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Interrogating Torture and Finding Race

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Chapter One
Interrogating Torture and Finding Race

(introductory chapter to my book on 17th stagings of torture)

Antonin Artaud's second manifesto for the Theatre of Cruelty cries out for a theatre that will depict "great social upheavals" and "conflicts between peoples and races."[1] Opposed to "disinterested" theatre, Artaud designed the Theatre of Cruelty to depict and affect not only the "tortured victims," but also the "executioner-tormentor himself." Artaud viewed both as trapped by "a kind of higher determinism" which he sought to alter through the Theatre of Cruelty (102). To usher in this new theatrical tradition, Artaud declared that the "first spectacle of the Theatre of Cruelty will be entitled: *The Conquest of Mexico*" (126). Explaining his choice for the inaugural event, Artaud wrote, "From the historical point of view, *The Conquest of Mexico* poses the question of colonization. It revives in a brutal and implacable way the ever active fatuousness of Europe. It permits her idea of her own superiority to be deflated" (126).

In his discussion of the Theatre of Cruelty, Artaud explicitly linked depictions of cruelty/torture with depictions of racialized subjects. The intersection of these events and depictions was chosen, Artaud explained, "because of its immediacy . . . for Europe and the world" (126). Writing in the 1930s and 1940s, Artaud experienced a Europe that was united by its colonial endeavors throughout much of the southern hemisphere. Consequently, Artaud was explicitly challenging the racist justifications for these colonial projects. "By broaching the alarmingly immediate question of colonization and the right one continent thinks it has to enslave another," Artaud intoned, "this subject [of *The Conquest of Mexico*] questions the real superiority of certain races over others and shows the inmost filiation that binds" them (126-127).

In his first manifesto for the Theatre of Cruelty, Artaud explained his plans to stage an "adaptation of a work from the time of Shakespeare, a work entirely consistent with our present troubled state of mind," a work "stripped of [its] text and retaining only the accouterments of period, characters, and action" (99, 100). Thus, Artaud's decision to adapt John Dryden's 1665 play, *The Indian Emperour, or the Conquest of Mexico by the Spaniards*, for the Theatre of Cruelty had an intrinsic logic because it not only depicted "great social upheavals" and "conflicts between peoples and races," but also was "consistent with our present troubled [i.e., colonial] state of mind." The sequel to his popular play *The Indian Queen*, Dryden's *Indian Emperour* contained exactly what Artaud desired to depict: an explicit scene of torture motivated by a sense of entitlement and racial superiority.

Pizarro: Thou hast not yet discover'd all thy store.
Montezuma: I neither can nor will discover more;
The gods will punish you, if they be just;
The gods will plague your sacrilegious lust.
Christian Priest: Mark how this impious heathen justifies
His own false gods, and our true God denies!
How wickedly he has refused his wealth,
And hid his gold from christian hands, by stealth.
Down with him, kill him, merit heaven thereby.
Indian High Priest: Can heaven be author of such cruelty?
Pizarro: Since neither threats nor kindness will prevail,
We must by other means your minds assail;
Fasten the engines; stretch 'em at their length,

And pull the straiten'd cords with all your strength.

[They fasten [Montezuma and the Indian Priest] to the rack, and then pull them.

Montezuma: The gods, who made me once a king, shall know
I still am worthy to continue so.
Though now the subject of your tyranny,
I'll plague you worse than you can punish me.
Know, I have gold, which you shall never find;
No pains, no tortures shall unlock my mind.

Christian Priest: Pull harder yet; he does not feel the rack.[2]

Dryden's *Indian Emperour* contains all of the "brutal" and "active fatuousness" that Artaud sought to highlight. The play virtually brutalizes its audience by forcing her/him to witness Montezuma stretched on the rack in full-view onstage. The horrific nature of this scene, however, does not fit easily or comfortably into Artaud's vision for the Theatre of Cruelty. Despite the fact that Artaud's desire to create a link between seventeenth- and twentieth-century colonial psychologies explains his decision to adapt an early modern text, Dryden's *Indian Emperour* does not exactly permit Europe's "idea of her own superiority to be deflated." In fact, Dryden's play reveals the complexities inherent in constructing racialized identities through staged scenes of torture. How does one control or even predict how the audience will receive the racialized, tortured body, for example? Despite the fact that Artaud imagined the sight of the tortured body would elicit sympathy, Montezuma's body made abject on the rack could nonetheless elicit a number of less generous responses, including fetishization and objectification. Likewise, how does the triangulation of racial constructions affect audience response/identification? Dryden's popular *English* play potentially could have created an environment in which the English audience disavowed connections with *both* the triumphant yet cruel Spaniards and the defeated yet honorable Indians; instead, the audience could have witnessed the events with a distanced-aloofness that would have permitted a feeling of superiority: precisely the affective response Artaud attempted to redress. In addition, do theatrical performances of racial subjectivity in brown-/blackface differ from those by actors of color? The distinctions in these performances, after all, do call for theorization with regards to reception. Dryden's Montezuma was portrayed by an English actor in an Indian costume and perhaps even brown-face, but Artaud never stipulated how his Montezuma would perform his Indian-ness in *The Conquest of Mexico*. Artaud left the performance of race un-theorized. And finally and perhaps more fundamentally, if the seventeenth and twentieth centuries are linked, as Artaud imagined, how can one appropriate and alter these early modern codings of race? What does it mean to adapt a play that has in some ways already formed the parameters for racial construction? In his theory, Artaud sutured over these multifaceted complexities out of a desire to create a portrait of racial "filiation." And in his description of the adaptation of *The Conquest of Mexico*, Artaud sutured over the multifaceted complexities of Dryden's original text in order to create a production that ends with "Spaniards . . . squashed like blood against the ramparts that are turning green again" (132).

In *Racing the Rack*, I delve into the intricate web of complexities that encase the conjoined performances of torture and race in order to attend to the questions that Artaud left unanswered in his theory. It is my belief that explicit theatrical depictions of torture provide the perfect device to interrogate how race developed with contradictory significations in the early modern period: race became both essential and a construction. This book challenges the notion that conceptions and depictions of race are divided into pre- and post-Enlightenment discourses. Instead, this project demonstrates how these seemingly disparate discourses are united by a consistently vacillating construction of race that swings between the material and the discursive. Torture, which operates on the principle that that which is hidden can be extracted through the application of bodily harm, provides a disturbingly relevant correlation for this paradoxical construction of race. The employment of torture, in other words, often stems from the desire to substitute the visible and manipulable materiality of the body for the more illusive performative nature of identity. In addition, because staged scenes of torture invite the audience to see something that is normally hidden – the victim's tortured body – they allow the audience to ponder the significance of the victim's body.

