

ESSAY

Babo's "Mute"-ny: Deaf Culture and Black Testimony in Antebellum America

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As the Spanish captain's deposition draws to a close at the end of Herman Melville's 1855 novella *Benito Cereno*, the narrator turns his attention to the fate of Babo, "the black—whose brain, not body, had schemed and led the revolt" of the enslaved people aboard the *San Dominick* (643). "Seeing it was all over," the narrator concludes, "he uttered no sound, and could not be forced to. His aspect seemed to say: since I cannot do deeds, I will not speak words" (643–44). The canny architect of the *San Dominick* mutiny is sentenced to death in Lima, with all accounts of his actions—and even his "legal identity"—limited to "the testimony of the sailors alone" (644). Hauled roughly behind a mule, burned, and decapitated, Babo famously meets his "voiceless end" (644).

Babo's "voiceless[ness]" has long been a critical focus for readers. Eager to decipher the author's race politics in his only story about slavery, scholars have long debated whether Melville's mutineers can speak. Many argue that, in his silence, Babo figuratively "gets the last word" (Rebhorn 172), while others hold that such critics are too eager "to fill [the] absence" left by "Babo's mysterious silence" (Thomas 32).¹ Like the narrator and the American captain Amasa Delano, readers have long realized Babo's silence points toward *something*, even if they have not been able to say precisely what. I argue that Babo's strategic silence, his self-fashioning as mute, provides an interpretive path through the problem of Black testimony.

Whereas the words *gesture*, *mute*, and *silence* appear nowhere in Amasa Delano's 1817 nonfictional *Narrative* about a slave mutiny, they appear no fewer than eleven times each in *Benito Cereno*, Melville's fictional revision of Delano's story. The ambiguity of the word *mute*, which refers both to those who cannot and those who

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will not speak ("Mute"), orients us toward the complexity of Black communication in the novella.² While the *San Dominick* is a polyglottal space—one rich in forms of language and communication, from various African languages, English, Spanish, and Portuguese to sailors' knots, the clash of hatchets, and, most pertinently here, gesture and sign—once the Spanish enslavers are "saved" by Delano, Babo chooses silence (643).³ In one sense Babo may choose not to speak because, once captured, speech would be futile; his sentence is a foregone conclusion. But at a time when US culture was particularly attuned to the possibilities of nonauditory communication—specifically gesture and sign—as a potential means to restore language and rights, Babo's muteness indicates more.⁴ Understood formally and historically, Melville's representation of muteness moves readers beyond the dichotomies of words/deeds and speech/silence as frameworks for thinking about Black communication.

As Deaf culture flourished, it suggested linguistic forms to the popular imagination that some abolitionists and, I argue, Melville, explored as a potential resource for Black testimony.⁵ The fifty-six years between the story's setting in 1799 and its publication in 1855 mark the period over which "mute" Americans gained access to legal testimony. Melville himself was quite aware of this history, having a deep and sustained interest in muteness and Deaf culture more broadly. He had been alerted early to the possibility of nonauditory testimony through the 1839 *Amistad* case. Abolitionists used sign language as a way to get the testimony of the *Amistad* mutineers into US courts, drawing on the legal gains of so-called deaf-mute Americans. Babo's mute self-fashioning—and Melville's fashioning of the *San Dominick* as a space where muteness plays a powerful organizing role—builds on this evidentiary model, placing Babo and the *San Dominick* mutineers in the position of the *Amistad* petitioners. Drawing on the *Amistad* case, Melville uses gesture, sign, and muteness to call on readers to grant the *San Dominick* Africans access to the rights newly afforded "deaf-mute" defendants while marking how, following the Fugitive Slave Act of 1850, which barred Black fugitives from testifying in

their own cases, these rights were being legally and culturally foreclosed.⁶

Melville's formal choices underscore and develop the significance of muteness in *Benito Cereno*. Critics have traditionally highlighted the novella's gothic elements, which reveal a "disquieting sense of the unspoken or unspeakable, somehow silently orchestrating the movements of all" (Coviello 160–61). But *Benito Cereno* is marked by what Eve Sedgwick calls the "massive inaccessibility of those things that should normally be most accessible" that characterizes the gothic only for the narrator and eventually Delano and Spanish law (qtd. in Coviello 161).⁷ Recognizing melodrama instead as a significant formal mode of the narrative of the ship under African control allows us to better read the meaning of the Africans' silent orchestration.⁸

Melodrama makes sense of muteness as the gothic cannot. As John Haegert explains, *Benito Cereno* offers "one of the most melodramatic plot structures ever to be found in a serious work of fiction," making "unabashed use of melodramatic devices (masked relationships, disguised identities, menacing encounters, last-minute escapes, etc.," (22, 26). In melodrama muteness, gesture, and sign offer an expanded array of communication strategies. The mute character, after all, occupies a "privileged position" in melodrama, which operates through an "aesthetics of muteness," according to Peter Brooks: the "spoken word is rarely used toward the formulation of significant messages" and gesture "points toward meaning" (62, 62, 63, 71). This meaning always exceeds what the text can say. Elaborating the politics of Brooks's argument, Jonathan Goldberg calls melodrama "an aesthetics of the impossible situation" (155), where "the (im)possibility of recognition . . . makes melodrama a generative form rather than one that offers happy endings that confirm the ability of the social as presently constituted to make good on goodness" (x).⁹ Muteness in melodrama points toward possibilities beyond the text.

Despite the formal centrality of muteness in *Benito Cereno* and its historical significance, some readers may still be wondering why I have chosen a story with no d/Deaf characters to make the case

that Deaf culture offered a form for Black testimony.¹⁰ Here, I build on Michael Bérubé's argument that "disability and ideas about disability can be and have been put to use in fictional narratives in ways that go far beyond any specific rendering of any disabled character"—that disability (for him, intellectual) might reframe our understanding of narrative itself (2). The purpose of this insight is not to move away from disability's roots in embodied experience but rather to remind us that, since characters are not real people, their characteristics are always textually produced. Bérubé invites us to use that observation to ask, in turn, how textual operations often associated with disability can help us reenvision fictional narrative more generally. I show how we might do that work with historical specificity. That is, if disability is "*the social organization and administration of impairment*," as Bérubé defines it, we must attend to the diverse and deeply contingent histories we know structure that social organization and administration and to the histories of the textual operations they produce (56).

