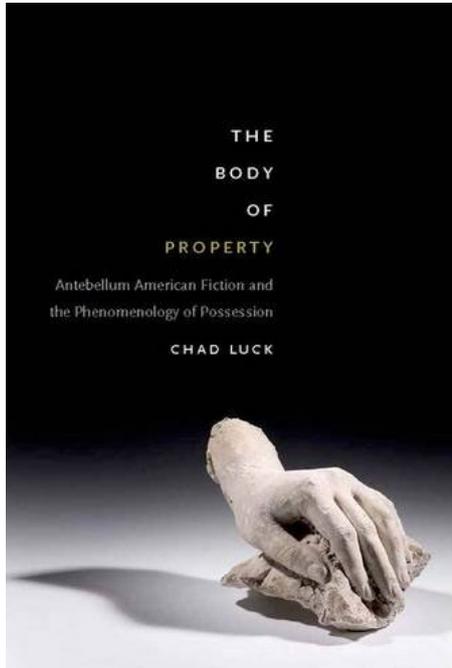




## The Body of Property: Antebellum American Fiction and the Phenomenology of Possession

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Recensione di Valentina Romanzi\*

*The Body of Property*, by Chad Luck, is without any doubt a peculiar book. Its main aim is to join two seemingly very separate fields of knowledge -- law and literature-- in an organic and coherent critical work that revolves around antebellum American fiction and the fundamental yet quite ephemeral concept of property. However, I will argue that if there is one single area of literature that can best be deployed for this analysis, this is bound to be the American one. As Richard Pipes has wisely stated, “(t)he country that became the United States (is) unique in world history in that it was founded by individuals in quest of private property” (240). Given this, it is revealing to note how the literature of this country reflects many of the issues that characterize its society.

Starting from a legal case from the very beginning of the nineteenth century, the apparently minor yet fundamental *Pierson v. Post*<sup>1</sup> case of 1805, Luck introduces the readers to one of the recurrent and fundamental questions that constitute the frame of his work that of the origins of property. In his own words,

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<sup>1</sup> The case revolves around a quarrel between Jesse Pierson and Lodowick Post: Post was hunting a fox and Pierson, who was passing by, killed it and claimed property over the dead animal. Luck says about this case: “Over the past two hundred years, *Pierson v. Post* has gradually evolved from a bit of provincial hunting law into perhaps the best-known legal justification for the original acquisition of unowned property” (2).



*Pierson v. Post* (...) is a crucial juncture in American legal history because it is one of the very few times that American jurisprudence directly addresses, more or less, the fundamental, ontological nature of property. This is a case in which the court attempts, however tentatively, to think through the very difficult problem of how an unclaimed object in the world is transformed into that peculiar phenomenon we call property. (5)

Of particular significance in this quote is the approximation and rarity with which the American legal system has approached the subject matter, an attitude that, according to Luck, differs greatly from that of Antebellum American novelists. His claim is that “whereas Anglo-American legal theory since John Locke has sidestepped anxiety-inducing questions about the nature and ontology of property, American writers in the eighteenth and nineteenth centuries eagerly took them up” (6). It is not too daring to say, I believe, that the author tries to answer a mainly legal question through definitely non-legal means --namely, literary ones. Luck wisely chooses the material for implementing his analysis, offering a varied and exhaustive overview of the many aspects property can acquire throughout space and diverse social situations, all encapsulated in a synchronic perspective. Preparing the ground for his phenomenology of possession,<sup>2</sup> as he calls it, Luck argues that historians underline a “gradual shift from an older idea of property as a ‘thing’ to an emergent idea of property as a ‘bundle of rights’. That is, (...) a *trajectory of abstraction*” (10) that starts from the eighteenth century and reaches the much more capitalistic nineteenth century. Furthermore, it is argued that such a rapid shift from a very concrete, land-based economy to one characterized by speculation and virtual property, has caused a number of cultural anxieties that resonate through Antebellum American novels. Luck’s book unfolds across this very trajectory of abstraction and a connected “shift in focus from theories of sensation to theories of affect” (23). Consequently, the first two chapters deal with the bodily experience of property and possession, while the remaining two take into consideration the feeling and consequences of owning (or being deprived of) something.

