century U.S. Reconstruction and its aftermath was one of palpable "discontinuity between substantial freedom and legal emancipation." Emancipation contained a "discrepant legacy." The former slaves, experiencing freedom through racially circumscribed behavior, were confronted by a "double bind of freedom."⁷⁵ Black populations continued to be policed and regulated in a myriad of circumstances in the interests of capitalism and the "preservation of a racial order on which the white republic was founded." The double-bind of freedom meant being "free from slavery and free of resources, emancipated and subordinated, self-possessed and indebted, equal and inferior, liberated and encumbered, sovereign and dominated, citizen and subject."⁷⁶

Throughout this essay, I have raised a number of conceptual and political issues about the Western liberal and republican meaning of liberty, in relation to its foreclosures of Western colonialism and race governance. These can now be summarized in three cumulative questions: Is the idea of liberty in Western political theory marked at its modern inception by occulting its formative affiliations with European metropolises and non-European colonies? If so, does the universalism of this liberty rely on the precise nature of its Western affiliations with racial slavery and European imperial architecture remaining unspeakable and unrepresentable? Finally, if so, is the *modern tradition* of theorizing liberty in Western political theory established through inheriting a reiteration that silences the questions I have just posed?

The Western hegemonic response to these questions is exemplified in the colonial-racial foreclosures I identified in the lineage and legacies of Berlin's *Two Concepts*. A subaltern though no less Western response has been to disinter these questions through escaping their foreclosure. The anti-slavery metaphor of escape underlines the significance of fugitivity in black political thought. In Du Bois's *Reconstruction*, it occurs as the interruption of what has been foreclosed where it is suggested as the idea of escaping from the restraints of white-accountable historiography and extricating the bearing of black witness to what has been foreclosed. Du Bois's *escapology* insinuates a commitment to eluding, revealing and interrogating the liberal-colonial suturing of Western liberty as whiteness.⁷⁷

Escapology recurs as a figure of black fugitive thought in Césaire's *Discourse* and Walker's *Appeal*, in two mutually reinforcing ways. First, as *escape from complicity* it refuses the unspeakability of the depredations, distortions, and violations made possible by the colonial-racial foreclosures of Western hegemony. Second, as *escape to critique* it is oriented as the black

political other to the race governance that makes Western hegemony possible. Perhaps indicative of a black subaltern Western lineage, this figure of escapology might be read in various twists and turns of black fugitive thought, whether excavating black radicalisms,⁷⁸ circumventing the colonial-racial order of things,⁷⁹ reanimating the souls of black folk,⁸⁰ cultivating the “Black Fantastic”⁸¹ or augmenting our intellectual and cultural capacities to embody the meaning of freedom subversively.⁸² Always racially profiled by but never racially assimilated to Western hegemony, black fugitivity obliges radically escapist pathways.⁸³

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Notes

1. Isaiah Berlin, *Liberty*, ed. Henry Hardy (Oxford: Oxford University Press, 2002), p. 284.
2. Aimé Césaire, *Discourse on Colonialism* (New York: Monthly Review Press, 1972).
3. See Berlin, *Liberty*, pp. 166–217.
4. For the purposes of this essay, I follow Berlin in using these two terms interchangeably.
5. Russell Grigg, *Lacan, Language and Philosophy* (New York: State University of New York Books, 2008), p. 7; See also Bruce Fink, *The Lacanian Subject—Between Language and Jouissance* (Princeton, NJ: Princeton University Press, 1995).
6. Judith Butler, *Excitable speech—A Politics of the Performative* (London: Routledge, 1997), p. 139.
7. Berlin, *Liberty*, p. 167.
8. See Thomas Borstelmann, *The Cold War and the Color Line* (Cambridge, MA: Harvard University Press, 2001); Mary L. Dudziak, *Cold War, Civil Rights: Race*

