

FOLLOWING THE LINE: MELVILLE'S ETHICS FOR A NEW BODY OF LAW

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“Now, to any one not fully acquainted with the ways of the leviathans, it might seem an absurdly hopeless task thus to seek out one solitary creature in the unhooped oceans of this planet. But not so did it seem to Ahab, who knew the sets of all tides and currents; and thereby calculating the driftings of the sperm whale's food; and also, calling to mind the regular, ascertained seasons for hunting him in particular latitudes; could arrive at reasonable surmises, almost approaching to certainties, concerning the timeliest day to be upon this or that ground in search of his prey.

So assured, indeed, is the fact concerning the periodicalness of the sperm whale's resorting to given waters, that many hunters believe that, could he be closely observed and studied throughout the world; were the logs for one voyage of the entire whale fleet carefully collated, then the migrations of the sperm whale would be found to correspond in invariability to those of the herring-shoals or the flights of swallows. On this hint, attempts have been made to construct elaborate migratory charts of the sperm whale.”
--*Moby-Dick* 199.

Introduction

Picture first the “solitary creature in the unhooped oceans of this planet” (*MD* 199).¹ The white whale, with all of his mass, is one droplet in the world's oceans. This is a whale extraordinary for his physical strength but also his *personality*—by which I mean to say not only his temperament, but also his status as a “person” within the world of *Moby-Dick*. Picture Moby Dick, irons in his side, slicing through the oceans for an entire year, slowing himself only to throw off harpoons and men. Picture thousands of whales, likewise propelling themselves through unforgiving seas and currents in untold combinations and patterns.

Now picture Ahab. He is a man who essentially lives in the water, unusual for his species, and literally outside his natural element. He has only one leg, another weakness for a ship captain. A single man, with a single leg, and a single purpose: to track Moby Dick. And as Ishmael allows, Ahab's methodical pursuit concerning “the periodicalness of the sperm whale's resorting to given waters” (*MD* 199) is not entirely mad. Quite reasonably, he spreads out before him the charts of the whales' past patterns, calculating

¹ Citations to “*MD*” refer to *Moby-Dick*.

where and when he is most likely to meet Moby Dick at sea. It is not a guarantee of a meeting, but Ahab's highly educated guess is hardly unreasonable or arbitrary.

Finally, picture a lawyer, hunched over the files of a particularly thorny case. The court in the controlling jurisdiction has never ruled on this question of law, but the lawyer is determined to find her way into the corner of the court's mind that will admit only one construction of the law. Like Ahab, she spreads out the charts of migration before her, descending into case history, searching for moments of similarity and difference. Each case answers a specific question, building upon the earlier cases; in order to understand the current state of the law, the lawyer must construct a genealogy. She explores the nooks and crannies of the case law, searching for one line of the case history that she will apply to her current case. At last, in a moment of historical alchemy, she identifies it: a chain of reasoning she thinks is likely to persuade the court. She stitches together the cases that came before, joining them corner to corner in a particular order, all to urge on the court a single method of legal reasoning in the current case. She does this until, as Ishmael says, “. . . the conclusion aimed at will naturally follow of itself” (*MD* 203).

The Common Law of Precedent and its Place in *Moby-Dick*

The common law works in precisely this way, depending on lawyers to be historians and alchemists. Broadly speaking, courts make and interpret law through court decisions or opinions, each of which is binding on the court for future decisions. Courts look both backward, to any existing precedent, and forward, to the rights of the parties before the court. In other words, in order to resolve the dispute in the present, the court must look to the past. Courts use the language of the present tense to resolve disputes, as in “The court denies this motion,” or “This court overturns the holding in X case.” In so

doing, the court codifies the action of the present as precedent, and therefore immediately relegates it to the past. Precedent is therefore a present-tense thing that has always already happened.²

This bridge between the present and the past is the foundation for the forging of tradition and custom, both of which are so central to the operation of law. As Peter Goodrich (188) writes, “Legal discourse has its primary basis in custom, and its vocabulary is correspondingly governed by doctrines of memory, recognition and usage, defined in textual reference to extensive and obscure etymologies, inert . . . procedures, and finally by an epistemology . . . of the ‘sources’ of law in which words are transmitted” The operation of precedent takes just such form, following the law’s preference for memory and recognition, while also reinforcing legal myths about the “source” of law emanating down through various schools of legal precedent. This lineage of precedent takes the mythical source from the past and propels it forward into the legal progeny of the future.

