Revenge as *Revenant*:

Titus Andronicus and the Rule of Law

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Although it put Shakespeare on the map in the 1590s, subsequent critics have found *The Most Lamentable Romaine Tragedie of Titus Andronicus*[1] "lamentable" in more ways than one. T.S. Eliot called it "one of the stupidest and most uninspired plays ever written."[2] Others have argued that the play was not written by Shakespeare, that Shakespeare "touched up" another playwright's work, or that Shakespeare penned it when he was young and needed the money.[3] While most critics now admit Shakespeare composed it, *Titus* remains the "black sheep" of the Bard's canon.[4]

Critics take aim at the play's lurid violence. Over its course, the Goth prince Alarbus is sacrificed to the gods, the Roman general Titus's son Mutius is stabbed to death, the Roman prince Bassianus is murdered, Titus's daughter Lavinia is raped and mutilated, Titus's sons Quintus and Martius are decapitated, the Goths Demetrius and Chiron are murdered and their heads are baked into a pie, their mother Tamora is served the pie before being killed, Lavinia is killed, Titus is killed, the Roman emperor Saturninus is killed, and the Goth Aaron is buried alive. This play is Shakespeare's ultimate exploration of violence—religious violence, domestic violence, political violence, sexual violence, punitive violence.

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1. WILLIAM SHAKESPEARE, THE MOST LAMENTABLE ROMAINE TRAGEDIE OF TITUS ANDRONICUS, (Jonathan Bate ed., Arden Shakespeare 2006) (1594) [hereinafter SHAKESPEARE, TITUS].

2. T.S. ELIOT, "Seneca in Elizabethan Translation," *in* SELECTED ESSAYS 51, 67 (1964) (1932).

3. Philip C. Kolin, Titus Andronicus *and the Critical Legacy*, *in* TITUS ANDRONICUS: CRITICAL ESSAYS 3, 3-4 (Philip C. Kolin ed., 1995).

4. *Id.* at 3; *see, e.g.*, HAROLD BLOOM, SHAKESPEARE: THE INVENTION OF THE HUMAN 86 (1998) ("Shakespeare, alas, undoubtedly wrote it.").

When Peter Brook directed this play, he had an ambulance waiting to shuttle audience members to the hospital.[5] Sir Laurence Olivier, who played Titus, said at least three audience members fainted every evening.[6]

For an allegedly unplayable work, *Titus* riveted Renaissance and Restoration audiences. In 1594, *Titus* was a blockbuster success, and "perhaps did more than any other play to establish its author's reputation as a dramatist."[7] It was adapted in other languages, with Jan Vos's 1637-38 translation into Dutch running through twenty-eight editions by 1726.[8] Edward Ravenscroft revived the play with a long-lived version after the London Theater reopened in 1660.[9]

Critics explain the gap between the play's commercial and critical success by pointing out that *Titus* played to the popular taste for blood and guts, just as public executions and bear-baiting did. Coleridge writes that *Titus* was "obviously intended to excite vulgar audiences by its scenes of blood and horror."[10] That view of *Titus* rose to the fore in the nineteenth century, when *Titus* was either not performed or aggressively Bowdlerized.[11] The rape of Lavinia, for instance, was deemed "literally unstageable."[12]

Recent decades have seen a revival of interest in the original, unexpurgated play. And every time a major production has been staged, it has been a runaway hit. As Jonathan Bate states: "Peter Brook's production with Laurence Olivier as Titus was one of the great theatrical experiences of the 1950s and Deborah Warner's with Brian Cox was the most highly acclaimed Shakespearean production of the 1980s."[13] We need not take Bate's word for it. Describing the Brook production,[14] *The Times* reported: "It seems to be the general view of the scholars from a dozen countries who gather here to-day for the Shakespeare conference that *Titus Andronicus* is the top of the Memorial Company's performances this season."[15] The *Guardian* called the production "magnificent," lauding Brook for having "produced the play with dazzling simplicity out of a

5. Jonathan Bate, *Introduction, in* SHAKESPEARE, THE MOST LAMENTABLE ROMAINE TRAGEDIE OF TITUS ANDRONICUS 5 (Jonathan Bate ed., 2006) (1594).

6. *Id.* at 6.

7. *Id.* at 1.

8. *Id.* at 48.

9. *Id.* at 48-49.

10. SAMUEL TAYLOR COLERIDGE, LECTURES AND NOTES ON SHAKESPERE AND OTHER ENGLISH POETS 9 (T. Ashe ed., 1883).

11. Bate, *supra* note 5, at 58.

12. *Id.* at 59.

13. *Id.* at 1.

14. *A Famous Horror Play: First Stratford Production of* Titus Andronicus, THE TIMES (London), Aug. 17, 1995, at 6.

15. *Titus Andronicus: The Metamorphosis of Violence*, THE TIMES (London), Sept. 10, 1955, at 8.

terrifying tawny darkness."[16] For her production, Deborah Warner garnered the Olivier and the *Evening Standard* awards for Best Director.[17] Reviewing a state-side performance, the *New York Times* praised her "brilliant staging" for restoring "the full power of the tragedy."[18] More recently, Julie Taymor's film *Titus*[19] with Anthony Hopkins in the lead role, has earned critical acclaim.[20] The number of scholarly works on the play has risen steadily in recent decades.[21]

Our opinion of *Titus*, then, tends more toward the Elizabethan than the Victorian. The same could be said of our view of the genre to which the play belongs. It would not be hyperbolic to say that the revenge tragedy was the dominant form of tragic drama in the Elizabethan period.[22] It would also not be hyperbolic to say that the revenge tragedy is a dominant form of tragic drama today. Focusing solely on the last decade of film, even a moment's reflection will produce the endless *Batman* franchise,[23] *The Brave One*,[24] *Hard Candy*,[25] *Kill Bill*,[26] *The Last House on the Left*,[27]

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16. Philip Hope-Wallace, *Murderous Horror out of a Tawny Darkness*, GUARDIAN (London), 17 Aug. 1955, at 34.

17. Kate Kellaway, *The Mother of All Tragedies*, THE OBSERVER (London), Jan. 21, 2001, at 5.

18. Wilborn Hampton, *The Changing Fortunes of* Titus Andronicus, N.Y. TIMES, June 1, 1988 at C18.

19. TITUS (20th Century Fox 1999).

20. *See, e.g.*, Stephen Holden, Film Review, *It's A Sort of Family Dinner, Your Majesty*, N.Y. TIMES, Dec. 24, 1999, at E19 (designating the film a critic's pick); Mick LaSalle, *Taymor's* Titus *Twisted and Terrific*, S.F. CHRONICLE, Jan. 28, 2000, at C1 ("In 'Titus,' director Julie Taymor has created a film that is as vulgar, obvious and glorious as the Shakespeare play it's based on.").

21. *See, e.g.*, ALAN C. DESSEN, TITUS ANDRONICUS (1989); Pascale Aebischer, *Women Filming Rape in Shakespeare's* Titus Andronicus*: Jane Howell and Julie Taymor*. 55 ETUDES ANGLAISES 136 (2002); Joel G. Fink *The Conceptualization and Realization of Violence in* Titus Andronicus, 12 ON-STAGE STUDIES 1 (1989); Louise Noble, *'And Make Two Pasties of Your Shameful Heads': Medicinal Cannibalism and Healing the Body Politic in* Titus Andronicus, 70 ELH 677 (2003); Katherine A. Rowe, *Dismembering and Forgetting in* Titus Andronicus, 45 SHAKESPEARE Q. 279 (1994); David Willbern, *Rape and Revenge in* Titus Andronicus, 8 ENG. LITERARY RENAISSANCE 159 (2004); Deborah Willis, *'The Gnawing Vulture': Revenge, Trauma Theory, and* Titus Andronicus, 53 SHAKESPEARE Q. 21 (2002). Deborah Willis observes: "Although the reputation of *Titus Andronicus* has been steadily improving since the post-World War II period, the number of articles and books on the play has increased most dramatically in the past 20 years." *Id.* at 21 n.1.