Complicating the idea that the application of torture in early modern England signaled an emerging notion of inwardness, I argue that the performance of torture on the early modern stage also demonstrates an interest in the expressly exterior – the tortured, racialized body. The actual employment of torture in early modern England exemplifies the fear of the hidden thought and secret threat. From 1540 to 1640, when torture was used most frequently in England, heretics, traitors, and counterfeiters were the primary victims. These disparate criminal groups were united in torture because the state feared they relied on a certain covert interiority. One could not distinguish a Catholic from a Protestant by looking at him/her. In fact, Catholics could, and did, lurk undetected within the English population, secretly praying to "idolatrous" images of the Virgin Mary and pledging allegiance to the Pope. Likewise, the traitor, who was committed to enacting seditious plots, could only succeed if he/she blended in with true loyal citizens. And the counterfeiter made a living by creating objects that looked authentic but which concealed forged and corrupt interiors. In other words, the heretic, the traitor, and the counterfeiter functioned by concealing themselves and their actions. In addition, these criminal groups, which suffered the torments of torture at the hands of the English government, were united by their Englishness; in early modern England, torture was used to detect secrecy within its own population. The unspoken fear that lies below the surface of this history is the belief that the heretics', traitors', and counterfeiters' Englishness served as the ideal mask for these hidden, secret, and treacherous motives and actions.

When representations of torture were staged, however, the victims' roles were rewritten. No longer representing the threat within, the theatrical victims of torture were explicitly racialized figures. Unlike the historical victims who supposedly hid behind a concealing mask of Englishness, these victims could not hide their differences: they were Moors, American Indians, and Africans. Characters, like Aaron the Moor in Edward Ravenscroft's rewriting of *Titus Andronicus*, Crimalhaz in Elkanah Settle's *The Empress of Morocco*, Montezuma in John Dryden's *The Indian Emperour*, and Oroonoko in Thomas Southerne's stage adaptation of *Oroonoko*, were all tortured in full-view onstage. Although many of these characters are depicted as having a hidden or threatening inwardness (like Montezuma's knowledge of the hidden troves of gold), the plays simultaneously highlight the physical materiality of their differences. These figures are tortured in part because of the apparent, depictable, and stageable differences of their cultures, religions, *and* races.

In *Racing the Rack*, I privilege early modern dramatic depictions of torture because, like Artaud, I see the "immediacy" of these "brutal and implacable" texts. These seventeenth-century texts not only seem "consistent with our present troubled state of mind," but also seem to have created the very discourses we use to express, and attempt to work through, these troubles. This project, however, aims to be more theoretical than historical. While I primarily investigate early modern texts, my theoretical interest allows me to venture into twentieth- and twenty-first-century texts as well. I am interested in the conjoined performances of torture and race because I want to investigate how they create and inform one another, and early modern texts provide the first concentrated conjunction of these performances. This is not to suggest that all early modern depictions of torture included racialized discourses/depictions. Likewise, I am not suggesting that all discourses/depictions of race involve scenes of torture. I do want to argue, however, that the conjunction of the performances of torture and race provides the most effective way to analyze the long-standing contradictory constructions of both.

In these introductory pages, I examine the various and often disparate theoretical challenges one must address when analyzing performances of torture *and* performances of race. Performances of torture have been almost completely neglected theoretically. Consistently privileging the actual employment of torture, most critics have neglected to address how performances torture function differently. Performance theories for race, on the other hand, are not lacking. Although claiming to be universal, however, these theories completely elide early modern performances of race. Performance theorists are often so invested in modern theatre that they have failed to examine how modern performativity was birthed in the early modern era. In addition, the theoretical discourses employed for torture and race rarely intersect. By bringing them together, I demonstrate the importance of these early modern performances and challenge the assumed divide between pre- and post-Enlightenment racial theories. It is my hope that *Racing the Rack* will highlight how performances of torture and race have functioned, and still continue to function, together. But

I also hope that this project will provide a way to challenge the conjunction of these performances. Torture as a form of performance entertainment is troubling because it inures the audience to horrific scenes of violence and inculcates them in the false belief that intimacy with members of different races can be achieved through violence. In other words, these performances signal that racialized characters becomes less opaque and more transparent when they are depicted as controlled and vulnerable on the rack. I will demonstrate how the contradictory formulation of race – as both performative and material – disrupts clear methods of identification while simultaneously enabling a desire for abjection.

Performing Torture

Part of the difficulty of theorizing the performance of torture stems from the fact that our language constructs torture as an "act" and a "performance."[3] Our language equates *real* torture with *performances* of torture, thus minimizing the horrors of the employment of torture by privileging the performative aspects of the "act." While critics have attempted to redress this linguistic construction by documenting the history of torture and its public concealment, few have addressed the significance of true performances of torture. How does one theoretically distinguish between these two "acts" and these two "performances"? In this section, I address the ways that torture has been approached by various critics in order to bring to light the ways that the performances of torture have been neglected by historians and theorists. By focusing on revealing the actual use of torture, these critics construct themselves as combating the silence that surrounds torture. This construction, however, is only possible if these critics elide how often torture is performed in the arts; they must disavow the fact that there is no silence surrounding torture in performance. In addition, these performances make it difficult to discuss torture without discussing the construction and depiction of race. I include a discussion of early modern English constructions of torture in order to demonstrate how often anxieties about nationality were folded into the earliest constructions of torture in England. Then I conclude with a brief analysis of medieval artistic renderings of torture because performances of torture have materialized *and* racialized this construction of nationality.

Historians often treat torture as a political event that needs to be brought to light in order to prevent its future use. John Langbein, for example, pioneered research into legal treatments of torture in early modern Europe, focusing on the changing standards of juridical proof.[4] Explicit in Langbein's argument is the notion that these legal justifications should not be permitted again. "The European law of torture was suffused with the spirit of safeguard," Langbein writes, "yet it was never able to correct for the fundamental unreliability of coerced evidence. . . . History's important lesson is that it has not been possible to make coercion compatible with truth."[5] Similarly, John Conroy, in his recent book *Unspeakable Acts, Ordinary People: The Dynamics of Torture*, documents three cases of torture in the late twentieth century, exploring how various torturers have justified their actions. Historical analyses of the "Dynamics of Torture," Conroy argues, should force modern societies to challenge all justifications for torture because they allow it to become "the perfect crime . . . [for which] in the vast majority of cases, only the victim pays."[6]

Although the goals of legal historians are commendable, Conroy's title highlights the dilemma that faces many of them: while torture may be an "unspeakable act" legally, it is not one artistically or performatively. The history of torture is the history of secrecy and silence because public officials often try to conceal the documentation of torture, and the public follows suit with its unwillingness to discuss the uncomfortable, and potentially politically dangerous, subject matter.[7] And yet, torture does not exist as an unactable or unstageable event. Scenes of torture appear in many popular media: art, drama, television, and film. During the seventeenth century, the primary historical focus for this book, onstage depictions of torture were enacted frequently. Summing up the theatrical trend of the period, one nineteenth-century scholar called staging torture "the custom of the age."[8] But what enables the staging of these unspeakable acts? How exactly does the dramatization of torture change the nature of its unspeakability?

