

Savage Properties and Violent Forms: Christopher Brooke's *Poem on the Late Massacre in Virginia* (1622) and the Discourse on Civility and Possession in Early Modern America

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ABSTRACT

The following essay attempts to discuss the convergence of legal and poetical discourse and concepts by looking closely at an early modern lyrical text, Christopher Brooke's *A Poem on the Late Massacre in Virginia* (1622). While the poem has achieved a certain notoriety due to its excessively racist imagery, its author has been virtually forgotten, and the text has rarely, if ever, been discussed in regard to its particular poetic strategies. A discussion of these strategies might help us understand the specific ways in which, in the context of colonial expansion, early modern English poetry about sovereignty, civility, and indigenous culture(s) helped to develop a discursive 'field' which blends aesthetic concerns for proper forms (i. e., the specific 'properties' of poetry as normative speech) with legal-political and philosophical ideas about rightful conquest, dominion, and colonial property. In Brooke's poem the convergence between these spheres finds its most explicit expression in the deconstruction and reconstruction of 'civil bodies'—meaning both the bodies of specific victims of the massacre and the civil body politic of the colonial commonwealth which the Virginia Company tried to establish. In conclusion, the analysis and the contextual interpretation of Brooke's text are meant to project a comparative perspective on law and poetry as acts of normative codification.

Sir, the law is as I say it is, and so it has been laid down ever since the law began; and we have several set forms which are held as law, and so held and used for good reason, though we cannot at present remember that reason.

Sir John Fortescue (1458)¹

1. Law and / or Poetry?

At the very outset of their joint attempt to come to a better understanding of the "curious but intriguing relationship" between poetry and law, two legal scholars, one from Germany, another from the United States, offer a strong, if somewhat tautological caveat in regard to the fundamental difference between the legal and the poetical:

Law is not poetry [...] and poetry is not law. The domain of law is more the domain of abstract reason, offering structure and rules to the members of a society. The domain of poetry is more the domain of imagination, offering inspiration and insight into life. We might say that law partakes more of science, poetry more of art. (Eberle/Grossfeld 353)

¹ Qtd. in Mellinkoff, n. p. title page.

1 When lawyers—or scientists, for that matter—try to define specific ‘domains,’ they
 2 are usually highlighting certain ‘properties’ of practices or phenomena in order
 3 to separate them from other practices or phenomena. Distinctions like the one
 5 above are, of course, only possible because (a) both poetry and law do indeed have
 enough things in common to make a comparison possible and (b) both the com-
 parison and the distinction are pursued with the help of words. In the case of the
 ‘curious’ relationship between law and poetry, the last point is especially ‘intriguing’
 since the same linguistic operations that help to set them apart as distinct do-
 mains also mark one of their most essential points of convergence and affiliation:

10 Law and poetry are fundamentally similar in important ways. Most importantly, law and
 poetry have language in common. Both disciplines communicate their meanings, aspira-
 tions, rules and import through language. The study of law and poetry is, in crucial ways,
 the study of language. (Eberle/Grossfeld 356)

15 If law is essentially “a profession of words,” so is poetry, and as David Mellinkoff
 has evidenced in his seminal volume on the language of Anglo-American law, one
 of the most troublesome aspects of using words to communicate meanings and
 rules is that those meanings and rules are also often contested by the very words
 used. Thus one of the longest-lasting quarrels surrounding the *Magna Carta* and
 20 its translation into English was about the famous ‘due process’ proviso that no
 freeman should be imprisoned or disowned “*nisi per legale iudicium parium suo-
 rum* [except by lawful judgment of his peers] *vel per legem terrae* [and/or by the
 law of the land]” (qtd. in Mellinkoff 149). As Mellinkoff’s exemplary cases from
 various periods of Anglo-American law demonstrate, there was quite a lot of pain
 25 inflicted and property alienated in the course of legal trials, depending on the spe-
 cific interpretation of the ‘and’ *versus* the ‘or’ in the respective cases, i. e., whether
 things (and people) were seen as different rather than the same, or vice versa. The
 major point in any discussion about the relation between law and poetry thus is
 less their *fundamental* differences or their *essential* similarities than how these
 30 differences and similarities are made to bear on each specific case. From the per-
 spective of the particular case, however, this may only appear a matter of chang-
 ing taste and inclination, as it may also more often than not be felt as merely the
 pragmatic translation and negotiation of a normative perspective of some stabil-
 ity. Yet if we move the question of essential distinctions versus inherent similar-
 ities—the ‘nagging challenge’ of the ‘or/and’—from the realm of categorical dif-
 35 ferences between modes of speech and communication to the realm of *normative*
 distinctions between proper legal and poetical ‘subjects,’ we will have to accept
 that such *normative* distinctions will always entail a negotiation of the relation be-
 tween ethics and aesthetics, between norm and form, between legality and genre.²

40 My purpose here is *not* to discourage the attempt to describe and define the
 distinct domains of poetry and law and/or to argue about their inherent simi-
 larities and affinities as fundamentally linguistic practices and disciplines. Rather,
 the major interest of my discussion is in the operation or practice of (linguistic
 or rhetorical) distinctions itself, which motivates both the legal and poetical pro-
 44 fessions of meanings and rules. Focusing on a specific historical example from
 45

46 ² See Kayman’s argument about the ‘jurisdictions’ of law and literature.

seventeenth-century Anglo-American colonial history—Christopher Brooke’s rather notorious poem about the ‘Jamestown Massacre’ in 1622—my discussion will center on the way in which poetic diction and rhetoric are being used to make an argument about natural ‘domains’ and human ‘properties’ whose relevance and meaning must be understood in reference to specific legal and cultural ‘fictions’ prevalent in the historical context. Indeed, in Brooke’s *Poem*, questions of law and poetry merge as their proper domains and their linguistic proprieties are mutually negotiated and activated in the framework of a contested poetics and rhetoric of sovereignty, civility, commonwealth, and, most importantly, the normative and legal grounding of property claims.

Christopher Brooke (c. 1570-1628) was a prominent lawyer with close connections to the Stuart court. As a member of the Council for Virginia, he invested both money and legal counseling in the affairs of the Virginia Company. He was also a member of parliament from 1604 to 1626, and he became an acknowledged poet who was close friends with John Donne, Michael Drayton, and Ben Jonson (see Johnson 260; O’Callaghan n. p.). His *Poem on the Late Massacre in Virginia*, which he published in 1622, was not included in the only posthumous literary biography and selection of his works, which appeared in 1872; one may surmise that this oversight was due to the obvious political objectives and the lesser quality of the *Massacre* poem, but while the poem itself today has achieved some notoriety because of its uninhibited racism against indigenous people, its author has been almost completely forgotten.