22. *See* FREDSON THAYER BOWERS, ELIZABETHAN REVENGE TRAGEDY 1587-1642 63-64 (1959) (arguing that while revenge tragedy is generally conceived to be a subdivision of the Elizabethan tragedy, it is more apt to characterize revenge tragedy as the dramatic motivation undergirding much of that genre).

23. *See, e.g.*, BATMAN (Warner Bros. 1989); BATMAN AND ROBIN (Warner Bros. 1997); BATMAN BEGINS (Warner Bros. 2005); BATMAN FOREVER (Warner Bros. 1995); BATMAN RETURNS (Warner Bros. 1992); THE DARK KNIGHT (Warner Bros. 2008). The character of Batman originally appeared in DC Comics in 1939. After witnessing the murder of his parents as a young child, Bruce Wayne becomes a masked vigilante against the criminal underworld of Gotham City.

24. THE BRAVE ONE (Redemption Pictures 2007) (female radio host becomes a vigilante killer on the streets of New York after she and her husband are brutally attacked by a gang of thugs).

25. HARD CANDY (Vulcan Prods. 2006) (14-year-old girl exacts vengeance on a pedophile who attempts to seduce her online).

26. KILL BILL: VOL. 1 (Miramax 2003); KILL BILL: VOL. 2 (Miramax 2004) (former assassin who was gunned down at her wedding by members of her own squad wakes from a coma and begins to systematically execute the members of the squad who betrayed her).

Man on Fire,[28] *Memento*,[29] *Oldboy*,[30] *The Punisher*,[31] *Sin City*,[32] *Sympathy for Lady Vengeance*,[33] and *V for Vendetta*.[34]

The return of *Titus* and the revenge genre to which it belongs requires explanation. We might crib Coleridge's criticism that audiences today love violence and vulgarity. But that refines the question rather than answering it. Why do graphic representations of violence capture us today more than they captured our great-grandparents?

I believe our view of revenge tragedies hews so closely to the Elizabethan one because our times are more like Elizabethan times along a crucial dimension: the sense of the fragility of the rule of law. The beginning of a fully globalized society without an overarching government means injuries will routinely occur without any legal remedy. Enhanced weapons and information technology have created a climate where a revenge cycle need not "cycle" far to have catastrophic consequences.

For this reason, we distance ourselves from Shakespeare's first tragedy at our risk. *Titus* is not immature. It is inaugural. It depicts the threat of endless private vengeance that calls the law into being. Without understanding that threat, we cannot understand the origins of law—in Shakespeare's world or our own.

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Titus stages an Elizabethan anxiety about how quickly private vengeance can spin out of control if the law does not contain it. Revenge never just evens the odds, but leads to retaliation. That retaliation triggers counter-retaliation. The escalating tit-for-tat dynamic soon becomes a full-fledged "blood feud" between the clans to which the perpetrator and the victim belong. In the play, the original sacrifice of Alarbus, the Goth

27. THE LAST HOUSE ON THE LEFT (Rogue Pictures 2009) (remake of Wes Craven's film of the same title, THE LAST HOUSE ON THE LEFT (MGM 1972), in which a mother and father execute a gruesome plot to punish the gang that assaulted their daughters).

28. MAN ON FIRE (Fox 2000 Pictures 2004) (ex-CIA bodyguard seeks out and destroys a Mexican gang that kidnapped the girl he was hired to protect).

29. MEMENTO (Summit Entm't 2000) (man suffering from amnesia pursues and murders the man who killed his wife, only to forget that he accomplished his goal and begin the hunt anew).

30. OLDBOY (Show East 2003) (man is held hostage for fifteen years in a hotel room without explanation, then given five days to find and kill his captors).

31. THE PUNISHER (Lions Gate Entm't 2004) (ex-FBI agent avenges the deaths of his wife and family, who were killed by an enraged former FBI target).

32. SIN CITY (Dimension Films 2005) (man hunts down the men who killed a woman with whom he had a one-night stand).

33. SYMPATHY FOR LADY VENGEANCE (CJ Entm't 2005) (after thirteen years in prison for a murder she did not commit, a young mother is released and summarily hunts down the actual perpetrator of the crime).

34. V FOR VENDETTA (Warner Bros. 2005) (masked man who suffered imprisonment by a futuristic, fascist British state carries out a violent vigilante campaign against the government).

prince, by Titus, the Roman general, begins a cycle of violence that ultimately engulfs all Goths and Romans.

Shakespeare's contemporaries were ambivalent about private vengeance. On the one hand, they lived in a society without an effective police force or standing army.[35] "Wild justice," as Sir Francis Bacon called revenge in a famous essay, would often be the only kind available.[36] The early moderns also viewed the revenge instinct to be natural, as evidenced by its presence in every society of which they were aware. The Old Testament *lex talionis* (literally "law of retaliation") permitted, and perhaps required, such vengeance: "If any harm follows, then you shall give life for life, eye for eye, tooth for tooth, hand for hand."[37]

On the other hand, Elizabethans were understandably concerned by how individual quarrels could spiral into blood feuds. The literary scholar Fredson Bowers writes that "private quarrels between two or three persons not infrequently spread to whole families and ended in great hurt and bloodshed."[38] This escalation was particularly common among noble families, who held their honor dear: James I described "factions and deadly feuds" as "the motives of greate mischief in greate families."[39]

The "deadly feuds" were sufficiently numerous that one can provide instances without straying far (if at all) from the historical Shakespeare. One Shakespeare biographer believes the feud between the Montagues and the Capulets in *Romeo and Juliet* may have been based on the feud between the Longs and the Danverses.[40] The Long-Danvers feud, which dated back to the War of the Roses but had for some time subsided, reignited in 1594 when Sir John Danvers, a magistrate, convicted a servant of Sir Walter Long of robbery.[41] After Sir Walter rescued the servant, Sir John put the master himself in Fleet Prison.[42] Upon Sir Walter's release, a series of brawls erupted.[43] Sir Walter's brother Henry wrote abusive letters to Sir John's son Charles, informing him that "wheresoever he mett him he would untie his pointes and whippe his etc. with a rodd, calling him asse, puppie, foole & boye."[44] Charles Danvers and his brother then

35. A.D. NUTTALL, SHAKESPEARE THE THINKER 44 (2007).

36. SIR FRANCIS BACON, *Of Revenge*, *in* THE ESSAYS OR COUNSELS MORAL AND CIVIL 10, 10 (Oxford Univ. Press 1999) (1625).

37. *Exodus*: 21: 23-25.

38. BOWERS, *supra* note 22, at 23.

39. *Id.*

40. WILLIAM HOLDEN, WILLIAM SHAKESPEARE: THE MAN BEHIND THE GENIUS 139-40 (2000).

41. *Id.* at 139-40.

42. *Id.* at 140.

