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Chapter Title: Race, Personhood, and the Human in *The Tempest*

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Book Title: *Renaissance Personhood*

Book Subtitle: Materiality, Taxonomy, Process

Book Editor(s): Kevin Curran

Published by: Edinburgh University Press

Stable URL: <http://www.jstor.com/stable/10.3366/j.ctvss3wwb.11>

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## Race, Personhood, and the Human in *The Tempest*

Amanda Bailey

For cultural theorist Sylvia Wynter, *The Tempest* is one of the foundational texts of “Western Europe’s dazzling rise to global hegemony.”<sup>1</sup> Over the past thirty years, interpretations of Shakespeare’s play have been framed by discussions of conquest, dispossession, white settlement, slavery, and indigeneity.<sup>2</sup> Readings of *The Tempest* as a colonialist text map European accounts of New World contact, as well as narratives of Old World encounters—including those between England and Ireland—onto the play’s power relations.<sup>3</sup> Analyses of the play’s complicity in the dehumanization of non-Anglo peoples invoke the principles of universal human rights as the basis of reparative readings. What remains unexamined, however, are the presuppositions informing liberal humanism. In accordance with the tenets of universally applicable natural law, personhood was understood as pinioned to the human body, which, in turn, entitled its owner to a host of rights ranging from property to life. As scholars have shown, the notion that humanness entailed basic rights was “one of the constitutive elements of the colonial matrix of power.”<sup>4</sup> Wynter’s oeuvre explores the evolution of the idea of racial difference and shows that this idea, even in its incipient stages, was framed by the proposition that there existed various genres of the human.<sup>5</sup> As Wynter stresses, the most significant—and overlooked—outgrowth of Europe’s early territorial expansion was renewed attention to the question: what is a human?

As Wynter explains, while medieval thought conceived of the human as primarily Christian, early modern thought recast the human in secular terms, ascribing to him rationality, self-interestedness, and self-possession. The seventeenth century marked an epistemic shift in the universal ideal of the human, which became the terrain on which

Western Europe erected the idea of the human-as-man.<sup>6</sup> Insofar as the humanity of the law's subject was recognized by the idiom of personhood, the human became synonymous with *homo politicus*, the political subject of the state.<sup>7</sup> In the early phases of European global expansion, the human-as-man, Wynter argues, served as the measuring stick against which all other forms of being were rated. Consequentially, those not regarded as fully human were assigned an inferior schedule of rights and liberties.<sup>8</sup> The conception of human-as-man was legitimated by systems of knowledge that valued only one "genre of the human," which was buttressed by "physiological and narrative matters that systematically excide[d] the world's most marginalized."<sup>9</sup>

In the pages that follow, I approach *The Tempest* as a text that wrestles with the question of what is the human. More particularly, I consider the ways blackness in *The Tempest* serves as an experimental site for a new category of personhood imposed upon those barred from becoming subjects of the law but subjected to the law. My approach reveals that this play attempts to provide an imaginary solution to the impasse between, on the one hand, the overlay of the human and the person, expressed by the idea of the human-as-man, and, on the other hand, the need to account for indigenous peoples who because of their phenotype, genealogy, or culture stood at the precipice of legal recognition. Indeed, the most significant contribution of *The Tempest* to the history of colonialism may be its elaboration of the ways the legal category of personhood stretched to accommodate genres of the human. Striving to retain the human as the *prima facie* site upon which personhood is erected, Shakespeare's play explores the power of personification in the colonial context. This context generated new and urgent questions about whether those perceived as quasi- or subhuman could be made accountable, even as they were systematically denied ownership of property and self. Thus *The Tempest* advances the wedding of equality and exclusion that would come to drive global capitalism as the play demonstrates that in the colonial context, the designation of personhood always entailed what Saidiya Hartman describes as a careful calculation of interest and injury.<sup>10</sup> By staging the potential and the limits of a legal imaginary that recognized only humans as entitled to personhood, *The Tempest* also acknowledges genres of the human that fell outside of the Anglo-European, white, humanist model of human-as-man.

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*The Tempest* is framed by the question of the human, which arises at the onset and is fundamental to Prospero's status as a discoverer of *terra nullius* rather than a conqueror of an already inhabited realm. He reassures Ariel, and the audience, that when he first arrived, the island was uninhabited except for Caliban's North African mother. In referring to Sycorax, Prospero explains:

This blue-eyed hag was hither brought with child,  
And here was left by th'sailors.

...

Then was this island—  
Save for the son that she did litter here,  
A freckled whelp, hag-born—not honoured with  
A human shape.<sup>11</sup>

In accordance with the logic of this origin story, the expected child upon birth turns out to be something other than human.<sup>12</sup> The word "litter," used here as a verb, animates a meaning reserved in the period for descriptions of animals in the act of bringing forth young.<sup>13</sup> In this instance, Sycorax is depicted as birthing a "whelp," or a wild animal, or what in modern parlance might be described as a "cub."<sup>14</sup> The word "whelp," which animalizes Caliban, is also the word for an offspring so monstrous it exceeds the parameters of even the animal.<sup>15</sup> Importantly, Caliban does not represent the dehumanized subject who as result of having been disenfranchised is reduced to animality. Rather his ontology marks the parameters of the human species. Not quite a *Homo sapiens*, Caliban is permitted life but is ineligible for rights.<sup>16</sup>

As Prospero emphasizes, this "whelp" assumed "a human shape" (1.2.286). Prospero subsequently uses the word "shape" in commanding Ariel to put on the "shape" or the disguise of a sea-nymph (1.2.306). In this respect Caliban, not unlike Ariel, assumes humanness as a disguise or costume.<sup>17</sup> The similarities between Ariel and Caliban end there. While Ariel is coerced into serving Prospero, his labor is secured by means of consensual agreement. Ariel acknowledges his indebtedness to Prospero, who has rescued him from imprisonment, and Ariel's sense of obligation qualifies him for personhood as conceptualized within early modern legal and political thought.<sup>18</sup> Those who enjoyed personhood in early modern England were recognized by common law as capable of rational self-governance and thus entitled to the freedom to exercise the consensual apparatus necessary for participation in civil society. In this way, personhood was yoked to the notion of human rights, a concept that evolved from those Roman

jurists who regarded natural rights as the central component of natural law. Natural law, in turn, presumed a universal humankind, since the community of humanity was conceived of as prior to the nation.<sup>19</sup> Accordingly, as de facto members of the universal human community, all humans held rights that since the Middle Ages were regarded as *dominium*, that is, as a form of property.<sup>20</sup>

While the seventeenth century marked the period during which the category of the human would become circumscribed by ideas about physiognomic difference, in this same period the category of the person enjoyed a certain degree of elasticity. The person was not co-extensive with the human since to be human was neither necessary nor sufficient for personhood. For instance, corporations could be recognized as persons and achieve civil standing. Because the “person” was a fiction of law, the term could be applied to a range of entities that did not qualify for citizenship or even subjectivity. Insofar as personhood allowed for the recognition of those who existed outside of political life, personhood performed an indispensable duty in accommodating shifting relations of power—particularly in regard to England’s contact with global others—by allowing those considered abject, servile, irrational, and dangerous to become answerable to the law.