My discussion will proceed in three steps, moving from a close reading of the poem’s major structures and strategies to the particular historical context, specifically the convergence of early modern political philosophy and poetry in regard to foundational concepts of legal and cultural order. My focus will be on Brooke’s particular interest in the deconstruction and reconstruction of ‘bodies,’ which refers both to the slain bodies of the victims and, in a more figurative but still palpable way, to the incorporated body politic of the state and of the Virginia corporation as manifestations of a civil commonwealth. The deconstruction and reconstruction of the civil body stands in stark contrast to Brooke’s poetic transformation of the native attackers into ‘monstrous’ bodies—the corporeality of savagism. At the end, my discussion will return to the particular convergence of legal and poetical concerns and ‘forms’ in Brooke’s poem, a text which appears to be neither reasonable as law nor aesthetic as poetry.

2. Dis-/Re-Memberment and Revenge: The Fragile Body of Civility

On first sight, Brooke’s poem appears to be composed as one unbroken outburst of grief, horror, and outrage which eventually leads to a call for retaliation and for the “extirpation of that *Indian* crew” (C, 285).³ This impression is actually

³ All references to Brooke’s poem are given by indicating the respective section from the original unpaginated text with a capital letter, followed by the page number from the version published by Johnson in 1964.

supported in Brooke's concluding 'Epilogue,' where he writes: "Thus have I given vent unto my grieffe / which to my burthen'd heart is some relief" (C3, 291). Yet while the intense emotional charge of the poem is emphasized throughout, it is driven as much by argument as by affect. At the center of both stands the image or the metaphor of the body, or, rather, a line of bodies arranged and described in careful succession to establish a specific effect. This effect is twofold: On the one hand, it aims to inscribe (rather literally) a radical and irrevocable antagonism between the sphere of savagery and the sphere of civility, yet, on the other, it works to effect a transformation and regeneration of the 'civil body'—of the colonial corporation and, by extension, of the commonwealth—by incorporating (preemptive) violence as an essential virtue. In a more recent and rather perceptive reading of the poem's peculiar strategy, Kasey Evans has convincingly argued that Brooke radically and rather perversely revises the humanistic civic virtue of temperance by "[advocating] a doctrine of preemptive aggression, advising settlers to attack their native neighbors out of 'fear'd danger,' rather than waiting for provocation" while at the same time claiming "that his most preemptive, passionate and immoderate recommendations qualify as temperate responses to the massacre" (159). Whereas before the 1622 massacre temperance had served, "English writers to compare their New World ambitions favorabl[y] to those of the inveterate enemies, the Spaniards [...] their purportedly evangelical aims represent[ing] the temperate subjugation of worldly appetites to loftier spiritual aims" (161), in Brooke's revision, "temperance comes to designate simultaneously a virtue of affective moderation through temporal protraction, and a tendency toward preemptive passion." Evans concludes: "Under the simultaneous pressures of classical humanism and colonial expansion, Renaissance temperance becomes an oxymoronic virtue, demanding postures of both postponement and prolepsis" (159).

While Evans's reading is certainly illuminating in revealing the particular paradoxical reversal of the central humanistic virtue of temperance in Brooke's poem, there are two more aspects of this reversal worth considering. First, while the virtue of temperance is certainly central for the poem's meaning, it is not the only virtue addressed. In fact, the paradox pointed out by Evans is countered by Brooke's extensive praise of honor and courage as primary virtues in the eulogies at the center of his composition. That is to say, from the perspective of a more extensive set of virtues, which were deemed to be indispensable for building a civic commonwealth, the poem simply 'trades' temperance (especially in its most passive form of 'securitie') for a revised notion of courage—meaning both the heroism and the 'utility' of preemptive violence.⁴

Secondly, the particular logic of the semantics of the body and bodies in general which the poem unfolds ranges through a far wider scope of sensual and physical metaphors than could possibly be contained by the particular virtue of temperance alone. For, despite the obvious references to the discourse on temperance throughout the poem, it is not just the sensual state and affective charge of the (in-)temperate body that is at stake, but its very corpo-reality, its various,

⁴ See Fitzmaurice's extensive discussion of temperance within the larger context of humanistic values in regard to the ideological program of the Virginia Company ("Civic Solution").

1 shifting modes of existence—in the dis-membered and re-membered bodies of the
 2 slain, but also in the fragmented and distorted monstrous physical manifestations
 3 of native savagery. From this perspective, the poem can be read as an extended
 metaphor or an ideological conceit—and an extended meditation—reacting to the
 5 deep disturbance and rupture of the dominant “discourse of the harmonious and
 balanced body politic [...] at the heart of the naturalization of national mythol-
 ogy” in the wake of the Jamestown massacre (St. George 154).

10 In fact, it is the tremendously disturbing experience of disruption and upheaval
 on the collective and the subjective level of corporeality that sets the initial frame
 for Brooke’s composition. A closer look at the poem’s exposition clearly shows
 what is at stake—the particular ways in which individual affect leads to mutual
 affection and communal attachment. Joy and mourning are the two most basic
 forms of a shared emotional attachment (‘a twofold fount of flowing *piety*’), and it
 is precisely the balance between the two that is severely questioned by the experi-
 15 ence of the massacre:

But in a case extream, where horror stops
 The milder course of those affections drops,
 that with amazement, sets the hayre on end;
 Contracts the Brow in wrinkles, makes it bend
 20 Downe to the center; doth the Blood displace,
 Dim Natures Planets, and deforms the face;
 This is a griefe not easily overblown,
 And by such causes, like Effects are known. (A3, 274)

25 The sheer magnitude of the event in regard to the natural disposition to feel ‘with’
 the victims, to sympathize with ‘like effects,’ results in the first ‘unnatural’ or ex-
 cessive physical manifestation of a disturbed and transformed body:

And when I heard of that late Massacre,
 [...] my Passion rent
 my heart with sorrow, for that dyre event;
 30 Amazement strooke me, horror ceaz’d my powers,
 Teareless as Tonguelesse; and for certaine howres
 I seem’d a breathing Statue (A3, 274)

35 Thus Brooke presents his own tormented body as a first representation of the vic-
 tims of the massacre—a breathing statue—an effectively ambivalent metaphor of
 helplessness and senselessness in face of that ‘dyre event’ and a figure deprived of
 the most natural forms of the expression of mourning (tears, words). The peculiar
 image of the ‘breathing statue’ is in fact an effective inversion of the material on-
 40 tology of the victims’ bodies as the latter are no longer breathing, nor can they be
 imagined as statues. Thus the point of the inversion is to stress the particular chal-
 lenge of the event for those that, like Brooke, were neither direct witnesses nor
 survivors of the massacre but felt obliged to state their strong affective attachment
 to and identification with the slain victims. This sense of attachment and identi-
 44 fication is most obviously marked by an initial state of physical incapacity and of
 sensual paralysis. The paralysis is overcome only, as the poem states, when “ter-
 45 ror was once digested [...] sense recollected, I, my selfe againe / My knowledge
 46 wrought in me a temperate change, / *In Wisdoms eye ther’s nothing should seem*

1 *strange*” (A3, 274). What follows is a discussion that raises the subjective distur-
 2 bance of sentiments and physical bodily existence to the level of a fundamental
 3 disturbance of general principles of order and justice, which makes it impossible
 5 to find significance in such senseless slaughter. It culminates in a passage that
 questions the very foundations of natural and divine order:

O GOD! Is Uniformity, and Order
 Turning to Chaos? Shall Rapes, Incest, Murder
 And all the Spawne of sinne, bring forth on Earth,
 Prosper, and not be strangled in their Birth?
 10 Shall Savage men their ignorance advance,
 Who while they thinke all things govern'd by chance
 Worke mischief still in uncontrolled Wills,
 And like th'old Gyants seeme to rayse up Hills
 To scale thy Throne, breake Orders Chasme in sunder,
 And not be fired with lightning strooke with thunder? (A3, 276)

15 What is striking is that the poem does not so much present an account of the
 massacre as such but rather attempts to give an account of the subjective and col-
 lective resonance of the ‘tragicke’ event. This resonance is disturbing because it
 turns living bodies into senseless (and inactive) statues but also undermines and
 20 questions most essential collective values and meanings. The immediate, highly
 charged affective response is then countered with a section dedicated to explana-
 tion and argument: “Let me attempt to draw out of my braine / Some arguments
 to make m’assertion plaine / Let me make more this knot, then it untwine / Shew
 subject nature and the *Will divine*” (B, 277).

25 Hence to reestablish a sense of order and meaning the poem enters on a dis-
 cussion of the reasons for the massacre and proposes counter measures in an ar-
 gument that links central aspects of traditional humanistic virtue with a criticism
 of *securitie*:

Bend not your selves to *Mammon*, let not ease

30 Rock yee in sensuall slumbers, so to ceaze
 Your understanding parts; but let fear’d danger
 Be present Centinell to absent anger;
 Which may ensue more fearfull if yee bee
 Stupid, and senselesse in *securitie*. (B2, 279)

35 Here the poem proposes to exchange a particular state of feeling or experience
 of security—marked by ‘sensual slumber,’ stupidity, and senselessness, as well as
 the guiding dominance of material interests—with an anticipatory mode of future
 harm—of ‘fear’d danger’—which will sustain and thus suspend the body politic
 in a continuous state of alarm and fearfulness. This new corpo-reality of the civ-
 40 ic body, imagined as a body permanently threatened, is thus characterized by a
 defensive anxiety that has to be constantly nourished against the deceptive and
 harmful effects of the alluring experience of security:

Securitie; the Calme before a Storme,
 That hugs a fearefulle Ruine in her Arme
 44 [...]
 45 *Security*; the Heaven that holds a Hell,
 46 The bane of all that in this slaughter fell... (B2, 279)

1 What follows is the first direct and extensive description of the massacre itself. It
 2 is carefully set by Brooke not only to illustrate the fatal effects of security's 'bane'
 3 but also to give the particular affect of 'fear'd danger' a projected body, a corpore-
 ality that is both sensual and *textual*: "Let this Example (in the Text of blood) / Be
 5 printed in your hearts, and understood." The poem thus assumes, by way of the
 detailed descriptions of two 'exemplary' victims and their bodies (metaphorically
 referencing and embracing the threatened body politic of colonial settlement) a
 physical contour of its own, as it were, that in turn helps to reconstruct—to re-
 member—these bodies through its formal and formative force.

10 The exemplary body first described is that of Brooke's friend, Captain Na-
 thaniel Powell, an ardent supporter of the Jamestown colony since its inception,
 deputy governor and member of the Council of State for Virginia, and the first
 victim to die in the attack. Powell (Capt. Powle) is introduced as one "of those that
 15 suffer'd being a worthy *Chiefe*" emphasizing his leading position in life but also
 in death. Brooke then recounts the various accomplishments and important role
 that Powell had played in establishing the colony, especially during the first years
 when the settlement almost collapsed, concluding with the many rewards Powell
 had received for his exemplary civic life:

20 having at last with sweate, and toyle
 Illustrated thy worth, upon their foyle
 and by desert acquired a good estate
 (Which none envy'd but all did gratulate) [...]
 Got to the Bosome one of generous blood
 Equall to thee in Vertue and in good
 25 Whose Womb now promising fruit of thy chast Bed
 Wherein thy Ioyes should be accomplished. (B2-3, 280-81)

This exemplary and ideal image of successful leadership and civic virtue is called
 up by Brooke at this point to revive and intensify the poem's initial feeling of grief,
 which is meant to frame the representation of Powell's death. Moreover, it is the
 30 moment when the writing appears to assume exactly that degree of 'fear'd danger'
 which Brooke wanted his readers to cultivate as a remedy against security:

Here do I wet my Paper with my teares,
 My very Incke doth sympathize with feares,
 35 And thickens in my Pen, as loath t'expresse
 My tearefull grieffe. and carefull heavinesse.
 Here do I force my heart with bloody straine
 (Which pants in Passion, and doth feel a paine
 Like to the pangs of Death) to shew the rest,
 Where lies more ruth, than can by me b'expresst.
 40 Now come I to my Point, thy utmost date,
 The mournfull Period of thy hardest fate... (B3, 281)

The 'point' here is precisely that the ideal realization of the political, economic,
 and ethical promises of the new commonwealth is most vulnerable when it ap-
 44 pears to be most fully achieved: "When thou had'st broke all barrs (as say'd be-
 45 fore) / Amidst thy Blessings, and thy comforts store [...] When all thy Ioyes were
 46 full, *dreadless of harmes* / Then came these Hell-hounds in their ugly forms /

1 Which all thy Grounds, and Family o'respread / Thee, with thy Wife, Servants,
 2 and all, strooke dead" (B3, 281; emphasis added). To underline the devastating
 3 effect of this destruction of the ideal incorporated, communal body—stressed by
 the interconnectedness of property, family, and household—the passage ends with
 5 a description of the most poignant form of dismemberment: "The noblest mem-
 ber of thy manly frame / Thy *Head* (as even these senselesse Blocks well knew) /
 Where all thy Wit, Counsell, and Wisdome grew / They parted from the rest, as
 proud to bring / A *Trophee* of such Honor to their *King*" (B3, 281). The strong
 symbolism of the act is clear to everyone—even to the Indians: Powell's decapita-
 10 tion marks the violent end of the civic body and its successful rule through counsel
 and wisdom, as well as the secure order of its 'manly frame.'

