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MA Humanities: Contemporary Art, Literature and Culture



Layers of freedom:
a philosophical analysis of
19th century North American Literature

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Abstract

In this thesis, the concept of “freedom” is explored from a philosophical perspective to understand its evolution since Aristotelian times and discern what form it took in North America during the 19th century. Through the elaboration of political documents at the very end of the 18th century such as the Declaration of Independence (1776) or the US Constitution (1788), this country’s ideals were stated on paper, yet they were far from being applicable to all citizens. After the turn of the century, slavery was still allowed in many states, and its eradication towards the second half thereof meant a complete shift that would change North America’s mindset forever, even if its traces are still visible nowadays. The thorough analysis of two key literary texts in the US panorama – Thoreau’s *Civil Disobedience* (1849) and Jacobs’ *Incidents in the Life of a Slave Girl* (1861) – provide the reader with two very distinct perspectives of living during these troubled times, where only some avoided the every-man-for-himself mentality. The audience that their testimonies reached revealed how contradictory rights could be and became eye-opening for many: freedom was not as straightforward as it seemed, let alone universal.

Key words: Freedom, Slavery, North American Literature, 19th century, Philosophy

Resumen

En esta tesis se explora el concepto de “libertad” desde una perspectiva filosófica para entender su evolución desde la época aristotélica y discernir qué forma tomó en Norteamérica durante el siglo XIX. A través de la elaboración de documentos políticos a finales del siglo XVIII como la Declaración de Independencia (1776) o la Constitución de los Estados Unidos (1788), los ideales de este país quedaron plasmados en el papel, pero estaban lejos de ser aplicables a todos los ciudadanos. Después del cambio de siglo, la esclavitud todavía estaba permitida en muchos estados, y su erradicación hacia la segunda mitad del mismo significó un giro total que cambiaría la mentalidad de Norteamérica para siempre, aunque sus huellas aún son visibles en la actualidad. El minucioso análisis de dos textos literarios clave en el panorama estadounidense - *Desobediencia civil* de Thoreau (1849) e *Incidentes en la vida de una esclava* (1861) de Jacobs- brinda al lector dos perspectivas muy distintas de cómo vivir estos tiempos convulsos, donde sólo algunos evitaron la actitud de “sálvese quien pueda”. La audiencia a la que llegaron sus testimonios reveló cuán contradictorios pueden ser los derechos y se volvió revelador para muchos: la libertad no era tan sencilla como parecía, y mucho menos universal.

Palabras clave: Libertad, esclavitud, Literatura norteamericana, siglo XIX, filosofía

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1. Introduction

<<Hot weather brings out snakes and slave holders, and I like one class of the venomous creatures as little as I do the other. What a comfort it is, to be *free* to say so!>> (Jacobs 1861:143)

Even if it is taken for granted as the bare minimum by many, from Harriet Jacobs' (born into slavery in 1813) point of view, liberty did not seem to be a privilege everyone held. Freedom of speech and thought has been severely restricted throughout history, this statement being only an example of how freedom is constantly assumed from Aristotle times. When the idea was firstly coined, it immediately became part of the collective imagery and would be constantly referenced for centuries: from that point onwards, its basic denotation has withstood the test of time, yet its meaning was to experience modifications on multiple occasions.

As any other abstract concept, "freedom" has undergone great alterations along with society's ever-changing needs. From the original Greek approach to liberty that is outlined as closely linked to democracy to the more social connotation it has nowadays, this term has dodged every quest to be defined. Nonetheless, the mere existence of this concept has fundamentally shaped the way Western societies have historically viewed their rights by progressively asserting that every human being is equal while simultaneously failing to live up to this idea. Even though the lack of balance between people's freedom can be spotted in multiple resources, the focus of this project is limited to only one field of study – in this case, non-fictional narrative – due to its specific extension. Thus, this master's thesis aims to unravel the evolution of this term from a philosophical perspective and put it through its paces by comparing it to key North American texts from the 19th century.

Because of its etymology, the way that freedom unfolds might benefit the most from a philosophical take on the matter: this discipline gathers reflections on knowledge and provides various reasonings behind transcendental ideas of humanity, which is precisely within the scope that is required to analyse its development. These different theories, along with political documents from the end of the 18th century, are to be questioned later by applying them to notorious works from the following seventy years until the abolition of slavery in 1865. This will help to fathom whether the authors' reality is at odds with the rationale behind the premise on freedom they are given or not. Albeit not the only one, written production on this concept is especially eye-opening during this period in the United States since the abolitionist movement was reaching its peak. It is not entirely surprising then that, when it comes to exercising one's individuality, the authors' voices diversified.

Consequently, the main research question is how freedom is articulated within North American literature from 19th century. A solid theoretical framework is the basis to this project: no sooner are the fundamental pillars of the history of this concept established – including the different approaches in the philosophical and political movements hitherto – than it is possible to proceed to its analysis, which is the main objective. The results will then be determined through critical thinking, as related doubts will presumably arise: for instance, what are the differences between the visions of white and non-white people? In order to provide answers to these questions and attempt to draw a potential conclusion, Henry David Thoreau's *Civil Disobedience* (1849) and Harriet Jacobs'

Incidents in the Life of a Slave Girl (1861) are the two main texts that are employed within this thesis. The hypothesis is how this crucial historical moment altered the development of freedom completely – and how the authors' struggles are present in the ongoing troubled times.

2. Objectives and Justification

Notwithstanding obvious to some, the main objectives of this thesis are the following:

1. Tracing the evolution of the term “freedom” from a philosophical perspective
2. Understanding its influence on political US documentation
3. Identifying where differences lie between white and non-white authors
4. Justifying its relevance by the alarming presence of racism then and now

The first question that needs to be answered is, as stated before, how the term “freedom” originated and its development through time. This philosophy-based theoretical framework provides this thesis with a strong academic foundation upon which the analysis of the texts can be accomplished. From this field of knowledge, however, freedom is extremely complex to narrow down and understand: it is intrinsically related to free will as well as responsibility for one’s actions. Its study, therefore, must be both prudent and thorough to get to the core of the issue as objectively as possible. The ultimate goal is to effectively answer the main research question, which is “How is freedom articulated within North American literature in the 19th century?”. As a hypothesis, a contrast between white and non-white authors is predicted based on the historical conditions of that time.

Although this situation has considerably improved in recent decades, numbers are still alarming when it comes to cultural representation: in 2020, only 10% of the bestsellers ranked by the New York Times were written by non-white authors (So and Wezerek: 2020), while only 6% of the writers nominated for the main literary prizes in the United Kingdom (including the Booker Prize, Women's Prize and Carnegie Medal) in the last 25 years were black (Mohdin, Thomas, Quach and Šeško: 2021). These data highlight the abyss due to skin colour that continues to exist in the present and that becomes the justification for the existent thesis: this project aims to contribute to spread awareness about black history and the rights that they were deprived of in the 19th century.

3. Theoretical framework

In the English language, the word “freedom” – according to the Cambridge dictionary¹ – comes from the term “liberty”, which focuses on the non-intervention of the authorities of a state in the behaviour of every individual. As opposed to this definition, the modern approach to the concept comprises the possibility of thinking, saying and feeling what one considers appropriate. Even though it began as part of politics to organise a polis in ancient Greece and the main connotation it had was therefore considerably different, the issue of freedom progressively grew into a universal human right, the reality of which has not always matched its definition on paper. This evolution is explained in more detail within this section as well as an overview of the political context at the second half of the 18th century in the United States.

3.1 From liberty to freedom: the philosophical approach

As stated in the previous paragraph, the origin of the term goes back to ancient Greece. The organisation of a polis required a debate on how this would be executed, as “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.” (Mill 1859: 14). This statement alludes to a shift in Western societies’ mentality, where they did not just obey a leader anymore, but where they stood up to ensure protection against a tyranny. At that time, rulers held an antagonistic position to the people they ruled, except for, interestingly enough, some forms of popular governments in Greece. The new attempt to overcome this situation would guarantee that the power of the cities did not only rely on a handful of political figures, but rather achieve some kind of balance between all the citizens. Therefore, politicians and philosophers began to take action on the matter and develop the concept of “liberty”, which was thought to be useful to establish a set of rules within the population, as shown in the following fragment of *Politics* (350 BC) by Aristotle (384-322 BC):

<<1324b32 The many, however, seem to think that political rule is despotic rule, and what they each deny is just or beneficial for themselves they are not ashamed to practice against others. For what they seek in their own case is rule justly exercised, but when it comes to others, they have no care for justice.>> (Simpson 1997, 134).