Reading for the functions of muteness in *Benito Cereno*—that is, for its role as a structure for Black testimony—brings out latent affinities between different forms of social, political, and legal exclusion and between the areas of scholarship that examine them. To engage thus in *structurally intersectional analysis* is not to reduce Blackness to disability or to ignore the long racist and ableist history of conflating the two; rather, it is to show how different kinds of social exclusion can be, and historically have been, mutually illuminating even when not explicitly intersectional.¹¹ For example, if Black feminism teaches us that subjugated peoples express themselves largely in "the breaks, crevices, movements, languages, and such found between flesh and the law," as Alexander Weheliye writes (11), we should look more literally for languages through which flesh spoke. In looking for those languages, we ought, furthermore, to learn from centuries of history—both racist and ableist—that have worked to diminish the status of embodied communication and to read generously for gestures and signs *as language*.¹² In short, thinking about race and disability

together as two forms of social exclusion in dynamic relation can be and, as *Benito Cereno* shows, historically has been richly generative far beyond representations of Black disabled characters.¹³

Such a reading requires a new linguistic genealogy of *Benito Cereno*, unpacking how Melville uses the cultural and legal structures of muteness—a category that organizes the story's description, characterization, dialogue, and formal mode—in the mid-nineteenth century to reframe Black communication and the conditions of possibility for Black testimony. In truth, this is a genealogy less new than recovered; such lessons, the story's publication context reveals, were more available to Melville's original readers. Furthermore, through an examination of how the cultural and legal structures associated with disability served as resources for Black rights, a structurally intersectional analysis can resurface central aspects of the text that escape the purview of each critical approach individually. The cultural and legal history of Deaf linguistic rights makes sites of Black communication and the possibility of Black testimony in Melville's novella legible once more.

Sign Language in Nineteenth-Century American Culture and Law

Two origin stories laid the groundwork for the contested understandings of sign and gesture in the antebellum period.¹⁴ Both were racially encoded. The first emerged from travel accounts where Americans and Europeans had long remarked on the extensive uses of gestural communication among Indigenous peoples worldwide. Colonists likewise relied on gesture and sign to negotiate their imperial aspirations. This sign language was understood to be "natural" and honest, rooted as it was in the body.¹⁵ The second is a Deaf history centered in Paris, where Enlightenment *philosophes* had set about "methodizing" sign language, which they understood to mean making sign language sophisticated and white.¹⁶ Even though the *philosophes* used Indigenous sign languages to ground their universalist arguments, in the US context, the French form was attributed to the "genius" of prominent

white Deaf educators Abbé Charles-Michel de l'Épée and his successor Abbé Roch-Ambroise Cucurron Sicard (see, e.g., "Quarterly Address"). The *philosophes* and their American admirers hoped their sign language would prove a universal language that, with its more natural basis, could overcome linguistic barriers and the partisan differences speech and writing too frequently bred in white Western politics (see Knox; Rosenfeld).

Sign language held particular political appeal for postrevolutionary white Americans. While long a site of colonial anxieties about "trust and distrust" of racial others (Carayon 231), by the early nineteenth century, gesture held some promise as a form of communication in which "a volatile Indian interiority . . . could not be masked by oral eloquence" (Gunn 70).¹⁷ Furthermore, its fervent supporters argued that it held great potential as a more natural and truthful form of communication for national politics.¹⁸ The beliefs of revolutionary white Americans were not particularly novel. "The study of gesture has often been in fashion at moments when questions of social process and language have been problematic as well," explains the historian Sophia Rosenfeld; "thinking about gestures has often been a way of thinking about words" (251n22, 9).

Sign language also promised an important and more specific legal function: it could restore to white individuals with hearing impairments some legal privileges of citizenship. In 1799, the French revolutionary Jean-Nicolas Bouilly staged an original production titled *Abbé de l'Épée* in Paris. The play emphasized the legal potential of sign language, a message that resonated widely. Translations were quickly printed and staged around the Atlantic.¹⁹ Based on a true story, *The Lost Heir; or, The Abbe de l'Épée*, as one American translation was called, told of a young, deserving deaf hero named Julius whose devious uncle had defrauded him. Julius by chance meets l'Épée, who teaches him sign language, enabling him to testify and regain his property. l'Épée demonstrates Julius's competence using sign language, faithfully rendered on stage with detailed manual instructions, and, at the play's denouement, l'Épée declares to the lawyers: "restore to him what is most dear and precious to man—a

legitimate and an honorable name, (*risés*) and the inalienable rights which divine and human laws guarantee to him" (10). The play unambiguously affirms that sign language has prepared the young deaf boy to become a citizen with full rights.

Coelina (Guilbert de Pixérécourt, 1800), another play about a defrauded "mute" whose rights are restored, appeared simultaneously with *The Lost Heir* in New York in 1801 and has been credited with popularizing melodrama as a "French export" in the Anglo-American world (Brooks 86).²⁰ In *Coelina*, the "mute" character's tongue is cut, but, as in Bouilly's play, he requires only the compassionate attention of fellow citizens for his language and rights—though not his audible voice—to be restored. The mute was, moreover, a common archetypal figure in melodrama who "performed important symbolic work in late-eighteenth-century France, as representative of those exiled from power and citizenship who were being welcomed into the new national community"—symbolic work grounded in the real histories of disabled citizens (McDonagh 655). Here we can begin to see how the genre of melodrama itself extended—or at least developed and popularized emergent extensions of—various forms of communication in the West. And more specifically, it advocated the expansion of access to testimony through gesture and sign.

This understanding of sign set the stage for Thomas Gallaudet, who brought the Parisian Deaf educator Laurent Clerc, and with him French sign language, to the United States in 1817. While initially hesitant about the French roots of sign language, Gallaudet became a zealous champion of sign language's universality.²¹ He and Clerc toured the country, hosting public demonstrations with Deaf pupils to raise money and educate Americans about sign language's capacity to restore language, religion, and civil rights to d/Deaf Americans.²²

This context helps explain why, in contrast to centuries of colonial and European law, the United States consistently expanded the legal rights of white d/Deaf citizens in the early decades of nationhood. Whereas in 1761, for example, New York State barred people who were congenitally deaf from holding property or voting, no such laws

were passed after the revolution (see Smith 2: 109, 2: 293). Even before the introduction of European sign language to the United States, d/Deaf Americans had been given broader legal rights. Deaf voting was not challenged again in the early national and antebellum periods, and the d/Deaf right to testify was repeatedly upheld, even in cases where the individual had not learned formal sign language. For example, in 1817 the Massachusetts Supreme Court allowed a “deaf and dumb” defendant to testify by “making signs with his fingers, &c” to “an acquaintance” who translated (Tyng 207). Still, the point needed to be made repeatedly as prosecutors, defendants, and judges argued over whether sign language was an admissible language of testimony, even as the courts continued to decide in favor of its use.²³

