The Collective Landholding Patterns of Black Churches

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In the wake of the Abolition of Slavery in 1865, *freedmen*, the formerly enslaved Afro-American people in the US South, confronted a society centered on land. Contending with an oppressive political climate, freedpeople tactfully defined their struggle for justice, in great part, in terms of land claims. Strategically pooling the social resources of their members, Black church congregations established landholdings through practice, rather than purchase, thereby diverging from settler-colonial norms. The case of Saint John Missionary Baptist Church, a freedmen’s church near Houston, Texas, helps chart out key moments in the transition of Afro-Americans being claimed as property to making claims to property themselves. Collectively, the freedmen churches demonstrate that *land-power*—the ways that people make and navigate social relations mediated by land—is linked to how property is conceived. The stakes of this land-based struggle, which is relevant to contemporary spatial practice, are articulated by referencing archival legal documents, property maps and conversations the author held with freedmen congregations in the Houston area from 2012 through 2016.

The terms ‘settle’ and ‘unsettle’ have a particular meaning in the US settler-colonial context. Euro-American settlement fueled a racialized, extractive land market, which drove the *unsettlement* of Afro-Americans and Indigenous nations. These subjugated groups, however, also exercised power in ways that *unsettled* the dominant order. Accordingly, this chapter posits that property, although significantly shaped by ruling groups’ interest in exchange-value, can also comprise other worldviews. Property also accommodates routines supportive of use-value and liberating forms of settlement.
Land Precarity

A generation after the Abolition of Slavery, communities of formerly enslaved people were eager to buy land of their own. Toiling on agricultural estates along the Brazos River in Texas, they were slowly amassing wages. At an opportune moment in the winter of 1900, the heiress of a Texas real estate magnate put a two-acre parcel on the market. While she engaged in many real estate transactions over her lifetime, this square-shaped plot in Fort Bend County was perhaps the most unique and enduring. The land in question was purchased by Jesse Brown, Johns Fields and Ellis Daugherty, trustees of the freedmen’s congregation of Saint John Baptist Church in DeWalt, Texas, a former plantation headquarters in the hinterland of Houston (Fort Bend County 1900). This congregation, originally organized in 1869, makes a unique claim to the property to this day: unlike nearly every other plot in the city, the church’s proprietorship is not based on the land tenure known as Fee Simple, the most assured interest in property. Saint John’s tenure is defeasible, or conditional upon its use. Its title deed, penned by a member of the notorious planter class, contains a so-called Reverter Clause stipulating the forfeiture of the land if the church’s worship activities ever cease (ibid.). The boilerplate deed closes as follows:

Said land to be used for church purposes and school purposes and it is understood and stipulated that in event said premise shall cease to be used for school and church purposes this said premises shall revert to the grantor or his heirs....

(ibid.)

This legal document is a witness to the period in US history during which Euro-American landholders and the federal government fiercely opposed formerly enslaved people gaining a territorial foothold on the unconsolidated frontier. They did so, in part, by devising precarious landholding conditions.

Despite systemic pressures and marginalization since that time, and although it lacked the Fee Simple right to dictate the use of the land or employ it as a financial device, Saint John has maintained its grip on the property. The congregation’s routine, performed every Sunday when they gather in their crumbling white chapel, has enabled the members of Saint John to sustain and pass on their land claim, and in the process withstand the discriminatory reversion clause. In fact, the congregation’s legal predicament is common across the US South, where hundreds, maybe thousands, of groups of freedpeople managed to buy land—but only for church purposes—in the decades after the Abolition of Slavery in 1865. Like Saint John, the tenure of many other freedmen churches did not entail ownership in the tradition of Euro-American society. Freedpeople purchased the use of the land; all other interests, such as the right to sell, were precluded by the Reverter Clause. In this way, racialized land deeds denied Afro-American congregations the ability to capitalize on their property as a financial
asset. Although by now many such freedmen congregations have obtained Fee Simple tenure, Saint John and others continue to exercise their land claims in terms of the value of its use, rather than its value for economic exchange.