Precisely because precedent is generally binding on future decisions, it occupies a space of supposed reverence and stasis within the law. In litigating a matter, the lawyer researches the relevant precedent, searching for a line of cases that will justify the holding then being urged on the court. For unfavorable precedent, a lawyer must argue that the facts in the earlier case materially differ from the facts in the present case. For favorable precedent, the lawyer’s task is to demonstrate the opposite (the similarities between the present case and the precedent). The lawyer must place these cases before the court so that the desired result appears to flow naturally—and therefore

² As Peter Goodrich puts it, “Legal discourse is pre-eminently *prior* discourse, a discourse that is already ‘written’ and requires only the addition of the passive philological techniques of reinvocation” (188).

mandatorily—from the precedent. The court ultimately renders the decision, typically situating a case within one of the existing—and now extended—lines of precedent. In this way, the common law evolves in countless directions, but always under the auspices of precedential authority.

I argue that, in *Moby-Dick*, Herman Melville constructs a new precedential framework in which he uses physical connections between animals—usually by rope and/or harpoon—to trouble the boundaries of rights and law, using visible fishing lines to caution darkly about the un-seeable threads connecting one animal—human and non-human—to another. Melville presents numerous pairs of animals throughout the story—man and man, man and whale, whale and whale—in which the two animals maintain a connection via the physical line. This physical line is usually by rope and/or harpoon or dagger, but in at least one instance the line is that original line connecting two animals: the umbilical cord. By presenting each of these pairs in succession, Melville underlines the relative positions of power or weakness in the various pairings, as well as the ambiguous tendency of the line to unify its pairs even while it cleaves them. The lines connecting the pairs take each two animals outside Melville’s own elaborately constructed hierarchies, setting them instead adrift for a moment in which there is only the other animal on the end of the line and the only question before them is what type of line they cling to. In so doing, Melville presents the instances of the line as cumulative and suggestive of a new ethics of creaturely interdependence.

In the sections that follow, I examine Melville’s use of the line and argue that Melville at once dramatizes the common law of precedent while also urging a more flexible and fluid treatment of case citations. By treating just two creatures at a time

(those on either end of the line), Melville plays with law's tension between the general and the specific: it is through a series of specific, intimate encounters that Melville ultimately suggests a general, and global framework for how all creatures might co-exist. Melville's framework, as I read it, is a system of networks and interdependence, in which established hierarchies lose their meaning and unchecked brutality threatens the system as a whole.

The Affidavit: Establishing a Precedential Framework

"I care not to perform this part of my task methodically; but shall be content to produce the desired impression by separate citations of items, practically or reliably known to me as a whaleman; and from these citations, I take it—the conclusion aimed at will naturally follow of itself." --*Moby-Dick* 203.

In Chapter 45, "The Affidavit," Ishmael establishes the quasi-legal framework that governs vignettes about what I have called "the line." Structured as a legal affidavit, this chapter authenticates Ishmael's testimony as it concerns the line and establishes a common law framework for the "cases" that follow. Riddled as it is with legal terminology, "The Affidavit" presents Ishmael to the reader as a competent narrator and witness, even introducing the precedent that Ishmael slowly reveals in greater detail in the following chapters. Perhaps most importantly, Ishmael introduces the idea that legal narrative and literary narrative coexist in his telling of events. For Scheppele (63), "[l]egal narratives . . . are supposed to be constructed in such a way that they are recognizable both as stories that resonate in the general culture and as stories that work as legal accounts." Ishmael marries the legal and the literary in just such a fashion, explicitly using legal narratives in "The Affidavit" to establish the later legal *and literary* narratives of the novel. Free from the strictures of actual court proceedings, Ishmael is at liberty to render literary the legal and vice versa.

First and foremost, Chapter 45 is Ishmael's opportunity to establish himself as a reliable narrator about the whaling industry and ostensibly "un-catch-able" whales in particular. He recites three instances of a whale making off with harpoons, only to be later slain "by the same hand" (*MD* 203). Ishmael also lists whales of so much "ocean-wide renown" that they were "admitted into all the rights, privileges, and distinctions of a name" (*MD* 204). Finally, he lists various incidents of peril on the seas, as well as whales who have killed their would-be captors. In each of these stages of his affidavit, Ishmael qualifies himself as someone capable of relating the events of *The Pequod* and the pursuit of *Moby Dick*.

Ishmael laments the lack of public record on shore of the "disasters and deaths by casualties in the fishery" (*MD* 205). He therefore sets out to establish a record of *The Pequod's* annihilation, but also to establish a record of the sperm whale. Ishmael goes so far as to say, "But fortunately the special point I here seek can be established upon testimony entirely independent of my own. That point is this: The Sperm Whale is in some cases sufficiently powerful, knowing, and judiciously malicious, as with direct aforethought to stave in, utterly destroy, and sink a large ship" (*MD* 205). In this moment, Ishmael reveals a condition that will reverberate with significance throughout his narration: for purposes of *Moby-Dick*, at least, whales are persons. Specifically, whales are subjects within legal systems. As the *Ellenborough* case in Chapter 89 later reveals, whales that make off with harpoons acquire property interest in them, thus achieving legal personhood.