From the *Amistad* to *Benito Cereno*: Race, Deaf Culture, and Legal Speech

Melville himself had a decades-long, abiding interest in deafness and Deaf culture, which frequently appeared in his fiction, as well as firsthand experience with manual sign as a complex language of cross-cultural communication. The year of the *Amistad* trial, Melville published his first story, “Fragments from a Writing Desk” (1839), which details a narrator’s consuming obsession with a woman who turns out to be “DUMB AND DEAF!” (204).²⁴ Melville’s formative time in the South Seas shaped his understanding of the subject. There he learned about the uses and failures of gesture and sign as means of cross-cultural exchange among hearing communities, memorialized in his quasi-autobiographical novel, *Typee* (1846). Both he and the *Typee* use sign to communicate, which Melville connects to Deaf culture explicitly when his friend Toby tries to communicate with the *Typee* “by signs and gestures” such that “one would have thought that he was the deaf and dumb alphabet incarnated” (87). In *Redburn* (1849), the narrator speculates that a gesturing character might be “a deputy from the Deaf and Dumb Institution in New York, going over to London to address the public in pantomime” (106), and several

critics have drawn attention to Melville’s uses of deafness in other novels, especially *Moby-Dick* (1851) and *The Confidence-Man* (1857).²⁵ Melville likely knew that in 1850 a confidence man had pretended to be “Mr. *Herman Melville* . . . deaf mute who had become a successful author in spite of such a handicap” (qtd. in Reeves 19), in all probability inspiring the mute figure who opens *The Confidence-Man*.²⁶

While some of Melville’s representations of muteness had a comical character in the 1830s and 1840s, changing political circumstances around the nature of legal testimony, particularly Black testimony, seem to have pushed the author to take the topic more seriously in the 1850s. Of particular import was the Fugitive Slave Act (1850), which required Northerners to assist in capturing Black fugitives and barred fugitives from testifying in their own cases.²⁷ This added complexity and urgency to the category of muteness, now legally linked to Black language.²⁸ Scholars, following Brook Thomas, have long argued that the law had a profound impact on Melville: his father-in-law, the judge Lemuel Shaw, had gone “out of his way . . . to find loopholes” and “help runaway blacks achieve their freedom whenever possible” but caved to political pressure in 1851, upholding the Fugitive Slave Act “in a decision that for a decade was regarded as the highest authority on the issue” (26–27).²⁹ Furthermore, the act’s speech prohibitions echoed longer histories of silenced testimony about slavery that were, by 1855, resulting in increasingly violent political tensions.³⁰ If, as Maurice Lee writes, *Benito Cereno* is “about the failures of political speech” (and, I would add, legal speech), we must situate those failures in broader cultural shifts narrowing both forms of “speech” and who could use them (496).³¹

The *Amistad* case, which Melville drew on “extensively” in *Benito Cereno* offered a historical and legal model through which to explore these questions (Karcher 200; see also Kaplan 14–16; Thomas 29–30; Sundquist, ch. 2). Muteness, gesture, and sign had played key roles both in shipboard communication and in legal testimony in the *Amistad* case, and Melville returned to it in 1855

to speculate about the possibilities that remained for Black testimony. The case showed how nonauditory language had offered a resource for Black communication and might do so again, even as the right to testify was being foreclosed in the sixteen years since the trial.

The *Amistad* case involved fifty-three illegally enslaved African individuals of various ethnicities who spoke various languages.³² They boarded the ship in Havana on 28 June 1839 for what should have been a three-day trip to Puerto Principe, Cuba. On 2 July, the captives revolted, demanding return to Africa. The captain deceived them, steering the *Amistad* instead toward New York, where it was seized and the mutineers imprisoned (see H. Jones; Rediker).

Gesture was a central form of communication during the rebellion. The revolt occurred after the enslaved cook, Celestino, "talking with his fingers . . . made signs of throat-cutting. &c., and pointed to the barrels of beef, and thus hinted to Cinquez [rumored royalty], that himself and his companions were to be cut up and salted down for food" ("African Testimony"). Celestino's motivations, according to the historian Marcus Rediker, were to "terrorize and pacify," but the gesture made the Africans, who already believed their captors cannibals, desperate (72). Whatever Celestino's motivations, his message had the opposite effect: with the threat of execution looming, the enslaved Africans revolted (see Kaplan 15; Rediker 26). The *Amistad* Africans also controlled the ship using what the Spaniards understood as "horrible gestures" (qtd. in Rediker 78). The ship's owner, José Ruiz, only learned he was no longer in danger when the Africans "made signs that they would not hurt me" (qtd. in Rediker 78).

Embodied communication played a significant role on land as well. By September 1839, the rebels had already garnered much attention for their heroic struggle, but, because no one could translate their African languages, accounts relied on the Spanish enslavers. Lewis Tappan and a group of like-minded abolitionists would not let this stand.³³ Abolitionists hoped sign language could help get Black testimony into Connecticut courts, sending Gallaudet to the Hartford jail where the *Amistad*

Africans were held. Believing that sign language, because it was embodied, was a more natural form of expression that could overcome linguistic differences, Gallaudet had faith that he could make more headway "conversing with the Africans by signs" ("Incident").³⁴ Newspapers reported on the hours this "well known instructor of the deaf mutes" spent with the prisoners and remarked that he had "little difficulty in communicating with them, using the signs employed in conversing with the deaf mutes" ("Incident").³⁵

Abolitionists hoped sign language would help "test the civil rights of the free born and illegally enslaved Africans in this free community" by giving them a language for testimony (*Pennsylvania Freeman*; see also Rediker 138–39). The abolitionist George Day observed that "Gallaudet's Elementary work for Deaf and Dumb" was particularly "well adapted" for the Africans' "first lessons" in English ("Plans").³⁶ For two decades prior US courts had accepted sign language as a means of expanding the civil rights of white American citizens, and abolitionists saw it as a tool that might likewise be marshalled to free wrongfully enslaved Africans. At the trial, Gallaudet testified that "conversing with [one of the Africans], by signs . . . [he] was of the opinion that he understood sufficiently the nature of an oath to justify its being administered; and the court ordered his deposition to be taken" (*African Captives* 8). This event provided an evidentiary model for using Deaf legal gains to advance Black testimony in US courts.

