

# Properties

## Cameron Rowland

*No matter how degraded the factory hand, he is not real estate. . . .“It is safe to say that the law regards a Negro slave, so far as his civil status is concerned, purely and absolutely property, to be bought and sold and pass and descend as a tract of land, a horse, or an ox.”*<sup>1</sup>

—W. E. B. Du Bois, *Black Reconstruction in America*

Property in the United States is predicated on slavery.<sup>2</sup> In tracing the emergence of U.S. property law, K-Sue Park writes that “laws evolved to render land and people the two most significant market commodities during this period.”<sup>3</sup> “Real estate” described the combination of stolen indigenous land and slaves.<sup>4</sup> Enslaved people were components of the land. The land was a prison. The carceral twinning of enslaved people and property produced value. Slaves were simultaneously commodities and assets who were the producers of commodities and assets. *Partus sequitur ventrem* stipulated that all children of enslaved women would be the property of their owners. Judge James Gholson argued before the Virginia Legislature, “The legal maxim of ‘*Partus sequitur ventrem*’ is coeval with the existence of the right of property itself.”<sup>5</sup>

This right to property was not extinguished by the end of slavery but was sustained through each phase of abolition. The value of enslaved people was tied to the value of their production. Northern merchants set the export prices of slave-produced commodities, which determined the market value of the crop, the land, and the slaves. Northern politicians constructed federal tariff laws to benefit Northern merchants, who were also bankers and plantation lenders. In this way the North controlled much of the economy of U.S. slavery. Northern abolition of slavery was strategically linked to the disenfranchisement of black people in an effort to enhance this control. Northern states increased their representation in the House of Representatives by counting newly free black people as one person rather than as three-fifths of a person, while simultaneously prohibiting black people from voting. The political and economic benefits of Northern abolition relied on the maintenance of slavery in the South and the maintenance of black subhumanity in the North. Southern secession disrupted the supply chains of Northern merchants who bought and sold the goods produced by slaves, Northern mills that processed those goods, and Northern manufacturers that produced tools and supplies for plantations. Northern efforts to preserve the Union stemmed from the need to maintain the interstate dependencies of an economy and a government that hinged on black exploitation. As Lincoln stated at the outset of the Civil War, “My paramount object in this struggle *is* to save the Union, and is *not* either to save or to destroy slavery. If I could save the Union

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1 W. E. B. Du Bois, *Black Reconstruction in America* (1935; repr., New York: Free Press, 1998), 10. Du Bois quotes *A Picture of Slavery, Drawn from the Decisions of Southern Courts* (Philadelphia: Crissy & Markley, 1863), 5.

2 Cheryl I. Harris, “Whiteness as Property,” *Harvard Law Review* 106, no. 8 (June 10, 1993): 1716, 1718, 1721.

3 K-Sue Park, “The History Wars and Property Law: Conquest and Slavery as Foundational to the Field,” *Yale Law Journal* 131, no. 4 (Feb. 2022): 1120.

4 Park, “The History Wars and Property Law,” 1117.

5 James H. Gholson, “Second Day of Debate: January 12, 1832,” in *Sons of the Fathers: The Virginia Slavery Debates of 1831–1832*, ed. Erik S. Root (Lanham, MD: Lexington Books, 2010), 45.

without freeing *any* slave I would do it, and if I could save it by freeing *all* the slaves I would do it; and if I could save it by freeing some and leaving others alone, I would also do that.”<sup>6</sup>