Within this subsection of his text, Aristotle mentioned the unbalanced power between those who hold high positions in politics and the rest of the population, who seem to live overshadowed by a “despotic rule”. He alluded to measures that only some could benefit from and were beyond every limit of what liberty meant. It is not entirely surprising then that voluntary cooperation was thought to be a central component and would later allow the distinction between a free person and a slave, which was that “a free person lives for his own sake, while a slave lives for the sake of another” (Long 1996: 789). In order to facilitate change and stress the importance of spotting and eradicating the hypocritical system they lived in, Aristotle later claimed that “freedom (ελευθερία) is the condition of not being a slave” (Long 1966: 788). He understood it as inseparable from its historical context, and therefore presupposed a rational and political essence in every human

¹ Full definition is available at <https://dictionary.cambridge.org/es/diccionario/ingles/freedom>.

being. Within his theory, he suggested a close link between this term and an essential component of well-being. In other words, he basically envisioned a polis as a community of those who are free.

The origin of liberty was deeply political and would continue to be so in the 17th century, where Thomas Hobbes (1588-1679) defined liberty as “the absence of all the impediments to action that are not contained in the nature and intrinsic quality of the agent” (1999: 38). Thus, he proposed an uninterrupted course of voluntary decisions and makes room for the accountability and free will of the agent. Furthermore, Hobbes's approach expanded the issue of human agency and conceived a person as an autonomous individual, and “there is a political agenda implied by this definition of right that is rooted in individual will. Conceptualized as a capacity (power) or freedom (liberty), this right is given over to self-preservation and accords with reason in adapting to this end the totality of means” (Pelluchon 2014: 154). Strictly speaking, he did not conceive it as an action initiated by itself but emphasized that there will always be an agent – and therefore a political and social significance – behind it. Optimistic to say the least and close to idealism, he based his arguments on anthropology and acknowledged the existence of inevitable human conflict. Nevertheless, he still positioned himself as a believer in the relative freedom of each person and highlighted the role of good or bad value that would later become the consequences of each human dilemma within the limits of a specific society.

Along these lines but unlike Aristotle, John Locke (1632-1704) regarded the natural law which governs the state of nature as prior to political context in *Second Treatise of Government* (1689). Heavily influenced by the new ideas of the Enlightenment, he thought of reason as the basic requirement that would guide freedom. This freedom, nonetheless, was not the natural rationality or equality of a human being, but rather “a carefully crafted artifice framed with reference to a particular vision of society and the individuals who inhabit it” (Mehta 1992: 117). Locke explicitly stated that, even if the natural condition is one of freedom, it is not a natural state to do as one wishes without guaranteeing others' security. Precisely because it was grounded on reason, one might say that liberty involves acting under the discipline of *one's* reason. However, he also claimed that there was no freedom without a legislative power that created a series of rules and provided an education for the citizens to be able to base and develop their reasoning on. This formation would later allow them to freely follow their will within a framework and made possible for a person to be instructed until they reached a state of maturity that enabled them to properly judge and act upon situations. According to him, when someone “has acquired that state, he is presumed to know how far that law is to be his guide, and how far he may make use of his freedom” (Locke 2003: 124). Still strongly depending on the political side of a society, Locke assumed a level of reasoning that emanated from education and laws that would lead to freedom – or at least, would lead to those who had access to such things.

David Hume (1711-1776), however, presumed that this agency had a certain consensus within people regardless of culture and age, which led him to conclude that everything had a cause for its existence that was based on universal principles of human nature. In, *An Enquiry Concerning Human Understanding* (1748), he acknowledged the role of society in shaping a person yet understands freedom as “a power to act or not to act in accordance with the determinations of the will” (1748: 66). He continued this line of

thought by reinforcing society's agency, proposing that "we can only mean the power to act or not to act depending on the determinations of the will" (1748: 66). He justified those decisions that were impulsively or ignorantly taken as less valid in the absence of a reflection that was proportional to the problem, although he elevated freedom to essential for morality. He relegated feelings as if they were innate to the human being, but the natural character that he presupposed became problematic as it lacked the uniformity that he suggested in society. At the same time, he questioned the power of a deity not only in our freedom but also in the lack thereof.

Additionally, in the *Treatise on Human Nature* (1739) he specified again that there was a "natural course in the nature of human actions, just as in the workings of the sun and the weather" (1896: 402). Despite recognizing the volatility of people and their imperfect knowledge, he continued to insist on judging everyone from the same maximum: thus, he accused human reasoning of having to do with individuals' behaviour but failed to provide the possibility of having variables depending on the subject's cultural, geographical, or monetary background. In the same way, he discussed the will as something relatively simple if it was understood as the feeling that one was acting consciously, but he ran into constant contradictions when he addressed how one could draw the same conclusions if they did not have access to any of the resources he mentioned or were raised by completely different standards.

While Hume was developing his own thesis, Jean-Jacques Rousseau (1712-1778) also contributed to the huge issue of freedom with *The Social Contract* (1762). He argued that "a political system founded on a social contract would offer its citizens a number of different kinds of freedom." (Simpson 2006: 48) One of them is what he called civil freedom, which he later differentiated from "natural freedom", that is, the state of nature in which someone can do as they wish and get away with it. Even if both natural and civil freedom came from the absence of external constraint, the reasons for this lack were not the same. When it comes to the former, the only limit is one's individual force, so is submission to the common good actually beneficial for the individual? For the most part, Rousseau agreed on this exchange, because even if people's freedom were completely unconstrained, they would still be restricted by other's actions. Within his theory, he seemed to believe two things at the same time, which presumably contradicted each other: that people had no natural obligations towards each other, but that they also had a certain set of rights. According to Simpson, the issue that Hume presented was that if each person held a specific right, it had to be respected by the rest, otherwise "the meaning and even the necessity of the social contract are questionable" (2006: 49). If there are no rules that ensure those, there is no point in having a community, which again becomes problematic for society to properly work without evolving into an anarchy.

As this statement leaves some gaps on the issues that are not covered by the law, Rousseau's answer was that people "should be free to do whatever they please and should be protected in that freedom, which is to say that civil liberty refers to the absence of impediments to pursuing one's ends in cases where the law is silent." (Simpson 2006: 52). This explanation portrayed freedom as a relatively weak term, but the philosopher also insisted on the surrender of all powers to the common good, the foundation of which is equality, which basically consisted of the preservation of all members of society. Not only must laws protect citizens from outside dangers, but also from the members of one's own community. Consequently, the Sovereign can only act "through laws that apply

equally to all, which means that it is impossible to discriminate against a minority.” (Simpson 2006: 56). One could believe whatever they wanted to as long as it did not harm the community: this did not mean that the hierarchies disappeared or that the differences between rich and poor dissolved, but rather that they coexisted with individual rights as opposed to the conception of rights in ancient times as a collective self-rule.

In addition, Rousseau admitted the incompatibility between civil liberty and democracy and argued that the former might require the exploitation of slaves for citizens to attend public affairs. He later regarded the meeting of freedom and servitude as merely an “inconvenience” (Simpson 2006: 87) that also happened in anything that did not come directly from nature. As Pelluchon claims, “making liberty the essence of man and the highest value, superior even to life itself, is at the origin of the “philosophy of freedom” (2014: 186). Thus, by still holding a notable political connotation but also being influenced by the concept of reason, Rousseau placed a person slightly above arguments that unbalanced free will, which was supposedly taken for granted, but which in fact underwent a list of disclaimers that prevented all the citizens to enjoy this privilege.

This is why John Stuart Mill (1806-1873) argued that each individual’s liberty had to be limited. They must not molest others, but rather refrain from being on others’ way and act according to their own inclination or set of values regarding things that only concerned themselves. If there was any possibility that one’s actions may harm another person’s integrity, then this conflict had no longer to do with liberty, as Mill stated in *On Liberty* (1859), when he explained that “Whenever, in short, there is a definite damage, or a definite risk of damage, either to an individual or to the public, the case is taken out of the province of liberty and placed in that of morality or law” (2011: 75). This statement meant that, while one must take care of their own affairs while being loyal to their judgment, they also had responsibility towards others and could not therefore act for another person under the pretext that the affairs of the other were their own.

Once one got past this condition, Mill highlighted the importance of a nation where freedom of expression as well as feeling and thought were allowed, since unless all of these were respected, no society could be free. Precisely because these are required to live in a community, he clarified later on that:

<<Human beings should be free to form opinions, and to express their opinions without reserve; and such the baneful consequences to the intellectual, and through that to the moral nature of man, unless this liberty is either conceded, or asserted in spite of prohibition (...) the same reasons which show that opinion should be free, prove also that he should be allowed, without molestation, to carry his opinions into practice at his own cost.>> (2011: 52)

Consequently, his view on the matter strongly relied on a sense of freedom within an individual, which could in no way trespass those boundaries, but which was powerful and essential in the development of a society. It was only the liberty of thought and feeling that could lead to a peaceful and enlightened community: hence, they were rights that should not only be preserved but also valued as long as they stayed within the specific framework that he outlined.