Even as sign language was being celebrated as a means of extending white legal rights and suggested as a form for Black testimony, proslavery forces were pitting Black and disabled communities against one another. Widespread false and error-ridden reporting during the 1840 census was infamously used to show that more Black people were deaf and "insane" in free states.³⁷ Outraged by the implication that deafness was a pathological effect of Black freedom, the Deaf educator Harvey Prindle Peet insisted "many white deaf mutes must, in 1830 and 1840, have been placed in the column appropriated to colored deaf mutes," which "propagate[d] widely, what now proves to be a very erroneous idea, that deaf-

deaf mutes were far more numerous, proportionally, among the colored population of the Northern States” (“Statistics” 12). The faulty census worked to diminish progress for both groups. For Black communities, it promoted the notion that deafness was a disabling impairment inherently linked to Black emancipation. For white Deaf Americans, the census cut against legal and cultural gains, beginning a line of argument that would eventually lead to reracializing Deaf culture and to withholding rights. By 1864 some wondered if US law should prohibit the marriage of “two congenital deaf mutes” because it was likely to result in d/Deaf offspring (Kennedy lxii–lxiii), and, by the late nineteenth century, anti-sign crusaders held that sign was “a foreign language” that contributed to “the tendency to the formation of a *deaf variety of the human race* in America” (A. G. Bell, “Letter” 61; A. G. Bell, *Memoir* 48; emphasis added). Unsurprisingly, as sign languages were reracialized, “devalued and discredited,” the historian Douglas Baynton explains, “scholars lost interest in them. . . . from that time until the late twentieth century, linguists typically spoke of ‘language’ as though it were synonymous with ‘spoken language’” (“Curious Death” 16).

However, these shifts were not yet codified. It still seemed, as the *Amistad* trial suggested, that Deaf advances in civil rights might be used to extend those of Black defendants. It is this strategy Melville explores in *Benito Cereno*.

Muteness on the *San Dominick*

Benito Cereno begins with a “mute” scene: “The morning was one peculiar to that coast. Everything was mute and calm; everything grey,” the narrator observes, “The sky seemed a grey mantle. Flights of troubled gray fowl, kith and kin with flights of troubled grey vapors among which they were mixed, skimmed low and fitfully over the waters. . . . Shadows present, foreshadowing deeper shadows to come” (353). Delano watches the *San Dominick* enter the remote harbor, straining to discern its nature. The ship resembles various silent figures: “a Lima intriguante’s one sinister eye,” “a white-

washed monastery” carrying “monks,” and “Black Friars pacing the cloisters” (353–54).

Melville ingeniously exploits the privileged role of muteness in melodrama, locating muteness not in one body but across the world of the ship.³⁸ Shipboard audible language is merely a cover, insufficient for communicating truths, as it was more generally in melodrama. Effective communication takes place through gesture and sign, even if it only points toward meaning for readers. Cereno’s speech, for example, is elaborately scripted but conveys none of what he actually wants to say. “In every particular,” Delano later comes to understand, Babo crafted Cereno’s speech, “always threatening him with instant death if he varied in the least” (640).

While many languages and forms of communication are used aboard the *San Dominick*, Melville underscores the particular significance of nonauditory communication; the scene, the ship, and every one of the main characters is described at some point as “mute.” In fact, the word *mute* itself serves a kind of recursive function in the story: dispersed across scenes and bodies, it offers a textual tease, gesturing at a full word that cannot be spoken—*mutiny*.³⁹ In this “lawless” space gestural language holds sway. Other than Delano, and by extension the reader, everyone on board seems to understand gesture as a form of communication on which their lives depend. Babo and the mutineers control their Spanish captors through “mute” bodily communication. The Black oakum pickers and hatchet polishers use embodied language to maintain control over the ship and remind Cereno of the Africans’ power. Babo controls Cereno through “secret sign[s]” Delano catches once but cannot discern (365). Such communicative power is on display in the famous shaving scene where Babo uses gesture simultaneously to control Cereno by threatening his life and to misdirect Delano. There Babo’s strategy, particularly the threat of decapitation, echoes the manual threats both Spaniards and Africans aboard the *Amistad* had used to control the ship.

Delano likewise misses what he might glean from the Spaniards’ mute movements. Much of what discomfits Delano aboard the *San Dominick* is a dissonance between bodily signals and words,

but Delano dismisses these signals with racist and ableist assumptions. For example, while Cereno's "guilty shuffle," his recoil "as from a venomous bite," and his "horrified gestures, as directed against some specter" are represented as involuntary communication, they should indicate present danger to Delano (364, 365, 362). Instead, the hubristic American repeatedly judges Cereno to be disabled: "a pale invalid," one afflicted with "infantile weakness," someone suffering a "pulmonary complaint" (364, 364, 356). When another Spaniard tries to warn him with "an imperfect gesture toward the balcony," Delano racializes the gesture, seeing him as "peering from behind a great stay, like an Indian" (461).⁴⁰

The Spanish knotter, who comes closest to communicating the danger to Delano, does so not with fluent audible language but with gesture and a kind of stammered interlingual riddle. Delano encounters the man tying a knot more intricate than any he has ever seen. Marveling at its complexity, Delano inquires, "[W]hat is it for?"; the knotter replies enigmatically, "For some one else to undo" (462). The knotter throws it to Delano, speaking the only English Delano hears on the *San Dominick*—"Undo it, cut it, quick"—but the "Spanish, which had preceded and followed, almost operated as covers to the brief English between" (462). In English and through gesture—forms of communication outside the auditory Spanish play scripted by Babo—the knotter attempts to convey something of the truth, and "for a moment, knot in hand, and knot in head, Delano stood mute" (462). Only in this fleeting instant does Delano begin to connect what is "in hand" to what is "in head," and it is at this moment that he is characterized as "mute" like so many aboard the ship. If he could remain in this state, he might be able to discern the truth. Instead, Delano's thoughts are immediately interrupted by the appearance of a different "mute," the enslaved former leader Atufal, and by the words of "an elderly negro" who tells him "the old knotter was simple-witted, but harmless" (462–63). The stakes of such verbal cover are high: the Africans' freedom depends on Delano's missing the import of meanings "in hand."