Property is the basic means through which territory is configured and power is embedded in space. Maps of property depict not only legal boundaries but also a spatial order. The invisible and changing patterns of property lines ‘encode’ how a society distributes power, forms subjectivities and manages access to resources (Price 1995; Rose 1994). Within the institution of property in the US South, opposing political orientations play out in parallel: the legal status and cadastral disposition of the freedmen churches are the result, on one hand, of racial subjugation by hegemonic institutions and, on the other, routines of subversion and the struggle for equality. Since the freedmen churches were not able to rely on the outright purchase of the land to make their claim, they were required to routinize their use of the property or face forfeiting it. Freedpeople managed to institute this routine despite vandalism and economic marginalization throughout the 19th and 20th centuries. Although the churches’ land interest was non-economic by design, their practices suggest that, for freedmen and their successors, property represented much more than a potential exchange-value—it was a means for spatializing fellowship, locally and regionally.

Subdivision and Circulation

The freedmen churches emerged in a capitalist society centered on land. While today the institution of real property is taken as a given, it consolidated incrementally over centuries, defining the terms of engagement of those brought into its orbit. The inauguration of a legal land structure, which legitimized and promoted individual land titles, provided an engine for growth in what was to become the State of Texas. Land infrastructure concerns not only geography and law; however, it depends on the creation of subjects who agree to respect each other’s claims (Rose 1998). Where real property emerges, therefore, so do subjects that reify—or counterpose—its conventions. As much as property lines configured the territory, they helped produce the figure of the landholder.

In 1824, the Mexican government granted Stephen Austin a swath of land in the northeastern reaches of New Spain. The efforts to settle this region were motivated by the idea that settlers would bring security to the frontier with the US and pacify Indigenous uprisings. Austin, who oversaw the settlement of 300 families there, strictly demanded that the colony and all its plots be precisely surveyed and recorded (Texas General Land Office 2018). Beginning in the 1833, Austin launched an ambitious mapping project with the goal of producing a cadastral survey for the entirety of the colony, covering over 40,000 square kilometers. With the huge tracts surveyed and charted before settlement occurred, his preemptive cadastral imprint superimposed a vast territorial order before settlers even set foot on the ground. This infrastructure facilitated a colonial land grab, which displaced and extinguished the area’s Karankawa,
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Tonkawa, Coco, Bidai and Attacapa inhabitants, and prepared the territory for settlers whose role was defined by their occupation and possession of real property (Foster 2008).

The 19th-century planter, who owned not only vast areas of land but also enslaved people, was culmination of the American landholder. One of the most prominent planters and land dealers was Matthew Cartwright, whose peak landholdings encompassed nearly 1 million acres. One of Cartwright’s most valuable assets was the large swath of fertile land along the Brazos River in Fort Bend County, the agricultural powerhouse where enslaved Afro-Americans made up more than two-thirds of the population. Indeed, Cartwright was the grandfather of the grantor of the Saint John parcel.

Abolition, however, shattered the planters’ fiefdoms and the profitability of their estates plummeted (Dupont and Rosenbloom 2016). In the aftermath of the Civil War, former plantation owners had to surrender their enslaved chattel, who constituted the means of production, labor and much of planters’ wealth. These new conditions drove planters to sell off most of their land, making real property accessible to many more people. The government pushed for freedpeople to establish themselves as peasant farmers, but most land was sold or granted to Euro-Americans. The plantation of which Saint John was a part was bought in the 1890s by the Dew family, who continued to exploit freedmen labor for cotton and sugarcane production.

In the following decades, landholders turned to alternative sources of value extraction. The introduction of Severance, a legal principle, which split the possession of a land’s surface from its subsurface, was a key change in property dynamics. This allowed landholders greater flexibility in exchanging the value of land-based resources, typically in the form of mineral leases, which obtained by oil companies across the country. This articulation enabled a deeper commodification of the land, accelerating its circulation and divisibility. In a bid to attract investment to the area in the 1920s, the Dews drew up a speculative oil boomtown overlaid on the plantation town known as DeWalt (see Figure 15.1). Foreshadowing the pressure that real estate would put on Afro-American space, the Saint John church, which should appear along the edge of Dews’ boomtown, is markedly absent from the masterplan. Like the cleansing of the region’s Indigenous inhabitants during Austin’s colonization, economic expansion depended on making Black spaces fungible. Investment flowed through DeWalt, but only in the channels of petroleum companies (see Figure 15.2), none of which were interested in settling in the town the Dews envisioned for them.