The Emancipation Proclamation did not end slavery. It applied only to the Confederate states, which did not recognize any laws of the Union. It was intended to incentivize enslaved black people to cross into the Union, despite the fact that slavery was still legal in every Union state that bordered the Confederacy—Delaware, Maryland, West Virginia, Kentucky, and Missouri—until the passage of the Thirteenth Amendment in 1865.<sup>7</sup> But as W. E. B. Du Bois writes in *Black Reconstruction in America*, “Slavery was not abolished even after the Thirteenth Amendment. There were four million freedmen and most of them on the same plantation, doing the same work that they did before emancipation, except as their work had been interrupted and changed by the upheaval of war. Moreover, they were getting about the same wages and apparently were going to be subject to slave codes modified only in name.”<sup>8</sup> Black codes forced the formerly enslaved to sign labor contracts for wages that would not cover the basic costs of life. If they refused, they could be arrested for being jobless or homeless, crimes under the black codes. Under the exception clause of the Thirteenth Amendment, prisoners were made to work as convict lease laborers, who were leased to plantation owners and the growing number of Southern industrialists. Many convict lease laborers were forced to become sharecroppers by being leased to farms, charged for necessities, and trapped in a cycle of perpetual debt.<sup>9</sup>

Sharecropping was debt peonage. Sharecroppers named it as such.<sup>10</sup> Sharecropping contracts were designed to keep black people bound to the land, which their labor made valuable. Plantation owners became landlords who paid sharecroppers a minority portion of the crop’s market value. Landlords were under no obligation to accurately report the market value. Sharecroppers were forced to buy clothes, food, tools, and other necessities on credit at the landlord’s company store, otherwise known as the commissary. These lines of credit carried extortionate interest rates of up to 70 percent. The combination of coercive contracts and predatory lending made black debt bondage a new standard that would supply the unfree black labor that both the South and the North required. Binding black debtors to the land reconstituted white owners’ plantation property. Sharecroppers inherited debts, and landlords inherited sharecroppers. Du Bois succinctly describes how “property control especially of land and labor had always dominated politics in the South, and after the war, it set itself to put labor to work at a wage approximating as nearly as possible slavery conditions, in order to restore capital lost in the war.”<sup>11</sup>

This goal was served by the numerous methods of unfreedom developed throughout the South and the North to reconstitute enslaved property. An essay titled “More Slavery at the South,” published in 1912 by an anonymous author under the pseudonym “Negro Nurse,” detailed the proximity of black women’s labor in Georgia to slavery:

More than two-thirds of the negroes of the town where I live are menial servants of one kind or another, and besides that more than two-thirds of the negro women here, whether married or single, are compelled to work for a living—as nurses, cooks, washerwomen, chambermaids, seamstresses, hucksters, janitresses, and the like. I will say, also, that the condition of this vast host of poor colored people is just as bad as, if not worse than, it was during the days of slavery. . . . I see my own children only when they happen to see me on the streets when I am out with the [white] children. . . . You might as well say that I’m on duty all the time—from sunrise to sunrise, every day in the week. I am the slave, body and soul, of this family.<sup>12</sup>

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6 Abraham Lincoln, letter to Horace Greeley, August 22, 1862, *Daily National Intelligencer*, August 23, 1862.

7 Kentucky did not ratify the Thirteenth Amendment until 1976.

8 Du Bois, *Black Reconstruction in America*, 188.

9 A Georgia Negro Peon, “The New Slavery in the South—An Autobiography,” *Independent*, February 25, 1904, 413.

10 A Georgia Negro Peon, “The New Slavery in the South,” 409–14.

11 Du Bois, *Black Reconstruction in America*, 586.

12 A Negro Nurse, “More Slavery at the South,” *Independent*, January 25, 1912, 196–200.

The author specifies that the labor expected of black domestic workers was not limited to cooking, cleaning, and childcare. White homeowners consistently entitled themselves to inflict sexual and reproductive violence on the black women they employed. This entitlement to white enjoyment was a form of racial terror.<sup>13</sup> Tera Hunter describes the continued treatment of black women's bodies as the property of the employer: "A Black woman's body, in slavery and freedom, was treated as though it were not her own."<sup>14</sup>