In the first half of the 19th century, Romanticism had been trying to break away from the traditional chains and bring oneness and existential questions to the table. It is not entirely surprising then that the term “freedom” started to progressively evolve from being only politics-related to expand to a more individualist take. Later in the century, one of the main focus was on the conception of free will, to which William James (1842-1910) suggested pragmatism as the appropriate current to achieve the ideal combination of experience and rationalism. As opposed to determinism, which assumed that all phenomena are predetermined independently of human decisions, free will entailed direct and active mediation in each action that an individual performs. Although apparently these two doctrines blurred each other, James affirmed that once one thinks along a pragmatic path, there was no possible debate between the two. He posited free will from a pragmatic perspective as “novelties in the world, the right to expect that in its deepest elements as well as in its surface phenomena, the future may not identically repeat and imitate the past.” (James 2019: 64). In fact, he questioned the need for free will if the past and present were already purely good, even though he understood that the possibility of free would lead to both a better and a worse future.

This capability augments one’s dignity On Chapter 3 of *Pragmatism - a New Name for Some Old Ways of Thinking*, he questioned that “‘Freedom’ in a world already perfect could only mean freedom to be worse, and who could be so insane as to wish that?” (1997: 64). He alluded to outlining the practical significance of the term, as that is the only dimension that confers meaning to such words like God, but did not specify how, so the actual viability of his proposal became inconsistent. Arthur O. Lovejoy – fellow philosopher and historian – criticized this ambiguity and James himself replied that “the consequences of true ideas *per se* and the consequences of ideas believed by us are logically different consequences” (Rydenfelt, 2009: 84), again, without clarifying which or how to follow those. He agreed with Pierce – the other mainstay of pragmatism – that beliefs were habits of behaviour, and that they were intrinsically connected to expectations of experience.

Although he acknowledged that there are many things that did not depend on us – especially those that had to do with our senses, as they are too unreliable to take them as a truthful source –, he also advocated for one’s accountability up to a certain extent. On Chapter 7, “Pragmatism and Humanism”, he highlighted that:

<<Now however fixed these elements of reality may be, we still have a certain freedom in our dealings with them. Take our sensations. That they are is undoubtedly beyond our control; but which we attend to, note, and make emphatic in our conclusions depends on our own interests; and, according as we lay the emphasis here or there, quite different formulations of truth result.>> (2019: 122)

Therefore, he understood freedom as the different interpretation one might draw from the same thing depending on their own interests and personal history, which allowed that same element of reality to take a different shape within them. From this statement onwards, freedom started to be seen as a link between human nature and science.

Half a century later, Leo Strauss (1899-1973) claimed that no political regime, including democracy, could censor human excellence without suppressing individual and collective freedom at the same time. According to his theory, the instability of modern liberty was

that, overwhelmed by the assumption of our private independence and the quest for individual interests, people forgot about the right to share in political power, and resigned from it too easily. Pelluchon suggests that “In the face of this alternative, liberal democracy represents for Strauss a wiser choice and one more in accord with classical thought” (2014: 196). His regime of representation assumed that not everyone can manage matters of state, which was in effect closer to the conception of aristocracy. Once again, freedom was faced with limits within the population and stemmed from a political origin that changed into its feasible application to a nation.

Not much later, Alfred Jules Ayer (1910-1989) went back to the idea of free will with a particular focus on the dependence of human responsibility on it in *Philosophical Essays* (1972). *A priori*, a person was morally responsible for his actions when they believed that they could have acted in a different way. Even though it seemed that knowing that decisions were not completely voluntary, and that the fact that they were also connected to one’s past might prevent the agent from taking full responsibility of an action, there must be necessarily a margin of will: if this did not exist, there would be no way of knowing the concept of will either. In other words, the equation was not so simple: through examples, the author shared that “the fact that a person feels free to carry out an action or not does not show that they really before it is” (1961: 111). This implied a greater difficulty in evaluating events classified as willingly taken, since one found subjectivity as a barrier to morality. His statement suggested that even if that person thought and felt like they were fully in control of their decision, there had no means to completely distinguish if that choice stemmed from their own reasoning or if multiple external factors made that person lean towards one option instead of the other.

Daniel Dennett (1942-) gathered all these opinions in his relatively recent release *Freedom Evolves* (2004). He started by dealing with the ongoing determinism that has been present in philosophy, and drifts away from the usual conception of the term. As opposed to what many suggest, Dennett claimed that a deterministic world does not imply inevitability, but rather the impossibility of other worlds existing. Therefore, freedom can exist even if someone takes a deterministic approach to it. At first, he provided a basic definition of the relationship between society and freedom by claiming that “a system has a degree of freedom when there is an ensemble of possibilities of one kind or another, and which of these possibilities is actual at any time depends on whatever function or switch controls this degree of freedom” (2004: 162). Each nation has a series of laws that expand or reduce someone’s freedom, hence the “switch controls”. Within those specific rules, one can choose to act one way or another and that is exactly where freedom plays a role within the agent. His proposal was notably different from the pure political sense that Rousseau or Locke’s theories suggested but agreed with the fact that there must be limits to freedom within a specific framework that will be determined depending on the social constructs of a particular community.

Alluding to the contemporary philosopher Robert Kane (1938-), Dennett reviewed and acknowledged that in order to avoid an infinite regress, there has to be some actions within one’s life history for the agent to have predominant motives and the will to act in a certain way. Consequently, even if the conscious might be an illusion, moral and responsible action is indeed real. People want to be held accountable: if you want to be free, then you must take responsibility. The question that ultimately lead to politics again, however, is how much humanity is willing to tolerate to maintain their freedom in society.

The social aspect of freedom relies on how much knowledge one can grasp, and the responsibilities they have as a consequence, since “the more we know, the more we can do; the more we can do, the more obligations we face” (2004, 301). Freedom requires a constant redefinition because of the ephemeral meaning of the term depending on the historical context the agent is in, which at the same time implies a more complex approach to it.

He continued exposing how social attitudes might change the conditions in which freedom is perceived, especially when choices are made. For instance, the gastric bypass surgery is a drastic measure that nowadays is thought to be the responsible thing to do. Maybe this will change in the future when more information about its consequences is available, but this is the situation at this exact moment in time. With this example, Dennett set how freedom changes and is under the influence of external factors as well as subconscious experiences. He mentioned another situation along these lines, which might help to see how social experiences might alter our perception of our own freedom: he quotes African-American writer Debra Dickerson writing about her father, where she explains how she accepted that she had a preordained place in life, even if white people did not always put explicit barriers on her (2004, 278). She exposed how racism and systematic inequality are very real forces in all our lives, which go radically against the premise of freedom.

After setting the record straight about determinism and free will, Dennett concluded that freedom is real now, but that it is far from being universal or inevitable. In his last chapter, he summarized his point of view on the following statement:

<<Human freedom is not an illusion; it is an objective phenomenon, distinct from all other biological conditions and found in only one species, us.” (...) But like (...) other products of society, its persistence is affected by what we believe about it.”>> (2004: 305)

In conclusion, liberty goes through different phases while evolving into what is now called freedom. Originally understood as a political tool to create and maintain a better organisation of the city, this term would later be amplified to also cover the possible social outcomes of its application. All philosophers concede that there are limits within the term, although some admit its contradictions and likely unbalance and some refuse to leave people outside this right. Because of the effects of the Enlightenment and later on the emergence of avant-gardes, freedom changed along with society to meet people’s individualist needs, which still clash with the various ways in which the world nowadays prevents this right from happening to all people equally.

3.2 Freedom in the US: the historical approach

Freedom takes many forms within North American history, but the 19th century is particularly enlightening because of the rise of voices against different types of oppression. This country had been clouded over time by the European invasion, which eventually led to the subsequent search for an identity of its own. Both art and literature looked for experimental features that they could implement into their pieces and make them acquire a new nationalistic tone. Instead of imitating either other continents or following the premise of the established movements that would progressively emerge like Romanticism and Realism, every tendency would experience a transformation when arriving in the United States. These works epitomized the needs and interests of a society that was facing social and political conflicts and entering a new era of freedom.

3.2.1 Declaration of Independence (1776)

The Declaration of Independence (1776) was one of the main contributors to the start of breaking free from those chains. Thomas Jefferson (1743-1826) was the main draftsman of the initial formulation of this document, which would later on be classified as a turning point for the nation. He based this first draft on a preliminary version that he obtained from the Virginia Declaration of Rights. This written communication focused on the oft-repeated formulation that combines individual needs by alluding to the right of property and the pursuit of happiness. It had been drafted by George Mason at the end of May for Virginia's provincial convention, and it experienced a slight modification in Williamsburg on June 11, 1776. The version that they decided on after an exhaustive debate is the one that is still in force today.

The Declaration mainly consisted of two separate parts, the second one being a damning indictment of the English king at that time. On the one hand, it charged him with a large number of misdeeds, ranging from the imposition of taxes without the country's approval to encouraging the attack towards what they believed to be the inhabitants on the frontiers. Therefore, the second half of this initiative constituted high treason against the Crown. This move determined that, should they be caught by the British, every single person who was willing to sign it would be executed as traitor. As opposed to coming across as rebels to the United Kingdom, the objective of the Declaration was to be considered a legal document by which the revolutionaries could explain that their actions were not motivated by being traitors to the monarchy. The final step towards the writing and publication of the document was taken on July 4th, when the congressional deliberations had come to a conclusion over the span of four weeks.