When the oil wells dried up in the 1970s, landholders and speculators looked to another source of real estate value. As scholars of American urbanization have shown, banks and the government supported the building of individual homes to develop a market for financial products (Easterling and Prelinger 1992; Martin 2014). In Fort Bend County, real estate developers converted vast swaths of rural land into an optimized landscape of subdivided property, echoing the territorial strategies of the Dews’ boomtown masterplan and Austin’s land grant cadaster. The size of each
FIGURE 15.1  Excerpts from Dew family landholdings map (top) showing Saint John (labeled as ‘Negro Church School’) and the oil boomtown masterplan (bottom) for the same area. The map of the speculative plan omits Saint John.

Source: Fort Bend History Association, Richmond, Texas.
Property as extraction: cotton fields and then recently built oil wells near Saint John church.

Source: Frank J. Schlueter (Schlueter 1910).

lot, the relation to adjacent properties, zoning, taxation, mortgage terms, etc. were all calculated to privilege financial variables and constrain Afro-Americans. In the typical suburb, this was done through well-known configurations of mass-produced plots charged by racial covenants, predatory credit schemes and discriminatory federal policies (Fernández-Kelly 2016). This marked, again, an intensification of exchange-value and the privilege of the Euro-American landholder.

The case of Fort Bend County demonstrates how property relations produced a spatial order in which settlement coincided with an ever-increasing subdivision of land and marginalization of Afro-Americans to fuel its circulation. As part of this process, the property system facilitated the formation of unequal subjects and a territory formatted for exchange. Within such an environment, the social relations that Saint John embodies are virtually incommensurable, yet it is within those very conditions that the freedpeople’s practice-based claims to property can be most appreciated.

Perpetuating Landlessness

Abolition eliminated slavery per se, but it also created the freedman, the emancipated Afro-American whose theoretical right to claim land threatened the arrangements established in the era of slavery. Since land was the instrument of power, the possibility of freedpeople controlling real property was seen as a risk to the planter class and the agricultural economy. The very presence of the freedman unleashed volatility into the politics and spatial infrastructure that defined the South. Over several decades following Abolition, landholders and the
federal government attempted to pacify this property crisis by assimilating freedmen into two reactive land–power frameworks: sharecropping and homesteading.

Within the planters’ economic system, the only course to independence was land acquisition, yet this largely inaccessible to freedmen. Thus, in the immediate aftermath of the US Civil War, the nearly 4 million freedmen transitioned from enslavement in name, but not in status (United States Census 1864). Freedmen were quickly contracted as tenant farmhands, known as sharecroppers, by planters who divided former plantations into individual allotments. According to such agreements, often brokered by the government, sharecroppers would cultivate commodity crops and, at the end of the season, pay a share of crops to the planter as rent (Hayden et al. 2013). This state of affairs did not lead freedmen, in most cases, far from the estates where they had forcibly labored years prior. In Texas, where there was a concern of an uprising, the statewide Abolition announcement was accompanied by an appeal for freedmen to “remain quietly at their present homes and work for wages” (State of Texas cited in Acosta n.d.). Not having the resources to subsist or relocate for other employment, freedmen survived by entering the sharecropping system, conforming to the government’s wishes. Sharecropping thus kept the machine of Southern agriculture in motion, but freedmen were dissatisfied with their gains and often quit their employers or appealed to federal agents to intervene. A freedman in Mississippi, M. Howard, wrote to federal authorities entreating,

Mr Commissioner I thought when a man was once free he was free indeed and entital to all the laws and rights of a free people…there is land enough and mony enough every body…So let the people get Settled all will be right.