Ariel’s tasks are delineated by his “charge” (1.2.239), the scope of which is defined by “articles” of agreement between himself and Prospero (1.2.195). The term “charge” is synonymous with “liability,” and the word signals Ariel and Prospero’s mutual responsibilities.<sup>21</sup> Ariel does not hesitate to call out Prospero on potential breach of contract, and he regularly reminds Prospero that he too is obligated to perform his promise. Insofar as Ariel is endowed with the qualities of a personhood, understood as the designation of the consensual subject, he shows himself capable of assuming responsibility for his actions and is eligible for entitlement. For this reason, Ariel conceives of freedom as a possession to which he has rights; he lobbies for “my liberty” (1.2.247, emphasis mine). Ownership is both affirmation and compensation for his willingness to honor the vehicle of contract.

Caliban, however, identified by Miranda as an exemplar of a “vile race” (1.2.361), is barred from contractual arrangements.<sup>22</sup> His is an existence marked by exposure to unrelenting arbitrary and capricious violence. Julia Reinhard Lupton, who reads *The Tempest* through the lens of the politico-theological category of the creaturely, regards the legal threshold and subjective possibility of personhood secured through covenant as held in potential for Caliban. For Lupton, Caliban exemplifies what Giorgio Agamben calls “bare life,” that is, “pure vitality denuded of its symbolic significance and political capacity and then

sequestered within the domain of civilization as its disavowed core.”<sup>23</sup> As part of Creation, Caliban cannot be excluded from the common lot of humanity since he is always already enfolded within it, even as its “chaotic exception.”<sup>24</sup> Caliban’s humanity certainly “remains a question rather than a given in the play,” yet this character is made legible through an ontology shot through with ideas about the human species as racialized.<sup>25</sup> As Wynter stresses, circa 1600, any prenatalist universalist scheme was premised on the notion that certain creatures would never qualify for the gift of grace or become eligible for proprietary benefits.

While Caliban does indeed reside in the zone of indistinction between beast and man, arguably, existing before or outside of the law, he serves as an exemplar of bare life only when abstracted from the colonial context that occasions his very existence in the first place. “Slave” is the word that is used to designate his being, and the term is ascribed to him five times in immediate succession upon his first appearance (1.2.311, 1.2.316, 1.2.324, 1.2.348, 1.2.355). Insofar as Caliban is denied “genealogy, cultural memory, social distinction, name, and native language,” that is, all that constitutes the human, this character indexes Shakespeare’s awareness of enslaved Africans in England, as well as his familiarity with an emergent discourse in English culture that naturalized the enslavement of black-skinned people.<sup>26</sup> As early as the period of the crusades, followed by Europe’s Eastern and Western expansion, black-skinned peoples were characterized as “not far removed from apes, as man made degenerate by sin.”<sup>27</sup> By the time of Shakespeare’s play, English discourse was replete with stereotypes of Africans as “embodiments of evil, blackened by sin, driven by lust, and hungry for murder and revenge.”<sup>28</sup> This prejudice stemmed from roots in biblical tradition, in which the sons of Ham were cursed with blackness and condemned to slavery. Thus, from its inception, the notion of blackness as somatic/physiological effectively plotted non-white bodies on a matrix of ontological distinction. In the seventeenth century, the explanatory model that legitimated the expropriation and internment of Native Americans and the enslavement of Africans was informed by natural law. The partial humanity of the Other was recognized only insofar as it served as an experimental site for the conception of the human-as-man, a conception that revealed the lineaments of a political humanism underwriting so-called universal humanism.

The non-white subject who can never transcend the racialized body complicates Agamben’s idea of the *homo sacer* who marks the threshold between inside and outside of the political. As Alexander

Weheliye argues, by seeking recourse to the notion of “an indivisible biological substance anterior to racialization,” the discourse of bare life misconstrues how ideas of race shaped the very idea of the human.<sup>29</sup> Moreover, the racialized body could not be the object of the sovereign decision since it was, as Orlando Patterson has shown, always-already socially dead.<sup>30</sup> So long as social death served as a substitute for literal death, the black body was an anomaly at once alive and dead. Neither self-owning nor an owner of other subjects or objects, Caliban cannot be recognized in the proprietary terms underwriting a notion of humanness linked to personhood. Rather he is himself a fungible form of property. We are reminded frequently of Caliban’s exchange-value. Caliban is identified as a “strange fish” for which the English would “give a piece of silver” (2.2.28), “a present for any emperor” (2.2.28–9), and as a “thing” (5.1.267) that “money [may] buy” (5.1.268). As a vendible, “plain fish,” that is “no doubt marketable” (5.1.269), this character demonstrates that “if the sovereign decision on the state of exception captures bare life in order to exclude it,” then the biopolitics of slavery confirms “the profitable inclusion of socially dead beings.”<sup>31</sup>

If we understand the project of Shakespeare’s play as safeguarding the category of the human by distinguishing it from social death and alienable property, we can see how the play works to ensure that the human remains linked to political and juridical notions of enfranchisement and belonging. For this reason, Shakespeare brackets off the ontological problem of Caliban by the reduction of this character to a set of attitudes, behaviors, and pathologies that through the generic aspects of comic form place him at a remove from the play’s more serious concerns about the interactions of human nature with legal processes, state-building, and geopolitics. But insofar as the borders of the human are defined by the not-quite- and nonhuman, blackness persists as an experimental site for personhood’s capacities. The King of Tunis, referred to only in absentia, offers another touchstone for the question of what is the human. Tunis represents the limit concept that troubles the fundamental categories of personhood and the human, and he is permitted what Orlando Patterson describes as liminal incorporation.<sup>32</sup> The sovereign decision on the state of exception in this instance is replaced by the institutionalized containment of a permanent anomaly that confounds the difference between life and death, as well as the separation of destruction and profit. As a quasi-human, Tunis marks an aporia in the crucial distinction between person and property and points the way toward a novel form of “living property” that violates humanist notions of the proprietary subject.<sup>33</sup>

Scholars have discussed *The Tempest*'s "cultural double vision," whereby the New World is refracted through the Old World. The association the play makes between Tunis and Carthage provides a hinge between England's imagined imperial past and desired colonial future.<sup>34</sup> More particularly, at the time of Shakespeare's play, North Africa was recognized as the main arena over which the Iberian and Ottoman empires vied for political and commercial control. The coastal city of Tunis marked the crucial boundary point between Italy and Africa. Whoever controlled Tunis, dominated the flow of goods between the Western and Eastern Mediterranean.<sup>35</sup> Through a palimpsest of Algiers, Tunis, Bermuda, Carthage, and Virginia, *The Tempest* simultaneously charts contemporaneous site-specific non-European places as spaces of otherness and references classical sources in its categorization of non-Europeans. The conflation of Old and New Worlds allows the play to oscillate between residual and emergent ideas of property in person.