As they had under slavery, black people put the terms of their exploitation in a state of constant contention. They took food from the homeowner, stole corn from the crop, were idle, abandoned the field and the contract. They organized as workers who did not meet the Marxist criteria of the proletariat. Many organized in secret. Others announced themselves as black unions. In 1838 the Caulkers Association was formed to protect black workers in the Baltimore shipyards. In 1886 black farmers in Texas created the Colored Farmers' National Alliance and Cooperative Union, which grew to include over a million members with chapters in Tennessee, Alabama, and Arkansas. Sharecroppers created the Croppers' and Farm Workers' Union in Alabama and the Progressive Farmers and Household Union of America in Arkansas. Laundry workers organized strikes in Jackson, Mississippi, in 1866; Galveston, Texas, in 1877; and Atlanta, Georgia, in 1881.<sup>15</sup> Undermining and organizing were the ground of dissenting property and "unwilling possessions."<sup>16</sup> They were extensions of the black sociality built through the non/being of slavery.<sup>17</sup> Black sociality was the arena in which the mass of black property recognized its deindividuated capacity. It was, and remains, a living contradiction to the individualism of capital and contract. It threatens the stability and value of property.

The implications of this instability fueled Northern and Southern support for Confederate "redemption," Jim Crow, and the Klan. Du Bois describes these rearticulations of slavery as functions of the white fear of the property:

The masters feared their former slaves' success far more than their anticipated failure. They lied about the Negroes. They accused them of theft, crime, moral enormities and laughable grotesqueries. They forestalled the danger of a united Southern labor movement by appealing to the fear and hate of white labor and offering them alliance and leisure. They encouraged them to ridicule Negroes and beat them, kill and burn their bodies. . . . And thus was built a Solid South impervious to reason, justice or fact. With this arose a Solid North—a North born of that North which never meant to abolish Negro slavery, because its profits were built on it.<sup>18</sup>

Execution was a regular form of punishment under slave law. Slaves could be killed, without a trial, by any authorized white person, for any minor infraction. As with livestock, the owner was permitted to determine the life, reproduction, and death of their enslaved property. Mass killings, often as retribution for slave rebellions, were also regular. Many are well documented: the executions following the Stono rebellion in Virginia, the executions following La Escalera in Cuba, the executions following the Christmas rebellion in Jamaica, the executions following the 1741 slave conspiracy in New York. Many are unrecorded. The normalized killing of black people as a form of punishment, fearmongering, and control was uninterrupted by the passage of the Thirteenth, Fourteenth, and Fifteenth Amendments.

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13 Saidiya Hartman, *Scenes of Subjection: Terror, Slavery, and Self-Making in Nineteenth-Century America* (1997; repr., New York: W. W. Norton, 2022), 21–78.

14 Tera W. Hunter, *To 'Joy My Freedom: Southern Black Women's Lives and Labors after the Civil War* (Cambridge, MA: Harvard University Press, 1998), 74.

15 Hunter, *To 'Joy My Freedom*, 106.

16 William Beckford Jr., *Remarks Upon the Situation of the Negroes in Jamaica* (London: 1788), 52–53, quoted in Orlando Patterson, *The Sociology of Slavery: Black Society in Jamaica, 1655–1838* (1967; repr., Cambridge: Polity Press, 2022), 81.

17 Christina Sharpe, *In The Wake: On Blackness and Being* (Durham, NC: Duke University Press, 2016), 15.

18 Du Bois, *Black Reconstruction in America*, 633.

In December of 1865, one month after the conclusion of the Civil War, the Ku Klux Klan was founded in Pulaski, Tennessee, by former Confederate soldiers. It was one of many white-supremacist hate groups founded during this time period. These included the White League, the Knights of the White Camelia, the White Line, and the Red Shirts. They quickly established systems of enforcement that continued the murderous management strategies of slavery. While these methods were no longer legal, the Klan consistently comprised police officers, judges, and government officials. The Klan drew its power from its members' positions of authority, which sustained white impunity for any violence against black people. As the Klan grew in popularity, the number of its members in positions of power also grew across the country. By the 1920s the Klan claimed that 62 percent of Congress and twenty-six governors were affiliated with the organization.<sup>19</sup> The 1920s-era Klan "was stronger in the North than in the South."<sup>20</sup> The prevalence of the Klan demonstrated that amendments to the Constitution would not protect against the systemic murder of black people. This apparent contradiction is the paradigm of lynch law.