The second victim that Brooke singles out in similar fashion is meant to pres-
 ent another ideal 'body': the ethical *corpus* held together by virtue and moral
 righteousness. George Thorpe had arrived in Jamestown only in 1620, but he soon
 15 became one of the most active members of the Council for Virginia in developing
 good relations with the neighboring tribes and actively pursuing their religious
 education and conversion. As Brooke again argues, this attempt at religious in-
 corporation was meant to increase the common good and to build forms of mu-
 tual dependencies: "Brave *Thorpe* [...] Who didst attempt to make those *Indians*
 20 know / Th'eternal GOD [...] and on that ground / to make them apt to what thou
 didst propound / For our Commerce with them, their good, our peace / And both
 to help with mutuall increase" (B3, 283). With this example the text's own materi-
 ality is finally made to stand in for the body of the victim, since all that is left for
 Brooke to present of Thorpe's dispersed and dissolved remains in their 'obscure
 25 tombe' is an '*Epitaph*' which is incorporated into the body of the poem. Brooke's
 text is indeed the final resting place of a body, both dead and alive: "*Here lyes*
inclos'd the Corpes of Him / Who had for every dying Lim / A living Vertue" (B3,
 284), visually impressed on the reader by its singular typographical form. The at-
 tempt of the text to leave physical traces for virtual bodies and corpses that can
 30 no longer be located marks a central concern for the preservation of the memory
 of the attack as guidance for future action. It is against this inscribed memory of
 dismembered bodies in idealized and remembered forms that the poem projects
 radically 'other' forms of 'abject' corporeality which belong neither to the realm
 of original creation nor to the realm of poetical re-creation:

35 For, but consider what those Creatures are

(I cannot call them men) no Character
 Of God in them : Souls drown'd in flesh and blood;
 Rooted in Evill, and oppos'd in Good;
 Errors of Nature, of inhumane birth,
 40 The very dregs, garbage, and spawne of Earth
 Who ne're (I think) were mention'd with those creatures
Adam gave names to in their several natures
 [...]

If these (I say) be but consider'd well,
 (Father'd by Sathan, and the sonnes of hell,
 44 What feare or pittie were it, or what sin,
 45 To quite their Slaughter, leaving not a creature ... (C, 285)
 46

The lengthy rant about the despicable, non-human and even unnatural properties (“such shame of man and nature”) of the native attackers is meant to support Brooke’s general appeal to the former and the current governors of the colony for a more violent and martial form of leadership and in particular for immediate retaliation: “All men of knowledge [...] now prompt thee to revenge the blood late shed / An expiable warre unto the dead” (C, 286). This shockingly hateful passage has made Brooke’s text “a strong contender [...] for the dubious honor of most racist text of the Renaissance” (173), as Evans remarks, but the affective charge of Brooke’s list is also carefully made to serve an argument about the legitimacy and justification of revenge. For twice Brooke asks his readers to ‘consider’ and to ‘consider well’ the particular properties of the Indians in order to assure them that vengeance would not be a ‘sin’ but an ‘expiable warre.’ This particular convergence of affective address and (legal and religious) argument of exculpation reveals the overall goal of Brooke’s composition: to reach and reconcile two major factions of the Company’s supporters and leadership. To underscore this attempt, namely to reconcile and restore the unity of the representative body of the Company, Brooke adds yet another group of bodies to his sequence, which are obviously meant to turn from the devastation and dismemberment of bodies to their restoration and resurrection. That this is a programmatic moment in the poem is clearly signaled by Brooke’s invocation of the muses:

Bear up, my *Muse*; droop not but to thy wing,
 Adde yet another Pinion, since I sing
 Of living men and memory of the Dead;
 Let me hold on (being directly led
 As one line followes other) to restore
 From depth of Seas, or Graves, two *Heroes* more... (C2, 287)

The two ‘heroes’ are Thomas Dale and Thomas West (Lord De La Warr), both at various times governors of the Virginia colony during the early years and known for their rather aggressive attitude towards the native tribes and the “determination to end Indian resistance once and for all” (Vaughan 67). It was Dale who in 1614 forced chief Powhatan into signing a treaty with the Colony by abducting the chief’s favorite daughter, Pocahontas—a practice that had become rather common after 1610 when “the English rapidly abandoned all regard for customary rules of war and gained much of their success by guile and merciless treatment of captives” (Vaughan 67). Both Dale and De La Warr thus stood for a position of absolute sovereignty and military rule, clearly translating their military experiences and imperial ambitions from the English and European to the American scene. As John Smith, another early leader of the Virginia Colony, bluntly put it: “The Warres in *Europe*, *Asia*, and *Affrica* taught me how to subdue the wilde Salvages in *Virginia*” (qtd. in Vaughan 63). Brooke’s two ‘heroes’ thus present a strong contrast with and opposition to the defining attitudes and virtues of the first pair of victims of the massacre, Powell and Thorpe, who clearly are made to stand for a different set of values and a humanistic approach toward incorporating the natives into a new American commonwealth.

In his cogent discussion of English imperialism in America, Michael L. Oberg has described this contrast in more general terms as the significant and ultimately

deteriorating result of the ideological and ethical gap between the metropolitan center and the contested margins of English imperialism. The “clash between frontier and metropolitan interests” which had earlier characterized the “slow and painful process of incorporating the Scottish Borderlands, the Welsh Marches, and Ireland into an expanding Tudor state” also defined the situation at the American frontier, “a zone of endemic lawlessness where English soldiers and settlers encountered tribal peoples they thought of as backward, barbaric, and *irreconcilably different* from themselves” (5; emphases added). In regard to Brooke, one could surmise then that he used the tragic event to support the frontier over and against the metropolitan side, and this bears out in both his affective and his argumentative strategies. The problem with this assessment is that Brooke—as a friend of John Donne and Michael Drayton and as an admirer of George Sand (who is also celebrated in his poem)—appears to have been much closer to the metropolitan perspective. What remains obvious, however, is that Brooke’s *Poem* took part in a more general debate about opposing strategies of colonial rule, and his call for revenge thus must be situated within the larger argument about the necessity of preemptive military action as a central instrument to establish a colonial commonwealth—a body politic constituted not by the ‘incorporation’ of native people but by enforcing their violent dispossession. The explicit consciousness inscribed into the poem in regard to bodies and to forms thus also has to be considered in regard to the legal-political context of colonization in general, and specifically in regard to the ontological entrenchment of the savagery-civility dichotomy in the wake the Jamestown massacre. Looking at Brooke’s poem within these interconnected debates from the perspective of law and poetry as not only formally conscious but also foundational modes of speech or rhetoric will help to discuss the poem’s specific strategies in the general context of early modern poetics and politics.

3. “Apparell’d in Verse”: Poetry as Foundational Rhetoric

Brooke’s poem was the second official publication dealing with the so-called ‘Jamestown massacre’ which related (in a form sanctioned by the Virginia Company) the violent attack of native tribes on the early colonial Jamestown settlements in March of 1622 and its effects: the deaths of almost 350 settlers, the eventual financial failure of the company, and the revocation of its charter by the King in 1624, turning Virginia into the first royal colony.⁵

⁵ As Vaughan comments “The impact of massacre had been far-reaching indeed” (81). See also Craven (on whom Vaughan’s account is largely based) and for one of the most recent (and most thoughtful) historical discussions, see Kupperman *The Jamestown Project* (1997). The Virginia Company actually refers to two joint stock companies with the same name, one based in London and another based in Plymouth, both chartered in 1606. The latter became inactive rather early after its first colony failed in 1607, the remaining Virginia Company, sometimes also called the London Company, established Jamestown as the first English colonial settlement which actually endured. Even after the Virginia Company was dissolved and the colony became a royal colony, it remained a self-governed body.