The King of Tunis, ideally, will facilitate the movement of goods between Italy and Africa, including the traffic in African slaves. Yet, he himself is not an exchangeable commodity. He confronts the Europeans with the problem of his coeval status as monarch and African, an admixture that the play attempts to resolve by mapping the king's two bodies onto the slave's two bodies. The king's two bodies provided a template for contractual personification since the sacred, immaterial body of the king outlived the natural body, and in this way guaranteed the continuity and indivisibility of the regime. This formulation fortified the idea of the sovereign as a "*persona mixta*" whereby the king's authority was premised on the unique distinction of being at once a biological and personified entity.<sup>36</sup> Just as the medieval doctrine of kingship recognized the sovereign as having both a mortal, natural body and a corporate body immune to corruption and finitude, as Stephen Best reminds us, the slave had two bodies. One was biological and the other functioned as a form of alienable property. In order for the marriage between Claribel and the King of Tunis to have meaning, Tunis must be capable of promise and reciprocity. Alonso regards him as indebted to Naples, and by extension Milan, as Italy has offered its daughter in exchange for a profitable trade route. The King of Tunis is animated by European contract law, even though as an African he remains what Stephen Best describes as property personified.

The provisional nature of Tunis's humanity is suggested by the court party's response to the union, as all unanimously register the wedding in a funeral key and imagine the marriage as presaging a loss analogous to the destruction of property and life wrought by



the storm at sea. We are first introduced to the shipwrecked party through an extended discussion of the catastrophe that shapes the first half of the tragicomedy—not the tempest but rather the decision of Alonso, the King of Naples, to marry his “*fair*,” meaning light skinned, daughter Claribel to the African king (2.1.70, emphasis mine). Alonso castigates himself:

Would I had never married my daughter there! [Tunis]  
 For, coming thence, my son is lost; and, in my  
 Rate, she too, who is so far from Italy removed.  
 I ne’er again shall see her. (2.1.107–11)

Alonso’s advisors in their catastrophic thinking dilate the scope and scale of Alonso’s decision to marry Claribel to an African by suggesting that its effects ripple back to Italy. Sebastian emphasizes, “Sir, you may thank yourself for this great loss, that would not bless our Europe with your daughter, but rather loose her to an African” (2.1.123–5). He continues, “We have lost your son, I fear, forever: Milan and Naples have mo’ widows in them of this business’ making than we bring men to comfort them: The fault’s your own” (2.1.127–31). There is general consensus that Alonso has ignored sage council, represented by the kneeling and importuning of his advisors (2.1.128), as well as the noticeable suffering of his daughter, who in marrying Tunis weighed “loathness and obedience” (2.1.130).

In an effort to comfort Alonso, the king’s advisor Gonzalo imagines their unfortunate circumstance as an opportunity; he envisions the island as a *tabula rasa* that may afford a return to a Golden Age. Gonzalo’s idealized commonwealth is distinguished by “no kind of traffic,” and no marriage, formal education, property ownership, or “contract [or] succession” (2.1.147–51). While Gonzalo’s evocation of Montaigne’s “Of Cannibals” is regarded as confirmation of this character’s naïveté, at this moment the play allows for the bold admission that global commercial dominance, property ownership, contractualism, and succession are the drivers of imperial ambition, which is best expressed by marital alliance rather than outright conquest. At the center of Gonzalo’s description is a paean to “all things in common nature” (2.1.158), a selective collective that ensures that nature’s abundance is represented not only by quantity, its plentitude, but also by quality, every entity that benefits from nature’s abundance is a being “of it[s] own kind” (2.1.163). The utopian order retains the “king on’t” (2.1.145), even as the “name of magistrate” (2.1.149) is unnecessary, since the state of nature reveals a community of humans who are already *de facto* subjects of the law.

Gonzalo's speech is based on the Aristotelian presumption of the prepolitical state of man, which affirms that man is always already a sociopolitical being, at once a human and a person.<sup>37</sup> Insofar as society did not exist for those who remained in a nonpolitical state of nature, the social contract was premised on the transition from natural man to civil man or *homo politicus*. As civil society was seen as founded on the consent of equals, only man enjoyed the apparatus of consent. Through the exercise of agency, man realized himself as a self-owning, rights-bearing entity. Gonzalo reminds his listeners that in his commonwealth, he "would with such perfection govern" (2.1.167), since the law of nature organizes the physical and organic world in accordance with graduated degrees of perfection, the epitome of which is human-as-man. Rather than a digression, Gonzalo's speech shores up Alonso's decision to marry his daughter to an African, as this idealized vision confirms that the social contract codifies an already existing morality, such that "[w]hat is right and wrong, just and unjust, in society will largely be determined by what is right and wrong, just and unjust, in the state of nature."<sup>38</sup> Thus letters, or humanistic learning, traffic, property ownership, martial alliance, and contractual arrangements are all a working out of the state of nature, ensuring that Claribel as Queen of Tunis will retain her humanity, and presumably her "fairness," allowing her to function as an extension of European rule and factotum of Italian power.

Yet from the vantage point of the more cynical Antonio and Sebastian, Claribel's presence in Tunis has displaced the Italian polis, and the union potentially imperils the integrity of the European body politic. Most alarmingly, assuming the death of Ferdinand, the presumptive heir of Naples and Milan would be the progeny of Claribel and Tunis. As Marjorie Raley stresses, because the Tunisian marriage has shifted the masculine center of power away from Naples to Tunis, "Tunis has gained more than Europe in the deal."<sup>39</sup> Gonzalo's reference to the "Widow Dido" (2.1.75), and his conflation of Tunis and Carthage whereby he announces "This Tunis, sir, was Carthage" (2.1.82), are the antecedents to his utopian vision. Historical tragedy, imagined via the apparition of Dido, vexes the seemingly inexorable dictates of natural law and focuses our attention on the liminal status of the African king. The connection between Carthage and Africa, as critics have noted, predated Virgil. According to ancient myth, the widow Dido selects suicide over the consummation of her enforced marriage to an African.<sup>40</sup> The overlay of Dido and Claribel suggests to members of the court party, as well as to the audience, that even if nature is oriented toward perfection, history allows for human

agency. Claribel may follow in the footsteps of her predecessor and choose death over consummation with Tunis. As much is confirmed by Alonso who speaks not of nuptial celebrations or the promise of an heir, but of his son and daughter being both “lost” to him forever (2.1.110–12).