Efforts to exterminate black insubordination were frequently described as race riots. In 1871, a group of black farm workers from Sumter County, Alabama, migrated to Meridian, Mississippi. The Sumter County Klan then travelled to Meridian to recover the farmers, who they believed belonged to them. The "turbulent negroes" refused to leave and attacked the Klan members who sought to take them. This led to a two-day struggle, during which the Klan killed thirty black farmers.<sup>21</sup>

In 1887, one thousand black sugarcane workers went on strike in Thibodaux, Louisiana, to protest the fact that their wages were paid only in credit at the commissary. The striking workers were ordered to leave their homes on the plantation. They refused and were described in the *New Orleans Daily Picayune* as "the most vicious and unruly set of negroes" who "no power on earth could remove . . . unless they were removed as corpses."<sup>22</sup> In response to this unruly disorder, the landowners and the state militia went door to door to find suspected strike leaders. They killed sixty black people and left their bodies in an unmarked mass grave that was turned into a landfill.<sup>23</sup>

In 1919, black sharecroppers in Elaine, Arkansas, formed the Progressive Farmers and Household Union of America. Black people outnumbered white people in Elaine ten to one. In an effort to retain control over the terms of black labor, the landlords decided to kill every member of the organization. The landlords shot up a union meeting, killing over one hundred black people. Nearly one hundred more were arrested for the deaths of the five white people who were shot by union members. Ida B. Wells wrote and published a dedicated pamphlet describing what took place, in an effort to build public support for the farmers then on death row. As one of the farmers she interviewed stated, "They did this to take our crops from us and run us away."<sup>24</sup> In the chapter titled "WHAT WHITE FOLKS GOT FROM THE RIOT," Wells describes that the landlords had timed this mass killing to occur after the crops had been laid by and made ready for harvest.<sup>25</sup> She calculates that "the white lynchers of Phillips County made a cool million dollars last year off the cotton crop of the twelve men who are sentenced to death, the seventy-five who are in the Arkansas penitentiary, and the one hundred whom they lynched outright on that awful October 1, 1919!"<sup>26</sup>

By 1931 the Alabama Croppers' and Farm Workers' Union (CFWU) had eight hundred members. The union was founded by black communists whose work was an extension of the political domain of

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19 Linda Gordon, *The Second Coming of the KKK: The Ku Klux Klan of the 1920s and the American Political Tradition* (New York: Liveright Publishing, 2017), 164.

20 Gordon, *The Second Coming of the KKK*, 2.

21 Michael Newton, *The Ku Klux Klan in Mississippi: A History* (Jefferson, NC: McFarland, 2013), 32–33.

22 John DeSantis, *The Thibodaux Massacre: Racial Violence and the 1887 Sugar Cane Labor Strike* (Charleston, SC: History Press, 2016), 103.

23 DeSantis, *The Thibodaux Massacre*, 140.

24 Ida B. Wells-Barnett, *The Arkansas Race Riot* (Chicago: printed by the author, 1920), 18.

25 Wells-Barnett, *The Arkansas Race Riot*, 19.

26 Wells-Barnett, *The Arkansas Race Riot*, 24.

the enslaved.<sup>27</sup> Like the cane workers in Thibodaux, members of the CFWU in Tallapoosa County were organizing for cash wages rather than commissary credit as well as for scheduled breaks, a minimum wage, and small plots for subsistence gardens.<sup>28</sup> Robin Kelley describes the first attempt to destroy the group: “Although police chief Wilson could not legally act out his wish to ‘kill every member of the “Reds” there and throw them into the creek,’ the Camp Hill police department stood idle as enraged white citizens waged genocidal attacks on the black community that left dozens wounded or dead and forced entire families to seek refuge in the woods.”<sup>29</sup> Approximately fifty-five union members were arrested for carrying a concealed weapon, conspiracy to murder, or assault with intent to murder.<sup>30</sup> As black labor organizing proliferated throughout Alabama in the 1930s, so too did Klan chapters with a stated mandate to quash black communists.