Theorists, like legal historians, have failed to address this distinction. For example, Elaine Scarry's work on the connections between torture, language, and the construction of our world, *The Body in Pain*, theorizes the deconstructive nature of torture. She argues that, "Physical pain . . . is language-destroying. Torture inflicts bodily pain that is itself language-destroying, but torture also mimes (objectifies in the external environment) this language-destroying capacity in its interrogation, the purpose of which is not to elicit needed information but visibly to deconstruct the prisoner's voice."[9] Scarry's discussion of the performativity of torture, however, is completely reserved for the performative aspects of actual torture. She does not explore how artistic performances of torture complicate these performative aspects. Similarly, Michel Foucault's seminal book, *Discipline and Punish*, analyzes the important cultural changes that occurred when government sanctioned disciplines evolved from public events to private punishments; but he does not move the argument in the other direction to discuss what happens when private punishments become fictive public entertainment.[10] Even theorists with a more focused historical analysis have ignored performances of torture. Lisa Silverman, for example, argues that the end of torture in early modern France signaled a larger epistemological question about the relationship between free will and evidence; but she does not address how this epistemological question is further problematized by performances of torture.[11] Performances of torture, however, function in fundamentally different ways from the actual employment of torture because of their artistic and public natures. Needless to say, it is important to explore the ways a cultural history gets translated into artistic media.

Literary critics, of course, have attempted to bridge the divide between cultural history and cultural productions. Early modern literary scholars have compared the historical and artistic representations of torture through analyses of the descriptions, warrants, and depictions of torture. In similar arguments, Katharine Eisaman Maus and Elizabeth Hanson have examined torture as a symptom of post-reformation England's preoccupation with a private self. According to Maus and Hanson, private worship and a personal relationship with God point to a new early modern concept of inwardness, and the use of torture in early modern England points to a belief that a hidden interiority exists and can be discovered.[12] Both critics position torture and dramatic depictions of torture together because, they argue, these venues are dependent on notions of individual interiority and/or subjectivity.

There seems to be something more at stake in these representations, however. It is not only a notion of subjectivity that emerges but also an idea of subjectivity that is nationalized and, as I will argue later, racialized. The language from early modern English torture treatises reveals anxieties about the relationship between domestic policies and foreign influences. These anxieties, of course, expose the interconnected nature of subjectivity and nationality. In other words, subjectivity emerges in nationalized and racialized discourses: these discourses enabled the emergence of each other. In addition, the language reveals how torture was never constructed solely out of a preoccupation with hidden interiority. Instead, it reveals that when torture was discussed, there was always a preoccupation with a notion of foreignness.

Legal historians from the early modern period anxiously linked the employment of torture in early modern England with unwanted foreign influences. From the earliest discussions about torture in England in the fifteenth century, it was never solely about interiority, but was, instead, always about foreignness and difference. Because torture was a judicial procedure commonly used on the Continent, English legal historians had to account for England's adoption of this foreign procedure (torture) and device (the rack). In addition, the recurring and seemingly gratuitous references to familial relations in these documents demonstrate how torture was consistently constructed within hierarchical familial paradigms: paradigms that were frequently used as analogues for the English state.

Sir Edward Coke's influential legal history, *The Third Part of the Institutes of the Laws of England*, records an anecdote about how torture was introduced to England in the fifteenth century. The "Duke of Exeter being Constable of the Tower," Coke wrote, "first brought into the Tower the Rack or Brake . . . and thereupon the Rack is called the Duke of Exeter's daughter, because he first brought it thither."[13] While Coke goes on to declare that "there is no law to warrant tortures in this land, nor can they be justified by any prescription being so lately brought in" (35), he attempts to suture over this lack of legality by constructing the rack in a familial paradigm. Masking an anxiety about incorporating a foreign device into domestic policy, Coke attempts to assimilate the rack into a familiar family hierarchy. While eliding from whence the Duke of Exeter "brought" the rack (and it was indeed brought from the Continent), Coke emphasizes that the rack has been fully adopted as an English device. In other words, in renaming of the rack as the "Duke of Exeter's daughter," Coke attempts to sublimate the discussion of the foreign influences inherent in this adoption. The sublimation, however, is unsuccessful because the use of the familial paradigm also reveals anxieties about the power and autonomy of the English state.

As Coke's history makes clear, this attempted adoption did not occur peacefully. More often than not torture was depicted as challenging these important hierarchical structures. Sir John Fortescue's *De Laudibus Legum Anglie* (ca. 1470), for example, is often listed as the first document to address the use of torture in England. Written as a dialogue between a young prince and an older chancellor, *De Laudibus* seeks to identify and differentiate between the civil and criminal procedures in England and those in Europe. The young prince begins thinking that an autocracy is the most effective way to govern a state, but the chancellor guides the prince to recognize his errors by demonstrating the "baseness" of the European (especially French) systems; torture is cited as exemplifying these important differences. Relating an anecdote about a criminal who is tortured to name his accomplices, the chancellor explains how that criminal falsely accused a "faithful knight." According to the chancellor, the criminal later said that "the pain . . . that he had endured at the time of his accusation had been so atrocious that, rather than experience it again, he would accuse the same knight once more, and indeed would accuse his own father, albeit he was now come to the threshold of death, which he believed he could no longer escape."[14] Fortescue implies that judicial torture necessarily threatens the sanctity and, more importantly, the hierarchy of the family: the son could even overthrow the father with this false confession. The imagined threat to the familial hierarchy, however, is also symbolic of the imagined threat to the English state. Implied in the argument is the notion that the adoption of this European judicial technique – torture – could threaten the hierarchy (i.e., the very Englishness) of the English state.

About a century later Sir Thomas Smith, in an infamous passage in his *De Republica Anglorum* (ca. 1565), denied that torture was ever used in England, and his argumentation resembles Fortescue's in telling ways. Coke exclaims that, "Torment or question which is used by the order of the civill law and custome of other countries to put a malefactor to excessive paine, to make him confesse of him selfe, or of his felowes or complices, is not used in England, it is taken for servile." The problem, as Coke sees it, is that a tortured man "will confesse . . . to have done any thing, yea, to have killed his own father, [rather] than to suffer torment . . . ."[15] Like Fortescue's treatise, Smith's words are jingoistic and self-congratulatory, celebrating the superiority of the English over the "servile" practices of the French. And once again, torture is figured as that which threatens the authority of the English family; under torture a man will even falsely confess to having "killed his own father." Jeopardizing the essence of English identity, which "will not abide" such "servile" actions, torture promotes the demise of the core of that identity – the father. The recurring references to the French employment of torture signal another deep-seated fear about England's hierarchical structures: if the English borrow French judicial practices not only will they become "servile" *like* the French, but also they will become servile *to* the French.

While the explicit argument in these treatises is that the employment of the rack affects familial hierarchies, the implicit argument is that the rack affects international hierarchies. Reading these passages by Coke, Fortescue, and Smith together, one can detect both of these fears. No longer the father to her state, these writers imply, England could become the child to foreign influences by adopting this continental legal system, symbolized by the rack. In other words, these treatises not only express early modern England's new concept of interiority/subjectivity but also the fears about the *relationship* between subjectivity and nationality.