The anxiety surrounding the pairing of Claribel and Tunis spills over into the next scene, which follows on the heels of Alonso’s musing “what strange fish hath made his meal on thee?” (2.1.113). The “thee” refers here to Alonso’s son Ferdinand, in particular, but also to Alonso’s heirs in aggregate: Ferdinand, Claribel, as well as the unborn progeny of Claribel and Tunis. Alonso’s imagined “strange fish” is materialized in the form of Caliban, who upon being discovered by Trinculo is described as a “strange fish” (2.2.27). In the early seventeenth century, “fish” was the word used to describe a promiscuous woman or female prostitute.<sup>41</sup> A “strange fish,” Caliban is coded as exotic and erotically serviceable insofar as his sexuality can potentially be oriented, as in the case of Tunis, toward advancing European hegemony. However, Caliban’s expressed desire to “people” the island with “Calibans” (1.2.352–3) registers an extra-legal procreative agenda that can be understood only as depravity, arguably all the more so since he proposes the unorthodox commingling of “people,” that is humans, and Calibans. Caliban offers to “fish for” Stefano (2.2.153), and insofar as he is Stefano’s fishmonger, the term in the early modern period for a pimp, he is associated again with an unlicensed erotic activity when he urges Stefano to “deeply consider” (3.2.3.93) Miranda, who “will become [Stefano’s] bed . . . And bring forth brave brood” (3.2.99–100).

The “strange fish” also conjures the King of Tunis, a figure who conflates the quasi- or nonhumanness of Caliban and the *persona mixta* of King Alonso, whom Ariel describes to Ferdinand as transformed by “a sea-change” into a thing “rich and strange,” now residing “full fathom five” on the ocean floor (1.2.400–5). Here Ariel’s song depicts the dismembered sovereign body, a violation of the humanist presumption of the bounded self, made into a “strange” and potentially a fungible form of property in its dispersed condition. A monstrous hybrid of human remnants and exotic materials, such as pearl and coral that yield great profit, this vision of the transmuted self speaks to European fears of the degenerative effects of non-European climates on European bodily integrity. As Monique Allewaert stresses, the transformation of the human body “was a key anxiety” expressed by Anglo-Europeans writing about the American colonies.<sup>42</sup> The figure of the “strange fish” points to the ways that in the colonial context the personified sovereign could devolve into the property personified.

Finally, the strange fish that destroys the heir evokes the figure of Medea, the dark-skinned queen who kills her children and who hovers on the edge of this play's psyche. As critics have noted, Medea's incantation by which she raises the dead in Book 7 of Ovid's *Metamorphoses* inflects Prospero's renunciation speech whereby in adjuring his "rough" or violent magic (5.1.49), he reflects on having "bedimmed / the noontide sun," opened "graves" and "waked their sleepers" (5.1.41–50). As Jonathan Hayes explains, Medea offered a prism through which the early modern English viewed dark-skinned people across the globe.<sup>43</sup> For instance, in George Sandys's accounts of his extensive travels throughout Egypt and the Middle East in the early 1600s, Sandys claimed to have seen Ovid's Medea everywhere he went.<sup>44</sup> In the act of renouncing his "potent art" (5.1.50) and burying his books, Prospero curiously resurrects the royal African Other, and by association Claribel's marriage at Carthage/Tunis. The threat to the Virgilian project persists so long as Claribel remains exiled on the very coast from which Aeneas fled in order to found a new political order that would come to serve as the seat of Western European civilization.<sup>45</sup>

The King of Tunis returns at the play's end with Gonzalo's summary of the play's tragicomic arc such that "in one voyage / Did Claribel her husband find at Tunis, / And Ferdinand her brother found a wife / Where he himself was lost / . . . and all of us ourselves, / When no man was his own" (5.1.212–16). As John Kunat emphasizes,

Claribel had not been mentioned since the second act when Sebastian had cited her marriage as an example of Alonso's disregarding counsel. The reintroduction of her name here . . . signals a return of the repressed by which the unassimilated African marriage reasserts its right to legitimacy.<sup>46</sup>

If indeed the project of the play is to wrestle with the challenges of incorporating the African king, Gonzalo's recap reassures his listeners that all are restored self-propriety. Every European man may reclaim himself as his own property rather than the property of another. Yet, even if in the final analysis each European man is "his own," the lingering prospect of creolization represents a loose end that potentially unravels the tidy closure the play promises. The play accounts for this by activating the magic of personification beyond the instrument of legal personhood.

Throughout the play, Prospero deploys spectacle as a medium by which to transmute coercion into consent. He mobilizes "direful spectacle" (1.2.26) at the play's opening to "touch" the "virtue

of compassion" (1.2.26–7) in Miranda, who "suffers" with those she sees suffering (1.2.5–6). Meta- and intra-theatricality in *The Tempest* have been discussed in relation to the play's interest in the court masque, the early modern form of court dramaturgy by which the monarch asserted his authority. We can consider Prospero's use to the masque form in the colonial context as a precursor of early nineteenth-century dramatic enactments scripted by abolitionists who aimed to unleash indignation through the phantasmal vehicle of identification that would unsettle and disturb viewers. By highlighting the crimes committed by those who had been cruel to their slaves, the theatrics of shock and awe aimed to rouse the conscience of slave owners. Prospero too relies on spectacle to rehearse injustices and rouse the sensibilities of members of the court party complicit in his banishment. Prospero creates a shared experience of horror in the harpy masque, which is an example of pleasure "ensnared in a web of domination, accumulation, abjection, resignation, and possibility."<sup>47</sup> In this respect, magic and theater—and magic as theater—function like the legal process of personification, a means by which to rehumanize those who are guilty of treachery by animating their accountability through the manufacture of fictitious personae.

Prospero's wedding masque reactivates the concerns raised by the court party in their discussion of Alonso's decision to marry Claribel to an African. In an extended interlude, the myth of Proserpine provides a vehicle for a return to the theme of disappearing daughters. Alluding to Proserpine's abduction by the "dusky," or dark-skinned, Dis (4.1.89), the god of the underworld, the masque invokes the genre of the pastoral in its representation of this interracial pairing as part of the natural order. The cost of the enforced union is acknowledged by the grief of Proserpine's mother Ceres. The role of Ceres is performed by Ariel, and this role-play allows the service contract to underwrite the celebration of the marital contract, allowing the masque, like the play as a whole, to implicitly conflate serviceability and sexuality, and in this way condone the realization of imperial ambition through marital alliance. Through repeated references to contractual bonds, which form the chorus, stanzas emphasizing the bounty of the natural world link its plentitude to the introduction of the legal mechanism of contract. Nature's abundance is elided with real wealth, as labor and expropriation are repressed, and Miranda and Ferdinand are ensured "honour" and "riches" (4.1.107). They are similarly assured that "scarcity and want shall shun [them]" (4.1.116) so long as they hold off from consummating their relationship until "a contract of true love" is ratified (4.1.133).