In suggesting the knotter is "simple-witted," the old African draws Delano out of his muteness and back into his more familiar assumptions that embodied communication is the expression only of peoples who lack the sophistication of Western civilization and those with disabilities and is, therefore, sublinguistic and unimportant. Delano falls for it. As he does throughout the novella, Delano dismisses his suspicions because he deems the Spaniards disabled and the gesturing Africans "too stupid" and animalistic to engage in subterfuge—racist and ableist readings that "insensibly deepened his confidence and ease" (462, 461).⁴¹

Here *Benito Cereno* teaches us much about gesture and the reracialization of sign language at midcentury. Aboard the *San Dominick* it is a key language of enslaved Black rebels and at times of the "mute" Spaniards attempting to regain control. Nevertheless, whereas in the 1830s Gallaudet argued sign was a universal language that allowed him to communicate almost effortlessly with the *Amistad's* mutineers, in *Benito Cereno*, gesture and sign are racialized and thus rendered opaque. Delano's racist ableism prevents him from understanding: he observes embodied communication aboard the *San Dominick*, but, like those threatened by the prospect of sign language's radical universality, he reads it through a lens of inferiority.

Law, Language, and Authority

Babo and Atufal teach us most about how to read gesture and muteness. In the most obviously theatrical moment aboard the *San Dominick*, a bell tolls and the rightful king Atufal "emerg[es] from the general crowd below" to ascend the "elevated poop," bound excessively in chains (362). Mounting a play within a play, Babo has Cereno request that Atufal ask his pardon as Delano is told he does every two hours. "The black," we are told, "was silent" (362). Babo goods Cereno: "Again, master; he will bend to master yet" (362). "Say but the one word *pardon*," we later learn Cereno has been instructed to say, "and your chains shall be off" (362). Atufal will not, instead raising his arms and letting them fall in a dramatic gesture. Delano suggests Cereno remove the chains,

but Babo answers that Cereno never will—“proud Atufal must first ask master’s pardon. The slave there carries the padlock, but master here carries the key” (363). In this melodrama orchestrated by Babo, caricatured figures exaggerate their movements that, like the lock and key, play the part of “significant symbols” meant to mislead (363). As he approaches the stage, Babo slyly remarks with a “murmur,” more for the readers it seems than for Delano: “How like a mute Atufal moves” (362).

In describing Atufal thus, Babo instructs us how to read muteness throughout. First, Atufal’s strategic communication is embodied rather than vocal. The nineteenth-century reader might, second, note the similarities between Babo and Atufal’s act and Gallaudet and Clerc’s popular performances with their students that educated American audiences about “deaf-mutes” and the complexities of muteness and gestural language. Third, we learn in this scene that Atufal was “a king in his own land,” and, as the sovereign figure aboard, Atufal is the one whose mute communication—gesture—is law (363). Here we might now understand that the harbor is marked by its “lawlessness” only because Delano cannot recognize where power lies. The name of the ship, the *San Dominick*, and the story’s date, 1799, allude to the possibility of a new Black legal regime, aligning the ship’s mutiny with the only successful slave revolt to result in this kind of new order: the Haitian revolution.⁴²

Finally, in observing during this mock trial that Atufal, though not “a mute,” is “like a mute,” Babo links Black and d/Deaf expression structurally before the law. When Atufal “mount[s] the steps of the poop,” he does so “like a brave prisoner, brought up to receive sentence” (362). Standing “like a mute” and “in unquailing muteness,” as Babo later will, Atufal embodies the potential of mute Black testimony. Power resides in this self-fashioned muteness that gives only the semblance of authority to speaking subjects, whose words, we later learn, have been so carefully scripted. Cereno’s body, too, underscores the import of mute communication in this scene: at first sight of Atufal, he “started, a resentful shadow swept over his face . . . his white lips glued together” (362). In

this singular moment Delano, the de facto (if oblivious) judge, almost catches the mute meaning of the spectacle, daring to think—just this once—the unspeakable truth: that Atufal might be “some mulish mutineer” (362). Atufal, for his part, maintains control precisely by refusing to speak a word—with a silence that speaks volumes to all present. Delano finds himself moved by Atufal’s muteness, swearing on his “conscience” it indicates Atufal’s “royal spirit,” and goes so far as to propose that, “in some natural respect” for the spirit Atufal’s muteness attests, Cereno pardon him (363).

But if the African king communicates forcefully without speaking in the ship’s mock trial, the possibility of direct legal self-representation for the *San Dominick* Africans is foreclosed from the start. Nowhere is this clearer than in the legal account of the mutiny, in which no African communication appears. This Spanish document is, nevertheless, haunted by Babo’s silence and by a “mute” legal document—the contract between Babo and Cereno giving the ship over to the *San Dominick* Africans—suppressed in the official text.⁴³

Still, the story leaves the reader questioning whether Western law can truly suppress Black testimony. Having emerged legally victorious, Cereno cannot move past the *San Dominick* events. “You are saved; what has cast such a shadow upon you?” Delano implores. “The negro,” Cereno responds (643). The narrator refers to the silence that follows four times: “There was silence,” “no more conversation that day,” and Cereno’s “muteness” is trailed by topics “upon which he never spoke”—the expensive costume that “had not willingly been put on” and the “silver-mounted sword, apparent symbol of despotic command,” which “was not, indeed, a sword. . . . the scabbard artificially stiffened, was empty” (643). Thus, even though Cereno testifies as Babo cannot, the instruments and devices of Babo’s melodrama—especially muteness—remain more powerful for Cereno than the Lima court. And, while both may conclude the story in silence, Babo’s final muteness is powerfully self-fashioned, while Cereno’s suggests both defeat and capitulation to the terms of Babo’s melodrama.

"Unknown Tongues"

Serial readers of *Benito Cereno* would have been more prepared than today's readers to identify Delano and the narrator's errors. Not only did Melville publish the story in *Putnam's Monthly*, then the only prominent national magazine to stand against slavery (Yellin 679), but the first installment of *Benito Cereno* was immediately followed by a piece called "Unknown Tongues," an essay on the rich varieties of communication in human and animal species.⁴⁴

Notable similarities invite comparison. Like *Benito Cereno*, "Unknown Tongues" opens with an ominous scene from maritime history in which the aspirational colonist, the Portuguese captain Francisco de Almeida, finds his ship in distress just off Ceylon (Sri Lanka) in 1705. Suffering from famine, the crew seeks land "as dusky shadows cover the sea" and hears "the voices of men . . . in strange, unintelligible accents," a voice that "seemed to rise from the dark depth by their side . . . broke in fierce, fearful cries, and then again it sank to such melancholy" (131). Unable to decipher these foreign voices, some sailors credit "the Voice of the Devil," although a twist reveals them to be the sounds of shellfish (131).