The first public and official acknowledgment of the attack as a ‘massacre’ had appeared in a pamphlet by Edward Waterhouse published in August of 1622, just a month prior to Brooke’s poem, and a comparison between the two texts is instructive, especially in regard to the question of the particular form in which Brooke chose to forward his arguments, i.e., as a poem rather than a narrative account. The title of Waterhouse’s pamphlet—*A Declaration of the State of the Colony and Affaires in Virginia. With a Relation of the Barbarous Massacre in the time of peace and league, treacherously executed by the Native Infidels upon the English*—already announced the particular meaning the event would be given in the company’s official rhetoric and also in the English colonial discourse in general.⁶ Waterhouse’s main interest was clearly in containing the detrimental and disruptive force of the Indian attack, which threw into question the overall premises and objectives of the Jamestown colonial project. Hence, his strategy was twofold: On the one hand, he emphasizes the ‘treacherous’ and ‘barbarous’ nature of the Native attackers, thus depicting them as untrustworthy and unpredictable. On the other hand, at the same time he makes a strong argument for the opportunities and potential of the settlement in the future. In fact, one of Waterhouse’s most striking, if somewhat deceptive, arguments was that the vicious and devastating attack had some advantages, after all. By betraying the trust of the English settlers and attacking them in such a relentless and violent manner, Waterhouse insisted, the natives clearly justified a similarly relentless and violent reaction by the settlers, in fact giving them a *legal reason* for taking life and property. These specific arguments have to be understood within the larger context of a general discourse and rhetoric of early modern international colonial expansion and settlement in which all actors “had to justify [their] actions to the others ... forcing [them] to articulate the logic of their actions and of their indignation [...]” in regard to their mutual “ideas about rights in these early periods” (Games 508).

As Alison Games states in regard to the specific rhetoric of the Jamestown massacre pamphlets:

In the process of deciding their plans for revenge, [the English] also outlined the rights they believed they possessed as injured parties and would-be conquerors, including, in the case of Virginia, the right to murder enemies, dispossess their land and appropriate their labour. (508)

The justification of retributive violence against ‘infidels’ and ‘treacherous savages’ was a central aspect of the particular *nomos* of “appropriative colonizing” as “the empirical point of origin for Anglo-America,” as Chris Tomlins has argued. Referring to the foundations of international law in the age of colonial expansion—the *ius gentium*—in Alberico Gentili’s *De Iure Belli* (1588) and Hugo Grotius’s *De Iure Belli ac Pacis* (1625), Tomlins states:

⁶ News of the attack did reach London only in June of the same year; the marked shift in attitude discussed below becomes obvious when comparing Waterhouse’s and Brooke’s immediate reactions with a sermon by Patrick Copland published for the Company a few months earlier *Virginia’s God be Thanked*, which celebrated the “happie successe of the affayres in Virginia in this last year” (Copland, A1).

1 The nomos of English colonizing obtained its philosophical coherence from the con-
 2 trapuntal anthropology of Christian, European civility and New World barbarism that
 3 had informed the whole project of New World contact since Columbus. [...] Gentili [...] held that ‘nature has established among men kinship, love, kindness, and a bond of
 5 fellowship.’ Those who violated nature [...] were outside humanity, brutes, upon whom war might justly be made. So also might brutes’ vacant lands be appropriated; so also might they be enslaved. [...] Grotius followed Gentili’s example: ‘War is lawful against those who offend against nature.’ Grotius also insisted on a right to occupy vacant land. (40-41)⁷

10 In light of the preceding discussion of Brooke’s poem and the major contrast between civility and savagery, which it (re-)constructs as a normative difference, two points are to be noted: One, the ‘contrapuntal anthropology’—the irreconcilable yet also dialectic difference between ‘civility’ and ‘barbarism’—must be understood as both a legal and a political anthropology which needs to be illustrated and thus affirmed as well as justified by specific narratives, i. e., forms of narrative evidence that appeared both plausible and affective within the larger context of normative meanings (hence the character as a *nomos*).

15 Two, the ‘philosophical coherence’ of this converging anthropology was meant to secure the essential claims of ‘appropriative colonizing’—claims which were contested not just by the original and legitimate proprietors of the territory in question, but also by other colonial powers and, even more importantly, by the various English political factions, which tried to shape and direct the colonial desires of the English nation into a feasible and sustainable project. What emerges out of these particular constellations and contestations is a highly ambiguous discourse of rights, entitlements, legitimacy, and claims—especially in regard to territorial sovereignty and property—which blends and subsequently revises existing legal concepts and conventions according to cultural and anthropological presuppositions. Thus, as Peter Fitzpatrick has argued, the intense impact of the colonial project on early modern legal and political philosophy effected a specific change in thinking about civility, civilization and, in line with those concepts, national

35 ⁷ Tomlins is referring to Robert Cover’s well known concept of the *nomos* as a ‘normative universe’ which is created by the narratives that surround the law: “No set of legal institutions or prescriptions exists apart from the narratives that locate it and give it meaning. For every constitution there is an epic, for each Decalogue a scripture. Once understood in the context of the narratives that give it meaning, law becomes not merely a system of rules to be observed, but a world in which we live” (95). It is important to keep in mind that Cover’s concept might easily be misread in its weaker, more generalized emphasis on the potential normativity of narratives—any narrative might be considered normative in this sense. The way Tomlins uses Cover’s concept however, as well as his particular choice of exemplary ‘narratives’ (especially by Shakespeare), make it rather clear that whatever normative force a narrative might possess or intentionally be invested with, it demands, fortifies, or affords a specific mode of reception by its audience, i. e., the expectation of normativity brought to bear on early modern discourses on colonization already presupposes that there are ‘normative’ arguments which would justify the larger purpose and motivation of the project. The convergence of public expectation on the one hand, and authorial strategies of linking genre to politics and law on the other, aggressively marks the field of an emergent mode of a specific (early) modern rhetorics of identification and recognition—the acknowledgement of political space as a cultural space, i. e., a space of cultural struggle.

sovereignty and national belonging (i. e., citizenship). Before the advent of Grotius, Fitzpatrick observes, “[t]he pre- or proto-modern conception of the *ius gentium* was unresolved over whether it extended to all people or to most of them.”