43. *Id.*

44. LAWRENCE STONE, THE CRISIS OF THE ARISTOCRACY 1558-1641, at 224 (1965).

attacked Henry and Walter Long as they dined in an inn.[45] Charles attacked Henry with a truncheon; Henry retaliated with his sword. Charles's brother then drew his pistol and shot Henry dead.[46] There was no legal repercussion—through the good offices of the Earl of Southampton, the Danver brothers were ushered out of the country. Southampton, of course, is widely believed to be the young gentleman to whom many of the Sonnets were addressed.[47]

If Southampton represented one degree of separation between the author of *Titus* and an actual blood feud, the Oxford-Knyvett feud may have further closed the gap. The feud involved the Earl of Oxford, who is perhaps the leading alternative candidate to be the author of the plays.[48] In 1580, Anne Vavasour gave birth to the Earl's illegitimate son.[49] As a consequence, Oxford began feuding with Anne's patron, Thomas Knyvett, a Gentleman of the Privy Chamber.[50] In March, the two men dueled. Both principals sustained injuries and one of Oxford's men died.[51] A few months later, several of Knyvett's men wounded two of the Earl's in Lambeth Marsh. While disembarking at Blackfriars stairs, Knyvett escaped an assassination attempt.[52]

To prevent such feuds, Christian moralists in early modern England urged people to transcend vengeful impulses. Writing in 1609, Daniel Tuvil proclaimed: "Ierusalem is new erected; among her Citizens there is now no thirsting for reuenge. The law of retribution is disnuld amongst them. . . . An eie no longer for an eie: a tooth no longer for a tooth."[53] As Tuvil's reference to the new Jerusalem suggests, the Old Testament *lex talionis* gave way to New Testament mercy. The passage in *Exodus* ceded

45. HOLDEN, *supra* note 40, at 140.

46. *Id.*

47. John Kerrigan, *Shakespeare's Poems*, *in* THE CAMBRIDGE COMPANION TO SHAKESPEARE 65, 73 (Margreta De Grazia & Stanley W. Wells eds., 2001) ("The attractive and literate Earl of Southampton, who was nineteen when *Venus and Adonis* was published, seems a likely model for the Adonis-like youth who is encouraged to marry in the opening group of poems, and who is usually taken to be the addressee of the entire run of one hundred and twenty-six sonnets which precede the set of twenty-eight more or less focused on a dark-complexioned, black-haired woman.").

48. JONATHAN BATE, THE GENIUS OF SHAKESPEARE 88 (2004) ("As soon as [Sir Francis] Bacon had been laid to rest, up rose the Earl of Oxford, courtesy of J. Thomas Looney and his followers, and another generation of latter-day Malones had to undertake the painstaking work of refutation."). For a typical piece advocating that the Earl of Oxford was the author of the plays, see Richard F. Whalen, *Preface*, *in* RICHARD F. WHALEN, SHAKESPEARE – WHO WAS HE?: THE OXFORD CHALLENGE TO THE BARD OF AVON xv (1994) ("[In the twentieth century] Oxford, however, has eclipsed all other candidates. . . ."). The Oxford camp is gaining popularity amongst the Justices of the United States Supreme Court. *See* Jess Bravin, *Justice Stevens Renders an Opinion on Who Wrote Shakespeare's Plays: It Wasn't the Bard of Avon, He Says; 'Evidence is Beyond a Reasonable Doubt,'* WALL STREET J., Apr. 18 2009, at A1.

49. STONE, *supra* note 44, at 232.

50. *Id.*

51. *Id.*

52. *Id.*

53. *Id.* at 13.

to one in *Romans*: "Beloved, never avenge yourselves, but leave room for the wrath of God; for it is written, 'Vengeance is mine, I will repay, says the Lord.'"[54] Human beings were meant to stay their hands because God would avenge their wrongs. For Catholics and Protestants alike "in the God-fearing Elizabethan age, [religion] exercised a force second to none in the constant war against the private lawlessness of the times."[55]

The catch was that God's punishment, while certain, was often slow. Lest individuals tire of waiting, retribution was also permitted to God's agents on earth, including the sovereign and—critically—the courts of law. The Statute of Marlbridge[56] secured the same power for the courts as the New Testament secured for God. The statute ordains that "none from henceforth shall take any such revenge or distress of his own authority without award of our Court."[57] This was seen less as an alternative to divine authority than a delegation of it. As Susan Jacoby writes: "The moral hierarchy was clear: God's just revenge (sometimes too slow to suit human beings but always certain); public revenge permitted to God's authorized representatives on earth (whether embodied in capital punishment, torture, or a 'just war'); private revenge forbidden to kings and commoners alike."[58]

Delegating divine retribution to legal agents, however, was an imperfect solution, as the law itself could fail to provide adequate redress. In such situations, injured parties were pressed back to the original dilemma of whether to turn the other cheek or take justice into their own hands. *Titus* is representative of Elizabethan revenge tragedy in depicting wild justice as the natural choice, but a choice that necessarily dooms the revenger and his society.

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Titus begins with the Roman general Titus Andronicus returning in triumph from his war against the Goths. During his ten-year campaign, he has lost all but four of his twenty-five sons. Yet he has now won a final victory, as evidenced by his prisoners—Tamora (the Queen of the Goths), her three sons, and the Moor Aaron, who is Tamora's servant and, we later learn, her lover.

As Titus inters his dead sons in the family tomb, he is reminded by his eldest surviving son Lucius to make a human sacrifice:

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54. *Romans* 12: 19-20.
55. BOWERS, *supra* note 22, at 12.
56. 52 Hen. 3, c.6 (1257) (Eng.).
57. *Id.* at 52 Hen. 3, c.1 (1257).
58. SUSAN JACOBY, WILD JUSTICE: THE EVOLUTION OF REVENGE 35 (1983).

Give us the proudest prisoner of the Goths,
That we may hew his limbs and on a pile
Ad manes fratrum sacrifice his flesh
Before this earthly prison of their bones,
That so the shadows be not unappeased,
Nor we disturbed with prodigies on earth.[59]

The sacrifice is being offered "*ad manes fratrum*"—"to the shades of our brothers"—to keep them from disturbing the Romans with "prodigies," or supernatural calamities.[60]

Titus accordingly offers up Prince Alarbus, the highest-born Goth male among the prisoners of war. Tamora kneels and begs for her son's life:

Stay, Roman brethren, gracious conqueror,
Victorious Titus, rue the tears I shed,
A mother's tears in passion for her son!
And if thy sons were ever dear to thee,
O, think my son to be as dear to me.
Sufficeth not that we are brought to Rome
To beautify thy triumphs and return
Captive to thee and to thy Roman yoke?
But must my sons be slaughtered in the streets
For valiant doings in their country's cause?
O, if to fight for king and commonweal
Were piety in thine, it is in these.
Andronicus, stain not thy tomb with blood.[61]

Tamora's plea, like so many pleas for justice, rests on symmetry. She first appeals to Titus as a parent. The syntax and meaning of the only lines with end-rhymes—"And if thy sons were ever dear to thee, / O, think my son to be as dear to me"—shore up the rhyme between "thee" and "me," underscoring Tamora and Titus's common status.[62] Tamora then extends the similarity to argue that the principle of commensurability has been satisfied. Romans and Goths alike died on the battlefield, fighting with "piety" for their respective countries. To kill more Goths after they have been taken as prisoners of war from that field is savage excess.

Titus sees the balance differently. In his view, the Roman dead cry out for retribution:

Patient yourself, madam, and pardon me.
These are their brethren whom your Goths beheld
Alive and dead, and for their brethren slain,
Religiously they ask a sacrifice.

59. SHAKESPEARE, TITUS, *supra* note 1, act 1, sc. 1, ll. 99-104.
60. *Id.* act 1, sc. 1, ll 101-104.
61. *Id.* act 1, sc. 1, ll. 107-24.
62. *Id.* act 1, sc. 1, ll. 110-111.

To this your son is marked, and die he must,
T'appease their groaning shadows that are gone.[63]

Titus is not meant to have our sympathies here. Historical Rome abhorred human sacrifice.[64] Renaissance audiences would also have rejected religion as a justification for blood vengeance. As Tamora recognizes, his is a "cruel, irreligious piety."[65] Tamora's son Chiron adds, "Was never Scythia half so barbarous,"[66] underscoring that it is not the Goths nor the Scythians (whom Herodotus casts as the paradigm barbarians),[67] but the Romans themselves who merit the designation. The question of who is "barbarous" and who is "civilized" haunts this play.