"Unknown Tongues" offers an instructive allegory in scientific guise; although it is ostensibly about animal communication, its stakes are never far from the human. "We have a thousand voices around us, sending up their great, never-ceasing anthem," the author explains, but "higher races listen to their own words only, and their ear is closed to the humbler voices around them" (131). The animals Almeida hears are "curtly classed among dumb creation," yet they have their own complex communication, which "proud man has little heeded" (131). "As in man," the author continues, all "must have some gesture to convey their friendly or hostile meaning" (135). Readers ought, furthermore, to mind their biases about race and ability: as with the "white man of Europe" for whom "all blacks look alike," readers would commit "a sad error, indeed, to fancy that there was nothing to read in look, mien and gesture . . . simply because, to us, it is an unknown tongue" (135).

To illustrate the complexity of gestural expression, the author draws on both ableist and racialized histories of sign language:

We forget, that when first we enter an asylum for deaf-mutes, we hardly observe the imperceptible signs that pass, with amazing rapidity, from hand to hand. We forget the terror with which early travelers spoke of the wondrous gestures used among Eastern nations, where the feasted guest from the west was often startled to find a wave of the hand, which had passed unnoticed before his eyes, had been an order to behead the offender. (136)

The author links these two scenes of sign language, reminding the reader both of gesture's complexity as language and of the danger in underestimating it.

In a sense, "Unknown Tongues" picks up where Delano leaves off. Where Delano surmises early that Babo may be "a Devil" and commits to this reading by the end, the author of "Unknown Tongues" quickly discards the idea that unknown tongues are demonic in favor of a more humble and complicated reading (470).⁴⁵ What "Unknown Tongues" encourages serial readers of *Benito Cereno* to recognize, instead, is what Sylvia Wynter calls the "demonic model" of expression. Such expression occurs "outside the 'consolidated field' of our present mode of being/feeling/knowing, as well as of the multiple discourses, their regulatory systems of meaning and interpretative 'readings'" (364). In *Benito Cereno*, the "consolidated fields" of knowledge and discourse are delimited and constrained by the exclusive privilege Delano, the narrator, and the Spanish courts grant to writing and audible speech. The mutineers exploit these constraints shipboard, but the constraints limit them before the law. For Babo, silence is the only viable strategy in the courts of Lima both because he has long recognized Spanish as the language of colonial power—a language that can be manipulated but does not express his truths—and because strategic muteness points toward the possibility of something more.

While "Unknown Tongues" may have encouraged the novella's serial readers to see these linguistic possibilities and complexities, such readings are also available to those who encounter Melville's text

alone. Melville's engagement with muteness, gesture, and sign alerts readers to the urgency of Black communication and testimony, even if, sixteen years after the *Amistad* case, it could be represented only through the crevices of the narrative. It is, paradoxically, the very legal and cultural foreclosures *Benito Cereno* illuminates that make the story's forms of Black testimony so difficult for readers to recognize today.

Lower Frequencies

If serial readers of *Benito Cereno* encountered an opening of communicative possibility following the first installment, they were reminded of the legal silencing of muteness in the editorial directly following its last. Writing about Bleeding Kansas, the author seeks clarity on who would get a vote on the state's status as slave or free: "In the acceptance or rejection of slavery by the people, are all men to vote? or whites only?" ("The Coming Session" 648). Legally aligning Black fates, at least metaphorically, with d/Deaf ones, the author continues: "Who defines and discriminates 'the people' from the *mute subjects* of their sway?" (648; emphasis added). "The people' may want slavery, or may not," the author concludes, "but who enacts that these are, and other rational adults are not 'the people'?" (648).

Reading for the structural intersections—and, in *Benito Cereno*, the strategic deployment of structural similarity—between histories of disability and race allows us to understand works like *Benito Cereno* anew. Simply because Delano, the narrator, and the law cannot recognize varieties of Black communication and testimony does not mean the novella or Melville's original readers share their limitations.⁴⁶ Instead, *Benito Cereno* draws out a broader, more complex world of communication aboard the *San Dominick*, suggesting that Americans like Delano may be empowered through technology and brute force, but they are dangerously impaired by linguistic biases. Indeed, Melville's abridgments of the concluding legal text themselves interrupt the Spanish testimony, and, when the narrator attempts to finish the story by neatly declaring Cereno's testimony alone "the key to fit into the lock of the complications which preceded it," laying "the

San Dominick's hull . . . open," he paradoxically relies on the very symbols of Babo's melodrama to declare Black agency dead (642). Babo, for his part, underscores this connection when he, like Atufal, stands mute and "could not be forced" to speak. "We ought, in our day, to have learned to think most humbly, indeed, of our own imperfect senses," writes the author of "Unknown Tongues," phrasing the lesson more directly (136). If *Benito Cereno*, then, seems to offer a bleak vision of the possibilities for Black testimony in the 1850s, it is only from the Western legal perspective that Delano and the courts offer. Other models abound and, for the moment, other possible futures remained.

Benito Cereno concludes with a final symbol: affixed to a pole in the square, Babo's head—his "hive of subtlety"—"met, unabashed, the gaze of the whites," haunting Cereno to the grave (644). While permanently severed from his body and hands, Babo's mute, decapitated head nonetheless still possesses a kind of mastery over white society, although its message is obscured. Western law attempts to silence Babo and master his body, but the public presentation of his head suggests to its viewers the complexity of Babo's thought and underscores his body's capacity for meaning making. And since the reader has been trapped by Delano's silent, cerebral narrative for much of the story, it is an image with which the story invites us to identify.⁴⁷ In this final image, the potent muteness of Babo's head in the square distills the complex status of embodied communication in the 1850s: positioned between "flesh and the law," it can communicate forcefully but no longer directly. Like Delano or Almeida, who register the import of "unknown tongues" through feeling rather than understanding, the reader is left to consider, as melodrama instructs, what meaning the mute image gestures toward. This is, only in the narrowest sense, a "voiceless end." We would do well here to heed Ralph Ellison, who opens his novel about Black erasure with the shadow of Babo's body and presses this question on readers in closing: "Who knows but that, on lower frequencies, I speak for you?" (439).

NOTES

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1. See Adler ("The Negro, Melville seems to be saying to America, has yet to be heard from; it would be well for whites to imagine what is in his mind before it is too late" [42]); Sundquist ("the law . . . was silent on the only issue that mattered to Babo," who "will not speak within the language of a law that does not apply to him" [181, 182]); S. Goldberg (Babo's silence is its own "mute testimony" [19]); Reiss ("Babo's silence cuts through the imagination of the legal system" and "is returned to us in the story's own eloquent gaps" [143]).