Ishmael takes great pains first to recite his own experiences with whales that have made off with harpoons. Even more importantly, Ishmael goes so far as to describe the

sperm whale as possessing undeniably person-like qualities: knowledge, and specifically “malice aforethought,” a legal term of art that establishes the intent element of murder—malice aforethought is the condition that distinguishes murder from justifiable killing. Both subjectivity and ownership will be addressed in later sections of this paper, but it is critical that Ishmael sets up the concepts in his affidavit: the framing by Ishmael suggests that the precedential citations to follow in the novel will take up both subjectivity and ownership.

Ishmael therefore uses “The Affidavit” to establish certain ground rules about the legal system being constructed by his narration, as well as the characters within it. Moreover, it is in “The Affidavit” that Ishmael explicitly announces the common law framework. John Matteson writes, “Melville in *Moby-Dick* rejects the traditional formalities of memory and moves toward an alternative conception of law, cryptically founded on living values of friendship and feeling” (118). While I agree with Matteson’s equation of law with memory here, I want to push his argument that Melville “did not want for law to be formulated as a mere series of cold, mechanically followed precedents” (Matteson 117-18).

At the beginning of Chapter 45, Ishmael says, “I care not to perform this part of my task methodically; but shall be content to produce the desired impression by separate citations of items, practically or reliably known to me as a whaleman; and from these citations, I take it—the conclusion aimed at will naturally follow of itself” (*MD* 203). It is here that Melville offers his own version of precedent. As Matteson notes, it carries with it a rejection of precedent as a thing rigidly binding on future citations. However, Melville is clearly putting forth his own version of precedent in Ishmael’s description –

for Melville, the precedential consists of a list of related, and relevant citations, from which to glean a conclusion that “naturally follow[s] of itself.” Ishmael explains his task and invites the reader into a kind of legal reading – he will, he says, merely present the citations, and it is up to the reader to discern the conclusion. For Melville, it is not, as Matteson seems to be suggesting, that precedent has no value.³ Rather, precedent should produce a natural, logical conclusion rather than providing merely a string of nonsensical rules that one must follow even where it defies common sense and reason. Scheppele (44) writes that, through trials, “[e]vents are made into texts. And these are texts that, like legal texts, are open to interpretation.” Likewise, Melville, through Ishmael, transforms events into legal texts, open to interpretation. For Ishmael, and by extension Melville, the fact that a text is open to interpretation is the very aspect that defines and protects its integrity. The writer trusts that the texts themselves will, in aggregation, suggest a natural and reasonable conclusion, despite the possibility for interpretive differences. Melville’s formulation of precedent argues for precedent in its purest, most ideal form, where it produces a just result.

Following the Line: Personhood and Power Relations in *Moby-Dick*

What, if any, rule governs Melville’s treatment of personhood and subjectivity? As I have already argued, at least one defining feature of Melville’s system includes the treatment of whales as persons. That Ishmael’s affidavit allows whales the potential to form intent to kill recalls English law’s creation of the category of the deodand in which, as Dayan writes, “[n]ot only could objects kill, but they could cause death with intent” (127). However, as the law of deodands makes clear, the intent to kill does not

³ Matteson argues that, in *Moby-Dick*, precedent “is . . . likened to a dead whale: massive, aimlessly drifting, bereft of its brains, but still curiously capable of inspiring awe and commanding obedience” (125). As I argue, Melville is not throwing out the concept of precedent but rather, he is attempting to re-write it.

necessarily render an object or animal a person. Rather, under the law of deodands, “any moveable material object—more specifically, any piece of personal chattel property—that directly caused the death of an adult human being became deodand and, as an accursed thing, was held to be forfeit to God” (Pietz 97). To treat an object as a deodand therefore, as Dayan writes, renders the object “[e]mptied of agency” (181).

The role of the deodand in English law makes legible both the intimate connection between law and religion, and also as Pietz writes, the tension between the state’s “duty to protect the property and contracts of private individuals . . . [and] a duty to act for the good of society as a whole” (105). The concept of “retaliation against the offending thing itself”⁴ relates to the good of society at large: by finding a means of compensation for accidental death, the law was seeking to render whole victims and their families. The deodand then stood in for a criminal when needed – it was an object that could acquire some criminal liability but did not rise to the status of a person because it had no rights. Compare this treatment with the legal status of slaves in the United States in the late 1850s and 1860s, where a slave could have criminal liability but had no right as a citizen to sue.⁵ In that example, slaves were arguably the equivalent of deodands; the question is whether whales in *Moby-Dick* are similarly equivalent to deodands, or whether they achieve personhood.⁶

⁴ See Pietz at 100 (quoting Oliver Wendell Holmes, Jr., *The Common Law*, at 11). Note also the resonance with Ahab, whose pursuit of Moby Dick is a single-minded act of retaliation and revenge.