Indeed, the line between the "civilized" Romans and the "barbarous" Goths is immediately blurred when the new Roman emperor Saturninus decides to take Tamora as his wife. The turning of tables that marks so many of the plays—where the humble are exalted and vice versa—occurs in the first Act of this one. A woman with grown sons, Tamora is more like a mother than a wife to the petulant emperor, promising to be "[a] loving nurse, a mother to his youth."[68] From that position, she vows revenge on the Andronici:

I'll find a day to massacre them all,
And raze their faction and their family,
The cruel father and his traitorous sons
To whom I sued for my dear son's life,
And make them know what 'tis to let a queen
Kneel in the streets and beg for grace in vain.[69]

In just one scene, Tamora acquires motive and opportunity to avenge herself on Titus. And so the cycle begins.

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Tamora's retribution will grossly exceed the harm done to her. For the

63. *Id.* act 1, sc. 1, ll. 124-29.

64. *See* LIVY, HANNIBAL'S WAR: BOOKS TWENTY-ONE TO THIRTY 126 (J.C. Yardley & Dexter Hoyos trans., 2006) (referring to human sacrifice as a "very un-Roman practice."). *See also* EDWARD GIBBON, THE DECLINE AND FALL OF THE ROMAN EMPIRE 113 n.75 (1983) ("[T]he genuine Romans abhorred the human sacrifices of Gaul and Germany.").

65. SHAKESPEARE, TITUS, *supra* note 1, act 1, sc. 1, l. 133.

66. *Id.* act 1, sc. 1, l. 134.

67. HERODOTUS, THE HISTORIES (G.C. Macaulay trans., revised throughout by Donald Lateiner) (Barnes and Noble Classics 2004) (n.d.). Herodotus describes the Scythian penchant for sacrificing enemy troops: "They sacrifice one man in every hundred of all the enemies whom they take captive in war, not as they sacrifice cattle, but in a different manner. They first pour wine over their heads, and after that they cut the throats of the men, so that the blood runs into a bowl; [and then] they cut off all the right arms of the slaughtered men with the hands and throw them up in the air . . . ." *Id.* at 216.

68. SHAKESPEARE, TITUS, *supra* note 1, act 1, sc. 1, l. 337.

69. *Id.* act 1, sc. 1, ll. 455-60.

death of her son at the hands of the Andronici, she seeks to "raze their faction and their family."[70] Even the *lex talionis*—the Old Testament rule of "an eye for an eye"—would prohibit such escalation. Though often invoked to permit revenge, the rule also limits it.[71] If someone takes out my eye, I am entitled to their eye, but no more. Perhaps if Titus had listened to her argument about commensurability and spared Alarbus's life, Tamora would still adhere to that principle. But now she explicitly forswears it.

Tamora's escalation is not just quantitative, but qualitative. *Titus* does not owe its special horror to its body count. Many of the tragedies—notably *Hamlet* and *Lear*—strew corpses across the stage. *Titus* inspires revulsion because of *how* vengeance is written on the body. Aaron, the puppetmaster of the Goths, exults—as do his puppets—in inflicting punishments worse than death.

Our knowledge of Aaron's plot begins when he finds Tamora's remaining sons Chiron and Demetrius vying over Titus's daughter Lavinia. He tells them they need not quarrel, as they can both rape their "dainty doe" during the royal hunt the next day.[72] The brothers eagerly agree to this plan. In fact, Aaron has cast a broader net: he also seeks to have Lavinia's husband Bassianus murdered and to frame Titus's sons, Quintus and Martius, for that crime.

On the day of the hunt, Lavinia and Bassianus happen on Tamora in a lonely part of the woods. Tamora's sons, Demetrius and Chiron, ambush the young couple there, kill Bassianus and then threaten Lavinia with rape. Lavinia asks Tamora for empathy, just as Tamora asked Titus for it. She draws on two kinds of solidarity. First, she appeals to Tamora as a woman: "O Tamora, thou bearest a woman's face."[73] Even as a supplicant, Lavinia cannot hide her contempt—she appeals to the empress as a woman facsimile rather than as a woman. When this proves unavailing, Lavinia reminds Tamora that she too was recently a captive: "O let me teach thee for my father's sake, / That gave thee life when well he might have slain thee. / Be not obdurate, open thy deaf ears."[74] Lavinia could not have found a more dangerous talking point. Tamora responds:

> Even for his sake am I pitiless.
> Remember, boys, I poured forth tears in vain
> To save your brother from the sacrifice,

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70. *Id.* act 1, sc. 1, l. 456.

71. *See* Morris J. Fish, *An Eye for an Eye: Proportionality as a Moral Principle of Punishment*, 28 OXFORD J. OF LEGAL STUD. 57, 61 (2008). Fish, who is a Justice on the Canadian Supreme Court, maintains that the *lex talionis* under the Mosaic Code is best understood as a principle of restraint.

72. SHAKESPEARE, TITUS, *supra* note 1, act 1, sc. 1, l. 617.

73. *Id.* act 2, sc. 2, l. 136.

74. *Id.* act 2, sc. 2, ll. 158-60.

But fierce Andronicus would not relent.
Therefore away with her and use her as you will:
The worse to her, the better loved of me.[75]

Not surprisingly, Tamora remembers Titus's cruelty to her son more than his mercy to her. For the death of her child, Tamora will require the death—or worse—of his.

Hearing this, Lavinia abandons hope of life: "O Tamora, be called a gentle queen, / And with thine own hands kill me in this place."[76] The idea that chastity is worth more than life will recur in *Measure for Measure*, with Isabella's chilling "More than our brother is our chastity."[77] Lavinia subscribes to that worldview: "'Tis present death I beg, and one thing more / That womanhood denies my tongue to tell. / O, keep me from their worse-than-killing lust."[78] But Tamora refuses: "so should I rob my sweet sons of their fee. / No, let them satisfy their lust on thee."[79]

Lavinia's rape occurs off stage. The action cuts away to Titus's sons Quintus and Martius, who have been led by Aaron to the pit where he has stashed Bassianus's body. As in many horror films, dread is created indirectly. Martius falls into the pit. Quintus describes it: "What subtle hole is this, / Whose mouth is covered with rude-growing briers / Upon whose leaves are drops of new-shed blood?"[80] As Marjorie Garber points out, we need not be Freudians to decode this image of female sexuality.[81] Even before Martius finds Bassianus's body, we know Lavinia has been raped.

The hapless brothers are no match for Aaron. Trying to yank Martius out of the pit, Quintus gets yanked into it. They are discovered by the emperor Saturninus, who has been conducted there by Aaron. Directly after Saturninus learns of his brother Bassianus's death, Titus, Tamora, and Lucius enter. Tamora bears Aaron's letter, which describes the pit and an elder tree under which the reward for the murder (which Aaron has planted) is buried. Aaron "finds" the gold. That is all Saturninus needs to convict. Turning to Titus, he says:

Two of thy whelps, fell curs of bloody kind,
Have here bereft my brother of his life.
Sirs, drag them from the pit unto the prison.
There let them bide until we have devised

75. *Id.* act 2, sc. 2, ll. 162-67.
76. *Id.* act 2, sc. 2, ll. 168-69.
77. *Id.* act 2, sc. 4, l. 184.
78. *Id.* act 2, sc. 2, ll. 173-75.
79. *Id.* act 2, sc. 2, ll. 179-80.
80. *Id.* act 2, sc. 2, ll. 198-200.
81. MARJORIE GARBER, SHAKESPEARE AFTER ALL 78 (2004).

Some never-heard-of torturing pain for them.[82]

Now Titus mirrors Tamora, kneeling, weeping, and begging for the life of his children. The parallels here extend to the *mise-en-scène*—in the original three-tiered staging, the "pit" would have been the same place as the tomb of the Andronici in Act I.