This ambivalence “between a universal natural law pertaining to all ‘men’ and the law-generating practice of some of them who happened to be Christian or civilized” which characterized the early debates on the legal and cultural status of the *indios* in the works of Francisco de Vitoria and the Salamanca school is indeed carried over into Grotius’s discussions and still remains unresolved (156). However, after the 1648 peace of Westphalia, the main arguments in regard to this ambivalence were increasingly geared towards the specific concern about the power relation between ‘universal’ religious authority and the “sovereign quality of the ‘European’ nation-state.” Consequently “[s]overeignty became the pivotal notion,” as Fitzpatrick emphasizes, because

[i]t marked the contained independence of the nation-state, its free-standing completeness, and it was the qualification of the entry into the society of nations. The range of peoples admissible into such a society came to be more and more confined in terms of European systems of sovereign rule. From the eighteenth century, formerly acceptable civilizations mysteriously degenerated and became uncivilized. Legal systems of those once civilized lost their international character in a colonial reduction of their laws to what was local and folkish. New criteria of separation and distinction replaced the naturalism of the *ius gentium*. (157)

Reading both Waterhouse and Brooke in relation to these observations of the general objectives and motivations of Western colonialism as well as the cultural, political, and legal assumptions invested in this project, both texts appear to illustrate in rather obvious ways the specific range of typologies, categories, and binaries which explicitly informed and affirmed both the ‘contrapuntal’ anthropology—civility versus savagery—ingrained in Western colonialism and the maybe more implicit legal presumptions grounding early modern concepts of national sovereignty which emerged out of the struggle with universal claims of religious authority. Arguably then, both texts negotiate and correlate the distance or proximity between the two perspectives—the cultural and the legal—but they also do this in rather different ways. My focus will be on Brooke’s poem because my discussion does not aim at a comparison of the two texts but rather at the particular status and use of literary, and especially poetical, strategies in Brooke’s negotiation of the legal, the political, and the cultural.

At first sight Brooke’s overall argument and in particular his descriptions of the native attackers clearly appear to radicalize Waterhouse’s sentiments of revenge and the latter’s demand for swift retribution. Brooke also rather obviously aims at rationalizing as well as justifying massive retaliation against the Indian tribes as the most viable method to maintain the settlement and colonial rule. Yet in his introduction he also rather clearly distances himself and his composition from Waterhouse’s *Declaration* by emphasizing the form and genre of his own ‘relation’ of the ‘massacre.’ Thus he maintains in his dedication of his poem to the company ‘worthies’:

Though I thinke your discourse late published of Virginias disaster, be well received of the Times, and as effectual to your designed purposes; yet something more of that

1 Tragicall Subject (though in a different kinde) I tender here to your Noble Patronage and
 2 acceptance. The enducement of my labor, is in the sequell expressed; being hearty affec-
 3 tion to the Plantation; for some friends, my peculiar passion; and for the rest, a humane
 5 commiseration. Which though I have apparell'd in Verse (as an adornement best fitting
 Tragicke matter and condolement) and therein shall perhaps lay myself open to the mali-
 tious Censures of some depravers; yet if some few in your Honorable Company (best
 affected to Poesie) vouchsafe to read me with indifferencie they will ... distinguish me
 in my nature from Conditions unfeeling ... as also finde some things in my Poem worthy
 their approbation and encouragement. (Brooke A2; Johnson 271-72)

10 What is obvious is that Brooke wanted his version of the historical event to be
 read on his own terms. Moreover, he insisted that his poem was less designed to
 effectively fulfill the rhetorical and argumentative templates of the 'designed pur-
 poses' of the company than to serve a more personal and more affective agenda.
 While conceding that the Waterhouse report already responded to the 'tragick-
 all subject' of the Jamestown massacre in its particular way, Brooke nevertheless
 15 argued that his own poetical 'sequell' would be more 'fitting' to the 'Tragicke
 matter' of the incident and, above all, to the appropriate expression of the senti-
 ment of 'condolement.' Brooke was thus justifying the particular rhetorical and
 affective design of his poetical text with a demand for 'proper' form. This form is
 meant to express and, at the same time, address a particular state of 'attachment'
 20 to the idea of the Virginia Company and its 'Plantation' (i. e., the identification
 with the principal objectives and values), which Brooke calls his 'hearty affec-
 tion' to the overall institution, also including the 'peculiar passion' for personal
 friends and a basic empathetic sentiment towards others. For this kind of complex
 mixture of affective attachment, the poetical form not only offers the best mode
 25 of representation, it also will help to 'distinguish' Brooke in his 'nature' from 'con-
 ditions unfeeling.' This somewhat mysterious final argument should give us some
 pause, especially when we try to understand the concluding insistence on con-
 tinuous 'affective attachment' in relation to the preceding feeling of 'indifference'
 which Brooke very much hopes will guide his company audience when reading his
 30 poem. Asking for indifference from an audience 'best affected to poetry' seems
 counterintuitive at best and self-defeating at worst; it certainly raises more ques-
 tions than Brooke at this point is willing or able to answer.

35 What then are we to make of a poem that so clearly insists on affection as the
 essential structuring and justifying sentiment of its message and meaning, yet, at
 the same time, asks for 'indifferent' readers and their judgment in order to work
 out the essential distinction between forms of feeling and 'unfeeling' that are dis-
 tinguishing parts of someone's 'nature'? To begin with, we may safely assume that
 Brooke was making an argument about poetry as an *affective* form of argumenta-
 tion. Thus the poem's relation to other arguments about the Jamestown massacre
 40 is both competitive and complementary—as can be deduced from the specific way
 Brooke positions his poem in relation to Waterhouse's *Declaration*. What is more,
 the persuasive force of the argument is linked to an essential *form* of affective
 attachment, on the one hand, which lies 'outside' of argumentative rhetoric per
 se—to put it differently, 'condolement' is not per se argumentative and certainly
 44 is not 'disinterested.' On the other hand, the argument cannot be simply reduced
 45 to the function of 'affective' persuasion, either, and neither does Brooke want to
 46

address the poem exclusively to the victims's families who may need condolence most. Thus, Brooke's poem offers or even demands a third mode of reading, one that could combine sentiment (affection) and rationality (indifference) by bearing and negotiating the affective charge and meaning of events and actions and, at the same time, rationalizing their legal and political implications and consequences.

To understand the complex interplay between the political and legal concerns of the poem and its own formal concerns—or, even more precisely, its own awareness of form and the formative force of language—we have to look at it as a deliberate effort in combining different rhetorical genres in the form of poetry. This effort was certainly motivated by the fact that the versatility of poetic diction could transcend the functionalist constraints of the three basic genres of rhetoric as defined in classical rhetoric: the forensic, the epideictic, and the deliberative. As a trained lawyer and a legal counsel for the Virginia Company, Brooke was certainly also well versed in the public and legal modes of rhetoric. Moreover, as was the case with almost any other early modern poet, Brooke's poetical works can only be understood from the perspective of the practice and theory of rhetoric during his time. Thus, in commenting on the important function of the sermon for the politics and public rhetoric of the Virginia Company, Andrew Fitzmaurice emphasizes the different rhetorical genres and their important function for the Company's promotional efforts:

The context of forensic rhetoric is the court of law, its function is accusation and defence, and its end is justice. Epideictic, or occasional oratory, has its genesis in the funeral oration, its function are praise and blame, and its ends are virtue and fortune. The appropriate context for deliberative rhetoric is the political assembly, its function is 'either hortatory or dissuasive; for [...] those who speak in the assembly invariably either exhort or dissuade.' [...] It is this political genus of oratory which is regarded as particularly appropriate to the business of establishing a new commonwealth and to promoting the aims of the commonwealth. (31)⁸