(Hayden et al. 2013: 106)

While fairer contracts could be drawn up and individual cases of fraud could be resolved, the sharecropping system adapted plantation slavery such that the property relations were untouched: landholders controlled the soil and labor.

Freedmen and the Freedmen’s Bureau, a federal agency charged with assisting freedmen, acted jointly in the development of an alternative scheme, homesteading, which sought to incorporate Afro–Americans as equal citizens through land reparations. Homesteads were plots of state land granted at no cost to a farmer and his family on the condition that they cultivate the land. After a period of successful harvest, the government would bestow tenure to the farmer. Homesteading allowed freedmen, in part, to exercise landholding—and to settle—on their own terms. In this arrangement, freedmen could participate directly in the land institution. They began to unsettle assumptions on the nature and beneficiaries of property by developing their kinship ties, rather than upholding the landscape of individual landholdings. Such claims, however, had to contend with the routinized protocols that the former planters and the government sought to establish.

As freedpeople settled on homesteads, the territories they cultivated did not align with the individual and contiguous property geometries that the Freedmen’s Bureau proposed (Hayden et al. 2013). Many of the tracts the freedmen claimed
were collective and scattered and, according to Freedmen’s Bureau agents, freedmen rarely delineated property boundaries (ibid.). One agent described how freedmen who claimed the right to a former plantation headquarters divided up the existing buildings. In another case, comparing the state of his estate in 1881 with a landholdings map from 1860, a former planter lamented how freedmen rearranged his panopticist estate to facilitate cooperative farming (Penningroth 2003). Upon their own initiative, freedmen created a complex matrix of land claims distinct from the boundaries of fences.

Although the state-sponsored reparations program had laudable intentions, in most cases, it made little more progress than sharecropping. Freedmen’s homesteading practices rarely corresponded with the bureaucracy of land recording and Freedmen’s Bureau agents disapproved land claims that did not have proper documentation and physical markings. General Beecher expressly ordered his agents to “ignore the claim & proceed as though it did not exist” (Hayden et al. 2013: 257) if adequate proof could not be furnished. Finally, after years of legislative deadlock and the Freedmen Bureau’s resistance to the removal of freedmen, the US Congress disintegrated the homesteads in 1876. Even some freedmen who conformed to the bureaucratic standards were evicted; they were compensated but remained landless. In some areas, virtually all homestead land reverted to former planters. Like sharecropping, homesteading served as a pacification tactic that ultimately diffused the unsettling agency that freedmen, as potential landholders, initially wielded in the land-power system. Despite the differences between the two models, the political arena remained fixed on land and the perpetuation of unequal spatial appropriation.

Collectivity from the Margins

At stake in this turbulent period was the very conception of property. While planters and the government made a case for exchange-value, freedmen came from a different tradition. Historian David Penningroth’s important study traces slaves’ conception of property as a dense social network, which helped foster kinship ties during slavery. For enslaved people, he argues, property was not predicated on delineating terms of private use, but rich associations made through routines of collaboration and acknowledgment (Penningroth 2003). Penningroth’s characterization of slaves’ property as a form of “cooperative custody” (ibid.: 137) helps to understand why freedmen later extended these kinship ethics to collective landholding routines. Freedmen did not see property as a commodity obtained upon purchase, but rather as a medium for obligation and fellowship, “drenched… with social meaning” (ibid.: 99). Throughout the difficult but formative post-Civil War period, freedmen enacted a concept of property that was more social than economic. This period served as a testing ground for freedpeople’s political imagination, which soon came to flourish on church lands.