- and the Image of American Democracy* (Princeton, NJ: Princeton University Press, 2000); Vijay Prashad, *The Darker Nations* (New York: The New Press, 2007); Odd Arne Westad, *The Global Cold War* (Cambridge: Cambridge University Press, 2007).
9. Berlin, *Liberty*, p. 170.
 10. *Ibid.*, p. 178.
 11. *Ibid.*, pp. 190–91.
 12. This is derived from Berlin's argument that though positive and negative liberty may "logically" be perceived as different ways of saying the same thing, they "historically developed in divergent directions," subsequently coming into "conflict with each other" (TC 179). George Crowder has called this an "inversion thesis." See Crowder, *Isaiah Berlin: Liberty and Pluralism* (Malden, MA: Polity, 2004), pp. 68–71.
 13. This formulation is derived from Eric Wolf, *Europe and the People without History* (Berkeley: University of California Press, 1983).
 14. See Westad, *The Global Cold War*.
 15. Domenico Losurdo, *Liberalism—A Counter-History* (London: Verso, 2011), p. 1.
 16. See Losurdo, Chs. 1–2; Uday Singh Mehta, *Liberalism and Empire* (Chicago: University of Chicago Press, 1999); Jennifer Pitts, *A Turn to Empire* (Princeton: Princeton University Press, 2005).
 17. See Seng Tan and Amitav Acharya, eds, *Bandung Revisited—The Legacy of the 1955 Asian-African Conference for International Order* (Singapore: National University of Singapore Press, 2008); Christopher J. Lee, ed., *Making a World after Empire—The Bandung Moment and Its Political Afterlives* (Athens, OH: Ohio University Press, 2010).
 18. Césaire, *Discourse on Colonialism*.
 19. See Richard Wright, *The Color Curtain: The Bandung Conference* (London: Denis Dobson, 1955); Frantz Fanon, *The Wretched of the Earth* (London: Penguin Books, 1963).
 20. Berlin, *Liberty*, pp. 201–4.
 21. I am thinking particularly of Berlin's discussion of the "Egyptian peasant" for whom he argues freedom has no great value compared to "medical help or education," 171–72.
 22. Octave Mannoni, *Prospero and Caliban—The Psychology of Colonization* (University of Michigan Press, [1950] 1999), pp. 133–38.
 23. Césaire, *Discourse on Colonialism*, p. 41.
 24. Césaire, *Discourse on Colonialism*, p. 17.
 25. See Antony Anghie, *Imperialism, Sovereignty and the Making of International Law* (Cambridge: Cambridge University Press, 2004).
 26. See Barnor Hesse, "Racialized Modernity—An Analytics of White Mythologies," *Ethnic and Racial Studies* 30 (2007): 643–63.
 27. James Tully, *Public Philosophy in a New Key—Imperialism and Civic Freedom, Vol. 2* (Cambridge: Cambridge University Press), p. 144.