Artistic depictions of torture replicate the anxieties about the relationship between torture, subjectivity, and nationality. If torture was discursively constructed in nationalized terms, then artistic depictions of torture materialize – provide a body for – these constructions: and the nationalized body becomes racialized. Unlike the early modern treatises that discuss torture in philosophical, legal, and even jingoistic terms, artistic depictions of torture necessarily highlight the bodiliness of the act. This is an important factor that many critics who have written about torture have overlooked. Historically the employment of torture has been a secretive affair, with the victim's body hidden from public viewing. And while philosophical and legal discourses about torture highlight the relationship between subjectivity and nationality, these differences are never described in a material way. Depictions of torture, on the other hand, provide a body for surveillance. Where the actual employment of torture conceals the victim's body, depictions of torture reveal that body. Once one distinguishes between the employment of torture and the performance of torture (despite the fact that both are labeled as "acts" and "performances"), one can theorize the literal *construction* of subjectivity through the body. The transformation from an unseen political disputation/act to a viewed representation/performance not only enhances the construction of subjectivity but also the construction of subjectivity in physical *and* racialized ways.

This incongruous duality – a belief in the significance of both a hidden interiority and an exposed/exposing physical appearance – is displayed most clearly in artistic representations of torture. Medieval paintings depicting the torture of Christian martyrs represent this tension. While the torturers depicted in the paintings are condemned for their cruelty, they are nevertheless rendered useful by revealing the divinity within these Christian victims.

[Image 1.1: *Saints Savinus and Cyprian Tortured on the Wheel*, wall painting from the crypt of the church at Saint-Savin-sur-Gartempe, French (Poitiers), early 12th century]

Their bodies may be broken, but the Christians' souls are saved, as is evidenced by their halos. As Jody Enders has convincingly argued, medieval representations of torture reveal the ambiguous relationship between torture and truth. While Christian victims are tortured to give false evidence against Christ, their tortures ultimately do reveal the truth of his divinity. Enders argues, "the torture of Christian transgressors is but an affirmation of the truth of their faith."[16] While the information elicited from these interrogations is rendered suspect (i.e., they elicit lies about Christ), the act itself helps reveal the ultimate truth of Christian faith – the promise of salvation. "In the verisimilar performance of a true event," Enders argues, the artistic representation "condemns pagan tortures that oppress Christian martyrs even as it must, at least at some level, subtly praise torture as a means" to gather "true" information (60).

Although one might not expect to find this, constructions of racialized subjects are not wholly absent from these medieval depictions of torture. As Enders has shown, the devil was often depicted as the creative genius behind these tortures (51). And as Anthony Barthelemy has argued, the devil in medieval mystery and miracle plays was often depicted in black face.[17] While some may argue that these stagings were merely symbolic and not racially coded, there are paintings of the torture of Christian martyrs from the period which explicitly racialize some of the torturers.

[Image 1.2: Hans Memling, *The Passion*, Turin, Galleria Sabauda, 15th Century]

[Image 1.3: Geertgen Tot Sint Jans, *The Burning of John the Baptist's Bones*, Vienna, Kunsthiestorisches Museum, 15th century]

[Image 1.4: Engraving from John Foxe's *Book of Martyrs*, depicting the torture of Christian martyrs by Moors and Romans]

Far from representing a merely symbolic darkness, the presence of African Moors in these scenes of torture serves to draw attention to the pagan nature of the torturers. Whether the Moors are depicted as the torturers themselves or merely the servants of the torturers, their blackened presence easily encapsulates all of the differences between the Christians and their tormentors. The differences are written on their black skins, just as the Christian saints' and martyrs' holiness is written on their haloed white bodies. The realistic nature of these medieval portraits effectively challenges the arguments that blackness was only understood in a symbolic way in medieval England. Clearly a notion of color was emerging that begins to demonstrate what Joyce Green MacDonald refers to as "the fluidity of racial identity."[18] The black Moors are included in these paintings because their skin color announces their symbolic as well as religious, cultural, *and* physical differences.

In these medieval paintings, then, the body takes on multiple significations. In fact, there is a way in which the multiple significations challenge the torturers very need to torment their Christian victims. If the bodies of both the torturers and the victims reveal so much about their religious, cultural, and racial identities, why is torture necessary? The tension that torture reveals between the relationship of the body and the soul is highlighted by the presence of African Moors in these medieval paintings. Without even mentioning the fiction that lies behind the notion that physical pain elicits truthful responses to interrogations, these representations implicitly critique the torturers' unwillingness to read the bodies of their victims correctly. If they had, the truth of their Christian victims' faith would be as readily apparent as the differences between black and white: it would be as readily apparent as the visual differences between the white Christians and the black Moors depicted. In other words, in medieval representations, race becomes a central component in exposing the horrors and fallacies of torture. While the actual employment of torture privileges searching out the hidden plot, performances of torture re-inscribe the primacy of that act upon a body by making that body publicly accessible. This is the crucial difference between the employment of torture and the performance of it. The victim's body is made primary through the audience's gaze. The audience is permitted to view the *act* upon the body, and often that body is racialized. While these medieval paintings convey these complex constructions, they are not performance pieces. One must examine early modern dramatic pieces to *see* how performances of torture racialize the body.

Performing Race

The stage rack, the principal instrument of torture employed on the early modern stage, provided the ideal way to display these foreign bodies. A quintessentially seventeenth-century theatrical device, the stage rack was only made possible with the invention of moveable sets. Highlighting their outward racial differences, the rack displayed these foreign bodies in extremely open, exposed, and vulnerable ways. Victims were often stripped of most of their clothing, and if one imagines the stage rack as holding the victim up vertically to be seen by the audience, the intense focus on the stretched and controlled body is even more vivid. The disparity between the historical reality of torture and the dramatic presentation of such reveals a growing desire to displace the focus from discovering an unseen, and potentially hidden, inwardness to displaying a readily apparent, and potentially revealing, outward manifestation. This displacement became central to constructing race in a contradictory fashion. While the threateningly foreign became something that was essential and needed to be ferreted out, something that was not readily apparent (like the actions of the heretic, traitor, and counterfeiter),[19] it also became something that was visibly performed (like Montezuma's readily apparent cultural and racial differences).[20]

But, of course, the racialized foreign bodies on the seventeenth-century stage were not foreign at all; they were English actors in exoticized costumes and various shades of brown- and blackface. It is important to foreground the performative aspects of this early modern construction of race in order to emphasize that race was initially constructed and presented in performative discourses. Although there were some Moors, American Indians, and Africans in early modern England, their numbers were few. It seems clear that most people living in England at the time would not have known or even seen one of these foreigners. All of their "contact" would have occurred in the theatre, if at all. Thus, it is not simply that these performances rehearsed emerging notions of race: these performances created the actual discourses for the constructions of race. While there have been more theoretical treatments of performances of race than there have been for performances of torture, this area still needs further analysis, especially with regards to the relationship between the early modern performances of race and the modern constructions of racial identity. In this section, I examine how performance theorists have treated the issue of race. I then analyze the historical underpinnings for these theories and challenge the simplistic binary that many critics have established for constructions of race: the supposed fluidity of early modern constructions of race and the concrete nature (i.e., based on science) of modern definitions of race.