2. Melville no doubt had other meanings of *mute* in mind as well: servant or janitor "in Oriental countries" and "strong men, whom the Turkish tyrants have always in readiness, the more secretly to execute their butchery" (Swann 110). Given the significance of the word in *Benito Cereno*, it is surprising that, when critics have focused on muteness, they have largely read it figuratively, as the absence of speech, rather than as a complex, embodied historical category. For example, in her wonderful work on "quiet testimony," Shari Goldberg describes Babo as "most mute of all the mutes" and cautions that muteness should be "understood in its developed sense," but stops short of connecting it to the historical category of people, defining mute as "refraining from speech" (13, 9).

3. Here I follow Gavin Jones's argument that the *San Dominick* Africans employ a wide variety of languages while moving past Jones's focus on audible communication. Jones is most invested in showing how "alongside the employment of African languages in the tale," the *San Dominick* Africans expertly use Spanish (40). Sundquist argues that the clang of hatchets is "nothing less than a kind of speech—in this respect an elaboration of drumming in African tradition as a mode of synthetic vocalism based on pitch and rhythm," although this, too, relies on audible expression (166).

4. The one notable exception to the absence of gestural reading in *Benito Cereno* is Lilley's "Fateful Gestures," a beautiful analysis that nonetheless casts gesture as "a particular style of movement that remains unreadable in modernity" (201).

5. Van Crompton writes of *The Confidence-Man*: Melville's mute figures "represent[ed] a category of being whose otherness is such that the [other characters] are unable to recognize it as fully human," aligning the contours of Black and Deaf personhood (40).

6. In the antebellum era Black expression was not simply difficult to recognize but explicitly barred by law. After 1820, Black reading joined Black writing as a "seditious skill" (Monaghan 309). The 1850 Fugitive Slave Act went further, barring Black testimony in cases adjudicating the defendant's freedom. For another persuasive reading of disability and race in *Benito Cereno*, see

Reiss, who argues that Melville twins Blackness and madness. For *Benito Cereno* and law, see, especially, DeLombard; Lee.

7. For readings of the gothic in *Benito Cereno*, see, e.g., Coviello; Noble; Reiss.

8. Critics disagree about the relationship between the gothic and melodrama. For Chase the gothic is a subset of melodrama. Goddu argues this "diminish[es]" the gothic (6). Gamer calls the gothic "the first language of melodrama" (33).

9. Here, perhaps, melodrama engages the paradox of what Barbara Johnson calls "muteness envy": "a recurrent poetic condition" that is "a feature of canonical poetry written by men," that nonetheless often resorts to language to articulate its value (202). Thought thus, Babo's self-fashioning as mute might also evoke a Western "poetic ideal" or truth dependent on white patriarchal ideology (201).

10. *Deaf* refers to Deaf culture, while *deaf* refers to hearing loss.

11. My use of *structurally intersectional analysis* here differs from Kimberlé Crenshaw's "structural intersectionality," which refers to different forms of structural oppression that intersect to shape the lives of individuals and groups with intersectional identities, like Black women. This structurally intersectional analysis grows out of work I have done on *historical cripistemology*, a method that uses the historical experiences of disability "and the distinct ways of knowing that emerged from that history, to examine literature and culture" anew (95). Structurally intersectional analysis examines those disability experiences and epistemologies as they interact with those of other historically contingent forms of embodiment—here race. For more, see Altschuler.

12. Since the novella's narrative voices are invested in seeing a lack of capacity, we ought to read as much as possible for gestures toward capacity and meaning. For historical dismissals of gesture as language on imperialist, racist, and ableist grounds see, e.g., Carayon; Gunn; Baynton, "Curious Death."

13. For rich work on disability and Blackness more generally, see, e.g., Tyler; the collections by C. Bell and Pickens. Instead of examining Black disability, this essay examines how disability culture provided a resource for Black expression.

14. In Gunn's view the two cannot be separated, although their relation, as this essay shows, changed over time (80). Deaf communities already used their own sign language, but this was not as well-known and thus had less influence on popular understanding. See Carty et al.; Groce.

15. This list includes the earliest travel accounts of the Americas by writers like Columbus and Cabeza de Vaca. See Carayon; Gunn.

16. L'Épée called his language *signes méthodiques*.

17. For truthfulness and deceit in the French colonial context, see Carayon, ch. 4.

18. Glossing Fliegelman, Gunn writes, "The republican promotion of an embodied basis for the public expression and confirmation of sincerity was the rhetorical countermeasure to a world increasingly influenced by a play of texts that could not be trusted" (70). On the relationship between speech and gesture, see also Fliegelman, esp. 43–51; Gustafson, esp. 109.

19. At least two versions appeared in New York in 1801. The first, translated by William Dunlap from French, was performed under the original title in March and was performed “to the general satisfaction” at the Park Theatre (Coad 73). *The Lost Heir*, published by Dick and Fitzgerald, was translated from German. For more on the play’s life in the United States, see Coad 197–98.

20. *Coelina* was staged in New York, with editions printed in New York and Boston.

21. American Sign Language is not the same as *langue des signes française*, but Gallaudet was interested in the general form’s universality.

22. For a longer description, see Sayers, *Life and Times* 114–21.

23. E.g., in *State v. De Wolf* 8 Conn. 93 (1830) and *Snyder v. Nations* 5 Blackf. 295 (1840). For more on the history of legal rights for Deaf Americans, see Peet’s *On the Legal Rights*.

24. See Otter, Introduction, for a disability-focused analysis.

25. See Krentz 88–97. This reference in *Redburn* “demonstrates that Melville knew about the New York Institution,” Krentz explains; “[o]ne wonders if he saw a public exhibition at the school (they were quite popular at midcentury), or what kind of contact he might have had with deaf people in New York City” (89). Three pieces in *Leviathan’s* 2006 special issue on Melville and disability examine “mute” figures in Melville: Otter, Introduction; Samuels, “From Melville”; Mitchell and Snyder. All discuss the “Deaf-mute” as a figure of disability writ broadly, while here I am after the work of Deaf culture specifically. For other readings of disability and race in *Benito Cereno*, see Reiss (on madness) and Armengol (on blindness metaphors).