⁵ See *Dred Scott v. Sandford*, 60 U.S. 393 (1857).

⁶ Margaret Radin has observed that there are numerous theories of “the person” that have emerged throughout history. Radin (962-64) notes that these theories include “the person as rights-holder” (962), the person as one capable of “self-consciousness and memory” (963), and the person as one capable as well of “project[ing] a continuing life plan into the future” (963). Radin also notes later (972-73), that “Hegel concludes that the person becomes a real self only by engaging in a property relationship with something external.” As I argue in the following section, by nearly any of these constructions, whales in *Moby-Dick* appear to qualify for categorization as persons.

I argue that the whales in *Moby-Dick* achieve personhood because their subjectivity does not consist solely of criminal liability. Rather, as Ishmael makes explicit in Chapter 89, “Fast-Fish and Loose-Fish,” it is also possible for whales to acquire property rights. Therefore, the whales maintain a personhood through property rights, and therefore a proprietary interest in their own personhood. This is a concept related to Cheryl Harris’s arguments about whiteness as property, in which, as she writes, “Whiteness was the characteristic, the attribute, the property of free human beings” (1721). For Harris, being white means “to be identified as white, to have the property of being white” (1721). In other words, to be white means to be capable of the fullest host of rights through the *recognition by others* of one’s own whiteness—whiteness qualifies one for “whiteness.” Likewise, in *Moby-Dick*, it is the collective, legal recognition of the whales’ ability to acquire property rights that governs the treatment of whales as capable of holding property in the first place. If whiteness is the equivalent of personhood, and personhood brings with it a proprietary interest, the whales are property holders several times over.

Though I treat the issue of ownership separately in the following section, it is critical to note the importance of property rights to Melville’s conception of personhood. Melville’s rendering of whales as possessing the potential for *either* criminal liability *or* civil rights is remarkable given that *Moby-Dick* was written just five years after the law of deodands in England was abolished.⁷ Rather than depriving the whales of agency—as with the deodand—Melville casts whales as what I will call “creaturely persons.”⁸

⁷ As Pietz notes (97), the British Parliament abolished deodands in 1846.

⁸ I use the term “creaturely persons” not to blur the line between human and animal, but to distinguish between persons who have a full array of rights and “creaturely persons,” or those whose rights are in some way challenged or limited.

Though they possess personhood in the form of certain civil rights, the whales are nevertheless figures that call attention to their fraught power relations with the human persons in the novel. Even Jeremy Bentham, in a discussion of penal jurisprudence, considers that certain humans are “styled as persons” (*Morals* 282);⁹ such a formulation suggests that not all humans are persons and leaves open the possibility that other non-humans might similarly be “styled” as persons.¹⁰ The question of personhood, then, is inherently one of power and power relations among creatures. It is through the line that these power relations become visible.¹¹

In the man-whale connection, the line is a weapon that the man deploys in an effort to capture, own, and kill the whale. This dynamic should establish firmly the power dominance of man over whale. Yet, in this man-whale transaction, the line is also a potential weapon for the whale to deploy against man. As Ishmael notes in his affidavit, it is possible for a whale to appropriate the line so that the whale is the thing towing the ship, “as a horse walks off with a cart” (*MD* 209). If the whale is strong enough to tow the entire ship, it is also strong enough to capsize the ship, or to use the line to haul a man out to sea. Much later in the novel, Ishmael describes what happens when a whale hauls a man off the boat with the line: “[Y]et it does present one of the

⁹ Citations to *Morals* refer to Bentham’s *An Introduction to the Principles of Morals and Legislation*. Cheryl Harris (1742) also quotes Hacker as identifying a similar principle in the establishment of whiteness: “As Hacker suggests, fundamentally, the question was not so much ‘who is white,’ but ‘who may be considered white’” (internal citation omitted; emphasis in original).

¹⁰ See Colin Dayan, *The Law is a White Dog*, arguing that, through the deodand, the law could style animals and objects as persons: “Any personal chattel that caused the death of any *reasonable* creature was believed to carry homicidal taint and malicious influence” (128) (emphasis in original). Dayan relates this concept specifically to race, connecting the “thinglikeness” (133) of the slave as the feature that enabled legal treatment, or “styling,” to use Bentham’s term, of human beings as things.

¹¹ Note also my discussion of Bentham’s formulation of agents in the section entitled “The Line and Dependence: Melville’s New Ethics.” Of particular import here is Bentham’s treatment of both humans and animals. It is reasonable to conclude that Melville was familiar with Bentham’s work, as he mentions Bentham’s skeleton in *Moby-Dick* at 263.

more perilous vicissitudes of the fishery. For as the swift monster drags you deeper and deeper into the frantic shoal, you bid adieu to circumspect life and only exist in a delirious throb” (*MD* 385).