Addressing the various questions she received about the significance of bodily materiality in performance theory, Judith Butler considers certain aspects of race and racial identity in her book *Bodies that Matter*. Butler admits that her original conception of performance theory did not take race into account, only gender, but she finds that "the unanticipated reappropriations of . . . [the] work in areas for which it was never consciously intended are some of the most useful."[21] Complicating the argument she set forth in her previous work, *Gender Trouble*, Butler rejects "models of power which would reduce racial differences to the derivative effects of sexual difference" (18). Butler wants to rectify "some feminist positions . . . [that] have problematically prioritized gender as the identificatory site of political mobilization at the expense of race . . ." (116). Instead, she analyzes the "racialization of sexuality," by asking what it would mean "to consider the assumption of sexual positions . . . as taking place not only through a heterosexualizing symbolic . . . but through a complex set of racial injunctions" (167). Taboos of miscegenation, Butler goes on to argue, indicate the performative nature of race because "race itself is figured as a contagion transmissable through proximity" (171). In other words, fears of miscegenation signal that race is never solely defined by a physical materiality and is, instead, defined by a cultural, discursive construction: an "effect of power" (2).

Although Butler attempts to eschew the "narrowness" of the gender-focused origins of performance theory, many black scholars have been loath to think about race as solely a cultural and discursive construction. As the black performance artist and scholar E. Patrick Johnson has argued, there is a "gap between those who view race as biological essence and those who view race as a discursive category."[22] Arguments by scholars like Butler have failed to convince those in the "essence" camp, Johnson argues, because they "eclipse" the "corporeality and materiality" of the black body (20). As Johnson explains, "the black body has historically been the site of violence and trauma. It is these consequential aspects of bodily harm that I believe racial performativity fails to account for" (40). In an attempt to rectify this oversight, Johnson calls for a theory that refuses "to privilege identity as either solely performance or solely performativity . . . by demonstrating the dialogic/dialectic relationship of these two tropes housed in and by the body" (42). Johnson's focus on the historical violations of racialized bodies makes the materiality of those bodies theoretically relevant in ways that Butler did not account for in her own discussions of performance theory: he makes the racialized body a "site of discursivity and corporeality" (20).

While I find Johnson's appropriation and revision of performance theory compelling – especially his attention to the conjunction of "discursivity and corporeality" – there is a way in which all performance theories seem overly invested in *modern* performances of race. Despite the fact that performance theories make universalizing claims (e.g., gender and race are performative), the arguments end up being dependent upon a specific historical moment. Butler admits, for example, that her reading of the "racialization of a sexual conflict" "calls to be contextualized within . . . [the] historically specific constraints" of the early twentieth century (174). Likewise, Johnson contextualizes most of his theories about the convergence of “discourse and flesh” in the “popular . . . eighteenth- and nineteenth-century American imaginary” (43). For Johnson, the history of the eighteenth- and nineteenth-centuries informs all performances of race in America. Explicit in these arguments is the idea that constructions of race are necessarily formed by “specific” historical “constraints,” and implicit is the idea that this “specific” moment is a post-Enlightenment/post-slavery one. The critics’ desire to contextualize, I believe, stems from the belief that modern constructions of race have been formed by a post-Enlightenment history, discourse, and culture. Although not writing from the vantage point of performance theory, but similarly informed by an interest in the connections between psychoanalysis and race, Homi Bhabha makes explicit what performance theorists leave implicit: he labels the problem as unique to “post-Enlightenment man.”[23]

What would it mean if modern notions of race, including the conflicting idea that race is both biological/essential and discursive/performative, stemmed from the performance of racialized characters in early modern England? What would it mean if the very conjunction of the “discursivity and corporeality” of race stemmed from the fact that racial subjectivity was first experienced in the English speaking world *onstage*? What would it mean if there is no split between pre- and post-Enlightenment constructions of racial identity? These ideas would not necessarily challenge performance theory, but they would complicate the notion of performance. If race was first constructed through dramatic performances, then the strange combination of “discursivity and corporeality” takes on new and significant meanings. If race was first constructed through dramatic performances, then the difficulty of “authenticating” racial identity would stem from the fact that racial differences were never constructed as being authentic in the first place.

The argument I am making offers a departure from those offered by most other early modern race scholars. Most scholars have offered the caveat that modern conceptions/perceptions of race differ from early modern ones in significant ways. Although there is quite a range in the ways critics describe the differences, most end up stressing the divergences nonetheless. Mary Floyd-Wilson, for example, offers one of the more stark analyses of these differences. She "attempts to retrieve the counterintuitive notions of ethnicity and 'race' that the now-dominant narrative of oppression aimed to erase: the representations of northern 'whiteness' and English identity as barbaric, marginalized, and mutable, and the long-neglected perceptions of 'blackness' as a sign of wisdom, spirituality, and resolution."[24] Far from drawing lines that connect early modern and modern constructions of race, Floyd-Wilson creates a chasm between them, arguing that the "geohumoralism" that dominated early modern constructions of race is radically different from the "now-dominant narrative of oppression." While most critics have not gone as far as Floyd-Wilson's argument, they have maintained a divide between early modern and modern constructions of race: this divide is usually described as being separated by eighteenth- and nineteenth-century "developments." Margo Hendricks and Patricia Parker, in their introduction to the influential collection *Women, "Race," and Writing*, argue that "race as a term developed . . . [as] a highly unstable term in the early modern period."[25] They divide this "unstable term" from "its eventual development into later forms of racism and racial distinction" (2). The implication of Hendricks's and Parker's rhetoric, of course, is that the early modern constructions of race were fluid, while the modern constructions of race are solidified. Kim Hall, too, alludes to this with her call to create a practice of early modern race scholarship that is "strategically anachronistic."[26] As a black feminist, Hall wants her research to have an impact in the present moment but sees early modern constructions of race as somehow divided from current constructions. In order to accomplish her goal, therefore, she must be "strategically anachronistic" and gloss over the differences that she believes exist between them.

Ania Loomba comes closest to articulating a more direct link between the early modern and modern. She argues that "The rise of modern racism is often seen in terms of a shift from a cultural (and more benign) to a more biological (and inflexible) view of racial difference. But although the biological understanding of race made it more pernicious, we should be wary of positing a simple opposition between nature and culture or suggesting that a 'cultural' understanding of race is somehow benign and flexible."[27] Like Loomba, I think it is important to deconstruct the simplistic binary between early modern cultural constructions of race and modern biological constructions of race. This binary, as Loomba suggests, creates the false impression that cultural constructions are more "flexible." I diverge from Loomba's argument, however, by claiming that *flexibility* is a less accurate formulation for early modern constructions of race than *contradictory* is. In other words, early modern constructions of race were not more flexible than modern ones: instead, they established the contradictory codings that can seem at once both flexible *and* unyielding.