28. See Walter Dignolo, *The Darker side of Western Modernity* (Durham, NC: Duke University Press, 2011); Michael Mann, *The Dark Side of Democracy—Explaining Ethnic Cleansing* (Cambridge: Cambridge University Press, 2005).
29. Partha Chatterjee, *Lineages of Political Society—Studies in Postcolonial Democracy* (New York: Columbia University Press, 2011).
30. On the French and Algeria, see Todd Shepard, *The Invention of Decolonization: The Algerian War and the Making of France* (Ithaca, NY: Cornell University Press, 2006); on the British and Kenya, see Caroline Elkins, *Imperial Reckoning: The Untold Story of Britain's Gulag in Kenya* (New York: Henry Holt, 2005).
31. See, e.g., Robert Collins, ed., *Historical Problems of Imperial Africa* (Princeton, NJ: Markus Wiener Publishers, 1994); Alice L. Conklin, *A Mission to Civilize: The Idea of Empire in France and West Africa, 1895–1930* (Stanford: Stanford University Press, 1997).
32. Berlin, *Liberty*, p. 207.
33. *Ibid.*, pp. 200–212.
34. *Ibid.*, pp. 205–7.
35. John Stuart Mill, *On Liberty*, p. 71.
36. David Goldberg refers to this as “racial historicism”; it is the late nineteenth-century idea that non-Europeans under the right European tutelage could be admitted to political society, see *The Racial State* (New York: Blackwell, 2000).
37. Cf. Nick Bromell’s suggestion that the political psychology of the slaveholder “thinks of itself as ontologically free,” having carved existence “into two distinct realms, the free and the unfree,” thereby “understanding its own agency as being possible” only in the “realm of the free or returning to it.” See “Democratic Indignation: Black American Thought and the Politics of Dignity,” *Political Theory* 41, no. 2 (2013): 285–311.
38. Benjamin Constant, “The Liberty of the Ancients Compared with That of the Moderns,” in *The Libertarian Reader: Classic and Contemporary Writings from Lao-Tzu to Milton Friedman*, ed. David Boaz (New York: Free Press, 1997), pp. 65–74.
39. *Ibid.*, p. 66.
40. *Ibid.*
41. *Ibid.*, p. 69.
42. See Charles Mills, *The Racial Contract* (Ithaca: Cornell University Press, 1997); Nancy J. Hirschmann, *The Subject of Liberty—Toward a Feminist Theory of Freedom* (Princeton: Princeton University Press, 2003).
43. For a broader account of black political thought, see Michael Hanchard, “Contours of Black Political Thought: An Introduction and perspective,” *Political Theory* 38, no. 4 (2010): 510–36.
44. W. E. B. Du Bois, *Black Reconstruction in America 1860–1880* (New York: Touchstone Books, Simon and Schuster, 1995).
45. Du Bois, *Black Reconstruction*, p. 721.
46. See Stephen Best and Saidiya Hartman, “Fugitive Justice,” *Representations*, no. 2 (Autumn 2005): 1–15.

47. The first best-selling slave narrative was that of Olaudah Equiano in 1789 in Britain. As abolitionism gained momentum in the early nineteenth century, there was an increased demand for eyewitness accounts of the violent regimes and experiences of slavery in the United States. This stimulated popularity for the slave narratives of Frederick Douglass (1845), William Wells Brown (1847), Henry Bibb (1849), Sojourner Truth (1850), Solomon Northup (1853), William and Ellen Craft (1860) and Harriet Jacobs (1861). See William L. Andrews, "Slave Narratives," *Encyclopedia Britannica's Guide to Black History*, <http://www.britannica.com/blackhistory/article-9068166>.
48. Andrews, "Slave Narratives."
49. Charles T. Davis and Henry Louis Gates Jr., eds., *The Slave's Narrative* (Oxford: Oxford University Press, 1985).
50. Frances Smith Foster, *Witnessing Slavery—The Development of Ante-Bellum Slave Narratives* (Madison: University of Wisconsin Press, 1979), p.3
51. See Toni Morrison, "The Site of Memory," in *What Moves at the Margin: Selected Nonfiction*, ed. Carolyn C. Denard (Jackson: University Press of Mississippi, 2008).
52. Bruce D. Dickerson Jr., "Politics and Political Philosophy in the Slave Narrative," in *The Cambridge Companion to the African American Slave Narrative*, ed. Audrey Fisch (Cambridge: Cambridge University Press, 2007).
53. Samira Kawash, *Dislocating the Color Line—Identity, Hybridity and Singularity in African American Literature* (California: Stanford University Press, 1997), p. 23.
54. *Ibid.*, pp. 50–59.
55. Best and Hartman ("Fugitive Justice") describe this escapist predicament as the "sign of the political interval in which all captives find themselves." The interval lies between the "no longer and the not yet"; it contains the "mutual imbrication of pragmatic political advance with a long history of failure." In this political interval, they "find a representation in miniature of fugitive justice," which they describe as the "master trope of black political discourse." See "Fugitive Justice," p. 3.
56. David Walker, *Appeal To the Coloured Citizens of the World but in particular, and very expressly, to those of the United States of America* (Baltimore: Black Classic Press, 1993). The 1830 publication was the third and final edition of the Appeal, originally finished and circulated in October 1829. Walker was also a writer and an agent for *Freedom's Journal*, the first African American newspaper in the U.S. published by free blacks during 1827–1829. See Jacqueline Bacon, *Freedom's Journal: The First African American Newspaper* (Lanham, MD: Lexington Books, 2007).
57. Walker, *Appeal To the Coloured Citizens*, p. 49.
58. Stephen H. Marshall, *The City on the Hill from Below—The Crisis of Prophetic Black Politics* (Philadelphia, PA: Temple University press, 2012), p. 52.
59. Thomas Jefferson, *Notes on the State of Virginia* (Chapel Hill: University of North Carolina Press, [1787] 1992), p. 87.