On the other hand, the first half of the Declaration—which acted as the preamble to this accusation— is what North Americans found ever-lasting. The philosophical approach which took the stage at the very beginning set the tone for what the document would consist of, and began in the following way:

<<When in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.>> (Rakove 2009 [1776]: 77)

Jefferson's skilful use of language made the introduction a long declarative sentence which comprised the reasons why the change that the Declaration of Independence brought to the world is so important. He talked about his country in relation to others and went from mentioning the fight between the United States and England to considering it a major global event the end of which was imperative. His premise of a form of government that could be chosen by the people and where they could actively participate was promising and revolutionary. In other words, those that had been colonised were creating their own new regime. Furthermore, the "it becomes necessary" part implies that they were ready to fight for their rights: they were ready for war.

A set of principles were then established – the proclaimed "self-evident truths" – that would justify the rebellion the country was about to undertake. As opposed to what many assume, and if read properly, the Declaration actually "does not mean to address the cognitive or theoretical status of the truths invoked at all, but rather, what we might call their political or practical status" (Zuckert 1987: 320). The Declaration meant to bring something new to the table, not something that the population already agreed with. Hence, these were the following statements:

<<We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.—That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed,—.>> (Rakove 2009 [1776]: 77)

These four "truths" are the North American creed and must therefore be taken into careful consideration, for they were deeply embedded in the formation and progression of the US mindset. Instead of being independently self-evident, the propositions were shown to relate to each other by means of deduction. In addition, the plural played a great role in the sense of community that the authors were aiming to convey, which was directly followed by the verb "to hold". The phrase "We hold" insinuated hesitation, which contradicts the term "self-truths", since they should not have room for disbelief: it is not that they *are* self-evident, but that *we hold* them to be. Additionally, Muir pointed out the outset of this paragraph, where one can note the ambiguity within the equality that the Declaration tried to embody: "Equally what? Equally prone to the vices of overweening ambition, vindictiveness, and violence, as The Federalist would declare a decade later? Or equally virtuous? Or equally free to choose between vice and virtue?" (Muir, 2011: 65). In other words, the alleged equality seemed to have a political connotation that would later be applied to the legislative and executive power within states, but not so much to social matters.

The rights that, according to Jefferson, are directly given from God himself, are "Life, Liberty and the Pursuit of Happiness". By the latter, he meant the individual freedom to do good acts as part of our own morality (in other words, one's sense of empathy and one's craving to be important to others), which precisely enabled us to know what was good and what was not. Shortly after, it stated how this exact happiness had been taken away from them by "a long train of abuses", which echoes Sections 223–225 and 230 of Chapter 19 of John Locke's analysis of the Dissolution of Government in his *Second Treatise of Government* (1689). According to Muir, "Locke was best known for his *Essay Concerning Human Understanding* and his writings on education, but the Declaration

echoes of the *Second Treatise in the Declaration* indicate that his famous political work had its audience as well” (2011: 68). Philosophy was, therefore, extremely present in the writing of this document and showed how much this discipline directly influenced the way the authors’ culture and how they envisioned the potential society had for the upcoming future.

One of the greatest contributions of the Declaration of Independence was that it included the positive approach to self-controlled individualism into the North American mindset. Not only was the belief that ordinary people were entitled to pursue their self-interest valid, but during this time they were also ennobled by their dedication to the cause as it was considered to elevate human nature. Holding onto basic premises from the Enlightenment but adapting it to a more proto-romantic individualist take, this paper and the ones that would shortly follow its morality would then be the precedent to many others regarding liberty, including the US Constitution.

3.2.2 The US Constitution (1788)

Like many governments, the US reforms stemmed from trial and error. Two years before the British were overcome by the armies of George Washington in 1783, the thirteen US colonies negotiated what they named as “a firm league of friendship” (Muir, 2011: 51). The Articles of Confederation were drawn up by the Second Continental Congress after long debates between July 1776 and November 1777 to regulate their relationship with one another. The Articles served as a potential framework for a future government, something that became increasingly likely as conflicts arose over the next few years. When North Americans first gained their independence and designed a regime, these Articles would be the ones to look for when trying to solve the issue of tyranny by creating an apparent contradiction—a national government that had no police power. Their thought process was that if there was no police power, a tyranny could not possibly exist either. The root of the problem was that without some type of police authority, there was neither national security nor civil service either, let alone civil liberties. What is more, they resulted in undercover operations and extortionate practices by the states such as armed internal rebellions or brutality on the frontiers as well as piracy on the high seas instead.

Disturbed by the ever-growing lack of international power that the Confederation’s military held and the alarming domestic anarchy, sixty-five influential leaders began to toy with the idea of re-considering the circumstances that the US was in and planned to meet in the summer of 1787. By September, they had already come up with a first draft of what would ultimately become the American Constitution. This new paper intended to be a revision and correction of the shortcomings that the Articles of the Confederation had and provided the country with a better and stronger police power supported by the governmental right to tax individually and gather armies. At last, all sixty-five politicians found a way to agree on the following principles:

<<We, the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.>> (Rakove 2009 [1776]: 107)

The preamble set the tone for what the rest of the paper would be. In order to reach those six goals, the central government was granted by the Constitution the right to administer much of the commercial activity of each individual state as well as provide what was necessary for a national judiciary with a solid jurisdiction over them and the rest of the population. Furthermore, they created a robust unitary executive and removed every glimmer of the rule of unanimity from the paper, which ultimately enabled the new central government, albeit dissent, to take decisive action about a specific issue.

That said, there was no historical evidence that clearly suggested that the Constitution's Framers conceived the Preamble as having some type of substantive legal effect that would confer rights to those that were subject to the federal government or give power to the institution. The founding generation seemed to envision the Constitution's prefatory text as roughly establishing the basis for the text that followed. In doing so, the Preamble conclusively mirrors the three critical understandings that the Framers

considered about the Constitution. First of all, the Preamble specifically mentioned the origin of the federal government's sovereignty as being the People. Secondly, the Constitution's introduction emanated from the historical experiences of being governed under the Articles of Confederation. Consequently, all six general purposes were articulated on the grounds of and up to a point as a reaction to that text. Lastly, and perhaps most critically, unlike similar documents in the United Kingdom and elsewhere at the exact time of the founding this Preamble, the conclusion implied that it was a paper established for the people and built to last. Therefore, the US Constitution was a written document that aimed to serve as a stable guidance for the new nation that the country was about to become.

Even though the Court referenced the Preamble's language whenever they interpreted the Constitution during the first century of the country's existence, it did not seem like the Preamble standing alone had ever been attached any legal weight to by the institution. As such, despite the absence of any specific legal status, the true nature of the Preamble was to provide details about the extent and further application of the powers that were actually conferred by the Constitution. By way of explanation, the Preamble to the US Constitution remained an essential part of the nation's constitutional dialogue, even if the preface might have been of little significance in a court of law. It inspired and broadened the horizons of the North American system of government and would become an ultimately reference of how freedom evolved.

By the time of the revolution burst in the United States, North American activists were therefore asking for basic rights, which often appeared in bill rights in state constitutions. When James Madison proposed the Bill of Rights in 1789, he hoped it would limit the abuse of legislative and executive power; likewise, when the US constitution was evolved, one of the main concerns was to protect minorities against the tyranny of the majority. Its implementation would also help towards the modification of laws such as the abolition of slavery.

3.2.3 Abolition of slavery

Most of those who oversaw the framing of the Constitution in 1788 understood the dreads that had resulted from the laws of slavery and their treacherous effects social relationships. What most did not know was how for the new nation to get rid of these problems. On the one hand, people from the Northern were positive that the immediate emancipation of the section of the population that had been denied education would guarantee inapprehensible social chaos. The other side of the coin was that southerners were afraid that “the gradual easing of the oppressiveness of the slave system would inspire a devastating outbreak of slave revolts” (Muir, 2011: 340). Hence, the initial proposition to abolish slavery required significant political and social changes that not everyone was willing to undergo.

In the course of time, the premise that justify the implementation of slave laws was adjusted too. At the Constitutional Convention in 1787, perpetuating slavery was recognized as an “unfortunate necessity (i.e., freeing millions of slaves whom white society left uneducated and illiterate would wreak social havoc)” (Muir, 2011: 342). By the 1830s, the southern way of life was already in deep danger. Some southern spokespersons decided to take action on the matter by attempting to classify slaves as *racially different*. According to them, not only did this segregation also meant that they were congenitally uneducable, but it also implied that they were completely unfit for the freedom white people held. The voices in opposition started to get stronger, but there were still too many people that backed up what they saw as beneficial from that system for it to be eradicated.

The original balance between slave and free states had allowed the U.S. Senate not having to take any steps towards abolishing slavery. If put into perspective, slaveholders held more power in 1820 than they had ever done in 1800, “in part because northern Jeffersonians, despite their episodic misgivings about slaveholder power, had helped build a robust nationalism that managed to contain sectional dissent” (Riley, 2016: 242). By 1850, *per contra*, the political deadlock in the U.S. Senate was threatened to be broken due to the forthcoming admission of states from the territories in the West, especially from the Nebraska territory (which at the same time incorporated the future states of Kansas and Nebraska). These seemed to accept that the new states would be radically opposed to slavery and would therefore contribute with their votes in the Senate to the antislavery coalition that was happening at that time. Progress was slowly but steady made, and the arguments that some had were weakened by many others.