The pursuit of a social order “approximating as nearly as possible slavery conditions” governed the actions of white employers, workers, police officers, politicians, and landowners. These actions frequently came in response to black unionization, black strikes, black reclamation, and other modes of black survival. Black people remained the terrain on which white political-economic power struggles were fought. Du Bois writes of this position that “above all, we must remember the black worker was the ultimate exploited; that he formed that mass of labor which had neither wish nor power to escape from the labor status, in order to directly exploit other laborers, or indirectly, by alliance with capital, to share in their exploitation.”<sup>31</sup> The indissoluble capacity of this black mass is precisely what white supremacists sought to exterminate. Black rioters refused to live or die as assets. Black people’s use of violence was categorically distinct from that of white supremacists who sought to retain them as property. The race riot is the site of continued domination, and of its disavowal. It contains the mass killings of black people, and the very reason that white people felt these mass killings were necessary: the irreconcilability of unwilling possessions within the frame of capital and the wage.

Black rioting intervened on mass killings. It violated the category of property. Its radicality has been occluded within the neutralizing framework of the “race riot.” Black rioting does not rely on legal rights or admission to the category of human. It emerges from the black mass that does not conform to the logic of individual freedom requisite for capital accumulation.<sup>32</sup> It runs below the index of history. It is property in rebellion.

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27 Robin D. G. Kelley, *Hammer and Hoe: Alabama Communists during the Great Depression* (1990; repr., Chapel Hill: University of North Carolina Press, 2015), 101.