Returning to the scene of this chapter’s introduction, it is evident now that Saint John’s property purchase in 1900 was no simple feat. Although pressured to
adopt the acquisitive individualism espoused by the Freedmen’s Bureau, freed-
people established routines of fellowship that strengthened their collective social
vitality. Although the prosperity of individual freedmen was severely hindered by
the land-power system, when organized in the form of religious congregations,
freedmen made collective claims with greater success. Indeed, across the South
leasing and purchasing of land was within grasp of congregations who pooled the
resources of their members. Nevertheless, such properties were often burdened
by exorbitant prices, restrictive conditions or extreme remoteness, foreshadowing
the “conditional, contingent and tiered” nature of Black landholding for years
to come (Taylor 2019: 17). Saint John, too, bought its lot despite the conditional
Reverter Clause embedded in its title deed. The motivation behind the clause
seems simple enough; landholders were intent on maintaining the status quo of
plantation society and conditional deeds were likely to extinguish over time.
Yet, freedpeople had few other options in claiming land, and this may explain
why so many Black churches emerged under these circumstances in the roughly
three-decade span of 1890–1920 (see Figure 15.3). Freedmen congregations had
purchased land, lawfully and through great collaborative effort, yet their titles
were even more precarious than a basic leasehold, because their claims depended
on their meeting the conditions of the deed.

In devising such deeds, however, landholders failed to recognize that freedpeople
were well versed in the workings of property and that their communities were

FIGURE 15.3 Excerpts from Fort Bend County public deed records showing Reverter
Clauses in numerous freedmen church deeds.
Source: Gabriel Cuéllar, 2017, based on Fort Bend County (1900).
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built on fellowship. Nancy Woods, a parishioner of Saint John since the 1930s, affirms that the congregation was always aware of the stipulations placed on the land (Nancy Woods, personal interview, 8 April 2013). Under these legal conditions, ownership was directly linked to the endurance of fellowship, this being the very basis of freedmen politics. As a result, such deeds unintentionally upheld a radical form of collective, use-based tenure to the freedmen congregation. The colonial notion that skin color justified discrimination finally backfired: reversionary deeds, meant to be a hindrance, actually endorsed freedmen’s property practices.

As one of the foremost assertions of their political agency, freedpeople used churches for their advancement at local and regional scales. Wherever a church emerged, it acted as a node in the decentralized network of communities that freedmen cultivated. In acquiring property, freedmen congregations relocated from outlying forests and flood plains onto roads and town outskirts across the South (see Figure 15.4). This geographic shift brought Afro-American spatial claims to the public sphere, contesting urban spaces saturated with racial ideologies and market imperatives. The churches acted as hubs for migrating freedpeople, who often established congregations at their destinations. Serving as a welfare agency, the churches deployed resources to enrich the fortune of its members, assisting jobseekers and reuniting kin. Pastors were instrumental in the spread of the freedmen church politics. They migrated between congregations, transmitted news, and organized funding for construction and land purchases (Hayden et al. 2013). For both newcomers and those looking to move on, the church was a contagious spatial agent extended to wherever freedmen settled.

Just as early freedmen settlement patterns did not correlate with the conventions of real estate their churches unsettled the norms of settler-colonial land possession. While prevailing political conditions quashed Afro-American claims to space, the churches helped fulfill freedpeople’s aspiration for self-determination. This is not only because private land was largely unavailable, but because the individual, private plot was inadequate in encompassing the political claims that Afro-Americans were contending to make: they fought to assert their independence, but also their interdependence (Penningroth 2003). The networks of freedmen churches therefore represent an important socio-spatial innovation: an off-the-market urban presence collectively maintained through use. Unlike property’s exchange-value, which reaches its highest theoretical value when exploited by a single party, freedmen church property is, following the concept of ‘inherently public property’ (Rose 1994), most valuable in use, as a space that nurtures sociability.

Emerging from the plantations, freedmen deployed the space of the church for political, cultural, religious and spatial empowerment—all while remaining relatively docile in the eyes of the planter class and the intended limitations of the Reverter Clause. Within the margins that freedmen were able to claim for their religious institution, they established a social movement that came to embody Afro-American collective ambitions. Serving as “part church, part psychological refuge, part organizing point for occasional acts of outright rebellion” (Maffly-Kipp 2001) for multiple denominations and clubs, the thousands of freedmen
FIGURE 15.4 Map of freedmen churches in the southwestern region of Houston, Texas.