60. Ibid., p. 143.
61. Ibid., p.143.
62. Walker, *Appeal To the Coloured Citizens*, p. 22.
63. Ibid., p. 36.
64. Following the publication of his appeal, Walker was a wanted man. A group of southern slave owners offered a ten-thousand-dollar reward for him dead or alive. On June 18, 1830, Walker was discovered dead in the doorway of his tailors shop in Boston. For related and important analyses of Walker, see Peter P. Hinks, *To Awaken my Afflicted Brethren—David Walker and the Problem of Antebellum Slave Resistance* (University Park: Pennsylvania State University Press, 1999), pp. 173–236; and also Gene Andrew Jarrett, *Representing the Race: A New Political History of African American Literature* (New York: New York University Press, 2011), pp. 38–47.
65. See Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford: Oxford University Press, 1997); and Quentin Skinner, *Liberty Before Liberalism*, (Cambridge University Press, 1998).
66. Skinner, *Liberty*, pp. 69-85.
67. Pettit, *Republicanism*.
68. Ibid., p. 31.
69. Ibid., p. 52.
70. See Orlando Patterson, *Slavery and Social Death* (Cambridge, MA: Harvard University Press, 1982), pp. 5–7).
71. Skinner, *Liberty*, p. 44.
72. As Adam Rothman argues, the “question is not merely why the revolutionary generation did not abolish slavery, but why slavery expanded under its watch.” The enslavement of black populations expanded in the 50 years following the American Revolution. See Adam Rothman, *Slave Country* (Cambridge: Harvard University Press, 2005), pp. xi–x.
73. Ibid., p. 36.
74. Susan Buck-Morss, *Hegel, Haiti and Universal History* (Pittsburgh: University of Pittsburgh Press, 2009), pp. 21–22.
75. Saidiya Hartman, *Scenes of Subjection* (New York: Oxford University Press, 1997), p. 12.
76. Ibid., p. 117.
77. For a discussion of the African American culture and politics of escapology see Daphne A. Brooks, *Bodies in Dissent—Spectacular Performances of Race and Freedom, 1850–1910* (Durham: Duke University Press, 2006).
78. See Cedric Robinson, *Black Marxism—The Making of the Black Radical Tradition* (London: Zed Press, 1983), and Anthony Bogues, *Black Heretics and Black Prophets—Radical Political Intellectuals* (London: Routledge, 2003).
79. See Patricia Hill Collins, *Black Sexual Politics* (London: Routledge, 2004); Robert Gooding-Williams, *In the Shadow of Du Bois—Afro-Modern Political Thought in America* (Cambridge, MA: Harvard University Press, 2009); Paul Gilroy, *Darker Than Blue—On the Moral Economies of Black Atlantic Culture* (Cambridge, MA: Harvard University Press, 2010).

80. See Richard Iton, *Solidarity Blues—Race, Culture and the American Left* (Chapel Hill, NC: University of North Carolina Press, 2000); Kimberly Springer, *Living for the Revolution—Black Feminist Organizations, 1968–1980* (Durham, NC: Duke University Press).
81. This describes imaginative, challenging, and creative black ways of being that resist and escape racialized conventions; see Richard Iton, *In Search of the Black Fantastic—Politics and Popular Culture in the Post-Civil Rights Era* (New York: Oxford University Press, 2008).
82. See Robin D. G. Kelley, *Freedom Dreams—The Black Radical Imagination* (Boston: Beacon, 2002); Fred Moten, *In the Break—The Aesthetics of the Black Radical Tradition* (Minneapolis, MN: University of Minnesota Press, 2003); and Monica L. Miller, *Slaves to Fashion—Black Dandyism and the Styling of Black Diasporic Identity* (Durham, NC: Duke University Press, 2010).

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