Somewhat ironically, the colonial impulse of the man to hunt and “own” the whale places the man in the simultaneous position of power and peril. Though the man has many other men behind him, as well as weapons and technology, there is yet the threat that the whale will shift the balance of power and use the line against the man himself. The shifting nature of these power relations echoes as well among men in the novel. For instance, in Chapter 38, Starbuck ruminates on his attachment to Captain Ahab, whose own monomaniacal pursuit of Moby Dick endangers the entire crew of The Pequod. Starbuck thinks to himself, “. . . the ineffable thing has tied me to him: tows me with a cable I have no knife to cut” (*MD* 169). Here is another flashpoint between man and whale that dramatizes the precarious nature of personhood and subjectivity for each within a system of simultaneously rigid and opaque power relations. Unlike the whale, Starbuck is not an object of prey. Nevertheless, his position in the power structure of The Pequod is clearly one of subservience and obedience to Ahab, the ship’s captain (or dictator). Starbuck even uses the language of the line to articulate his relation to Ahab, suggesting that Ahab is towing Starbuck along behind him, much the way a ship tows a dead whale, or a rogue whale tows a ship. Starbuck’s connection to Ahab implicates him in the connections of The Pequod to so many whales, moving the system of power

relations ever closer to the image of a networked web of creaturely connections,¹² all of which threaten at any moment to disrupt the flow of power.

Melville's Cautionary Line of Ownership: Fast-Fish and Loose-Fish

In Chapter 89, "Fast-Fish and Loose-Fish," the entirety of whaling is reduced (or expanded) to two premises: "I. A Fast-Fish belongs to the party fast to it. II. A Loose-Fish is fair game for anybody who can soonest catch it" (*MD* 396). In these two rules, or "twin whaling laws," (*MD* 397) rests a capacious legal code that governs order upon the sea and everywhere else. Bound up as it is in ownership, this code dictates whether and when one can commandeer a thing for his own use. Yet, despite Ishmael's attempt to convince the reader of the elegance of this two-pronged code, the question of who or what can be an owner remains, as with so much else in *Moby-Dick*, a muddy, puzzling problem of blurred boundaries. Evincing a certain amount of legal expertise, the structure of Chapter 89 itself mirrors a legal treatise. First, the text of the statute appears (here, the two whaling laws). Then, definitions of key terms further explicate the language of the law. Finally, case law illustrates application of the statute in practice, particularly where some thorny legal issue threatens to render the plain language of the statute ambiguous or uncertain.¹³ But to what end does Ishmael set forth these twin laws?

It cannot be to actually reduce every man, animal, or thing to the category of Fast-Fish or Loose-Fish (though Ishmael provides exhaustive, and illustrative, examples of both). By his own description, these categories are expansive and all-encompassing rather than limiting: "But if the doctrine of Fast-Fish be pretty generally applicable, the

¹² The language itself in *Moby-Dick* may be mimicking this network structure. Ricard Sole (257) has observed that the words at least in Chapter 1 of *Moby-Dick* form an intense network, in which "just four degrees of separation are required on average to reach one word from another."

¹³ Melville's reference to "Coke-upon-Littleton" (*MD* 396) further suggests an awareness of legal treatises, *Coke on Littleton* being a well-known seventeenth-century treatise.

kindred doctrine of Loose-Fish is still more widely so. That is internationally and universally applicable” (398). Instead, Ishmael points the reader to the very mutability of things and creatures, to their tendency to move between and among categories. Ishmael’s descriptions of the categories suggest, at least facially, that both types of “fish” are things to be owned. Undoubtedly, a Loose-Fish moves about with greater liberty than a Fast-Fish; but does this mean that the Loose-Fish is really free?¹⁴

Take, for instance, the case of Mr. Erskine. Lord Ellenborough held that the abandoned whale, once caught, belonged to the defendants; however, he also held that, before capture, “when the fish made off with [the harpoons and line], it . . . acquired a property interest in those articles” (*MD* 397). Here, the whale skated across the Loose/Fast divide several times before its ultimate capture. Extraordinarily, the judge granted the whale *personhood* (the right to hold property) while a Loose-Fish.¹⁵ And yet, in spite of this stunning status, Mr. Erskine nevertheless asserted himself over the Loose-Fish, transforming it to a Fast-Fish of his own. These fluid hierarchies and hazy boundary lines once again cast doubt over the very taxonomies Ishmael depicts. Ishmael

¹⁴ Here is yet another point of convergence with Bentham. Long writes that “part of Bentham’s attention was focused on . . . the definition of . . . liberty which social control seemed so ominously to jeopardize” (73). Indeed, Long notes that Bentham “made at least a tentative effort to formulate a general law of property and a general law of liberty on the basis of the ‘modal objects’ upon which these divisions of law . . . were to act” (123). Here both Melville and Bentham take up the intersection of liberty and property within the sphere of the social order. Radin (985) has also noted that, for utilitarians, “some rights not traditionally called property, like freedom from bodily intrusion, are protected by property rules.” For Melville, the tension between personal liberty and social control is foregrounded in his discussion of fast-fish and loose-fish, which are always subject to the pressure and pull of both liberty and social order.