Approaching *Edgar Huntly* in the first chapter, for instance, the author considers property as created by the body and its movements. Using the frontier as the background for his first in-depth analysis of the core concept of the book, Luck argues that property has a strong connection with space and the creation of space. Introducing Charles Brockden Brown’s perspective on the topic, he writes:

Whereas phenomenology views space as the product of an individual body moving and sensing its way through the environment, social constructionism sees it instead as a kind of social morphology, the result of social behaviors and economic forces. Brown’s narrative suggests that these explanations need not be mutually exclusive; in fact, the production of space is best understood as a combination of both. (39-40)

Making space the fundamental object of appropriation, the author stresses the importance of touch<sup>3</sup> in Brown’s narrative as the act that generates spatial boundaries through which property can finally come to life (since it is hardly possible to define property without boundaries that restrain its effect). Therefore, he argues that it is not touch itself that produces the boundaries, but “the process of intimate contact with an Other” (56). Following Michel de Certeau’s theories, he suggests that such a contact can be either violent or amorous or both. He uses such a definition to bring into discussion the relationship between white settlers and Native American people, analyzing the way it is represented in Antebellum American fiction. Yet, the inevitable consequence is a narrative of conflict, based on erasure and appropriation in creating frontiers through the act of walking and encountering, violently and intimately, the other. At the end of the chapter, Luck focuses on sleepwalking as the ultimate form of creation of space, debating that, as soon as you take away “the experience of the movement that (...) links (two specific places), the meaning of the two spaces becomes incomprehensible” (73). He believes that moving consciously from a place to another forces individuals to lose focus on the actual movement, as they merely concentrate on the trajectory between

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<sup>2</sup> Luck describes his theoretical framework as “neo-phenomenology” because it includes a historical perspective, while traditionally phenomenological approaches only “focus on first-person experience and the structures of consciousness” (18).

<sup>3</sup> According to Luck, Brown draws this concept from the work of the French philosopher Condillac. (44)



arrival and starting point. Yet, sleepwalking forces the readers to engage with the movement itself. As a link to the following chapter, the writer also argues that “sleepwalking might be better understood as a dramatic form of dis-possession in that it represents a loss of sovereignty over one’s own body” (75).

In the second chapter, we witness a shift from an analysis of external elements (frontier, touch, etc.) to one of internal elements -- the home and the act of eating.<sup>4</sup> One of the fundamental assumptions of this chapter, borrowed from Lakoff and Johnson, is that “human conceptual systems grow out of our embodied experience of the world” (109). In this sense, we can say that we are somehow aware of our body as a container and in this way we can apply the idea of “container” to the outside world. Drawing from this parallel, Luck assumes that our body can be equated to our home (to the point of considering the latter as an extension of the former), and the action of ingesting to that of storing objects in our house. Nutrition in particular has a relevance in this chapter since Luck, using Locke’s theory on property, claims that it “is the point of origin for all appropriation” (92). Following this line of reasoning, we could state that it is through eating that we first experience the feeling of possession, and this is exactly why we can conceive such an idea in the world outside our bodies.<sup>5</sup> In a chapter characterized by a strong feminine presence (the writer here takes into account Hawthorne’s *The House of The Seven Gables* and Stoddard’s *The Morgesons*), Luck provides several examples of women having nutrition problems and thus having troubles relating to the concept of possession and property. Property is here defined as possession moved into the social sphere, where there is an Other that can support your claim on an object or challenge it (122). Other examples see women being ensconced in a domestic space, where they can find their “rightful” place in the system of possession. The last part of the second chapter, indeed, deals with a more gendered and yet feminine perspective of possession, with Luck arguing that “(the two novels) suggest that home is a privileged site for the construction and maintenance of two alternative versions of property exchange: the commodity and the gift” (122). If commodity is a masculine matter, deeply rooted in the acquisition of property on the market, a gift-based economy is its counterpart, perfectly embodied by the caring mother that provides selflessly for her family.

This same gift-economy is central in the third chapter, where the author engages with the genre of plantation romances. Starting from George Fitzhugh’s claim that “slaves (...) are best understood as cherished members of the master’s extended ‘family,’” (139) Luck underlines how the genre has tried to disguise a property relation as a domestic, sentimental one. He shows how authors try to present the master as a benefactor of slaves, who should be grateful for his gift, even though the opposite often occurs. On the one hand, this chapter discusses how giving a gift usually entails a debt towards the giver and the fact that plantations ‘masters would be subjected to a debt. In this way, we regard the exploitation of the slaves as a gift. In his own words, “(the affective economy of the master-slave relation) is plagued by the specter of debt-relation, by a fear of white indebtedness brought about by exploitation of black slaves” (146). On the other hand, having given something to the masters would enhance the slaves with a sense of entitlement, which would only grow bigger if they were forced to stop seeing this passage of property as a gift and look at it as a theft. On this subject, Luck takes into consideration the Hegelian idea that, “for an individual to be free, he must create for himself ‘an external *sphere of freedom*,’ specifically through the medium of private property” (142). The author mostly relies on Locke’s definition of property as growing out of labor<sup>6</sup>. We can assume that, in order for a man to be free, he must be able to work, thus acquiring some form of private property. Looking at the context of the plantation, we can easily draw the conclusion that slaves were not free because they were deprived of the product of their labor. This deprivation, when looked from the point of view of the slaves, gives them a sense of entitlement, which results in a shift from stealing to taking in the perception of theft. The final part of this chapter deals with what Luck defines “spatial unease,” (175) by which he means the opposite views on the plantation space. What is most relevant here is his claim that the master’s structure of the plantation is that of rigid control and erasure, while the slaves’ structure of the same territory

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<sup>4</sup> Such an inside/outside opposition recurs frequently in this book; the idea of the threshold, of a separation line moves through the chapters and appears in many shapes and situations.