26. Reeves understands Melville to be adopting the “ruse practiced by his own impersonator” (19).

27. This distinguished the 1850 act from the 1793 Fugitive Slave Act.

28. Samuels writes, of “Melville’s literary portrayals of disability” more broadly, that they defy the “reductive dichotomies” into which disability was being conscripted (*Fantasies* 65).

29. For the Fugitive Slave Act in *Benito Cereno*, see Thomas 26–33; Yellin 688; Sundquist 176; Reiss 139. Melville’s sympathy for this mute world of African mutiny is less surprising in the light of his personal history. Not only was Melville staunchly opposed to his father-in-law’s support of the Fugitive Slave Act, but the *Amistad’s* shipboard subjugation likely resonated with the author’s crushing experience of maritime life. After deserting his ship in Polynesia, Melville boarded the *Lucy Ann*, where he encountered conditions so awful he and the crew attempted mutiny (Howard). They failed, and, like the *Amistad* Africans, Melville found himself jailed halfway around the world.

30. This silencing began with the 1836 congressional gag rule, and the violence I refer to here includes events like Bleeding Kansas.

31. Wilson gets closer but renders the text’s work more abstract: “Babo and his compatriots arrange a counter-symbolic order . . . [whose meanings] challenge what Rancière calls the ‘distribution of the sensible,’ the implicit law governing modes over perception that circumscribe the fields of what is visible and audible” (128).

32. Rediker describes the enslaved Africans as “multiethnic people—mostly Mende, but also Temne, Gbandi, Kono, Gola, and Loma” (5).

33. For a full account, see Rediker 118–24; Baynton, *Forbidden Signs* 114–15.

34. Here we see some of the difficulty of parsing the difference between sign language and gesture. Gallaudet’s faith stemmed from his belief that sign language was natural and thus easier to use, even for those who spoke different languages and were not formally trained.

35. Edna Edith Sayers has recently argued that Gallaudet was not interested in justice for the *Amistad* Africans (“White Nation”). She reads his questions about morality as religious inquiry, but, of course, the proof of a moral sense he sought in the exchanges, and the demonstration of an ability to communicate, were crucial to establishing the Africans’ testimony in court. Sayers points to Gallaudet’s activity in the American Colonization Society (ACS) as evidence of his racism, but, as Sayers herself writes, the ACS “attracted genuine, albeit naive, anti-slavery evangelicals and Quakers as well,” and, of course, colonization had its own Black supporters (“White Nation” 142). This is not to excuse the harm caused by the ACS, but rather to suggest that Gallaudet could have supported the institution and believed he was supporting African-descended peoples worldwide, as he argued he was (“Summary of an Address”). The American Asylum educated both white and Black students during all but seven years between 1825 and 1870. The seven years without Black students coincide with a state ban in Connecticut on the education of Black students from out of state. See Edwards 65.

36. For another example of Melville’s interest in experimenting with disability education for Black testimony, see Ahab’s comment that Pip, turned “idiot,” has “been studying Murray’s Grammar!” to craft his response to the doubloon (*Moby-Dick* 438). Texts like Murray’s were at the forefront of disability rehabilitation in 1851.

37. For arguments that describe the discrepancies as intentional, see, e.g., Deutsch. More recently historians have surfaced evidence that suggests the discrepancies were largely the result of errors by multiple people at multiple stages rather than a conspiracy; see especially Cohen; Schor. On race and disability in the 1840 census, see Walker 13; Forret; Grob; Samuels, *Fantasies* 2, 166. See also Reiss for this context in *Benito Cereno*.

38. Savarese notes that, similarly, although to different ends, in *Billy Budd* “[t]he word ‘dumb’ shows up repeatedly in relation to the Handsome Sailor, but not just to him—to nature in general” (308).

39. It may be that Melville understood this as a kind of textual dysfluency. If so, it would be one of a handful of occasions where Melville connected stuttering and deafness, and another example of the structuring function of disability for Melvillian narrative. For instance, *Redburn* depicts a character who is first read as deaf but revealed instead to stutter. More significantly, in what reads like a rewriting of Atufal’s and Babo’s trials, *Billy Budd* is commanded to “Speak! Defend yourself!” against the accusation of mutiny (*Billy Budd* 297). Instead, Billy, who stutters under pressure, produces “a strange dumb gesturing and gurgling” that seals his fate (297).

40. Delano's narrative, to borrow Otter's terms, draws from a racist and ableist "ardor of ethnologists" while his "ethnological critiques" emerge through gesture and sign, surfacing only through the narrative's breaks and crevices (*Melville's Anatomies* 3).

41. Here Delano illustrates Samuels's argument that disability "plays a dual role" in fantasies that reduce stigmatized subjects to their bodies, where disability serves "as both the *object* of identification and the symbolic *anchor* that enables its function" (*Fantasies* 13). For animalistic comparisons in *Benito Cereno*, see references to "a shepherd's dog," "animal humor," "Newfoundland dogs," and "dogs" (356, 365, 463, 460).

42. Many have drawn the Haitian connection. See, e.g., Beecher; Colatrella; Yellin. Significantly, 1799 is also the date of Bouilly's form-defining melodrama that advocates using embodied testimony to accord rights to individuals otherwise "mute" before the law.

43. See Reiss 136 for another reading of this absent legal document.

44. "Unknown Tongues" ran in August and October 1855. For *Putnam's* editorial politics, see Post-Lauria.

45. Melville's narrator casts this in the language of white salvation: Delano's acceptance of Babo as a "monster" is contrasted with Cereno's humanity (643).

46. Coviello argues that the story is a screed against bad readers.

47. We might further recall Lennard Davis's provocative formulation that reading is itself a deaf act and that, especially in the eighteenth century, "the deaf person was the icon for the reader" (113).

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Abstract: Readers of *Benito Cereno*, Melville's only story about slavery, have long debated whether the Black mutineers aboard the *San Dominick* are, as the narrator suggests, "voiceless." This essay begins with the self-fashioned muteness of the rebellion's leaders to offer a new linguistic genealogy of the novella, unpacking how Melville uses the cultural and legal structures of muteness to reframe Black communication. The category *mute* organizes the story's description, characterization, dialogue, and mode and structures the conditions of possibility for Black testimony. Such lessons were, the story's publication context reveals, more available to Melville's original readers. In showing how cultural and legal structures associated with disability served as resources for Black rights, this essay reveals how structurally intersectional analysis can resurface central aspects of a text. The cultural and legal history of Deaf culture make sites of Black communication and the possibility of Black testimony in Melville's novella legible once more.