¹⁵ Matteson argues that Melville is dramatizing this legal holding as absurd (127). However, I argue that Melville is actually using this holding to set the stage for the literary whales’ future behavior and interior. Rather than characterizing the holding as absurd, Ishmael, as Matteson himself notes, concludes his ruminations on whaling law by writing, “And thus there seems a reason in all things, even in law” (401). Whereas Matteson reads this sentence as sarcastic, I argue that Ishmael posits a bemused, almost wistful acknowledgement that law itself maintains some semblance of reason in spite of its apparent contradictions and fictions. The phrase “even in law,” rather than infusing sarcastic disbelief, explicitly connects law to reasoning, or reasonableness, in general.

himself reminds the reader that our selves and our things may be Loose-Fish in one circumstance, and Fast-Fish in another, and that these categories are always relative.¹⁶

The blurring of the boundaries within the taxonomies of *Moby-Dick* is a trope that recurs in each of Ishmael's exhaustive catalogues. There is another characteristic of taxonomies that, though obvious, is particularly relevant to the final third of the book: an animal in a taxonomy is defined by its *relation* to other animals. For example, it is only by comparison of different species that one characterizes a particular animal as "small" or "intelligent."¹⁷ The relation among items/animals in *Moby-Dick* is also at least partially spatial in nature, literally where one animal stands in relation to another.¹⁸

The definitions of Fast-Fish and Loose-Fish in Chapter 89 inflect many of these relations among animals, most notably with Ahab's single-minded quest to turn the whale into his own Fast-Fish. Physically fastened to a person, the Fast-Fish is property. That Chapter 89 treats whales as both persons and property within the same chapter is significant. Here too we hear the echoes of Bentham, who wrote, "The day has been, I grieve to say in many places it is not yet past, in which . . . slaves[] have been treated by the law exactly upon the same footing as, in England for example, the inferior races of animals are still" (*Morals* 283).¹⁹ Bentham goes on to wonder when the day will come that race will cease to be a justification for degradation, questioning whether the deciding

¹⁶ In particular, his descriptions of colonization suggest the relativity and mutability of the Loose/Fast categorizations. For instance, he describes America in 1492 as Loose-Fish. This observation calls into question several things: the rights and status of Native Americans then living on the land, and the present status of America (Ishmael's use of past-tense suggests that America is no longer a Loose-Fish).

¹⁷ This point also recalls Bentham, who discouraged the application of the terms "good" and "bad" to categories such as motives. See *Deontology* at 105-11. In so doing, Bentham likewise calls attention to the relational, or relative.

¹⁸ See *The Law is a White Dog*, Colin Dayan, for a further discussion of how taxonomies of persons and animals actually results in non-relation. For Dayan (137), "the logic of slavery both depended on and tried to evade the consequences of the comparison with animals." Dayan demonstrates here the cognitive dissonance of the legal fiction that a slave was a human being and yet a non-human thing.

¹⁹ This quotation is in the continuation of n.1 from page 282.

factor against such degradation is in the ability to reason, to talk, or to suffer.²⁰ By presenting the whales as creatures straddling the boundary between personhood and property, Melville is conjuring an association with slaves who are similarly dehumanized by the arguments over their personhood.

Moreover, Melville uses the language of law to make legible the importance of power relations in the hierarchies of owner and owned that Melville so assiduously sets about dismantling. For Melville, the law is an instrument of codification of these power hierarchies, and it is through creation of a new law that he seeks to re-write the power dialectic among his many persons (both human and animal). As Goodrich writes, “The rhetoric of law is at its most basic the rhetoric of sovereignty and power, of rights and duties” (189). The conjuration of a connection between whales on the one hand and slaves or colonial subjects on the other punctuates *Moby-Dick* by insistently recalling the reader to the question of power—who has the right to confer the status of “personhood” on a subject, on what ground must a subject submit to a sovereign, what duties does a sovereign have to its subjects? These questions unfold themselves on numerous levels, both in terms of the power dynamics aboard the Pequod and in the power dynamics between the crew and the whales they encounter. Where a rhetoric of individualism inflects these transactions with intention and character, a rhetoric of law somehow institutionalizes the larger questions about duty and obligation. Melville’s use of the line to dramatize duty and obligation is consistent with his legal rhetoric. By using the line—a thing linking one animal to another—Melville resists the temptation of favoring individualism over duty or vice versa and exposes this dilemma for the false choice that it is. Rather, the line evinces both one’s individualism and one’s duty to others. By

²⁰ *Ibid.* At one point, Bentham actually writes, “What else is it that should trace the insuperable line?”

rendering the line as the basis for his new body of law, Melville insists that the law operate at a global level always and only through a return to the personal, the intimate.