I am arguing that early modern performance created race in a contradictory fashion precisely because it was an act. Thus, race ends up being constructed in the contradictory terms of "discursivity and corporeality": it is a performance, a discourse, but a performance in which the body is privileged. The audience's gaze upon the racialized characters' bodies licenses the materiality of those bodies, but the performance – white actors in costumes and make-up – simultaneously deconstructs that materiality. The pseudo-scientific race theories of the nineteenth century, which constructed race as a biological essence, did not reject or supplant this model: instead, they replicated it by maintaining the strange vacillation between physical materiality and hidden essence. Biological theories of race, for instance, both privilege and deconstruct race as a visible, physical reality by cataloguing physical markers of race, while simultaneously emphasizing the hidden and unseen essences of race (like blood). Similarly, the desire to authenticate and verify race in these pseudo-scientific race theories rehearses the anxiety about authenticity from these early modern performances. Because race was first constructed in performance, the conundrum about racial authenticity was always contained within these constructions.

The mistake many critics have made in their thinking about race is assuming that race has a stable meaning in the twentieth and twenty-first centuries: a stable meaning that is different from that of the seventeenth century. The stagings of torture in the early modern theatre, however, effectively dismantle these assumptions. The use of torture almost always obsessively rehearses the relationship between outward appearances and inner essences. While Joyce Green MacDonald has argued that "the fluidity and multiplicity of notions of what race meant is one of the most salient features of Renaissance racial discourse," I would modify her argument by contending that the most salient feature of racial discourse in early modern England is the contradictory way race gets coded (166). While there are times when the body (and the color of the body) represents the most important signifier for racial difference, this is far from a consistent presentation or signification. There are just as many times when race is signified by something that is unseen, hidden, and/or invisible. This is why stagings of torture are so significant within the theorization of constructions of race: sometimes the racialized victims are tortured because their bodies clearly signify the differences between themselves and their torturers, and sometimes the racialized victims are tortured because their bodies do not reveal enough of these differences. Race does not necessarily get performed in fluid terms, but it does get performed in contradictory terms: racial identity is both performed and essentialized.

When theorizing the performance of torture, I highlighted the audience's role. The audience materialized the victim's body in a new way: no longer significant for its ability to be manipulated, the tortured, racialized body became a spectacle for consumption. The audience's ability to view the torture was as much a part of the performance of torture as the act itself was. Likewise, the role of the audience is central in the construction of race: the act of viewing the performance creates these contradictory constructions. This theory, of course, seems to privilege the "white" gaze, creating race from the "majority" position. This is definitely the case for the early modern moment I am examining. I am not addressing how (if at all) Moors, American Indians, and Africans in the early modern period constructed and defined their own identity positions with regards to race: attention to this area would require and create a different type of project.[28] I think it is possible, however, to make the case that these early modern "white" performances of race have informed almost all modern views on race. I do not want to suggest that these constructions are universal and/or timeless. I am certainly not invested in denying anyone's ability to self-identify. I truly believe these constructions can be changed. Nevertheless, it is important to acknowledge how often people of color have consumed these constructions. Although writing about blacks in the contemporary United States, Elizabeth Alexander's words offer a relevant rejoinder. She writes, "Black bodies in pain for public consumption have been an American spectacle for centuries. . . . White men have been the stagers and consumers of the historical spectacles . .

., but in one way or another, black people have been looking, too, forging a traumatized collective historical memory which is reinvoked, I believe, at contemporary sites."[29] Despite the fact that the early modern English audiences were homogeneous in their racial composition, creating race through performance is something that has been witnessed by almost every contemporary human being. The legacy of constructing race through performance, in other words, has survived beyond the initial English audiences. This is a legacy that we must all confront now.

Racing the Rack

Throughout this chapter, I have emphasized the importance of the audience's gaze in performances of torture and race. The public nature of these performances, unlike the private nature of the actual employment of torture, necessarily highlights the audience's role in receiving, judging, and/or appropriating these constructions. In *Racing the Rack*, I theorize the relationship between audience reception and constructions of race. Like performance theory, reception theory aims to be universal but is actually tied to a modern historical and cultural moment.[30] One must, however, analyze how reception in the early modern moment helped to form reception in the modern moment. Reception does not simply occur in an isolated historical moment; rather, it is created through a complex amalgamation of the perceived history of past performances and receptions.

The plays I am analyzing in *Racing the Rack* highlight the centrality of audience reception. Torture is a unique form of violence when staged. Onstage, it functions differently from almost all other forms of violence. There are an infinite number of ways that murderers, thieves, and other violent characters can be portrayed: some are portrayed as wellintentioned, others as irredeemably corrupt, others as righteous, others as tragic, etc. There is not the same degree of representation for torturers, however. Torturers are almost always portrayed as cruel, and their actions are almost never presented in a sympathetic fashion. Although it is entirely too tantalizing to probe the reader to think of exceptions, I do not believe that torturers are presented sympathetically in performances of torture.[31] The torturer's belief that one can gain access to hidden knowledge and/or a secret interiority through the application of bodily harm functions as a taboo. Likewise, the torturer's belief that the infliction of pain can release one's deepest secrets, which are symbolically registered as one's inner-most self, collapses the established binary between body and soul. Performances of torture, therefore, inspire feelings of distrust for the act and antipathy for the perpetrators of that act. Thus, Artaud's desire to depict scenes of torture in order to deflate feelings of superiority seems grossly off point: performances of torture *enable* the audience to feel superior.

When the torturer is a racialized character, the performance of torture creates an even more distancing effect. In the next chapter, Colley Cibber's *Xerxes* and Elkanah Settle's *Empress of Morocco* and *Heir of Morocco* provide the focus for an analysis of the exoticization of torture. These plays exemplify the way English playwrights disavowed the occurrence of torture as an English activity. Instead, these plays, which are set in ancient Persia and Morocco, demonstrate how the playwrights implicitly inscribed the English audience as participants in the drama: that is, as judges of the action. As part and parcel of the newly opened theatres' fascination with grandeur, these plays depict torture as an action that foregrounds foreign excess. Rarely read in light of racial politics, plays like *Xerxes, The Empress of Morocco,* and *The Heir or Morocco* illustrate how complex early modern performances of race were. Because racial identity gets coded in a contradictory fashion in these plays, I will employ two distinct analytical approaches. I will privilege early modern drawings of these productions in order to analyze performance techniques used to convey racial difference. But I will also pay attention to the language of these texts in order to examine the other ways race was understood and constructed in the period.

Performances of torture, however, do not simply allow the audience to feel superior to the torturers. The audience's understanding and reception of the victims is structured in a hierarchical fashion because the victims are often portrayed as being weak in their abjection. Thus, while the torturers are often depicted as bloodthirsty and vicious, the audience is implicitly constructed as benevolent and humane. And, while the victims are often depicted as weak and conquerable, the inscribed audience is constructed as superior and undefeatable. In other words, performances of torture enable the audience to feel superior to both the torturers and the victims.