A closer look at Brooke's poem quickly reveals that he actually combines all three rhetorical *genera*, the forensic in the accusation and condemnation of the attack, the funeral oration in the eulogy or, more specific even, the *consolatio*, in praising friends who had been killed in the attack, and in the end combining these two main modes with an exhortation and hopeful conclusion which tries to promote the further stabilization and expansion of the Jamestown settlement. But my point here is not merely that Brooke's poem must be read according to its rhetorical structure, as a deliberate composition that follows an argumentative and persuasive logic as much as it follows or realizes the affective program of the legal and political anthropology outlined above. For, as the detailed discussion of the poem's structure above has shown, the link—or convergence even—of poetic diction and rhetorical mode attempted by Brooke is meant to underline and to insist on the common foundational character of poetry and rhetoric in the 'establishment of a new commonwealth.' In this respect, Brooke's poem is deeply informed by an understanding of the essential function of poetry in establishing the possibility of civility and civil society which was most significantly formulated in George Put-

⁸ Fitzmaurice is quoting from Aristotle, *The Art of Rhetoric*, I.iii.3.

1 tenham's *The Art of English Poesie* (1589) and, as Arthur Kinney states, "became
 2 commonplace in the Renaissance" (340). In his rather influential history, Put-
 3 tenham argued that the "profession and the use of poetry is most ancient from
 the beginning, and not, as many erroneously suppose, after, but before, any civil
 5 society was among men." Puttenham's elaborate argument for the foundational
 role of poetry—allowing a "vagrant and dispersed [people]" who before had lived
 like "wild beasts, lawless and naked" to form their first "assemblies" and to lead
 "a more civil and orderly life"—eventually culminates in a threefold differentia-
 tion of the 'original cause' of poetry. The first poets, Puttenham concludes, were
 10 not only

the first law makers to the people and the first politicians, devising all expedient means
 for th'establishment of common wealth, to hold and contain the people in order and duty
 by force and virtue of good and wholesome laws, made for the preservation of the public
 peace and tranquility. [...] [T]he poets were also from the beginning the best persuaders,
 15 and their eloquence the first rhetoric of the world. (Book 1, ch. 3, 4; qtd. in Kinney 340)

However, as most of his learned contemporary readers would have probably real-
 ized quickly, Puttenham's mythical narrative of the origins of civil society was
 not his original invention but rather a variation on another narrative of origins
 which Cicero had already recounted at the outset of his *De Inventione*. Musing
 20 about the "origin of this thing we call eloquence," Cicero imagined a time, re-
 markably similar to Puttenham's, "when men wandered at large in the fields like
 animals [...] they did nothing by the guidance of reason [...] nor had they learned
 the advantages of an equitable code of law." This primordial state of affairs was
 irrevocably changed, however, when "a man—great and wise I am sure—[...] as-
 25 ssembled and gathered [men ... scattered in the fields] in accordance with a plan;
 [and] transformed them from wild savages into a kind and gentle folk" (qtd. in
 Fitzmaurice 29-30).

It appears obvious that the 'contrapuntal anthropology'—the dialectics of civil-
 ity and savagery—which informed the colonial aspirations and claims of the Eng-
 30 lish to ownership of the New World had been firmly established and well prepared
 over the long history of rhetorical education and the emergence and development
 of 'English poesie.' It is no surprise, therefore, that the Ciceronian narrative about
 the common source of eloquence and civilization also informed central works of
 the English Renaissance in rhetorics, e. g., Thomas Wilson's *Arte of Rhetorique*
 35 (1554), as well as in poetry, as Edmund Spenser's *The Fairie Queen* (1590).

In fact, as Claire McEachern has convincingly argued, this particular conver-
 gence of rhetorics and poetics around the turn of the sixteenth to the seventeenth
 century is specifically motivated by intense legal and political debates surround-
 ing nationhood, national identity and, most importantly, political authority and
 40 sovereignty. Struggling to find a firm foundation for the justification of secular
 power as well as religious authority, the debate repeatedly referred to arguments
 about societal and cultural origins whose logic easily converged with the narra-
 tives of Cicero and Puttenham. Thus the theologian Richard Hooker—an impor-
 tant influence on John Locke—argued in his *Laws of Ecclesiastical Polity* (1593)
 44 that socio-political bodies are based on historical consent: "to be commanded
 45 we do consent, when that society whereof we are part hath at any time before
 46

consented, without revoking the same after by the like universal agreement [...] *because corporations are immortal*" (Hooker 93; qtd. in McEachern 10; emphasis added). The major point, as McEachern explains, is that this consent is made possible by a form of original agreement—"they gave their common consent all to be ordered by some whom they should agree upon" (Hooker 90)—implying persuasion by words rather than external force. What makes corporations immortal, then, is exactly that they are based on a continuing (and known) history of consent that forms and continues to inform the 'corpo-reality' of that political, social, and cultural 'body.'⁹ The latter, McEachern concludes, can only be substantiated and sustained by a particular form in which the real and the imagined expression of "aptness" or agreement can be merged (11). To imagine, in the sense of Benedict Anderson, a community of consent, there has to be a concept or metaphor which could be "[i]maged [...] as the most expressive of the character of its people: what characterizes the nation is not its formal institutional properties, but rather the notion of this expressiveness" (McEachern 11).

In Brooke's poem about the 1622 massacre this notion of expressive 'aptness' is heavily invested in the metaphor of the physical body; more specifically, the poem's argumentative logic and its affective 'expressiveness' are both focused on a process of physical and psychological destruction and reconstruction that attempts to combine and at the same time to counter horrific and affective images of bodily dismemberment with generic rhetorical modes of 'rememberment,' i. e., modes of rhetorical reconstruction and re-empowerment surrounding the notion of 'ressurrection' and 'rebirth.' This centrality of the body and bodily discourse in Brooke's poem is not surprising since, as Robert St. George has acutely observed, "the body served as a pivotal metaphor of the English nation state," especially in its particular reference to the 'corporate' organization of society:

The consolidation of a corporate mythology at the imperial center was necessary to sustain administrative coherence and ideological consent in pursuit of 'natural' resources, a labor supply, the conversion of native peoples, and marketable commodities in overseas colonial possessions. [...] A pivotal elaboration of bodily metaphors, however, came in the late sixteenth and seventeenth centuries, as England's imperial expansion overseas occurred alongside a dramatic intensification of domestic inequality, social alienation, and political unrest that accompanied the uneven cultural impact of commercial capitalism. (150-51)

From this perspective, Brooke's poem can be read as a reconstructive constellation of the legal, rhetorical, and poetical 'corpo-reality' of colonial subjectivity, in an attempt at reinvigorating the fragile and vulnerable 'body' of the corporation. At the same time, this reconstruction relies on the irreconcilable (i. e., ontological) difference between the body of civility and the monstrous corpo-reality of the savage body; the former can only exist by negating the latter.

⁹ See McEachern's discussion in the first chapter (5-15).