Here is a juncture where law should have interrupted the vengeance cycle. Saturninus's justice is peremptory in a number of ways.[83] First, he assumes guilt from circumstantial evidence—when Titus raises the question of whether the guilt of his sons has been proven, Saturninus says, "If it be proved? You see it is apparent."[84] Saturninus also refuses to let Quintus and Martius speak for themselves—"Let them not speak a word: the guilt is plain."[85] Finally, he sentences them immediately to death, regretting only that it is too mild: "For, by my soul, were there worse end than death / That end upon them should be executed."[86] This recalls his preceding lines about devising some "never-heard-of torturing pain" for them. The sentence of a "worse end than death" echoes Lavinia's formulation of the "worse-than-killing lust" of Demetrius and Chiron.

So we remember Lavinia. The next scene begins with this stage direction: "Enter the Empress' Sons with Lavinia, her hands cut off and her tongue cut out, and ravished."[87] Presumably, audience members start fainting here. The controlling narrative is Ovid's Philomela myth.[88] Philomela was the sister of Procne, queen of Thrace. Procne's husband Tereus fell in love with Philomela and raped her, then cut out her tongue so she could not identify him. Philomela nonetheless revealed her story to her sister by embroidering the scene into a sampler. The two sisters revenged themselves by killing Tereus's (and Procne's) son and serving him in a meal to Tereus. When Tereus asked for his son, Procne said in triumph, "The one you want is with you now—inside,"[89] and Philomela threw the child's bloody head at her rapist. Trying to vomit, Tereus took up his sword to kill the sisters, but the gods transformed them into birds. Philomela's voice was restored to her when she became the nightingale, and Procne's martial spirit was captured in the crested head of the lapwing.

Chiron and Demetrius have learned one lesson from that story, ensuring

82. SHAKESPEARE, TITUS, *supra* note 1, act 2, sc. 2, ll. 281-85.
83. LORNA HUTSON, THE INVENTION OF SUSPICION 97 (2007).
84. SHAKESPEARE, TITUS, *supra* note 1, act 2, sc. 2, l. 292.
85. *Id.* act 2, sc. 2, ll. 299-301.
86. *Id.* act 2, sc. 2, ll. 302-03.
87. *Id.* act 2, sc. 3.
88. OVID, THE METAMORPHOSES 194-204 (Allen Mandelbaum ed. & trans., Harcourt Brace 1993).
89. *Id.* at 203.

that Lavinia will not be able to use her hands to reveal their identity. Demetrius says, "So, now go tell, and if thy tongue can speak. / Who 'twas that cut thy tongue and ravished thee."[90] Chiron chimes in: "Write down thy mind, bewray [sic] thy meaning so, / And if thy stumps will let thee, play the scribe."[91] They leave her to die.

Her uncle Marcus finds her and must bring her to Titus. Productions usually have Marcus physically obscuring Lavinia when he says, "Titus, prepare thy aged eyes to weep. / Or if not so, thy noble heart to break: / I bring consuming sorrow to thine age."[92] Titus welcomes death: "Will it consume me? Let me see it then."[93] Marcus reveals Lavinia: "This was thy daughter."[94] Titus says: "Why, Marcus, so she is."[95]

This line, which occurs at the center of the play, is its turning point. Titus finally gives the audience reason to respect him. Lavinia has been framed as less than human in sundry ways: Aaron bestializes her as a "doe," Tamora commodifies her as a "fee," and Demetrius and Martius have raped and mutilated her. Even Lavinia's loving uncle subscribes to the belief that she is gone: "This *was* thy daughter." Titus's correction—"Why, Marcus, so she *is*"—stands as reproof. Titus has lost many sons in battle. He has presumably had living sons brought back to him maimed. So it is he, not the civilian tribune Marcus, who can see what Lavinia endures. Even Lucius, who has fought by Titus's side, falls to his knees: "Ay me, this object kills me."[96] But again, Titus chastises him: "Faint-hearted boy, arise and look upon her."[97] In this line, Titus recovers the iambic pentameter that has been broken by the three preceding lines. "Look more closely," Titus seems to say to both his brother and son. "She is still she."

Titus's fortitude survives another test when Aaron appears to tell Titus that Saturninus will spare Titus's two sons if Titus cuts off his hand. Titus does so with a good will. But this is a hoax—Saturninus has said no such thing. Soon a messenger returns with the heads of Quintus and Martius as well as Titus's left hand. As if this were not enough, Titus learns that Lucius has been banished from Rome for trying to help his brothers.

Tamora has now avenged her son's death, and more. Titus has lost two sons and a son-in-law to death. His only living son—of the original twenty-five—has been banished. His daughter has been raped and

90. SHAKESPEARE, TITUS, *supra* note 1, act 2, sc.3, ll. 1-2.
91. *Id.* act 2, sc. 3, ll. 3-4.
92. *Id.* act 3, sc. 1, ll. 59-61.
93. *Id.* act 3, sc. 1, l. 62.
94. *Id.* act 3, sc. 1, l. 63.
95. *Id.* act 3, sc. 1, l. 64.
96. *Id.* act 3, sc. 1, l. 65.
97. *Id.* act 3, sc. 1, l. 66.

mutilated, and he has lost a hand. This undoes even the stoical Marcus: "Ah, no more will I control thy griefs: / Rend off thy silver hair, thy other hand, / Gnawing with thy teeth."[98] Marcus wants the Andronici to die, to let "this dismal sight" lead to "[t]he closing up of our most wretched eyes."[99] Titus has a different idea: "Then which way shall I find Revenge's cave? / For these two heads do seem to speak to me / And threat me I shall never come to bliss / Till all these mischiefs be returned again."[100] When Titus says that the severed heads of his sons demand revenge, he returns us to the beginning of the play. Titus must engage in retaliation *ad manes fratrum* to appease the spirits of the slain. Yet at least for me, there is a difference. At the beginning of the play, I am part of the civilized audience, watching Titus authorize a barbaric human sacrifice. But now, when he repeats the same sentiment, I have lost that distance. I want revenge too.

Like Titus, however, we must wait for that vengeance. At this point, Titus does not know who has mutilated Lavinia. As he puzzles that out, an emotional conduit opens between father and daughter. The actress Anna Calder-Marshall, who played Lavinia in the mid-1980s, understood this: "Titus has committed the most appalling deeds and it isn't until he's maimed and his daughter's maimed that he learns anything about love."[101] I think she is right to focus on the symmetry of the maiming. Titus is a literal man. When asked to be the head of Rome in Act I, he describes his own doddering head: "A better head her glorious body fits / Than his that shakes for age and feebleness."[102] Here, that cast of mind sharpens his perception. His own severed hand allows him to apprehend her suffering as no words could.

Aaron's ploy has the unintended consequence of leading Titus into Lavinia's world. In the scene after his hand is sent back to him, Titus, Marcus, and Lavinia have adjourned to Titus's house. Watching Lavinia's response to an offer of drink, Titus utters the most powerful lines of the play:

> Hark, Marcus, what she says:
> I can interpret all her martyred signs—
> She says she drinks no other drink but tears,
> Brewed with her sorrow, mashed upon her cheeks.
> Speechless complainer, I will learn thy thoughts.
> In thy dumb action will I be as perfect
> As begging hermits in their holy prayers.

98. *Id.* act 3, sc. 1, ll. 260-62.
99. *Id.* act 3, sc. 1, ll. 262-63.
100. *Id.* act 3, sc. 1, ll. 271-74.
101. Bate, *supra* note 5, at 2.
102. SHAKESPEARE, TITUS, *supra* note 1, act 1, sc. 1, ll. 190-91.

Thou shalt not sigh, nor hold thy stumps to heaven,
Nor wink, nor nod, nor kneel, nor make a sign,
But I of these will wrest an alphabet
And by still practice learn to know thy meaning.[103]

Anyone who has sought to understand another temporarily or permanently bereft of speech—whether that be an infant, an aged person, an invalid, a non-human animal, or here, an individual with a disability—will hear the love in these lines. To learn a language is an enormous labor, which is why we ordinarily require others to meet us on common ground. When they cannot, we must decide whether to expend the effort of going to them. Here, Titus shoulders that Herculean burden.