Whereas notable changes were starting to be palpable, there was still much oppression that resulted in social scandals. One of the most famous legal cases was that of Dred Scott – formally referred to as *Dred Scott v. John F.A. Sandford* – in which the Court held that Congress had no power to abolish slavery anywhere. Scott had reportedly tried to purchase his own freedom from his late owner’s widow, who rejected the proposal. In 1846 in St. Louis and supported by a group of antislavery lawyers, Dred Scott and his wife Harriet Robinson filed individual lawsuits to obtain their freedom in Missouri state court. They based their petition on the fact that the residence in a free territory and a free state had allowed them both to be freed from the chains of slavery. The U.S. Supreme Court on March 6th, 1857, however, sentenced that Scott:

<<Who had resided in a free state and territory (where slavery was prohibited) was not thereby entitled to his freedom; that African Americans were not and could never be citizens of the United States; and that the Missouri Compromise (1820), which had declared free all territories west of Missouri and north of latitude 36°30', was unconstitutional.>> (Urofsky, 2022)

Language alone did not allow one to move from slavery to freedom. “Freedom” infused meaning to the beleaguered conditions for the so-called free blacks who had to continue facing a Fugitive Slave Law² that made every black vulnerable to slave catchers and extremely restricting local laws when it came to voting. The Dred Scott decision was the icing of the cake that removed blacks off the citizenship map of the United States. This was the reason why all these documents were of vital importance, because “Language works outside the reading room: as a class marker in the antebellum world and as a means to reshape freedom in America.” (Vogel, 1959: 17) Words were the tool that people in power had to change the living conditions of the citizens, but that later required them to be coherent with their application. It is not entirely surprising that this outcome added fuel to the growing tensions between north and south and did nothing but push the nation closer to civil war, which would happen shortly after.

As the US Civil War (1861-1865) approached, it became clear that there was an alternative route to slavery. In the first half of the 19th century, industrialization had taken root at the Northern states, where economy was rapidly diversifying. Although agriculture remained the dominant sector in this area, its citizens had invested heavily in modernization, including an expansive transportation system, financial industries such as banking and a huge communications network. *Per contra*, the Southern income was mainly based on plantations that produced commercial crops and that depended on slaves as the labour force. The sectional conflicts between advocates and opponents of slavery had reached its reaching point by 1865 when Abraham Lincoln, a member of the antislavery Republican Party, was elected. The War resulted in a large number of casualties, and it is estimated that approximately 2% of the population was killed during the conflict (Hassler, 2022). Eventually, in the light of the North’s victory, many departed from the perspective they had held until then and the opinions they had expressed during the conflict.

The demand to suppress antislavery speech had been “remarkable and the most profound threat to civil liberty since the Sedition Act: it was aimed at peacetime advocacy of political change by peaceful means” (Finkelman, 1997: 196). In other words, North American freedom was created by slavery: African Americans were inhabitants, not citizens, since whiteness had become the defining characteristic of belonging. Riley insists on how the so-called democratic culture “had far more complex origins but came to embrace slaveholder power and white supremacy on the narrow terms of American nationalism” (2016: 251). Among its many ways to control a section of their population, education was obstructed for slaves and laws ensured that they could not benefit from the same privileges white people did. Shaped by the dichotomy between slavery and

² The Fugitive Slave Law of 1850 was part of the five bills passed by the United States Congress and required that all captured slaves had to be returned to their owner.

civil liberty and the eventual South's defeat, it was then time to elaborate the Thirteenth Amendment in 1865.

The main issue that needed to be solved to make sure that slavery was eradicated was the writing of reprisals for those who did not follow the rules. Until that moment, the lack of punishment regarding hate crimes meant that “Whenever liberty and justice were thought to be incompatible with the existence of institutions they wished to defend, they turned against liberty and justice” (Turner, 2014: 124). Even Southern blacks who were free experienced a world that was so legally constricted by racial segregation that it provided them with only a misleading shadow of freedom. To make matters worse, their free movement was strictly limited: free blacks were not allowed to enter some Southern states at all. Not only would the introduction of new laws help to prevent this from happening, but they would also mean Lincoln wrote the first draft of the proposal, which grounded its way through Congress until it eventually led to the following resolution:

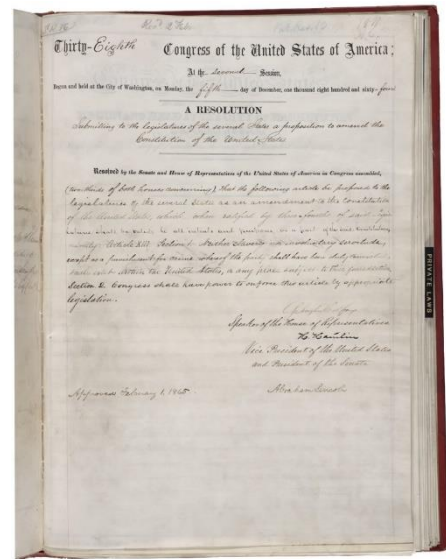


Figure 1. Thirteenth Amendment (1865)

<<Section 1 . Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist in the United States, or any place subject to their jurisdiction.

Sec. 2 . Congress shall have power to enforce this article by appropriate legislation.>> (Tsesis, 2004: 49 [1865])

The Thirteenth Amendment was not just a positive prescription stating the abolition of slavery; it was issued as a normative proclamation about the inherent value of freedom. In Tsesis' words, it meant “both an excoriation of slavocracy, (...) and the guarantee of personal liberty.” (2004: 11). The existence of such agreement was completely unprecedented and would set the basis that allowed the legal emancipation of all blacks. Shortly after, this statement would be followed by the Fourteenth Amendment, which guaranteed equal civil and legal rights as well as citizenship to African Americans who had been set free after the US Civil War; and the Fifteenth, which granted the right to vote regardless of any previous condition of servitude. This trio of laws greatly expanded civil rights in the United States and became a point of no return in the firm rejection of slavery.

4. Methodology and materials

This thesis holds the traditional academic scheme of introduction, objectives, theoretical framework, methodology and materials, analysis and conclusion. Because it is a literature-focused thesis as opposed to a linguistic one, there is no corpus from which data is collected, but rather an in-depth inquiry of the titles provided once the subject of study is introduced and explained thoroughly. Within this section, the bibliography for this master's thesis is justified as well as the usage of a specific methodology is briefly explained.

4.1 Materials

The theoretical framework is mainly composed of primary sources, since the main ideas are taken directly from the philosophers' works except for Daniel Dennett's book *Freedom Evolves*, since it gathers the precedents of the evolution of the concept from a philosophical perspective and could therefore be considered as secondary. As a brief introduction, Aristotle's theory is designated as a representation of the origin of the concept. The connotations implied by the word "liberty" in English language, however, force one to perceive his arguments as inevitably steeped in political meaning. Thomas Hobbes' *On Liberty and Necessity* (1652), John Locke's *Second Treatise of Government* (1689), David Hume's *A Treatise of Human Nature* and *An Inquiry Concerning Human Understanding* (1748) and Jean-Jacques Rousseau's *The Social Contract* (1762) are explained and contrasted to convey the evolution of the term in the 17th and 18th century as well as how it is closely associated with a sense of community. Precisely because these theories are set around the Enlightenment times, however, they are the very beginning of a change that would later on also include one's autonomy. Their statements are also linked to the possibility of free will, the limits of which are problematic by the disparate economic and social conditions faced by different sections of the population.

In the 19th century, the term freedom began to be used more frequently, so it implicitly became a more introspective and inherent concept of the human being. Therefore, John Stuart Mill's *On Liberty* (1859) and end-of-the-century William James' *Pragmatism - a New Name for Some Old Ways of Thinking* (1907), along with some other texts from that same century, shaped the Western view of how this concept changes and were therefore taken as an example of the academic field at that time. They slowly began to drift away from a purely political association of the term and become precursors of how the conception would evolve. Thus, in the 20th century, Leo Strauss' theory and Alfred Jules Ayer's *Philosophical Essays* (1972) continued to expand this term. The more time that flew by, the more individualist the concept got. This progressive transformation was summarized by Daniel C. Dennett in *Freedom Evolves*, which, as anticipated, puts on the table the changes in the so-called universal law.

After the extensive yet necessary overview of the fundamental bases of freedom in philosophy, one can begin to answer the main research question through the analysis of the literary texts. Firstly, Henry David Thoreau takes the stage with *Civil Disobedience* (1849), who was a writer and a lifelong abolitionist. He holds the gender, skin colour and social status that was praised at that time: therefore, his opinion shed light to the situation from an exterior perspective. His analysis is especially powerful when taken as a coeval of that of Harriet Jacobs' *Incidents in the Life of a Slave Girl* (1861), which flees from fiction genres until it sneaks into autobiography. Due to the absence of voices to convey

his story and closely following its predecessor *Narrative of the Life of Frederick Douglass, an American Slave. Written by Himself* (1845), her production highlights the reality of what it meant to escape with their children from the service and especially how white women failed to recognize the evil of their situation despite also being oppressed by gender.