4. Violent Forms: The Poetics of Dispossession

Brooke's poem is clearly characterized both by an implicit consciousness of and an explicit attention to form and questions of forming, formation, and generating (i.e., creating) forms. Already the initial announcement to complement Waterhouse's report with his own account is motivated by the strong sense of formal requirements, especially the appropriateness of form ('Verse') in relation to content ('that Tragicall subject'). This awareness of form is then transferred to and invested in the poem itself, most obviously and most generally, as I have argued, in regard to the body—in the forms of various complementary but also contrasting and even antagonistic 'bodies.' On the one hand this concern for bodies and their various forms reaches beyond the immediate occasion of the poem and can be read in relation to a deep-seated ambivalence and anxiety in early modern society about the instability of forms, especially in relation to social and political hierarchies, which were anchored in and expressed through the physical bodies of social actors. This anxiety clearly resonated with notions of civility as the capacity for formal control and command versus savagery as the collapse or destruction of forms. The question whether native societies could indeed be incorporated into a new commonwealth thus had to take into account the expressive forms of civility that could or could not be found in these societies. Hence, as Karen Kupperman has observed, early modern English observers of native American cultures tried to

answer questions that were uppermost in many minds at home: were gender and status distinctions primary, timeless, and inherent? did these categories, as commentators on English life asserted, represent the natural order of things? An affirmative answer would help to settle debates about social control in England and support those who favored rigidly enforced markers. [...] A positive report would mean that a relationship of mutual benefit and understanding could be achieved quickly and easily in America. ("Presentment" 196-97)

More recently, Robert St. George has emphasized in similar ways that "[g]iven the fondness of the English middle class for judging an individual's level of moral improvement on the basis of public self-control and symbolic enclosure exerted upon the body, the Native Americans' conduct came under particularly close inspection" (158). In obvious ways, these early modern perceptions of the native 'other' were as much informed by lived social and cultural conventions as they were by deeper psychological fears about one's own inner 'wildness.' When "early reporters agreed that the bodies of Native Americans were deformed, prone to violent and contortive gestures," St. George writes, these perceptions were "filtered through a long history of monstrosity within European popular culture, including the fascination with tales of the sexual perversion and utopian freedom of wild men and wild women." Native peoples thus "filled a role for the objectified Other that somehow dwelled already within the reviled, suppressed selves of English colonists" (158).¹⁰

¹⁰ This observation seems to run counter to the numerous examples in Kupperman's discussion where English observers praised the excellent constitution and civil comportment of the natives they encountered. Again this is partly due to the strategic aims and motivations of

Even though these debates and discourses are not explicitly referred to or reflected in Brooke's poem, it is obvious that especially his vindictive classifications of the native attackers in contrast to the idealized descriptions of the victims resonate strongly with established images of the 'monstrous' and 'deformed' forms of savage bodies. Brooke's text may thus appear excessively 'racist,' but his racism was by no means unprecedented or unfamiliar—as a comparison with Waterhouse's earlier one makes obvious. Both texts may be read to focus in similar ways on a radically racialized image of the native tribes not only in order to make retaliation appear justified and even desirable, but moreover to justify absolute sovereignty and possession of American territories. But even more radically than Waterhouse, Brooke extends his rhetoric of dispossession far beyond the legal and / or moral justification of appropriative colonizing. In fact, what the poem argues for and realizes is an act of formal expropriation or dispossession that is complete because it is both foundational and ontological. This becomes most effective where the political, legal, and poetical concerns for bodies and forms converge: more precisely, where the concern for perfect bodies and appropriate forms is not just about the conservation of historic memory or the stabilization of present conventions of representation and meaning but rather about the generative potential of forms and bodies, i. e., both their creative force and their teleological propensities. In a very disturbing but also consequential way, Brooke's poem is about the scope, the limits, and the purpose of creation, especially in regard to the creation of appropriate linguistic forms—both in law and in literature.

Commenting on Brooke's infamous list of savage properties, Evans points out that "Brooke expels the natives from various categories of privilege: humanity, animality, Godliness, Nature and biblical history. Perhaps most notable," Evans continues, "is Brooke's repeated exclusion of the natives from language itself" (173). Neither are the natives themselves 'marked' or 'authorized' by God, nor are they partaking in the most foundational instrument of creation, since they were not even "mention'd with those creatures, *Adam* gave names to" in Paradise. As Evans explains, "[b]y chosing to specify that they were not among those beasts who received names from Adam, [...] Brooke emphasizes a linguistic failure: the Powhatan never participated in prelapsarian nomenclature, in which name corresponded perfectly to essence" (174). In other words, since there was no name—the appropriate form for an essence—the Natives did not exist among the original creation. Moreover, since they were not named and did not exist before the fall, there is no 'fitting' form for their existence and neither can they engender a form for themselves. What they indeed engender is the opposite of harmonious 'bodies' of balanced meaning and form. It's the breakdown of order and uniformity: the government of chance, ignorance, mischief, uncontrolled will, indeed, the reign of chaos, as Brooke describes it at the outset. The most

the specific reports, but also partly due to the fact that the different perception also reflected cultural and class differences (cf. "Presentment"). Moreover, as Kupperman and a host of other writers (e. g., Oberg, Sheeman) have maintained for quite some time, ambivalent even antagonistic perceptions and descriptions can be found even in the very same sources, the image itself was never a homogenous one to begin with. See also Chaplin "English discourses on nature and the human body were fundamental to their imperial project. The proof was in the body" (233).

1 troubling and, indeed, most terrifying aspect of this non-essence is that it procre-
 2 ates in alarming fashion, it springs up spontaneously, it spawns, it bastardizes.
 3 Moreover, it attacks existing forms from within, i. e., this non-essence unfolds its
 most dangerous effect when it is being incorporated into the civic body—which
 5 means the existence of the natives is the very negation of the ontological condi-
 tions of the body of the commonwealth. They cannot exist together because one
 is the negative of the other.

For Brooke, the Jamestown massacre marks a momentous disturbance of the
 natural order and questions the future continuation of an American common-
 10 wealth, and there is little doubt that this disturbance can only be overcome and
 order and uniformity can only be restored from chaos by the foundational lin-
 guistic capacity of law and poetry. The creation and recreation of ‘apt’ forms (in
 the sense of Hooker) which can again reconcile the self-image and self-perception
 of the civic body with its agreed original principles of consent is achieved by re-
 15 constructing the corporeality of colonial citizens based on the example of memo-
 rized, ideal, and virtuous bodies. At the same time, this foundational capacity of
 form is in turn used to radically de-ontologize the native ‘Other’ and to realize its
 proclaimed nonexistence through acts of formal violence. The poem’s own prop-
 20 erties—its self-conscious use of poetic forms—thus attain the distinct aspect of
 a foundational ‘code’ that is both legal and poetical at the same time; in fact, if
 Brooke’s poem tries to reconstruct and reestablish a natural order which had been
 attacked and shattered by the massacre, the first ‘apt’ expression of that order is
 the poem itself, neither just law, nor just poetry, but both.

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