The masque is described by Ferdinand as “harmonious charmingly” (4.1.118), and its mollifying effects derive from its ability to mystify the antagonism between Proserpine and Dis by representing the union as fundamental to the “long continuance and increasing / . . . / Earth’s increase and foison plenty, / Barns and garnerers never empty” (4.1.107–11). The analogy between Claribel and Tunis and Proserpine and Dis allows for colonial expansion conceived in a general way as planting to assume the particular project of inseminating European women with the aim of producing heirs who can serve as extensions of European authority. Miranda’s procreative potential is an especially valuable commodity, and she is described by her father as Ferdinand’s “compensation” (4.1.2), an “acquisition, worthily purchased” (4.1.14–15), and later as his (Ferdinand’s) “own” (4.1.33). Yet the Old World strategy of extending empire through dynastic marriage took on new contours in a New World context since such alliances introduced a threat to the racial integrity of European hegemony through creolization. As intermarriage forged new identities that had no equivalent in the Anglo tradition, multi-racial heirs strained the idea of human-as-man. In the initial stages of colonial expansion, “property’s personification” offered a means of granting non-Western quasi-humans the burden of personhood without the entitlements of self-ownership.<sup>48</sup>

I have been arguing that the egalitarian principles of contract, premised on the proto-Enlightenment ideal of man as rational and self-possessed, needed to be reconciled with the expropriation, dispossession, and subjection of human beings across the globe. Critics who have discussed *The Tempest* in light of early modern social contract theory emphasize service as the dominant institution and prevailing condition of life in the period.<sup>49</sup> However, the privileging of service as the predominant framework for social relations in *The Tempest* does not account for early seventeenth-century England’s economic and ideological investment in a thriving global slave trade. As recent scholarship has shown, the English Crown was not late to the trade in African slaves relative to the Iberians. England was actively involved in the Mediterranean slave trade throughout the fifteenth century, and there are records of African slaves living in London throughout the sixteenth century.<sup>50</sup> Thus the principles that guide this play may be less informed by the established social contract and more aptly captured by the emergent “racial contract,” which linked humanness to personhood while granting the status of humanness selectively.<sup>51</sup> The terms of the racial contract restricted “egalitarianism to equality among equals.”<sup>52</sup> Those who were ontologically excluded from the

category of the human proved to be essential to the establishment of the human-as-man.<sup>53</sup>

The discussion of the human that opens *The Tempest* returns at the play's end when Ariel impresses upon Prospero the suffering of the court party. Ariel hopes to move Prospero by comparing his own nonhuman status with Prospero's humanness, which may be affirmed by his capacity for compassion. "If you now beheld them your affections / Would become tender . . . / Mine would, sir, were I human" (5.1.16–19). By recognizing that the members of the court party are repentant, Prospero assures Ariel, "And mine [affections] shall [become tender]," since I am "one of their kind" and thus "kindlier moved than thou art" (5.1.24). Here Prospero affirms rationality, empathy, and morality as fundamental human attributes. Even the unnaturally treacherous Antonio and Sebastian are in the end brought back into the fold of the human as they show themselves capable of culpability. They, in turn, are juxtaposed to the "strange thing" (5.1.292) whose sole value is to make or create "a man" on the island or back in Europe (2.2.28–9). Caliban has made Prospero the "man," as confirmed by Caliban's resolution to "swear[ ] [himself]" to Stefano (2.2.144) and "get a new man!" (2.2.176). In accordance with the terms of the racial contract, the restoration of Antonio and Sebastian to the status of human is predicated on Caliban's inability to experience remorse and take responsibility for his actions.

If the King of Tunis confounds the tenets of the proprietary subject, then Caliban provides its ground. "Drawing on the medieval legacy of the Wild Man, and giving this color," the subhuman, as political theorist Charles Mills stresses, established "a particular somatotype as the norm" and affirmed that any deviation from this norm "*unfits* one for full personhood and full membership in the polity."<sup>54</sup> Identified by Prospero at the play's opening as "*my* slave" (1.2.311, emphasis mine), Caliban is denied recognition by the law even after having been discovered at the play's end of inciting sedition. Prospero's public acknowledgment of ownership of Caliban, "this thing of darkness, I acknowledge mine" (5.1.77–8), is not a new development but a continuation of the denial of Caliban's humanness. Owing nothing and having ownership over nothing, Caliban remains a cipher in the eyes of the law. Indeed, his primary function is to affirm the humanness of the Europeans, and his myopia toward his own liability is refracted by Sebastian's and Antonio's awakening to their own respective consciences. By accepting responsibility for Prospero's banishment from Milan, the aristocrats are rehabilitated by the same structure of accountability that effects Caliban's subjugation.



What subject status and recognition of humanity is available to those not endowed with personhood? Can *The Tempest* acknowledge the human independent of personhood—that is, with a status neither bequeathed nor revoked by juridical authority? What genres of the human exist in the play beyond the world of the human-as-man? While *The Tempest*'s singular achievement may be the staging of the elasticity of contract and its affective capacities, the play does gesture toward what remains outside the formulation of the human as synonymous with person-in-property. Relations that escape capture by the racial contract, if only momentarily, show fissures in the play's humanist discourse of the subject as it strains to conceal relational possibilities that push against a view of the human as grounded in personhood-as-ownership. What remains outside the formulation of the human as synonymous with person-in-property is the flesh. The play is ultimately unable to magically accommodate the flesh via the fantastic figuration of personhood.

I return to the “fish”iness of Caliban, which affirms his status at the interstice of the human and nonhuman. Both Caliban, who regards himself as his “own king” (1.1.342), and the King of Tunis in different ways unsettle the “declensions of personhood” that uphold the racialization of property in the play.<sup>55</sup> As I have suggested, the “strange fish” is a synecdoche for the quasi-human, at once a racialized natural body and a personified form of fungible property. The word “fish” and the word “flesh” share a homophonic relation. By considering Caliban as “strange flesh,” that is, as part-human/part-fish, or as partial in his human-fleshedness, we can explore how this character confronts us with the conundrum of the flesh as that which is temporally and conceptually “*antecedent* to the body.”<sup>56</sup> Insofar as the flesh is the surplus of the law's claim on the body, Caliban's corporality is the “vestibular gash” in the “armor of Man.”<sup>57</sup> As Alexander Weheliye argues, since flesh may function as “simultaneously a tool of dehumanization and relational vestibule to alternate ways of being that do not possess the luxury of eliding phenomenology with biology,” the flesh is neither an aberration nor wholly excluded.<sup>58</sup> While not at the center of being, flesh is of it, and as such the flesh is “the cornerstone and potential ruin of the world of man.”<sup>59</sup> Caliban as “strange flesh” attests to the enduring potential of racial difference that cannot be accommodated by personhood.