There is scarcely a better example of this premise than in Chapter 130, “The Hat,” where physical lines attaching one animal to another (in this instance, people) serve a purpose altogether distinct from the proprietary one in “Fast-Fish and Loose-Fish.” Rather, as described in “The Hat,” the sailor working “at some lofty almost isolated place in the rigging . . . is hoisted up to that spot, and sustained there by the rope; under these circumstances, its fastened end on deck is always given in strict charge to some one man has the special watch of it” (*MD* 538-39). It is not the first time that Ishmael describes a rope tying two men to each other: while rendering a whale carcass into meat and oil, for example, the one man working below on the whale maintains a rope line to a second man on deck. In both situations, the rope tying one animal to another, rather than signifying a property relationship, signifies a contract. In the case of the two men working on the whale, each man’s fate is contingent upon the other. In the case of Ahab working aloft in Chapter 130, his fate depends on the watchman below. In neither case does one man own the other by virtue of the physical connection. In this way, the line as law operates not to reinforce power hierarchies aboard *The Pequod*, but to disassemble them into far more personal, intimate connections. Whatever his normal station within the crew of *The Pequod*, the person holding the other end of the rope line becomes the most important sailor to the man dangling off the side of the ship.

Compare this physical thread between animals with the description in Chapter 100 of *The Enderby*’s pursuit of the white whale. With harpoons in its flesh, the whale “[went] to snapping furiously at [the] fast-line” (*MD* 438). As Ahab remarks, the whale

“—wanted to part it; free the fast-fish—an old trick—I know him” (MD 438). In this case, the tie between man and whale fastens the whale to the man in a gesture of ownership, and the whale reacts to free himself.²¹ By contrast, in Chapter 130, Ahab ties himself willingly to Starbuck, despite their fraught relationship: “[I]t was strange, that this was the very man [Ahab] should select for his watchman; freely giving his whole life into such an otherwise distrusted person’s hands” (MD 539). The move to tie oneself *freely* to another constitutes an agreement to be so bound. Ahab’s safety depends on maintaining the integrity of his line to Starbuck, whereas the whale’s safety depended on severing its connection to The Enderby. Importantly, Starbuck’s fate is not dependent on Ahab here. The asymmetry of this bargain between the two is critical: Ahab’s trust in Starbuck evinces his faith in the integrity of the bargain itself as an institution.²²

In Chapter 89, Ishmael cautioned about the fate of such “Loose-Fish” as the rights of man and principles of belief, asking “is not Possession the whole of the law?” (MD 398). Ahab’s pursuit of possession throughout the book suggests that not only is possession at the heart of the law, but also that the quest to possess another carries its own dire consequences. Chapter 130 seems to be asking if there is yet another way to conceive the law: the line tying one animal to another becomes a means of ensuring survival, a desired connection to another animal rather than the yoke of ownership.²³ Ahab’s submission to Starbuck is but a brief interlude in his pursuit of the white whale.

²¹ This description comports with the legal case described in Chapter 89, where the whale that made off with a harpoon and lines freed itself and acquired a property interest in its own lines.

²² It is impossible to ignore the parallel to the common law here again. It is the *process*, the institution that compels one’s consent to be bound by its strictures, even where the result runs counter to common sense—we are confronted, again, with the problem of the legal fiction. See also my discussion of Melville’s interaction with Bentham’s utilitarianism, in the following section, “The Line and Dependence: Melville’s New Ethics.”

²³ Note that, earlier in the chapter, Ahab’s relationship to Fedallah also appears in the imagery of a yoke: “Ahab seemed an independent lord; the Parsee but his slave. Still again both seemed yoked together, and an unseen tyrant driving them . . .” (MD 538).

But here, nearly buried, Melville urges a new conception of the Fast-Fish: “the bargain” itself—rather than possession—is the law, binding is the agreement even between asymmetrically powerful parties. If contract is the governing principle in this relation, even a Fast-Fish is free.

It is here that Melville’s precedential use of the line shakes loose the conclusion that ownership of other persons or subjects is inherently dangerous – Melville has presented citations to instances where someone deploys the line in an act of ownership and, in so doing, makes himself vulnerable to destruction. Moreover, Melville’s presentations of other citations in which two men use the line to support one another likewise accrete in the conclusion that this second use of the line is the safer, and preferable one. In this way, Melville is creating his own body of law through a precedential system that, rather than simply applying rigid individual rules on forward into perpetuity, accumulates anecdotes of intimate encounters that ultimately urge a powerful paradigm shift. The precedent accrues as a whole, bringing with it into each new encounter with the line the web of related, connected law that has come before. Ultimately, as the next section argues, this network arrives at the point of interdependence.