The materials used in this work are, as stated before, of textual origin. The resources to support the philosophical theories have been mainly found online at the library of the Open University of Catalonia webpage with the exception of the most recent one – Daniel D. Dennett's *Freedom evolves* – which has been acquired in physical form, like both copies of the non-fiction books to facilitate their exhaustive analysis. Music and videos are not taken into consideration for this thesis.

4.2 Type of methodology

Unlike a science-based project, this thesis is written within the Humanities field and requires a specific set of rules that need to be followed in academic research. In this case, the deductive or inductive systems are not necessarily useful because the topic is already quite delimited, even if the reader is also provided with a proper introduction thereof. For this specific section as well as the theoretical framework, objectivity is considered essential, especially when it comes to philosophical terminology, from which one can subsequently draw conclusions in the analysis. Contrary to this approach, the content analysis in the following section must be specified until it becomes a cross-sectional comparison as the ultimate goal is to detect passages in the authors' narratives that bring to light their vision of freedom.

The type of research that is employed in this thesis is therefore qualitative research. As opposed to quantitative research, where numerical data is gathered and analysed, this type of analysis becomes a technique of naturalistic questioning that looks for a deeper awareness of social phenomena within their natural environment. It goes beyond the "what" in social experiences to find the causes and consequences of actions. It relies on direct actions and struggles of human beings as meaning-making agents in their daily lives. When taking the approaches to freedom each author has, it is not only the words they employed that are analysed, but rather the causes and the consequences their narratives have.

5. Analysis

In the beginning of the 19th century, North American literature was usually framed from the perspective of breaking free from the clutches of Europe. Thus, many authors considered imperative to look for alternative ways to the dominant thought that was impregnated in the texts of the country instead of assuming that they follow a uniform set of rules. Emerson's *Nature* (1836) was essential in the emergence of this belief. His essay pointed out how North American literature had been directly inherited from European traditions. Likewise, he stressed the need for it to stop being relegated to the shadow of Western Europe. North America's own literary identity needed to flourish, and this led to opposition to the English Romantic poets. As opposed to following the established standards, both writers and artists tried to obtain that freedom and distance from the English norm by "mainly experimenting with literary forms that convey a clear break, an apocalyptic, radical and liberal expression of the past" (Martín Gutiérrez 2014: 105). There were many ways to achieve this goal, one of them being to produce new linguistic forms; another one was being vocal about topics that had been silenced throughout history, such as racial oppression.

At the beginning of modernity, racism became an alarming problem for humanity. Literature's acceptance was biased by different types of characteristics, be they racial-, gender- or class-based. Although considered by some to be a past issue, it must be remembered that slavery was not officially abolished in the United States until 1865, let alone completely eradicated. The notion of white superiority served to enslave those who were not, and race went from being a mere description of people to becoming an action from which Europeans would benefit from. Thus, literature up to that date featured a serious social problem, hence that by "understanding genocide and enslavement as key techniques by which the nebulous concept of race became operational, we see racism preceding race and creating classes of people as suitable objects of exploitation" (Ventura 2019: 2). In other words, the first factor that made literature problematic was that it was seen under the Western microscope, whose discourse had extinguished the natives' voice. However, once the reflection of the European prism was disentangled, it was found that there were numerous levels behind it, since, of course, the prose of an ex-slave would never resemble that produced by a white aristocratic man. As limited as both narratives have been, historical contextualization determined their approach to freedom.

The fight for both social and literary freedom took the stage – albeit on many occasions glimpsed by white authors– thanks to writings like Harriet Jacobs', who succeeded in escaping from slavery. She became a reference to understand this part of American history, being only a starting point for what would take centuries to modify. Contributions such as Henry David Thoreau's (1817-1862), notwithstanding from a different social perspective, also hold a place in literary history for his active input to the abolitionist movement, aware to a certain extent that their rights surpassed those of their compatriots. The rebirth of African American resistance to slavery as well as of the impartial principles of freedom that had been subjected to the revolution of the founders was born from the mouths of those affected, even if it has been attempted to reduce such freedom, and it is shown within this section by Thoreau and Jacobs' examples, respectively.

5.1 Thoreau's *Civil Disobedience* (1849)

Henry David Thoreau (1817-1862) was born in Concord, Massachusetts. His family experienced financial struggles for the most part of his childhood, and his father had to take several jobs to overcome these difficulties, jumping from one job to another until he eventually operated a pencil factory, where Thoreau also worked for a while. He managed to enter Harvard University in 1833, where he studied Germanic languages as well as other disciplines such as philosophy and the classics. After graduating in 1837, he began being associated with high-profile members of the transcendentalist movement such as Orestes Brownson, with whom he had shared classes at college. This new group of New England intellectuals – including well-known individuals like Ralph Waldo Emerson or Nathaniel Hawthorne – embraced a vision of utopian social progress that could be achieved by going back to nature and beyond material desires. Due to mainly Emerson's influence, he started to publish frequently in the transcendentalist journal *The Dial* while working as a teacher.

The following ten years witnessed Thoreau's increased interest in history and his ever-growing involvement in the abolitionist movement. In 1846, Thoreau was arrested for poll-tax evasion, as he wanted to state his opposition to slavery and the Mexican-American War (1846-1848). His reasons for disobeying the American Government as well as his experiences in jail became the main focus to what would later be *Resistance to Civil Government* (posthumously retitled as *Civil Disobedience*, 1849). This book insisted on the need for the rights of individual citizens and the importance of questioning and resisting laws that he considered unfair. His treatise shaped twentieth-century pacific resistance movements such as Martin Luther King Jr.'s protests in the 1950s and 1960s (Bates 2009: 1016).

By the end of the 1850s, Thoreau's political commitments took most of his time. For illustrative example, Thoreau attended activist John Brown's lecture in Concord in 1859: Brown attempted to initiate a revolution some weeks later and both him and his team ended up captured or dead. His violent approach was criticised by many, but Thoreau defended his actions and "recognized Brown as a kindred spirit: A man of rare common-sense and directness of speech, as of action; a transcendentalist above all, a man of ideas and principles,—that was what distinguished him" (Bates 2009: 1016). He wrote a plea for him and delivered such lecture on multiple occasions, which manifested how critical the situation was.

There was no consensus over how civil obedience should be approached, let alone what civil *disobedience* was. Thoreau did not refuse to pay tax because he was against that particular tax law, but because of his "inaccessibility to the precincts of injustice" (Bedau 1991: 52): in other words, no one was mistreating him, forcing him to go and stay at a slave plantation or trying for him to join the expeditionary forces the goal of which was invading Mexico. It was indeed this type of injustice that his tax refusal was aimed at. The lingering question was still on the air: should civil disobedience remain nonviolent both in intention and outcome? Or can it be aggressive as well?

<<I heartily accept the motto, "That government is best which governs least"; and I should like to see

it acted up to more rapidly and systematically. Carried out, it finally amounts to this, which also I

believe—"That government is best which governs not at all"; and when men are prepared for it, that will be the kind of government which they will have.>> (Thoreau 2004 [1849]: 1)³

The essay is rhetorically complex from the very first line. *A priori*, the thought of an effective government which barely governs is not compatible with his ideas of an improvement of civil rights. Instead, the opening paragraph alluded to a problematic vision of freedom, where there were few laws that dictate the citizens' boundaries. This might come across as if Thoreau's rejected government altogether, but his statement was redefined shortly after, where he asked for "not at once no government, but at once a better government" (2). His request went hand in hand with his non-payment of poll tax, and the request for an immediate ("at once") ratification of their political system gave no countenance to any kind of unjust law. These laws did exist, but their obedience was hardly ever examined, let alone challenged. Like Strauss, he thought that modern liberty focused too much on individual freedom and the right to share in political power was therefore often forgotten. This was precisely what Thoreau encouraged each person to do, while acknowledging the consequences that they were facing by not doing so:

<<How does it become a man to behave toward this American government today? I answer that he cannot, without disgrace, be associated with it. I cannot for an instant recognize that political organization as my government which is the slave's government also.>> (5)

In this extract Thoreau called out the contradiction between the so-called objectives of official documents such as the Declaration of Independence and the situation of the slaves, who apparently did not comply with the requirements to be considered a citizen. Thoreau pointed out that many people obeyed laws without even considering whether they were just. While Locke suggested that freedom was one of humanity's natural conditions, he also insisted that endangering other's security by exercising one's freedom was not natural. Hence, Thoreau also pondered why some still *respected* laws when they thought that they were *wrong* and noted that their consciences should be more important than cultivating such respect. As much of a simple statement as it might seem, the author ultimately wondered why more people did not live according to their morals and hid behind a state that discriminated others while they would be unwilling to perform those same punishments directly:

<<There are thousands who are in opinion opposed to slavery and to the war, who yet in effect do nothing to put an end to them; who, esteeming themselves children of Washington and Franklin, sit down with their hands in their pockets and say that they know not what to do, and do nothing (...)>> (7-8)

Thoreau continued stating how many might be relatively vocal about the wrongness in slavery, yet their actions spoke otherwise. While affirming to take an intellectual position that is based on the Founding Fathers and their contributions to the Constitution, they also remained at the very borders of its goals and willingly ignored the thousands of people who did not meet society's expectations. This approach to the voters' hypocrisy

³ From this point onwards, the references to *Civil Disobedience* correspond to the specific edition that is cited in the bibliography.

goes back to Aristotle's claim that those that won't accept injustice do not hesitate to constraint others' freedom. Not only did their silence prove that their belief in such statements was false, but turning a blind eye to their situation made progress impossible. Thoreau's critique towards his community did nothing but increase throughout the text, where he even questioned the intentions behind the hypothetical voters' actions:

<<When the majority shall at length vote for the abolition of slavery, it will be because they are indifferent to slavery, or because there is but little slavery left to be abolished by their vote. They will then be the only slaves. Only his vote can hasten the abolition of slavery who asserts his own freedom by his vote.>> (8-9)

The fact that those who were eligible voters had never suffered from slavery, let alone know how that experience felt and yet they were the ones *deciding* whether it was eradicated or not seemed comical to Thoreau. If they were to think that slavery should continue existing, they would only need to ask for it, as this was how the system worked; therefore, the only way to completely erase such measures was for abolitionists to convince those who were not. It was not only black people, however, who could not vote, but also women, so the voters became an extremely limited group of the people that could not respond for everyone's needs. Like Hume, he talked about freedom as the power to act or not act according to their will, the principles of which Thoreau insists on revisiting. Because he already knew that getting the activists' point across was a matter of hundreds of years, he instigated the need for a change in the following paragraph:

<<Unjust laws exist; shall we be content to obey them, or shall we endeavor to amend them, and obey them until we have succeeded, or shall we transgress them at once? Men generally, under such a government as this, think that they ought to wait until they have persuaded the majority to alter them. They think that, if they should resist, the remedy would be worse than the evil. But it is the fault of the government itself that the remedy is worse than the evil. It makes it worse.>> (12)

Not only must society think about the conditions in which the entire population lived in, but they also had to avoid waiting until most of their companions thought the same way they did. As Mill stated, not only must one be responsible for their own actions while being coherent with their reasoning but can't usurp others' actions as if they were their own. On the contrary, they are also partially accountable of others' matters, a statement which Thoreau supported. Consequently, he asked for people to act as soon as possible, even if that meant going against the existing legislative power, which dictated their living conditions. To make matters worse, he went the extra mile and suggested breaking such laws if needed to preserve social justice, regardless of what the consequences these actions might carry:

<<But if it is of such a nature that it requires you to be the agent of injustice to another, then, I say, break the law. Let your life be a counter friction to stop the machine. What I have to do is to see, at any rate, that I do not lend myself to the wrong which I condemn.>> (13)

This articulation of freedom is food for thought on both an individual and collective level. Without it, as Rousseau stated, there was no point in having a community. On the one hand, advocating to question authority meant challenging America's equation of wealth with status; on the other hand, it also implied responsibility for every citizen to wonder about their direct or indirect role as an agent towards the victims. Because a person lived in a political society, it was only natural that the way they acted had political consequences. This outcome was determined by the law, since "In a society governed by the law, it is the law that serves to guide action." (Johnsate 1974: 319): however, these boundaries did not limit humanity's relative freedom, which is what Ayer presupposed in this theory. He also insinuated the agent's accountability has when choosing to take a specific action, which Thoreau also hinted in the following sentence, where he highlighted each individual's power to decide and determine what the right action would be:

<<There will never be a really free and enlightened State until the State comes to recognize the individual as a higher and independent power, from which all its own power and authority are derived, and treats him accordingly.>> (30)

As part of his final statements, Thoreau went back to the aims and spirit of the Declaration of Independence but makes it applicable to every citizen regardless of their skin colour. Within a nation's specific set of rules, the agent's freedom relied on choosing to act or not act within this system (Dennet, 2004), but Thoreau concluded that those laws were overlooked by many. *Civil disobedience* became the means by which the individual could act in the political realm as opposed to merely being a moral obligation; it also showed how resistance to authority was an instrument of political change. By writing such controversial statements, the author started an ever-growing revolution that would set the principles for a new era in the North American story. Aware of how his privileged position would reach a larger audience, he took his power and used it to communicate a reality that many were choosing to ignore: how every progress that might have been made through official papers did not meet the on-going reality of non-white people.

5.2 Jacobs' *Incidents in the Life of a Slave Girl* (1861)

Harriet Jacobs was born a slave in 1813 in Edenton, North Carolina. Her brother John was born two years later and her father was a house carpenter that was said to be the son of Henry Jacobs, a white farmer (Andrews, Foster and Harris 2001: 460). When she turned six, she was taken to the house of her soon-to-be mistress, who taught her how to sew and read. During her teenage years, she was sent to Dr. James Norcom's home, who she would later characterise as "Dr. Flint" in *Incidents in the Life of a Slave Girl*. Urging to escape from sexual harassment, Jacobs established a liaison with a white neighbour, with whom he had two children, Joseph and Louisa Matilda, born c. 1829 and 1833, respectively.

After being threatened by her master to sell her children, Jacobs decided to hide in her grandmother's house's attic in 1835, where she remained for 7 years. In 1842 she escaped to New York and reunited with her children in the North; a few years later she joined her brother, who was an activist and member of the Frederick Douglass's circle. She became one of the targets of kidnappers due to the 1850 Fugitive Slave Act but still refused to comply with slavery, even if she allowed herself to be bought by her employer Cornelia Grinnell Willis in 1853 only to obtain her freedom shortly after. From then until 1861, she wrote and published *Incidents*, instigated by her friend and feminist activist Amy Post. Finding an editor took her several years, until she was introduced to the abolitionist writer L. Maria Child, who agreed to be her agent and helped her book to be published pseudonymously.

From 1863 to 1865, Jacobs returned to the South and supplied emergency relief with her daughter Louisa. They established the Jacobs Free School and eventually became well-known for their reports in the northern press. While Jacobs was in charge of the executive committee of the feminist Women's Loyal National League in 1864, Louisa delivered lectures for the American Equal Rights Association. Albeit her success, they still faced antiblack violence in the South, so they both retreated to Massachusetts and later on to Washington, D.C., in 1877. Mother and daughter continued helping to free people through Jacobs' declining years until she eventually died in 1897.

Breaking taboos to expose her story, Jacobs became a pioneer of the reshaping antislavery narratives by incorporating elements of the domestic novel yet emphasizing family relationships and making it woman-centered. Her book moves between autobiography, slave narrative and sentimental novel, and focused on black women. They became the ultimate passive victim of the slave system: unable to oppose any resistance continuous violence both from white men – who physically abused them – and women – whose quest for equality only involved those who were white. In order to avoid recognition after its publication, Jacobs went by the name Linda Brent, who described her childhood as naïve until realizing she was a slave. When she met her mistress, she developed a relatively close relationship with her, which would be the starting point of an ever-growing need to question her freedom:

<<I would sit by her side for hours, sewing diligently, with a heart as free from care as that of any free-born white child. (...) But I was a slave, and I suppose she did not recognize me as her neighbour.>> (Jacobs 1861: 10-11)⁴

Even though she did not fully comprehend what her position meant, Jacobs did understand that black children were not treated the same way white did. By being granted the “privilege” of learning how to read, she wondered if that could ever signify that her mistress looked at her as an equal, an idea that she soon ruled out. Her status, according to Aristotle, could not be classified as freedom (ελευθερία), since this “is the condition of not being a slave” (Long 1966: 788). As she grew up, albeit blessed with an education, it became clear to her that her position implied a set of boundaries that she would never be able to trespass: she began therefore to explore why that was the conditions she lived in, and whether they made sense at all.

Among these conditions, a slave could not hold property, but *were* a property themselves. By withholding such possibility, they were directly neglected many other alleged rights: Kaplan states how property is part of one’s own person, which becomes a “supposedly inalienable fulcrum upon which both liberal and patriarchal conceptions of the individual, freedom, and agency rest” (1996: 48). In spite of this fulcrum, a huge section of the population was not allowed to emancipate, which resulted in an exclusion that prevented their own agency to exist in the first place. It seemed logical to Jacobs that, if given less rights, they could not withstand an equal position to their white counterparts:

<<I admit that the black man *is* inferior. But what is it that makes him so? It is the ignorance in which white men compel him to live (...) Some believe that the abolitionists have already made them free, and that it is established by law, but that their masters prevent the law from going into effect.>> (40)

The Fugitive Slave Law was yet to pass, and Jacobs stated how white people were called upon to position themselves against slavery, yet many failed to do so. This goes back to William James’ (1907) advocacy for one’s accountability, at least to a certain extent. He claimed that some elements might be fixed – such as laws, which seemed to dictate the way social relationships worked – but that people also had some power in their dealings with them. Jacobs’ attempt to make them speak up was an index of how silence was racially coded: while “white silence is presented as shameful and cowardly, black silence is valued, privileged and protected” (Kaplan 1996: 30). Black slaves’ ability to stay silent was presented as reliability, which Jacobs refused by escaping to the north.