Fittingly, then, it is Titus who correctly reads Lavinia when she tries to explain what has happened. She seizes a book of Ovid that belongs to Titus's grandson and turns the pages with her stumps. Marcus, always the square, supposes she does so out of affection for the sister-in-law who originally owned the book. But Titus watches Lavinia, rather than listening to anyone else:

Soft, so busily she turns the leaves!
What would she find? Lavinia, shall I read?
This is the tragic tale of Philomel,
And treats of Tereus' treason and his rape—
And rape, I fear, was root of thy annoy.[104]

Aaron's plot comes to light in part because he based it on the "plot" of the shared Ovidian story. And by writing their names in the sand with a stick held in her mouth, Lavinia reveals the names of her rapists.

This interlude convinces me *Titus* is Shakespeare's play, because it demonstrates the complexity of revenge. We should not wish for a world in which revenge does not naturally escalate because that would be a world without love. If human beings did not form attachments, killing an individual would not result in more than the death of the perpetrator. It is because Tamora loves her son Alarbus with a mother's world-canceling love that her desire for vengeance is commensurately apocalyptic. The dynamic works the other way as well—as Judge Richard Posner says, "[v]engeance breeds intense loyalty within small, especially within family, groups, for the victim of a wrong will often be dead, weak, or otherwise incapable of revenging himself (or herself)."[105] Vengeance teaches Titus

103. *Id.* act 3, sc. 2, ll. 35-43.

104. *Id.* act 4, sc. 1, ll. 45-49.

105. RICHARD A. POSNER, LAW AND LITERATURE: A MISUNDERSTOOD RELATION 29 (1988) [hereinafter POSNER, MISUNDERSTOOD RELATION]. Posner's book has gone through two subsequent editions, both of which also make this point with phrasing that is slightly less on point for my purposes. *See* RICHARD A. POSNER, LAW AND LITERATURE 78 (3rd ed. 2009) (noting that vengeance breeds "intense loyalty within the extended family"); RICHARD A. POSNER, LAW AND LITERATURE 52

love for his daughter.

Having learned the identities of his enemies, Titus finds focus. In a move that might inform our reading of *Hamlet*, he feigns madness to gull his enemies. He circles the palace with petitions for justice impaled on arrows. He—and those who are humoring him—shoot the arrows into the sky. The petitions are addressed to each of the gods in the Roman pantheon. Prime among these is Astraea, the goddess of justice, who veiled her face and fled the earth at the beginning of the Iron Age of Man.[106] The reference is again to Ovid—"*Terras Astraea reliquit*"[107]—"Astraea has left the earth." Titus also tells his kinsmen to cast their nets and dig with spades in case Justice is in the sea or underground.

Even as he parodies the social order, Titus, like a good Roman (or Englishman), shows his allegiance to it, at least insofar as he exhausts his permitted remedies before resorting to vendetta. When he learns that Tamora's sons raped his daughter, Titus first cries to the gods: "*Magni dominator poli, / Tam lentus audis scelera, tam lentus vides*?"[108] or "Ruler of the great heavens / Are you so slow to hear crimes, so slow to see?"

In Shakespeare's late plays—the Romances—gods trundle down to participate in masques or provide oracular guidance. But those redemptive plays are years away: Titus's Philomela will not turn into a nightingale. Titus then considers appealing to human agents, but recognizes the futility of getting justice from a state tamed by Tamora: "She's with the lion deeply still in league, / And lulls him whilst she playeth on her back."[109] Only then does he turn to self-help, and even the volley of arrows that heralds the beginning of his vendetta defers in form to the ethic that vengeance belongs only to the gods.

Some of these arrows pierce Saturninus's court. The emperor is outraged, as he correctly intuits Titus is feigning madness to set the people against him. He insists that Titus's sons were executed "with law"[110] or "by law."[111] This insistence is baseless: Saturninus executed Quintus and Martius by fiat. In fact, the emperor has already suggested that force and law are fungible, stating in Act I that he will take the throne "if Rome have law or we have power."[112] But now the emperor's "by right or might" formulation literally comes home to roost. Tidings come that Lucius has assembled an army of Goths and is marching on his own city

(rev. ed. 2002) (same). I rely on the first edition for the same reasons below, *see infra* note 127. Posner's discussion of revenge (in all three editions) is excellent.

106. OVID, *supra* note 88, at bk. 1, l. 150.

107. SHAKESPEARE, TITUS, *supra* note 1, act 4, sc. 3, l. 5.

108. *Id.* act 4, sc. 1, ll. 81-82.

109. *Id.* act 4, sc. 1, ll. 98-99.

110. *Id.* act 4, sc. 4, l. 8.

111. *Id.* act 4, sc. 4, l. 53.

112. *Id.* act 1, sc. 1, l. 408.

(foreshadowing Coriolanus of the eponymous play and Alcibiades of *Timon of Athens*). Tamora, who believes Titus's madness is genuine, comforts her husband. She says she will appear to Titus as the allegorical figure of Revenge and get him to hold a banquet for Lucius, his son. At this banquet she will find a way "[t]o pluck proud Lucius from the warlike Goths."[113]

Tamora, dressed as Revenge, takes her two sons to Titus's house. Critics say Tamora's confidence in her ability to persuade Titus seems implausible. Yet throughout this play, Tamora and Aaron have out-talked their adversaries. The rhetorical skill of the Goths calls their "barbarousness" into question in the root sense. The word "barbarous" comes from the Greek "barbarós" for those who spoke gibberish instead of Greek—"bar bar" being the onomatopoeic representation of the gabble such people supposedly spoke.[114] In her command of language, Tamora foreshadows the performative contradictions of other "barbarians" in Shakespeare, such as Othello or Caliban.

One sign the wheel is turning in *Titus* is that, fresh from learning Lavinia's alphabet, Titus seizes rhetorical control over his exchanges with Tamora. When Tamora and her sons appear on his doorstep in disguise, Titus begins with guileless recognition: "I know thee well / For our proud empress, mighty Tamora. / Is not thy coming for my other hand?"[115] Tamora responds: "Know, thou sad man, I am not Tamora: / She is thy enemy and I thy friend. / I am Revenge, sent from th'infernal kingdom / To ease the gnawing vulture of your mind."[116] Titus asks her to kill her two sons as proof: "Lo by thy side where Rape and Murder stand; / Now give some surance that thou art Revenge: / Stab them or tear them on thy chariot wheels."[117] (The idea that Tamora will participate in the death of her sons foreshadows Titus's grisly plan for them.) Tamora demurs: "These are my ministers, and come with me."[118] Titus asks what they are called, and, put on the spot, she is forced to take up his appellation: "Rape and Murder, therefore called so."[119] Titus then utters his cleverest line: "Good Lord, how like the empress' sons they are, / And you the empress! But we worldly men / Have miserable, mad, mistaking eyes."[120] Tamora

113. *Id.* act 5, sc. 1, l. 109.

114. EDITH HALL, INVENTING THE BARBARIAN: GREEK SELF-DEFINITION THROUGH TRAGEDY 4 (1991) ("The Greek term *barbaros*, by the fifth century used both as a noun and an adjective, was ironically oriental in origin, and formed by reduplicative onomatopoeia. Originally it was simply an adjective representing the sound of incomprehensible speech.")

115. SHAKESPEARE, TITUS, *supra* note 1, act 5, sc. 2, ll. 25-27.

116. *Id.* act 5, sc. 2, ll. 28-31.

117. *Id.* act 5, sc. 2, ll. 45-47.

118. *Id.* act 5, sc. 2, l. 60.

119. *Id.* act 5, sc. 2, l. 62.

120. *Id.* act 5, sc. 2, ll. 64-66.

tells him to invite Lucius to a banquet with the emperor, where she will help him wreak his vengeance. Titus agrees, but only on condition that Rape and Murder stay with him. His skepticism stokes her credulity: Tamora accedes.