28 Kelley, *Hammer and Hoe*, 40.

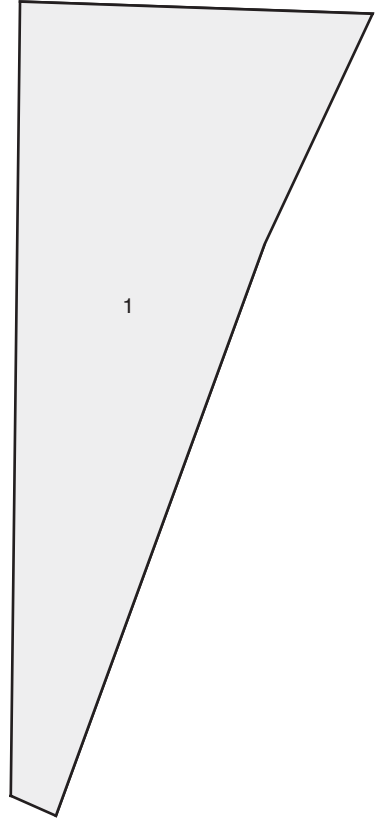
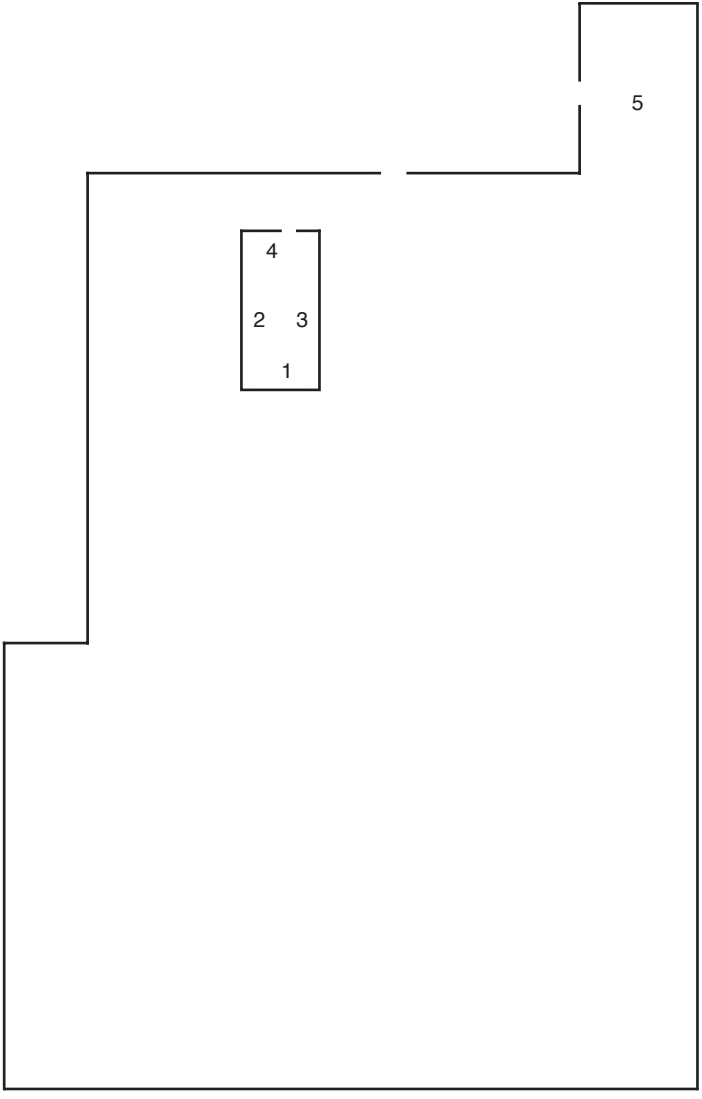
29 Kelley, *Hammer and Hoe*, 41.

30 Kelley, *Hammer and Hoe*, 41.

31 Du Bois, *Black Reconstruction in America*, 15.

32 Hartman, *Scenes of Subjection*, 201–21.





Black people were prohibited from being buried in cemeteries. These prohibitions were applied to both free and enslaved black people, in both the North and the South. They were meant to make the degradation of blackness permanent. Black people were buried in unmarked slave plots and unregistered black burial grounds.

For many black people these black mass graves were extensions of black life. As Sylvia Wynter describes, black mass graves were a point of connection to the “permanent future” and the “historical life of the group.”<sup>1</sup> As Wynter writes of the provision grounds where slaves grew their own food, the burial plot was also “an area of experience which reinvented and therefore perpetuated an alternative world view, an alternative consciousness to that of the plantation. This world view was marginalized by the plantation but never destroyed. In relation to the plot, the slave lived in a society partly created as an adjunct to the market, partly as an end in itself.”<sup>2</sup>

Black people used funerals and burial grounds to plot escape and rebellion.<sup>3</sup> In response, laws banning slave funerals and grave markers were passed throughout the Caribbean and the North American colonies. As former slave John Bates said, masters who prohibited slave funerals would “jes’ bury dem like a cow or a hoss, jes’ dig de hole and roll ‘em in it and cover ‘em up.”<sup>4</sup>

Unmarked black burials are frequently disinterred during real estate development. This has been the case for numerous burial grounds in New York State and throughout the country. Construction frequently continues despite these “discoveries.”

In 1790, the U.S. Census recorded nearly as many slaves in New York State as in Georgia.<sup>5</sup> The land that Dia Art Foundation currently owns in Beacon, New York, was owned by slave owners and slave traders from 1683 until the abolition of slavery in New York in 1827.<sup>6</sup>

The easement between Dia Art Foundation and Plot Inc. conveys the rights to a one-acre section of the institution’s property to Plot Inc. for the purpose of protecting the graves of enslaved people who may have been buried there. This burial ground easement runs with the land and requires Dia and all future owners to relinquish the rights to use, disturb, or develop this section of the property.