Caliban's flesh is intrusive. Pushed “even to the roaring” (4.1.193), racked with cramps and pinches it “roars” (1.2.372). Ariel's clarion call “Hark, they roar!” (4.1.259) reminds Prospero of the propulsive force of the resistance. Caliban's flesh, like the mutinous party he



commandeers, is connected to the roarers at the play's opening. The physical waves and the mutinous crew alike reject subjugation to King Alonso and refuse submission to the law. The roarers introduce the possibility of "newly created" creatures, like those that Antonio "new formed" and mobilized (1.2.83–4) to effect Prospero's banishment from Milan. By staging the analogy of the tempest-tossed ship of state, which as David Norbrook reminds us held wide appeal for early seventeenth-century political thinkers, Shakespeare offers an alternative to the idea of the body politic as naturalized by social contract.<sup>60</sup> If on land, sovereignty resides in the decision over who lives and who dies, on the ship, as on the island, we are presented with a permanent state of emergency. Here decisions are executed in the absence of any legal framework. Authority is not accountable to the nation state or any institution empowered by the monarch or his supranational networks. Yet, unlike the island, where the state of exception forms the core of the sovereign decision-making of Prospero who exercises authority over the lives and bodies of the colonized and enslaved, onboard the ship new and potentially insurrectionary elements may arise.

The play establishes at the opening that the "roarers" care not for the "name of king" (1.1.15–16), who himself is placed in a situation where the social order is suspended. The word "roarers" connotes misrule, generally, and the rebellion associated with "riotous people" (1.1.n.5) or the resistant multitude, specifically. Even the king's counselor is unable to "command" the elements (1.1.19), which include the seditious crew. In the face of their own impotency, Antonio and Sebastian attempt to maintain their status as humans by classifying the insubordinate Boatswain as a "dog" (1.1.37) and a "cur" (1.1.39). Even after we learn that the roarers are the product of manufactured chaos, as in the case of Caliban, Stephen, and Trinculo's plot to overthrow Prospero, at such moments of controlled chaos, the play nonetheless acknowledges the contingent potential of that which resides in the gap between subjection to monarchical authority and the efficacy of personification. The roarers could at any moment assume any shape, perhaps that of the "treacherous army" levied by Antonio to extirpate Prospero from Milan (1.2.128). The roarers, like the flesh, are in excess of the social order, as indicated by the fact that in this play the punishment for treason can never be staged. The Boatswain's insurgency is revisited at the play's end, when he along with the ship's crew is brought back on stage. Gonzalo comments, "I prophesied if a gallows were on land this fellow could not drown" (5.1.220–1). At this moment, the Boatswain is "newly created" (1.2.81), transformed

from a “dog” back into a “fellow” as he is recognized as eligible for punishment and thus subjected to the law. Yet his hanging is deferred indefinitely.

Investigations of the human have gained prominence in Shakespeare Studies, exemplified, for instance, by the “bio” turn characterizing eco-criticism, animal studies, and posthumanism. Scholars have urged us to think beyond the divide between humans and nonhumans and to consider the agentic capacities of animals, vegetables, and even minerals. Sylvia Wynter’s project, which serves as the inspiration for this chapter, urges us to push beyond a universalist, liberal conception of the human, and in so doing, consider what lies outside of the epistemologies that institute and reproduce the human-as-man. As my analysis of *The Tempest* has shown, critical approaches to the play have yet to fully engage how indenture and enslavement were premised on the ontological problem of what is the human. The racialized body, which could not be accounted for by the discourse of universal human rights, served as a referent of emerging forms of dominium and domination that in turn revealed that inclusion did not entail freedom. Because non-white persons were rendered legally and politically accountable, even as they were not regarded as fully human, we can only comprehend the full scope of *The Tempest*’s investment in a colonial imaginary by attending to the play’s interest in the genres of the human.

## Notes

1. Sylvia Wynter, “Afterword: Beyond Miranda’s Meanings: Un/Silencing the ‘Demonic Ground’ of Caliban’s ‘Woman,’” in *Out of the Kumbia: Caribbean Women and Literature*, ed. Carole Boyce Davis and Elaine Savory Fido (Trenton, NJ: Africa World Press, 1990), 355–72, 358.
2. Scholars have explored Shakespeare’s familiarity with narratives of England’s early attempts at settlement in Jamestown, the colonial politics of England’s engagement with Ireland, and England’s involvement in the Mediterranean slave trade. See Paul Brown, “‘This thing of darkness I acknowledge mine’: *The Tempest* and the Discourse of Colonialism,” in *Political Shakespeare: New Essays in Cultural Materialism*, ed. Jonathan Dollimore and Alan Sinfield (Manchester: Manchester University Press, 1985), 48–71; Francis Barker and Peter Hulme, “‘Nymphs and reapers heavily vanish’: The Discursive Con-Texts of *The Tempest*,” in *Alternative Shakespeares*, ed. John Drakakis (New York: Methuen, 1985), 191–205; Stephen Greenblatt, *Shakespearean Negotiations: The Circulation of Social Energy in Renaissance England* (Berkeley: University of