When Saturninus and Tamora arrive for the feast, where Lucius is also present, Titus is dressed as a cook. As Titus serves up the pie, he asks Saturninus whether the centurion Virginius was right to kill his daughter after she was raped. Saturninus answers that it was, "[b]ecause the girl should not survive her shame, / And by her presence still renew his sorrows."[121] Titus responds:

> A reason mighty, strong, and effectual;
> A pattern, precedent, and lively warrant
> For me, most wretched to perform the like.
>
> Die, die, Lavinia, and thy shame with thee,
> And with thy shame thy father's sorrow die.*[He kills her.]*[122]

The language here is legal—Titus takes the story of Virginius (told in Livy's *Roman History*) as a "precedent" and "warrant" for his own action.

When Saturninus, horrified at Lavinia's murder, asks why Titus has done this brutal deed, Titus responds that the guilt belongs to Demetrius and Chiron because they "ravished her and cut away her tongue."[123] Saturninus asks that they be brought forth. Titus responds: "Why, there they are, both baked in this pie, / Whereof their mother daintily hath fed, / Eating the flesh that she herself hath bred. / 'Tis true, 'tis true, witness my knife's sharp point."[124] The classical precedents now rise up thick and fast. Ovid's *Metamorphoses*[125] (in which Tereus, the rapist of Philomela, is served his own son) melds with Seneca's *Thyestes* (in which the title character is served his sons baked in a pie).[126] In a Rome without laws, the only precedents to follow are the myths, which have provided the templates for Goths and Romans alike.

Titus might be said to have won. If he has killed fewer of Tamora's relatives, it is only because no one is left to kill. But Titus's victory is Pyrrhic. He has seen too much and gone too far. I begin to feel alienated from him when he kills Lavinia to put *her* out of *his* misery. I detach

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121. *Id.* act 5, sc. 3, ll. 40-41.

122. *Id.* act 5, sc. 3, ll. 42-46.

123. *Id.* act 5, sc. 3, l. 56.

124. *Id.* act 5, sc. 3, ll. 59-62.

125. OVID, *supra* note 88, 194-204.

126. SENECA, THYESTES, act 5, sc. 3 (Jasper Heywood & Joost Daalder, eds., Ernest Benn Limited/W.W. Norton & Co., 1982). The feast occurs throughout act 5, sc. 3, with the revelation slowly unfolding and only made explicit at act 5, sc. 3, l. 66: "Atreus: 'Thou hast devour'd thy sons, and fill'd thyself with wicked meat.'"

completely when I learn of his cannibalistic scheme. Posner describes this ultimate detachment as a common effect of revenge literature:

> We the audience start off with great sympathy for the revenger and wish him or her complete success, only to find that as the play (or story) proceeds we cool on revenge. The vivid picture of the revenger's wrong with which we began fades and is replaced by an equally vivid picture of the horrors of the revenge itself.[127]

We should remember that our contemporary aphorism, "Revenge is sweet," is an elision and inversion of the original Milton couplet: "Revenge, at first though sweet, / Bitter ere long back on itself recoils."[128] Tamora is a monster, but Titus has become one too.

For this reason, Titus must die on our behalf. When he is killed, it is a form of catharsis, as if that vengeful part of us that has identified with him has been purged, and we can gather up our belongings and return home. So immediately after Titus kills Tamora; Saturninus kills Titus; and Lucius kills Saturninus. The stage direction says "Uproar. The Goths protect the Andronici, who go aloft."[129] From that vantage, Lucius proclaims that he is the new emperor, imposing order from without.

But Shakespeare does not let go of us so easily. Redemption is now up to the new ruler, Lucius. Before returning to Rome, Lucius captures Aaron with the newborn son Aaron has had with Tamora. In return for Lucius's promise to spare his son, Aaron confesses everything. He climbs a ladder so he can be hanged, but uses it instead as a platform from which he proudly declaims all his exploits against the Andronici. Lucius makes Aaron climb down from the makeshift gallows. That death is too good for him.

My heart always sinks as I read Lucius's punishment for Aaron, which is that Aaron be buried alive up to his chest so he can slowly starve to death. Lucius wishes Aaron a fate worse than death, which is what Tamora wished for Lavinia, what Saturninus wished for Qunitus and Martius, and what Titus wished for Tamora. Moreover, Lucius admonishes that "[i]f anyone relieves or pities him, / For the offence he dies."[130] As for Tamora:

> No funeral rite, nor man in mourning weed,
> No mournful bell shall ring her burial,
> But throw her forth to beasts and birds to prey:
> Her life was beastly and devoid of pity,

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127. POSNER, MISUNDERSTOOD RELATION, *supra* note 105, at 39.

128. JOHN MILTON, PARADISE LOST, Book IX, ll. 171-72 (David Scott Kastan, ed., Hackett Publishing, 2005).

129. SHAKESPEARE, TITUS, *supra* note 1, act 5, sc. 3, ll. 65.

130. *Id.* act 5, sc. 3, ll. 180-81.

And being dead, let birds on her take pity.[131]

These are the last lines of the play.

Of Shakespeare's thirty-seven plays, twenty-six end with a rhyming couplet. Only one—this one—ends with a couplet with the same endwords. Even *The Comedy of Errors*, a play about twinning, rhymes "brother" with "brother" within the penultimate line, closing the last line with "another."[132] When we ask why *Titus* alone would click shut on one word—"pity"—we see the signifier redoubled to announce the absence of the signified. Lucius characterizes Tamora as "devoid of pity," and, for that reason, commits her to the pity that birds of prey will give her, which is also, presumably, none. Even worse, anyone who "relieves or pities" Aaron will be put to death. Pity for Aaron is a capital crime in Rome.

I am not confident Lucius will answer the play's final question correctly. Lucius must decide whether he will honor his promise to spare Aaron's child. Here too Lucius will exhibit pity at his own risk. We know this child will grow up and learn that the Roman state tortured his father to death and desecrated his mother's corpse. The child may grow up to be like Antigone, for the end of *Titus* bears a striking resemblance to the beginning of Sophocles's play:[133]

But as for Polyneices, Creon has ordered
That none shall bury him or mourn for him;
He must be left to lie unwept, unburied
For hungry birds of prey to swoop and feast
On his poor body . . . .[134]

The child's life represents both the possible end of the revenge cycle and its continuation. We are never told what Lucius decides.

* * *

Harold Bloom has added his name to the list of *Titus*-bashers, averring that he "can concede no intrinsic value" to the play, while suggesting that "perhaps it could be yet made into a musical."[135] That suggestion has, perhaps beyond Bloom's expectations, been taken up at least three times.[136] Moreover, the tide has been turning against Bloom in more

131. *Id.* act. 5, sc. 3, ll. 194-99.

132. WILLIAM SHAKESPEARE, THE COMEDY OF ERRORS, act 5, sc. 1, ll. 425-26.

133. I thank Emma Dunlop for this point.

134. SOPHOCLES, ANTIGONE; OEDIPUS THE KING; ELECTRA 3 (Edith Hall ed., Humphrey Davy Findley Kitto trans., Oxford University Press, 1998) (n.d.).

135. BLOOM, *supra* note 4, at 86.

136. *Titus Andronicus: The Musical!* was staged at the Buntport Theater of Denver, Colorado between 2005 and 2007. *See* Accumulated Reviews of the Buntport Theater Production, http://www.buntport.com/reviews/titus.htm (last visited April 14, 2009). *TITUS X: THE MUSICAL*

serious ways, such as the surge of acclaimed theatrical productions and scholarly work on the play. This raises the question of what has reanimated *Titus*.