Source: Gabriel Cuéllar, 2018.
FIGURE 15.5 Celebrating the installation of a State of Texas historic marker honoring the value of the Saint John church grounds. 

Source: Gabriel Cuéllar, 2017.

churches contributed to a re-formatting of the physical and political territory of the US. In the arduous effort to build their churches, freedmen confronted bureaucratic obstacles and racialized marginalization from the real estate market. In the process, they established an institution that vividly captures what George Lipsitz has referred to as a Black spatial imaginary that turns “segregation into congregation” (Lipsitz 2007: 14) (see Figure 15.5).

Ordering and Claiming Land in the Settler-State

Land politics are often described with terms such as ‘private property’ and ‘ownership’. The historical and present workings of land, however, require greater conceptual nuance, because property has always been tied to collective aspirations that transcend the individual capacity to ‘own’. The case of freedpeople in the US South demonstrates, too, that there is more than one way to understand and instrumentalize property. For these reasons, the entwinement of settling and unsettling is—perhaps more than the term ‘ownership’—a suitable framework to make sense of land-power. With ‘settlement’ comes the production of subjectivity, the spatial concept of territory, material infrastructures and processes of institutionalization. Seeing property through the lens of ‘settlement’ reveals its socio-spatial construction and the unequal privileges of land claiming. As an analytical framework for property, ‘settlement’ allows for a productive opening of the infrastructure behind the conventional narrative of ‘ownership’. And from this position, the freedmen’s church stands out as an inspiring reference point for making land claims beyond value extraction in the settler-colonial context.
In their struggle to settle, there is no reason to believe that freedpeople were disinterested in the financial utility and legal stability that Euro-American landholders benefited from. Freedpeople and their descendants considered land tenure a starting point for self-determination. Indeed, many individual freedmen obtained Fee Simple titles in Afro-American towns known as settlements, including nearby Arcola, Kendleton and Houston Freedmen’s Town. Many freedmen congregations, too, secured Fee Simple title in later decades. These are important achievements in the Black land struggle, and the ways in which this kind of settlement differs, ethically and practically, from the settler-colonial norms deserves further consideration.

Importantly, however, the Black church is strong evidence of freedpeople’s discontentment with the principles of exchangeability and individualism. The glimpses of freedmen collectivity observed in homesteading were quickly suppressed by the government, yet these counter-routines emerged yet again, and in greater force, on church grounds across the South. The Reverter Clause expressly limited the use of land to worship purposes and this tenuous form of settlement might explain the central role of the church in Afro-American culture. Still, the freedmen’s church is an expression of Black spatial imaginary applicable to wider, secular uses, too. In the current context of the US, and elsewhere, white supremacist exchange-oriented property possession has enabled displacement and unsettlement, much more than emplacement and social investment. Individual landholders around Saint John have successively flipped their lots in response to exchange-value imperatives over the decades, yet the church remains steadfast in its position: land possession and community welfare are indistinguishable. Black land struggle offers a vanguard example of collective landholding that thrives in use-oriented sites, which offer little direct wealth but a significant source of belonging and refuge.

The history of Fort Bend County and the freedmen churches shows that critical spatial practice cannot afford to be concerned strictly with the design of buildings and their immediate surroundings. The evolution of property there, and in the US in general, shows that the qualification and design of the ground is a key political act. This history poses several questions to spatial practitioners: what power charges any given plot of land? How can spatial intervention contend with those politics? How might a spatial order based on use-value operate? What subjectivities can emerge in the wake of the landholder? For practitioners interested in unsettling the status quo, such questions are critical, even if they initially reveal the extent to which architects’ current agency is circumscribed by routines of purchase and value extraction. A program of alternative politics must consider the land infrastructure through its various dimensions: deeds and laws, rights and obligations, exchange- and use-values, lot geometries, cultural values, earthly life, etc. Only through such stocktaking can spatial practitioners, in coordination with participants of the property institution, aim toward relations that uphold possession through use, such as those enacted by Afro-Americans over the past century and a half. The endurance of Black fellowship is a prompt to rearticulate the spatial orders of property and forge new routines of belonging.
References


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