- California Press, 1988), 129–63; Deborah Willis, “Shakespeare’s *Tempest* and the Discourse of Colonialism,” *Studies in English Literature, 1500–1900* 29.2 (1989): 277–89; John Gilles, *Shakespeare and the Geography of Difference* (Cambridge: Cambridge University Press, 1994); Barbara Fuchs, “Conquering Islands: Contextualizing *The Tempest*,” *Shakespeare Quarterly* 48 (1997): 45–62.
3. Such readings presume that *The Tempest* validates a Eurocentric conception of normalcy, and in so doing, advances the ideological underpinnings of European domination of non-European others.
  4. Walter Mignolo, “Citizenship, Knowledge, and the Limits of Humanity,” *American Literary History* 18.2 (Summer 2006): 312–31, 312.
  5. Sylvia Wynter, “Unsettling the Coloniality of Being/Power/Truth/Freedom: Towards the Human, After Man, its Overrepresentation—An Argument,” *The New Centennial Review* 3.3 (Fall 2003): 257–337, 288. Wynter’s project is to track the conceptual terms by which the ontological understanding of the human is constituted. Her use of the word “genre” points us toward the ideological hegemonies that underpin ideas such as the human-as-man, the quasi- or not-quite human, and the subhuman. Each genre of the human is imprinted by particular historical, material, and cultural investments. For Wynter, circa 1600, only the European, white, rational, and self-possessed man was regarded as fully human. See Sylvia Wynter and David Scott, “The Re-enchantment of Humanism: An Interview with Sylvia Wynter,” *Small Axe* 8 (September 2000): 119–207; Katherine McKittrick, ed., *Sylvia Wynter: On Being Human as Praxis* (Durham, NC: Duke University Press, 2015).
  6. Mignolo discusses sixteenth-century debates about the humanity of various indigenous peoples in light of predominant religious, scientific, and cultural presumptions about the lack of the humanity of African slaves, as well as Jews, Moors, Ottomans, and Russians. Mignolo, “Citizenship, Knowledge,” 322.
  7. Wynter writes, “nowhere is this mutation of ethics [from religious ethic as defined by universalist Christian perspective replaced by the reason of state ethic grounded in civic humanist values] seen more clearly than in two plays written in the first decades of the seventeenth century [*The Tempest* and the Spanish play *The New World Discovered by Christopher Columbus*].” Wynter, “Unsettling Coloniality of Being,” 289. She goes on to explain that while the human had been defined by the evangelical mission of the Church, in the late sixteenth century, the imperializing mission of the state offered an alternative definition of the human, one that justified territorial expansion and conquest. As a corollary, enslavement was no longer regarded as the legacy of original sin but became tied to the irrational aspects of human nature. One could be a slave to one’s passions; the rational human, i.e. human-as-man, subdued his private interests in order to adhere to the laws of the state, i.e. to the common good (289).

8. Charles W. Mills, *The Racial Contract* (Ithaca, NY: Cornell University Press, 1997), 56.
9. Sylvia Wynter and Katherine McKittrick, "Unparalleled Catastrophe for Our Species? Or, to Give Humanness a Different Future: Conversations," in McKittrick, ed., *Sylvia Wynter: On Being Human as Praxis*, 9–90, 9.
10. Personhood under slavery was inescapably bound to violence as "the law constituted the subject as a muted pained body or a trespasser to be punished." Saidiya Hartman, *Scenes of Subjection: Terror, Slavery, and Self-Making in Nineteenth-Century America* (New York: Oxford University Press, 1997), 84.
11. William Shakespeare, *The Tempest*, *The Norton Shakespeare*, 2nd edn., ed. Stephen Greenblatt, Walter Cohen, Jean E. Howard, and Katharine Eisaman Maus (New York: W. W. Norton, 2008), 1.2.271–86. All further references to the play are to this edition and will appear in the body of the text.
12. Julia Reinhard Lupton approaches *The Tempest* through the lens of political theology and posits that: "if we want to find a new universalism in the play (as I believe, urgently, we must), we will do so not by simply reasserting that 'Caliban is human' but rather by saying that 'all humans are creatures,' that all humans constitute an exception to their own humanity, whether understood in general or particular terms." Julia Reinhard Lupton, "Creature Caliban," *Shakespeare Quarterly* 51 (2000): 1–23, 21.
13. "litter, *v.*," def. I.7.a. *OED Online* (Oxford: Oxford University Press, May 2019), <<http://www.oed.com/view/Entry/109238>> (last accessed May 31, 2019).
14. "whelp, *n.*," def. II.2.a. *OED Online* (Oxford: Oxford University Press, May 2019), <<http://www.oed.com/view/Entry/228186>> (last accessed May 31, 2019).
15. "whelp, *n.*," def. III.3.a. *OED Online* (Oxford: Oxford University Press, May 2019), <<http://www.oed.com/view/Entry/228186>> (last accessed May 31, 2019).
16. Vaughan and Vaughan discuss Caliban in the context of both early modern source materials and the history of performance. See A. T. Vaughan and V. Mason Vaughan, *Shakespeare's Caliban: A Cultural History* (Cambridge: Cambridge University Press, 1991).
17. One is reminded here of Richard Jobson's defense in his *The Golden Trade, or, A Discovery of the River Gambia* (London, 1623) that Englishmen did not buy or sell "any that had our own *shapes*" (emphasis mine). Qtd. in Emily C. Bartels, "Othello and Africa: Postcolonialism Reconsidered," *The William and Mary Quarterly*, 3rd Series, 54.1 (January 1997): 45–64, 60.
18. In Roman law, "person" was the term for any juridical entity recognized by law. On the legal and philosophical formulation of the person, see William Blackstone, *Commentaries on the Laws of England*, 1765–79,

- 15th edn. (London: T. Cadell and W. Davides, 1765); C. B. Macpherson, *The Political Theory of Possessive Individualism* (New York: Oxford University Press, 1962); Samuel von Pufendorf, *Political Writings of Samuel Pufendorf* (New York: Oxford University Press, 1994); Stephen Best, *The Fugitive's Properties: Law and the Poetics of Possession* (Chicago: University of Chicago Press, 2004). Lupton argues for the potential of the category of the "minor" for political reform that allows for the elasticity of personhood in *The Tempest*. For Lupton, Caliban, before the arrival of Prospero, is "a person in process," that is "neither fully adult nor fully child." Julia Reinhard Lupton, "The Minority of Caliban," in *Thinking with Shakespeare: Essays on Politics and Life* (Chicago: University of Chicago Press, 2011), 187–219, 201, 203.
19. Fifteenth-century jurists speak of "the law of nature and nations," since the law of nations was seen as a working out of natural law. Thus, in theory, the law of nations applied equally to all. Anthony Pagden, "Human Rights, Natural Rights and Europe's Imperial Legacy," *Political Theory* (April 2003) 31.2: 171–99, 175.
  20. Pagden, "Human Rights," 175. As M. J. Radin emphasizes, "to achieve proper self-development—to be a *person*—an individual needs some control over resources in the external environment. The necessary assurances of control take the form of property rights." M. J. Radin, *Reinterpreting Property* (Chicago: University of Chicago Press, 1993), 35.
  21. Sidia Fiorato, "Ariel and Caliban as Law-Conscious Servants Longing for Legal Personhood," in *Liminal Discourses: Subliminal Tensions in Law and Literature*, ed. Daniela Carpi and Jeanne Gaakeer (Berlin: De Gruyter, 2013), 113–29, 114–15.
  22. In the early modern period, the word "race" could signify difference in lineage, clan, as well as species.
  23. Lupton, "Creature Caliban," 2.
  24. Lupton, "Creature Caliban," 3.
  25. Lupton, "Creature Caliban," 13.
  26. Ewa Plonowska Ziarek, "Barelife on Strike: The Biopolitics of Race and Gender," *South Atlantic Quarterly* 107.1 (Winter 2008): 89–105, 95. See also Mark Rifkin, "Indigenizing Agamben: Rethinking Sovereignty in Light of the 'Peculiar' Status of Native Peoples," *Cultural Critique* 73 (Fall 2009): 88–124; Emily Weissbourd, "'Those in Their Possession': Race, Slavery, and Queen Elizabeth's 'Edicts of Expulsion,'" *The Huntington Library Quarterly* 78.1 (Spring 2015): 1–19.
  27. Wynter, "Unsettling Coloniality of Being," 302.
  28. Bartels, "Othello and Africa," 53.
  29. Alexander G. Weheliye, *Habeas Viscus: Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human* (Durham, NC: Duke University Press, 2014), 4.
  30. On social death, see Orlando Patterson, *Slavery and Social Death: A Comparative Study*, 2nd edn. (Cambridge, MA: Harvard University Press, 2018), 38–45.