One answer is that we fear lawlessness in our era just as much as the Elizabethans did. Elizabethans feared the blood feud or vendetta because their society lived under a tenuous rule of law. To be sure, there have been lawless zones in every era, such as the liminal justice of colonial regimes, or the frontier justice of the Western. But a number of additional factors—globalization, weapons technology, and information technology—have made the present a particularly uneasy time for the rule of law. When I make reference to "our era," then, I mean the post-nuclear age beginning at least with the development of the atomic bomb.

Globalization means that if two nations enter a conflict, no unassailably legitimate supranational umpire can resolve the conflict. Individuals caught up in such conflicts may despair of their capacity to get justice from such an umpire and therefore turn to forms of self-help.[137] This is what John Mearshimer terms the "911" problem—the absence of a central authority to which a threatened state or individual can turn for help.[138]

The rise of weapons technology—in the form of nuclear, biological, or chemical capabilities—has also created asymmetries that permit revenge cycles to escalate more quickly, both in fact and in the imagination.[139] As Walter Laqueur points out, "[i]n past ages, state and society could face terrorism with some equanimity. If one plane was hijacked, all others continued to fly, if one bank was robbed, all others continued to function."[140] Yet "in an age of weapons of mass destruction, this is no longer the case."[141]

Although the events of September 11, 2001 underscored our movement into this new, more dangerous phase in history, they did not inaugurate it. As a United Nations High-Level Panel stated in 2004: "The attacks of 11 September 2001 revealed that States, as well as collective security

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was performed Off-Broadway in 2006 after touring several other festivals. *See* Robert Simonson, TITUS X: THE MUSICAL *arrives Off-Broadway July 27*, PLAYBILL, July 10, 2006, http://www.playbill.com/news/article/100780.html. A third adaptation, *Tragedy! (A Musical Comedy)*, premiered at the College of William and Mary as Mike Johnson's Monroe project and was later performed as part of the 2007 New York International Fringe Festival at the Lucille Lortel Theatre. Tragedy! A Musical Comedy homepage, http://www.tragedythemusical.com (last visited April 14, 2009).

137. The canonical statement of this view can be found in Kenneth Waltz. *See* KENNETH WALTZ, MAN, THE STATE, AND WAR: A THEORETICAL ANALYSIS (rev'd ed. 2001) (1959); KENNETH WALTZ, THEORY OF INTERNATIONAL POLITICS 102-29 (1979).

138. JOHN MEARSHIMER, THE TRAGEDY OF GREAT POWER POLITICS (2003).

139. *See generally* Elaine Scarry, *War and the Social Contract: Nuclear Policy, Distribution, and the Right to Bear Arms*, 139 U. PA. L. REV. 1257 (1991).

140. Walter Laqueur, *The Changing Face of Terror*, *in* THE USE OF FORCE: MILITARY POWER AND INTERNATIONAL POLITICS 457 (Robert J. Art and Kenneth N. Waltz, eds., 6th ed. 2004).

141. *Id.*

institutions, have failed to keep pace with changes in the nature of threats."[142] In the brave new world, "[s]maller and smaller numbers of people are able to inflict greater and greater amounts of damage, without the support of any State."[143] The "911 problem" predated the "9/11 problem."

Finally, the rise of information technology amplifies the effects of revenge cycles. Every news cycle contains a revenge cycle, piped into our computer monitors, newspapers, televisions, or conversations, whether the reports come from Iraq, Pakistan, Darfur, Bosnia-Herzegovina, Rwanda, Israel, or Palestine. Yet it would be a mistake to think that the new information technologies are just a way of describing a revenge cycle, as they also—often self-consciously—move in those cycles. A recent book on cyberterrorism observes: "The assassination of Daniel Pearl, for example, showed the impact of psychological warfare conducted by these new means."[144] In cyberterrorism, part of the work of terrorism is the informational dissemination of terrorist acts. This is why such "professional-looking videos are sent out—often directly to TV stations that incorporate the material and broadcast it in their programs."[145]

I am confident that our fascination with the revenge tragedy—which we are more likely to call the vigilante film—arises in part out of our anxiety about the rule of law. What I seek to express more tentatively is that I think the revenge tragedy itself can be a substitute, albeit a poor one, for law. Internal to *Titus*, we see that the breakdown of law is accompanied by a rise in the use of myths as patterning narratives. Aaron's lawless plot to have Demetrius and Chiron rape Lavinia is patterned on Ovid's Philomela myth; Titus's response of baking Demetrius and Chiron into a pie is based on Seneca's *Thyestes*; and both Saturninus and Titus base Titus's murder of his own daughter on Livy's account of the acts of the centurion Virginius. When there is no law, literature rises up to become "[a] pattern, precedent, and lively warrant."[146] Rather than conforming their practice to law, the characters in the play adhere to literary texts.

We can also see the play not just as a representation, but also an intervention into lawlessness. In the time and place of its original performance, Titus's reference to Astraea having left the earth[147] would

142. Secretary-General's High-Level Panel on Threats, Challenges and Change, *A More Secure World: Our Shared Responsibility: Report of the Secretary-General's High-level Panel on Threats, Challenges, and Change*, ¶ 16, *delivered to the General Assembly*, U.N. Doc. A/59/565 (Dec. 2, 2004).

143. *Id.*

144. COUNCIL OF EUROPE, CYBERTERRORISM-THE USE OF THE INTERNET FOR TERRORIST PURPOSES 35 (2007).

145. *Id.*

146. SHAKESPEARE, TITUS, *supra* note 1, act 5, sc. 3, l. 43.

147. *Id.* act 4, sc. 3, l. 5.

have been an unmistakable reference to Elizabeth I, who was often figured as the goddess of justice.[148] Elizabeth was susceptible to condemnation for her "not so masterly inactivity" with respect to the blood feuds that occurred among her nobles.[149] While it would have been rash for Shakespeare to criticize her directly, the safe distance of the Roman scene perhaps permitted him to ask for her intercession. The fact that the play is littered with early modern references (Aaron, for instance, takes refuge in a Catholic monastery), suggests that it is simultaneously supposed to represent a milieu that is far, but not too far.

Similarly, the contemporary fascination with the revenge genre can be seen as a kind of check on the real acts of violence to which we might be tempted. If we subscribe to the theory that theater purges emotions rather than stoking them, the revenge tragedy will be a substitute rather than a complement to forms of vigilante justice that might otherwise tempt us.

In short, revenge tragedy is the literary genre that best captures the unease that accompanies a state that is too weak to contain private vendettas. The genre's vitality in the Renaissance and its rebirth in modernity can be explained in those terms. Conversely, the novel is the genre of a state that is too strong. As literary critic D.A. Miller argues in *The Novel and the Police*, it is no accident that the novel, with its promise and threat of legible human interiority, was born in England at the same time as the regulatory state.[150] The crisis of American modernity is that the public fears both that the state is too weak (with respect to supranational sovereignty) and too strong (with respect to surveillance of its subjects). The consolation that literature provides to our immersion in this paradoxical crisis is to supply the genres that give its component fears expression.

148. *See* Frances A. Yates, *Queen Elizabeth as Astraea*, 10 JOURNAL OF THE WARBURG AND CORTAULD INSTITUTE 27 (1947) (reviewing primary sources documenting the iconography of Elizabeth as goddess of justice).

149. STONE, *supra* note 44, at 233.

150. D.A. MILLER, THE NOVEL AND THE POLICE (1988). The link between the rise of the regulatory state and the rise of the English novel, of course, can be contested on several grounds, including that the novel form long predated the 19th century and also that alternative explanations for the rise of the novel—such as the rise of a culture of individuality and the idea that every person has her story—abound. I thank Martha Nussbaum for pressing me on this point. *See also generally* IAN WATT, THE RISE OF THE NOVEL (1957). Yet I still find it plausible that the rise of a state powerful enough to engage in surveillance of its subjects partially contributed to the rise of the English novel. Both ascents suggest that some human authority (whether the government or the author) could read and describe the inner workings of the human mind with a new degree of confidence.