The plot will remain unmarked. It will degrade the value of the institution’s property. It challenges the assumed absence of black burials on sites of enslavement by assuming their presence.

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1 Sylvia Wynter, “Black Metamorphosis” (unpublished manuscript), 57, 87.

2 Wynter, “Black Metamorphosis,” 53.

3 Wynter, “Black Metamorphosis,” 85, 87.

4 “Interview with John Bates,” *Slave Narratives: A Folk History of Slavery in the United States from Interviews with Former Slaves*, Vol. 16, *Texas*, Part 1 (Washington, DC: Federal Writers’ Project, Works Progress Administration, 1941), 53.

5 *Heads of Families at the First Census of the United States Taken in the Year 1790* (Washington, DC: Government Publishing Office, 1908), 8.

6 Correlation of property ownership records for Dutchess County Tax Parcel ID 130200-5954-41-605699-00 and Tax Parcel ID 130200-5954-49-608543-00 with the Northeast Slavery Records Index (<https://nesri.commons.gc.cuny.edu/>).



Under slave law, *partus sequitur ventrem* stipulated that the “child follows the belly.” When slave owners bought black women, they also purchased the rights to what owners termed “all her future increase.”

Saidiya Hartman describes the centrality of this principle to the system of racial slavery: “The work of sex and procreation was the chief motor for reproducing the material, social, and symbolic relations of slavery. The value accrued through reproductive labor was brutally apparent to the enslaved who protested bitterly against being bred like cattle and oxen.”<sup>1</sup>

This status was constructed to last forever. What Jennifer Morgan names as “the value of a reproducing labor force” has ordered the continuity of this sexual violence.<sup>2</sup> Domestic work has been a principal vector for its preservation. Live-in workers have been made perpetually available to their employers.

Refusals of this availability are criminalized. Christina Sharpe makes clear that “living in/the wake of slavery is living ‘the afterlife of property’ and living the afterlife of *partus sequitur ventrem* (that which is brought forth follows the womb), in which the Black child inherits the non/status, the non/being of the mother. That inheritance of a non/status is everywhere apparent *now* in the ongoing criminalization of Black women and children.”<sup>3</sup>

Non/being constitutes a position whose modalities of life and death are simultaneously structured by and unrecognizable to the capture of ownership. As Hartman writes, “The forms of care, intimacy, and sustenance exploited by racial capitalism, most importantly, are not reducible to or exhausted by it. These labors cannot be assimilated to the template or grid of the black worker, but instead nourish the latent text of the fugitive. They enable those ‘who were never meant to survive’ to sometimes do just that.”<sup>4</sup>

This fugitivity is an inherent threat to the value of increase.

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1 Saidiya Hartman, “The Belly of the World: A Note on Black Women’s Labors,” *Souls* 18, no. 1 (Jan.–Mar. 2016): 169.

2 Jennifer L. Morgan, *Laboring Women: Reproduction and Gender in New World Slavery* (Philadelphia: University of Pennsylvania Press, 2004), 3.

3 Christina Sharpe, *In the Wake: On Blackness and Being* (Durham, NC: Duke University Press, 2016), 15.

4 Hartman, “The Belly of the World,” 171.

*Commissary, 2024*  
Scythes  
59.5 x 52 x 16 inches  
Rental

Sharecropping was debt peonage. It was instituted to replace slave labor. It operated in explicit violation of the Thirteenth Amendment's stated ban on involuntary servitude. Sharecropping contracts were designed to keep black people bound to the land, which their labor made valuable. Violations of the contract included leaving the plantation without permission; being loud, disorderly, drunk, or disobedient; having an "offensive weapon"; and misusing the tools. Violations were grounds for dismissal, eviction, and forfeiture of the share. In addition to cultivating the land, these contracts could include obligations to do the washing "and all other necessary house work" for the landlord's family. Sharecroppers were forced to buy food, clothes, tools, and other necessities on credit from the landlord's general store, also called the commissary. The commissary charged up to 70 percent interest. Debts were deducted from the cropper's share. The contract and the commissary kept sharecroppers in perpetual debt.