31. Ziarek, "Barelife on Strike," 96.
32. On liminal incorporation, see Patterson, *Slavery and Social Death*, 45–51.
33. Best, *Fugitive's Property*, 2.
34. Jerry Brotton has characterized the play as staging the "geopolitical bifurcation between the Old World and the New." *The Tempest* elaborates historically specific political and commercial relations in, and imperial ambitions towards, East and West alike. Jerry Brotton, "'This Tunis, sir, was Carthage': Contesting Colonialism in *The Tempest*," in *Post-Colonial Shakespeares*, ed. Ania Loomba and Martin Orkin (New York: Routledge, 1998), 23–42, 37.
35. Brotton, "'This Tunis, sir, was Carthage,'" 33–4. The role of Africa and Africans, as critics have acknowledged, is crucial to an understanding of this play's racial politics. See Marjorie Raley, "Claribel's Husband," in *Race, Ethnicity, and Power in the Renaissance*, ed. Joyce Green MacDonald (Madison, NJ: Fairleigh Dickinson University Press, 1997), 95–119; John Kunat, "'Play me false': Rape, Race, and Conquest in *The Tempest*," *Shakespeare Quarterly* 65.3, 307–27, 311. On North Africa as a commercial hub in the period, particularly in regard to the traffic in slaves, see Weissbourd, "Race, Slavery, and 'Edicts,'" 14.
36. Best, *Fugitive's Property*, 5.
37. On the late Elizabethan Aristotelian revival, see Charles Schmitt, *Aristotle and the Renaissance* (Cambridge, MA: Harvard University Press, 1983).
38. Mills, *Racial Contract*, 15.
39. Raley, "Claribel's Husband," 110.
40. Raley, "Claribel's Husband," notes that in Tertullian's and Servius's accounts, Dido commits suicide to avoid consummating her marriage to an African king. See also Stephen Orgel, ed. *The Tempest: The Oxford Shakespeare* (Oxford: Oxford University Press, 2008).
41. Raley, "Claribel's Husband," 113.
42. Particular concerns were about the effects of tropical heat and humidity on the Anglo-constitution. Monique Allewaert, *Ariel's Ecology: Plantations, Personhood, and Colonialism in the American Tropics* (Minneapolis: University of Minnesota Press, 2013), 2.
43. Jonathan Hayes, *Humanist as Traveler*, qtd. in Ernest B. Gilman, "Sycorax's 'Thing,'" in *Solon and Thespis: Law and Theater in the English Renaissance*, ed. Dennis Kezar (Notre Dame, IN: University of Notre Dame Press, 2007), 99–123, 119.
44. See Gilman, "Sycorax's 'Thing,'" 116. Herodotus cites from personal observation that the Colchians of his day (484 BC–424 BC) were "black-skinned" and had "wooly" hair. *The History of Herodotus*, trans. George Rawlison, qtd. in William P. McDonald, "The Blackness of Medea," *College Language Association Journal* 19.1 (September 1975): 20–7, 23n.5.



45. On the Virgilian parallels in *The Tempest*, see Jan Kott, "The Aeneid and The Tempest," *Arion: A Journal of Humanities and the Classics* 3.4 (1976): 424–51; John Pitcher, "A Theatre of the Future: *The Aeneid* and *The Tempest*," *Essays in Criticism* 34.3 (July 1984): 193–215.
46. Kunat, "Play me false," 326.
47. Hartman, *Scenes of Subjection*, 49.
48. Best, *Fugitive's Property*, 37. Self-possession did not "liberate the former slave from his or her bonds but rather sought to replace the whip with the compulsory contract." Hartman, *Scenes of Subjection*, 6.
49. Sidia Fiorato, for instance, writes: "The social 'place' of every individual was substantially determined by their relation to a more powerful master, thus forming an unbroken chain of hierarchy of service that stretched from the lowliest peasant to the monarch (who owed service to God). It was an expression of the social contract which applied to everyone, to the point that it was almost impossible to conceive of a properly human existence outside a master–servant relationship." Fiorato, "Ariel and Caliban as Law-Conscious," 113.
50. François Laroque, "Italy vs. Africa: Shakespeare's Topographies of Desire in *Othello*, *Antony and Cleopatra*, and *The Tempest*," *Shakespeare Studies* 47 (2009): 1–16, 12n.40. See also Imtiaz Habib, *Black Lives in the English Archives, 1500–1677* (London: Ashgate, 2008); Gustav Ungerer, *The Mediterranean Apprenticeship of British Slavery* (Madrid: Editorial Verbum, 2008). The independent voyages of Sir John Hawkins in the early sixteenth century are no longer considered the initial moment of British involvement in the slave trade. Ungerer establishes that the English trafficked in African slaves throughout the early half of the fifteenth century as English merchants based in Andalusia participated in the Iberian slave trade.
51. Mills, *Racial Contract*, 63. On the rise of the contract form in the late sixteenth century, see Victoria Kahn, *Wayward Contracts: The Crisis of Political Obligation in England, 1640–1674* (Princeton, NJ: Princeton University Press, 2004).
52. Mills, *Racial Contract*, 56.
53. Mills writes: "White supremacy is the unnamed political system that has made the modern world what it is today. You will not find this term in introductory, or even advanced, texts in political theory. . . . But though it covers more than two thousand years of Western political thought and runs the ostensible gamut of political systems, there will be no mention of the basic political system that has shaped the world for the past several hundred years." Mills, *Racial Contract*, 1.
54. Mills, *Racial Contract*, 54 (original emphasis).
55. Best, *Fugitive's Property*, 85.
56. Weheliye, *Habeas Viscus*, 39 (emphasis mine).
57. Weheliye, *Habeas Viscus*, 39.
58. Weheliye, *Habeas Viscus*, 44.
59. Weheliye, *Habeas Viscus*, 44.

60. David Norbrook, “‘What cares these roarers for the name of king?’: Language and Utopia in *The Tempest*,” in *The Politics of Tragicomedy: Shakespeare and After*, ed. Gordon McMullan and Jonathan Hope (London: Routledge, 1992), 21–54, 33.