Once again, when race is added as another feature of these performances of torture, the portrayals and receptions become more complicated. The utter abjection of these racialized characters, as they suffer the pangs of the rack, enables the racialized body and character to become approachable. The tortured, racialized body becomes less threatening because of its abjection. Because abjection creates a sense that the victim is approachable, this hierarchical formulation keeps the racial body in abjection: the approachable racialized body is a desirable one, after all. Likewise, without depictions of abjection, racialized figures are implicitly constructed as opaque and unapproachable. Understanding this complex formulation, one must acknowledge the inherent fallacy in Artaud's theory for the Theatre of Cruelty. While depictions of torture may elicit sympathetic portrayals of racialized individuals, these sympathetic portrayals are achieved through the audience's feelings of superiority. In performances of torture and race, hierarchical formulations are inescapable. This fact separates artistic representations of torture from shootings, knifings, fatal car crashes, and any other representation of death/violence: performances of torture inherently suggest that a greater intimacy can be achieved through the viewing of the act. Despite the fact that the audience often reacts with feelings of disdain for the application of torture portrayed, the act nonetheless is necessary for the audience to feel superior to all parties involved. This fundamental difference must not go unacknowledged; and this fundamental difference must not be exploited when depicting people of color for whom there has been a history of representational exploitations. As Katharine Maus notes, there are two conflicting fantasies in early modern England: "one, that selves are obscure, hidden, ineffable; the other, that they are fully manifest or capable of being made fully manifest" (28-29). I extend her argument by demonstrating that this conflict helped to create the contradictory modern perception that race resides both within the individual (an invisible essence that must be discovered) and on the outside of the person (a materiality that is in some way performative).

Therefore, in chapter three I examine two early modern adaptations. I begin with an examination of Edward Ravenscroft's rewriting of Shakespeare's sixteenth-century play *Titus Andronicus*. As a Restoration adaptation of a Renaissance text, Ravenscroft's *Titus Andronicus, or the Rape of Lavinia* provides an exemplary model for the way torture got translated on seventeenth-century stage. Although primarily a derivative rewrite, Ravenscroft's *Titus Andronicus* includes one dramatic new scene, the onstage torture of Aaron the Moor. This gratuitous racking highlights the early modern desire to reinscribe the importance of the body as a meaningful signifier for the differences between racial groups. I then move to an analysis of Thomas Southerne's stage adaptation of *Oroonoko*. Like the torture of Aaron the Moor, Oroonoko's torture is depicted as cruel and unnecessary: yet this scene is central to the development of the black victim's characterization. The racialized victim only gains humanity and approachability through these explicit scenes of debasement. Thus, while the audience is asked to reject the employment of torture as a way to control the victim, torture nevertheless becomes the way for the audience to understand the victim. Race exists at the nexus of this contradiction: performances of torture construct difference as something that is both essential (an indivisible barrier of difference) and performative (an accessible and manipulable non-barrier).

A look at John Dryden's plays *The Indian Emperour* and *Amboyna* in chapters four and five introduces the issue of genre into my analysis of performances of torture and race. Neither play provides an obvious example for the exploration of racial politics, but a close examination of the generic complications created in these plays reveals how the conjoined performances of torture and race seem to confound Dryden's didactic desires. Dryden struggles to frame historical scenes of torture in these dramas (the Spanish torture of Indians in the New World and the Dutch torture of English men in Amboyna), explicitly positioning the English audience as the ultimate judges of these horrific events. Examining two disparate heroic tragedies, I argue that Dryden's alterations to the historical events in both plays elucidate his own concerns about the construction of racial politics in the early modern world. I contend that if one acknowledges the anxious displacement of racial designations in these plays, then one must also acknowledge that the conjoined performances of torture and race often strain generic desires to inscribe the English audience as unbiased judges.

I conclude with a sixth chapter about postmodern performances of torture and race. As I said at the beginning of this chapter, *Racing the Rack* is less an historical project than a theoretical one. Although rooted in seventeenth-century texts, this project aims to demonstrate how early modern performances of torture and race have created the discourses, portrayals, and receptions that we continue to employ. Thus, I am examining the photos of prisoner abuse taken at Abu Ghraib in order to apply pressure to the relationship between "fiction" and "fact": the photos taken at Abu Ghraib were, after all, staged. The photos exemplify how the postmodern world continues to construct race as something that is an invisible essence and a visible materiality that is in some ways performative. Until we acknowledge this contradiction, there will be those (both artists and soldiers) who will continue to exploit the desire to search out racial identity through the application of torture.

Recently, the African-American literary scholar Dwight McBride has argued that with the "advent of poststructuralism . . . 'race' and 'experience' themselves become sites of critical contestation."[32] He goes on to argue that "Even in the literary and cultural critiques by African Americans that are informed by much poststructuralist thought, these scholars, almost without fail (and out of political necessity), pause to genuflect before the shrine of essentialism" (166). Thus, McBride locates a tension between the desire for race to be an immaterial construct and an essential and authoritative reality. In fact, a great deal of McBride's book, *Why I Hate Abercrombie & Fitch*, addresses precisely this tension. In *Racing the Rack*, I want to ponder what it means if the thinking about race and racial identity has been consistently contradictory in nature. Is this truly a contradiction, then? Perhaps the very ideas of race and racial identity have been (and will always be) constructed to contain conflicting significations. Perhaps race will always be understood as both essential and a construction, both an essence and a color, both an invisible substance and a physical presence, both an inherent identity and a learned culture. As I will show throughout *Racing the Rack*, notions of racial identity necessarily fluctuate in contradictory fashions. And perhaps that is the most consistent definition one can provide for race. In my mind, this is not necessarily a problem. Nevertheless, it is time to address our society's desire to consume the conjoined performances of torture and race. The problem stems from performances that enable the audience to disavow the need for torture while simultaneously enjoying the benefits of constructing a controlled, approachable, and abject racialized victim.

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[1] Antonin Artaud, "The Theater of Cruelty (Second Manifesto)," in *The Theater and Its Double*, trans. Mary Caroline Richards (New York: Grove Press, 1958), 123. Although taken from different essays and letters about the Theater of Cruelty, all citations from Artaud will come from this edition of *The Theater and Its Double*: only page numbers will be provided parenthetically.

[2] John Dryden, *The Indian Emperour, or the Conquest of Mexico by the Spaniards* (1665) in *The Works of John Dryden*, eds. Edward Niles and H.T. Swedenberg, Jr., Vol. IX (Berkeley: University of California Press, 1956-): 5.2.1-21.

[3] See, for example, a recent press release from the United Nations' Committee Against Torture, in which the phrase "perform an act of torture" is used frequently. United Nations Press Release, 4 May 2005.

[4] John Langbein's analyses of proof, prosecution, and torture in early modern Europe still hold enormous sway. John Langbein, *Prosecuting Crime in the Renaissance: England, Germany, France* (Cambridge: Harvard University Press, 1974); John Langbein, *Torture and*

the Law of Proof: Europe and England in the Ancien Regime (Chicago: The University of Chicago Press, 1977). Narrowing this type of analysis, James Heath examined England's unique and limited use of torture primarily under the Tudors and Stuarts. James Heath, *Torture and English Law: An Administrative and Legal History from the Plantagenets to the Stuarts* (Westport: Greenwood Press, 1982).