W. E. B. Du Bois describes the terms of this labor as "a wage approximating as nearly as possible slavery conditions, in order to restore capital lost in the war."<sup>1</sup> Many sharecroppers were former slaves. Many sharecroppers were the children of former slaves. Slaves used scythes as tools of rebellion in Henrico County, Virginia, in 1800; in Southampton County, Virginia, in 1831; and in Coffeerville, Mississippi, in 1858. In violation of their contracts, croppers armed themselves as well. The tools of perpetual debt were also the tools of black riot.

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<sup>1</sup> W. E. B. Du Bois, *Black Reconstruction in America* (1935; repr., New York: Free Press, 1998), 586.

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*Underproduction, 2024*

Overturned pot

18 x 21 x 16 inches

Slaves outnumbered owners on the plantation.

Slaves were an inherent risk to the plantation.

Owners banned slaves from meeting with one another. Slaves met anyway. An overturned pot placed at the door of the meeting blocked the sound of the gathering.

The overturned pot protected meetings from the slave patrol. The meetings were negations of the plantation logic of production.

Schlumberger Limited, established in 1926, is the largest oilfield services company in the world. Descendants of founder Conrad Schlumberger used their shares in the company to create the Dia Art Foundation. Schlumberger Limited was the primary source of funds for the first decade of the institution. During this period, Dia purchased the majority of the fifty-nine real estate properties it has owned during the past fifty years.

The properties were purchased for artists, for artworks, for offices, for exhibition spaces, and as rentals. Many of these properties were given away. Many were sold at a high rate of return. A number continue to function as rental properties, which generate over \$1 million of annual income for the institution.

Dia does not retain information on the history of these properties prior to the twentieth century.

Distribution of 1000 exhibition pamphlets by hand

Black communists distributed their pamphlets by hand, circumventing the scrutiny of the postal system. They distributed them to sharecroppers, employees, managers, and landlords. Under seditious-communication laws these publications were illegal. Police called these pamphlets “night mail.”<sup>1</sup>

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<sup>1</sup> Robin D. G. Kelley, *Hammer and Hoe: Alabama Communists during the Great Depression* (1990; repr., Chapel Hill: University of North Carolina Press, 2015), 102.



October 4, 2024–October 20, 2025

Dia Art Foundation

Dia Beacon  
3 Beekman Street  
Beacon, New York 12508

Curators: Jordan Carter and Matilde Guidelli-Guidi

Thank you: Emmy Levitas, Jessica Ball, Dionne Brand, Daniel Buchholz, John Cappello, Huey Copeland, Liv Cuniberti, Peter Currie, Karey David, Kurt Diebboll, Ella den Elzen, Denise Ferreira da Silva, Aisha Finch, Mackenzie Lew Graham, Maxwell Graham, Cheryl Harris, Saidiya Hartman, Curtis Harvey, Brian Higbee, Jason Hirata, Tera Hunter, Zakiyyah Iman Jackson, Robin Kelley, Kelly Kivland, Lisa Lawley, Thomas (T.) Jean Lax, Carolyn Lazard, Alexis Lowry, Emily Markert, Park McArthur, Amye McCarther, David Morehouse, Jessica Morgan, Humberto Moro, Christopher Müller, Fredrik Nilsen, K-Sue Park, Malcolm Peacock, Elizabeth Peck, Alexis Pennington-Foster, Rachel Pivnick, Scott Ponik, Geelia Ronkina, Mariel Rowland, Quinn Schoen, Gary Schuster, Christina Sharpe, Greg Wall, Michelle Wilder, Constantina Zavitsanos