<sup>5</sup> Luck is keen to point out a slight but relevant difference between possession proper and possession through eating. Very shortly, he states that the latter is a kind of sensory experience which also enables us to perceive ourselves as sensate bodies, while the former is a suspension of the act of eating, it is storing the food and knowing it is there for our consumption. (93)

<sup>6</sup> “Locke famously proposes that an individual comes to possess something by ‘mixing’ his labor with it” (66).



is that of defiance and free movement (173). The writer argues that this opposition is fueled by the same dialectic of debt and entitlement, where the consequence would be the invasion and defiance of the master's property.

While chapter three shifts its attention from a more physical aspect of property to a more emotional response to appropriation and misappropriation, chapter four is dedicated to the feeling of being robbed. Using George Lippard's city novels, Luck faces the urban environment, characterized by thefts and exploitation just as much as the plantations.<sup>7</sup> Given his statement that sensational literature is in itself a theft, because "authors and novels enact a home invasion of sorts, stealing into both the literary limelight and into the sympathies of the readers," (191) he then moves on to explore the effect that reading such novels can have and it is thus linked to a social rebellion. Consequently, he states that "(r)adical reformers understood market capitalism itself to be a form of theft" (193) against which the lower classes would naturally want to rebel. Lippard's novels engage with theft suffered by the weak, undefended classes by the hands of capitalists<sup>8</sup>, recalling a critique from the class of artisans and workers that accused the capitalists of prospering with the labor of thousands of people that were effectively deprived of the products of their work (198). In particular, Luck's attention is on the effect of distress, which is crucial in Lippard's narratives. Luck argues that, in presenting a stream of theft episodes, Lippard aims at causing a distress response in the readers, so that they will sympathize with oppressed classes. Distress, however, is not merely caused by theft, but it is also due to an architecture that seems never to grant complete security to its inhabitants. Luck argues that

Lippard's urban architecture continually opens a trapdoor under the reader's feet. (...) The reader's anxiety, or more properly, the reader's distress response, derives from the notion that there are no impermeable boundaries at all in the city; all property, including the property of one's own body, is susceptible to expropriation via the hidden thresholds that riddle urban space. (216)

On this last alarming notion, the author lays the foundation for the last part of this chapter, which shows the trope of the grave robbers as a fitting metaphor for the capitalistic mentality that has no more boundaries and sees the bodies as goods to be traded, no longer subjects but objects (228). Consequently, the loss of the body is the final theft and the final loss of the ability to possess.

In conclusion, Luck's work is a stunningly detailed analysis of the many shapes that property can acquire through Antebellum American fiction and therefore Antebellum American society. Identifying four groups of individuals that underwent dispossession and erasure against a masculine, capitalistic society, Luck manages to identify the origins of property and the consequences that owning and losing something, entail. Following a few constant tropes, such as the hut and its evolution through the various works cited he succeeds in giving an overview of a shift that moved from a very concrete, land-based idea of property to a quite abstract version of it. This last version is thus characterized by anxiety and distress. It culminates succeeding in upholding his initial claims and setting the ground for new enquiries in the literary (and legal) field.

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<sup>7</sup> Lippard is indeed truly invested in the trope of the theft, to the point that in the introduction of *Quaker City* he writes that "the assassin of chastity and maidenhood is worthy of death by the hands of any man, and in any place" (1), in a fashion that reminds of the concept of *Homo Sacer*, which Giorgio Agamben explores deeply in his work of the same name. He says that "(t)he sacred man (Homo Sacer) is the one whom the people have judged on account of a crime. It is not permitted to sacrifice this man, yet he who kills him will not be condemned for homicide; in the first tribunitian law, in fact, it is noted that 'if someone kills the one who is sacred according to the plebiscite, it will not be considered homicide'" (Agamben, 47).

<sup>8</sup> Actually, this is not always true. In fact, most of the robbed people in Lippard's books are actually the wealthy, but he writes them so that they are much closer in looks and appearances to the poor classes than to the rich ones (213).



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