Although the Fugitive Slave Act would soon pass and she considered herself free, the law virtually negated her freedom. Without legislative power, which Locke considered essential to achieve this right, there was not much Jacobs could do. She was still purchased and reminded that she was bound to someone else’s ownership, even when she got to New York. She was supposed to be in a free state, yet she was still subjected to slave laws as she had been at home: hence, the dichotomy between whites and blacks was even more scrutinized. She knew that it was not only her own people that needed

⁴ From this point onwards, the references to *Incidents in the Life of a Slave Girl* correspond to the specific edition that is cited in the bibliography.

to comprehend and act upon their situation, but that they needed external help from as much people as they could. It is not much later that she appealed to common sense, knowing that the vast majority of her readers would be white. From the second third of the book onwards, remarks directed to her audience are consistent:

<<O virtuous reader! You never knew what it is to be a slave; to be entirely unprotected by law or custom.>> (49)

The engagement of the reader with her work is imperative for the United States to change as a community: what is more, her narrative included everyone's duty to reason and change the conditions some people were in by addressing this problem as a societal one. Rousseau, as stated in the previous theoretical framework, insisted on the foundation of equality as fundamental to the common good, which inevitably consisted of the preservation of all members of society, no exception. It was not only external dangers that the laws had to cover, but also the actions from the members of that same community. Her way of approaching the topic "operates most forcefully precisely because it is her white audience's privilege that permits them a measure of distance from enslavement" (McCarthy 2021: 177). In other words, both perspectives are biased, but by sharing her experience, which had been taught to her as normal, white people could compare their own and reflect on how different they were. This might shed light on their opinion about slavery, which many thought of as a state that slaves do not mind being in. Jacobs recreated a conversation between the clergy and a southerner, where the latter interacted with his slave and came to a very interesting conclusion:

<<He asks them if they want to be free, and they say, "O, no, massa." This is sufficient to satisfy him. He comes home to publish a "South-Side View of Slavery", and to complain of the exaggerations of abolitionists. He assures people that he has been to the south, and seen slavery for himself: that it is a beautiful "patriarchal institution", that the slaves don't want their freedom; that they have hallelujah meetings, and other religious privileges.>> (64)

The fact that the slaves did not explicitly request their freedom made the southerner take their answer in not only as resignation but also as a voluntary acceptance of their status. According to him, because he had been to the South, he could claim that everything was going just fine both for black people in general and for women specifically, despite not belonging to any of those groups. Even though Jacobs "acknowledges that sexual purity should be what all women (regardless of race) strive to uphold and protect" (Waite 2019 170) – which is line with the historical circumstances – the plight of slavery presented dissimilar requirements for the judgement of white and black women. The former were protected by society and the law to a certain extent, while the latter remained entirely vulnerable to sexual violence. Like Hobbes and Ayer, she believed in an autonomous individual, which always took part whenever an action was initiated. White women could not therefore completely identify with the horrors that Jacobs went through, they could indeed acknowledge their accountability and act upon it.

Through reading, Jacobs wanted these women to be encouraged to endeavour to perform the abjection of the black body by picturing themselves within the narrative. She explained how someone's "free" actions were harmful to many people's integrity, which Mill thought was a matter of human morality rather than liberty. Jacobs attempted for the

readers to imaginatively place themselves, albeit their different backgrounds, as close as they could to the position she was in. She counteracted this invitation by saying that even if they attempted to reproduce their discourse, they should remember that they would never know what it truly felt to be in Jacobs's place. Slavery was not something that could be grasped by merely reading about the course of events that happened during her lifetime: it was an experience that only black slaves could fully understand. Jacobs knew the power she held by sharing her testimony and was fully aware that it would pave the way for further ones.

Her case was extremely rare: Jacobs got access to both education and publishing, despite knowing that slaves hardly ever had the chance to escape from the class they were born in. Halfway through the book, she commented on how she had no hope to be considered respectable by society when she expressed that "there was no prospect of being able to lead a better life" (65). This immovable stipulation was one of the things she wished to eradicate but was mindful of the difficulties to do so, hence she addressed the reader humbly. She also acknowledged they might not give her experience credit, especially regarding her time hiding for 7 years in a small space. As any other writer, she was challenged with the unreliability with which she could come across due to her subjective spot within her story: she had to undertake "the task of presenting one's present writing self as a radical remove from the self of the past" (Kreiger 200: 608). This was not an easy task: on the one hand, she needed to include enough personal information to portray the slave reality as authentically as possible; on the other hand, she had to make some room for the reader's own thought process.

<<Reader, my story ends with freedom; not in the usual way, with marriage. I and my children are now free! We are as free from the power of slaveholders as are the white people in the north; and though that, according to my ideas, is not saying a great deal, it is a vast improvement in my condition.>> (164)

Jacobs concluded her story by highlighting how her ending was remarkably different from the usual one: her life as a slave had felt like death, from which she had eventually risen to embrace her new individual freedom. Dennet also concluded how freedom was real, but far from being universal: Jacobs set an example to prove how this right was not a matter of religion or skin colour. Her own grandmother, who was a free woman, "is suitably situated in a house that as a chronotope seems to represent nineteenth-century American middle-class values, in which the cult of domesticity played an important part" (Troy 2016: 28). Her trust in God, however, did not mean that she would stand for passive submission and actively fought for her right to live in equal conditions. By opposing marriage to freedom in this last bit, she undermined the traditional idea of the former being the ultimate female goal. While adjusting her personal fulfilment to a specific context, she made the societal standards stagger: she set fire to the current ideology at that time, with which she thought black people should not have to comply.

6. Conclusions

Understood as a universal right by most, freedom did not appear as such when the term was firstly coined in Aristotelian times: even then, the philosopher already stated the problematic contradiction between proclaiming liberty – which necessarily implied a political connotation – while having slaves. While this term evolved and the Enlightenment would try to use reason as a way to question life beyond God, liberty still left out most citizens. Hence, despite coming across as hypocritical, well-known personalities such as Locke or Rousseau started to see this concept as essential within the legislative power and imperative to human nature. Philosophy would then question how much real freedom people could really grasp, given that historical and social conditions could prevent someone from being fully accountable for their actions. Where was the line to be drawn then?

Most authors seemed to come to the conclusion that there was at least some responsibility to be taken from each individual. In North America, this statement started to be included in crucial documents such as the Declaration of Independence or the US Constitution, but there were evident struggles when it came to the application of their bullet points. Not everyone was, in fact, equal; slavery, among other social issues, clashed with the image of the society they aimed to strive for. Albeit apparently modern and long-thought, many authors pointed out that reality could never mirror such statements unless they embraced every citizen regardless of their skin colour or class – something that was yet to be done.

Freedom, as a philosophical and historical concept, was therefore ever-changing and took multiple forms depending on the place and the time where it is conceived. In this thesis, the lack of diversity within the study of freedom has proved to contribute to the reiteration of literary standards, the breaches of which displayed a partial reproduction of reality. The comparison between 19th century readings resulted in mismatched narratives that notably differ within the same time and that illustrated how freedom has never been the same for everyone.

Henry David Thoreau, notwithstanding his abolitionist views, knew that he held a white privilege and used this power to spread his progressive ideals. *Civil Disobedience* would later become a key text to understand how those who held a privileged position were also witnesses of the conditions in which the slaves lived in, yet many failed to take action to reverse such reality. Fearing that their rights might be overtaken if the law punished them as they would punish any black person, Thoreau criticised consciously ignoring an alarming situation that was against the basic right to have equal opportunities and share the same value while walking on Earth.

Thoreau's contribution was incredibly enlightening for many who would listen to him because of the position he was in, something he was fully aware of: however, the very few black slaves who got to publish would give a more in-depth and faithful vision of what their lack of freedom meant. Harriet Jacobs would neither hold back on her experiences dealing with masters and mistresses nor sugar-coat the frustration of not feeling like she could oversee her own children's life. Her eye-opening testimony forced many readers to face the reality of many black people, and while she reassured the impossibility of transmitting what it felt like to be oppressed by just reading about it, she hoped to help to change the world for future generations.

Although two centuries have passed and slavery seems to be a debate of the past, ongoing movements like Black Lives Matter show how it is still an issue of the present. Racial oppression becomes clear when analysing texts from the 19th century, but the numbers are not equal yet: black people are given fewer opportunities, fewer prizes and screen time. This research needs to be continued to provide historical records with a more realistic look of what it has been to live “freedom” from different social perspectives. Overlooking some parts will do nothing to history but making it become an unreliable narrator: black people deserve to be heard; their stories, not neglected.

7. Bibliography

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