[5] John Langbein, "The Legal History of Torture," in *Torture: A Collection*, ed. Sanford Levinson (Oxford: Oxford University Press, 2004), 101.

[6] John Conroy, *Unspeakable Acts, Ordinary People: The Dynamics of Torture* (New York: Alfred A. Knopf, 2000), 256.

[7] John Conroy's book documents both of these phenomena in a convincing manner. See his chapter 16, "Bystanders," for the nine-stage response that governments provide for torture and the social-psychological reasons for witness passivity.

[8] Sir Walter Scott, Introduction to *Amboyna* in *The Works of John Dryden Now First Collected in Eighteen Volumes*, ed. Sir Walter Scott, Vol. V (Edinburgh: Archibald Constable & Co, 1821), 4.

[9] Elaine Scarry, *The Body in Pain: The Making and the Unmaking of the World* (Oxford: Oxford University Press, 1985), 19-20.

[10] Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Allan Sheridan (New York: Pantheon, 1977).

[11] Lisa Silverman, *Tortured Subjects: Pain, Truth, and the Body in Early Modern France* (Chicago: The University of Chicago Press, 2001).

[12] Katharine Eisaman Maus, *Inwardness and Theater in the English Renaissance* (Chicago: The University of Chicago Press, 1995). Elizabeth Hanson, *Discovering the Subject in*

Renaissance England (Cambridge: Cambridge University Press, 1998). See also, Molly Easo Smith, *Breaking Boundaries: Politics and Play in the Drama of Shakespeare and his Contemporaries* (Aldershot: Ashgate Publishing, 1998) for a similar type of argument.

[13] Sir Edward Coke, *The Third Part of the Institutes of the Laws of England: concerning high treason, and other pleas of the Crown, and criminall causes* (London: Printed by M. Flesher for W. Lee and D. Pakeman, 1644), 35.

[14] Sir John Fortescue, *De Laudibus Legum Anglie* in *On the Laws and Governance of England*, ed. and trans. Shelley Lockwood (Cambridge: Cambridge University Press, 1997), 33.

[15] Sir Thomas Smith, *De Republica Anglorum* (ca. 1565), ed. Mary Dewar (Cambridge: Cambridge University Press, 1982), 117-118.

[16] Jody Enders, *The Medieval Theater of Cruelty: Rhetoric, Memory, Violence* (Ithaca: Cornell University Press, 1999), 55.

[17] Anthony Barthelemy, *Black Face, Maligned Race: The Representation of Blacks in English Drama from Shakespeare to Southerne* (Baton Rouge: Louisiana State Press, 1987).

[18] Joyce Green MacDonald, *Women and Race in Early Modern Texts* (Cambridge: Cambridge University Press, 2002), 18.

[19] A typical early modern torture warrant for a heretic would claim that he/she was somehow connected with a foreign power. For example, the April 15, 1597 warrant issuing the torture of an English Catholic priest named John Gerard claimed, “yt hath been discovered to her Majestie he verie latelie did receive a packet of letters out of the Lowe Contryes which are supposed to come out of Spayne, being noted to be a great intellegencer and to holde correspondence with Parsons of Jesuite and other traitors beyond the seas.” From *Acts of the*

Privy Council in England, ed. John R. Dasent (London: Printed for Her Majesty's Stationary Office by Eyre and Spottiswoode, 1890).

[20] Aphra Behn, for example, famously remarked that she supplied the headdresses for *The Indian Queen* and *Indian Emperour,* thus signaling that the Indians in the plays were depicted as physically different from their Spanish conquerors. Behn emphasizes the exotic nature of this gift. Equating the enormous Indian headdresses with strange cultural differences like body piercing, Behn writes, "Then we trade for feathers, which they order into all shapes, make themselves little short habits of 'em, and glorious wreaths for their heads, necks, arms and legs, whose Tinctures are unconceivable. I had a set of these presented to me, and I gave 'em to the King's theater, and it was the dress of the Indian Queen, infinitely admired by persons of quality, and were unimitable. Besides these, a thousand little knacks and rarities in nature, and some of art, as their baskets, weapons, aprons et cetera. We dealt with 'em with beads of all colors, knives, axes, pins and needles, which they used only as tools to drill holes with in their ears, noses, and lips, where they hang a great many little things. . . ." Aphra Behn, *Oroonoko or, The Royal Slave* (1688) in *The Norton Anthology of English Literature*, ed. M.H. Abrams, Sixth Edition, Vol 1 (New York: W. W. Norton & Co., 1993), 1867.

[21] Judith Butler, *Bodies that Matter: On the Discursive Limits of "Sex"* (New York: Routledge, 1993), 19.

[22] E. Patrick Johnson, *Appropriating Blackness: Performance and the Politics of Authenticity* (Durham: Duke University Press, 2003), 12.

[23] In "Interrogating Identity," Bhabha voices his surprise that Frantz Fanon "rarely historicizes the colonial experience." Bhabha believes that Fanon's "process of

identification" is specific to the "post-Enlightenment man." Homi Bhabha, "Interrogating Identity," *The Location of Culture* (New York: Routledge 1994), 63, 62.

[24] Mary Floyd-Wilson, *English Ethnicity and Race in Early Modern Drama* (Cambridge: Cambridge University Press, 2003), 11.

[25] Margo Hendricks and Patricia Parker, "Introduction," in *Women, "Race," and Writing in the Early Modern Period*, ed. Margo Hendricks and Patricia Parker (New York: Routledge, 1994), 1.

[26] Kim Hall, *Things of Darkness: Economies of Race and Gender in Early Modern England* (Ithaca: Cornell University Press, 1995), 261.

[27] Ania Loomba, *Shakespeare, Race, and Colonialism* (Oxford: Oxford University Press, 2002), 38.

[28] There are not enough extant documents from the period sufficiently to create this portrait. Some scholars have called for more research in this field, but there are several logistical hurdles, including access to the documents.

[29] Elizabeth Alexander, "'Can You Be Black and Watch This?' Reading the Rodney King Video(s)," in *Black Male: Representations of Black Masculinity in Contemporary Art*, ed. Thelma Golden (New York: Whitney Museum of Contemporary Art, 1994), 92-93.

[30] In her book, *Theatre Audiences: A Theory of Production and Reception*, Susan Bennett makes this point abundantly clear. She writes that her study "is a testimony to the *contemporary* emancipation of the spectator." Susan Bennett, *Theatre Audiences: A Theory of Production and Reception*, second edition (New York: Routledge, 1997), 213. Emphasis mine.

[31] Think, for example, about contemporary televisions shows that focus on life in the police precinct (like *NYPD Blue*, *Homicide*, *Law and Order*, etc.). Even when the most hardened criminals are depicted as being tortured to get them to reveal important information (e.g., the location of a missing, possibly raped, girl), the cops who enact this torture are depicted as crossing the line. It is not merely a legal line that is crossed; it is a moral line that borders on taboo.

[32] Dwight McBride, *Why I Hate Abercrombie & Fitch: Essays on Race and Sexuality* (New York: New York University Press, 2005), 163-164.