The Line and Dependence: Melville’s New Ethics

“I saw that this situation of mine was the precise situation of every mortal that breathes; only, in most cases, he, one way or other, has this Siamese connexion with a plurality of other mortals.”
–*Ishmael, on being attached to Queequeg, who is suspended below to work on the whale. Ch. 72, “The Monkey-Rope.”*

In the consecutive chapters “The Jeroboam’s Story” and “The Monkey-Rope,” a doubled use of the line likewise demonstrates first the peril of exercising power at the expense of another creature, and second, a more hopeful vision for the possibility of

connections between animals. As Armstrong (1041) writes, Melville “crosses back and forth between the human and nonhuman domains in ways that demonstrate the inextricable interimplication of these apparently discrete and opposed dimensions.” Where “The Jeroboam’s Story” cautions, “The Monkey-Rope” cautiously invites. These twin chapters constitute precedent that build upon previous citations to the line, and from which later uses of “the line” then proceed.

These chapters underscore the ambiguity of the line’s possibility—it may annihilate or protect. In “The Jeroboam’s Story,” the boundaries of man and animal shift repeatedly, disorienting and dislodging the reader from familiar taxonomies of creatures. An apparently insane man, Gabriel,²⁴ had cautioned the crew of The Jeroboam that Moby Dick was “no less a being than the Shaker God incarnated” (*MD* 316). In spite of Gabriel’s warnings, the chief mate, “after much weary pulling, and many perilous, unsuccessful onsets, . . . at last succeeded in getting one iron fast” (*MD* 316). In the very next moment, “a broad white shadow rose from the sea; by its quick, fanning motion, temporarily taking the breath out of the bodies of the oarsmen” (*MD* 316). At that point, the chief mate “so full of furious life, was smitten bodily into the air, and making a long arc in his descent, fell into the sea Not a chip of the boat was harmed, nor a hair of any oarsman’s head; but the mate for ever sank” (*MD* 316).

This description is significant—against the warning that Moby Dick was “God incarnated,” Macey proceeded to use the line as a weapon, moving to fasten the whale to himself, for his possession, through a harpoon. Perhaps urged on by the false confidence of the numbers behind him, or by the technology of harpooning, or simply his belief in

²⁴ Significantly, he claimed to be the Archangel Gabriel, a messenger between God and humans, and an archangel associated with heralding the Last Judgment.

the natural superiority of man, Macey fastened himself to the whale in a gesture of ownership—as though it perfectly comported with the laws of nature and whaling that a whale is a thing to be owned, and as though it was perfectly ethical for Macey to exercise this “natural right.”²⁵ In this moment, man and whale cut through the sea with the line between them, with man no doubt congratulating himself on embodying his natural superiority to the whale. But the celebration lasted only a moment before Macey found himself hauled out of his boat and sunk into the sea. It is critical that Macey, and Macey alone, perished. The boat and crew were unharmed—though accomplices to Macey’s actions, they were not parties to the transaction between Macey and the whale.

Ishmael even notes the normative nature of this accident, where a whale frequently drowns one man only without disrupting the other crew or the ship. Such events underscore the intimate nature of the line – that it truly exists between one animal and another. And that, where it is deployed as a weapon, only one of those animals can ultimately prevail. In the story of *The Jeroboam*, the question of which animal has the greater power is in flux until Macey dies in the sea. The effect of Ishmael’s disorienting taxonomies becomes most apparent here—the storyteller seems to withhold opinion agnostically about which animal is actually superior.²⁶ Revelation of Macey’s subordinate position comes without warning—unless one counts Gabriel’s “prophecy”—

²⁵ Note the resonance here with the previous section on the line and ownership. Whereas Bentham, in *Deontology*, writes that “Rights corresponding to and derived from correspondent obligations of the perfect kind are not derivable from any other source than law,” (171), I argue that Melville puts forth an ethics of interpersonal responsibility that arises from our inherent connectedness to one another. While Bentham, as Long notes (66), sought “to denounce the theory that natural right forms the foundation of civil right,” Melville presents the two as co-existing and inextricable.

²⁶ This move casts the narrator as judge, which is on the one hand paradoxical in that elsewhere (as in “*The Affidavit*”), Ishmael seems instead to take on the role of witness, or participant, but on the other hand in keeping with Ishmael’s invitation to the reader to do a kind of legal reading of the text. Both Ishmael and Melville thus refuse to render judgment throughout the novel.

but then with a hint of sentimentality.²⁷ Instead of using a hierarchical structure based on brute power or technological sophistication, Macey and Moby Dick instead revolve around one another, outside the already muddy animal taxonomy.

Compare this use of the line with that in Chapter 72, “The Monkey-Rope.”

There, Ishmael and Queequeg are “wedded” to one another; Ishmael holds the far end of a life-line while Queequeg inserts a blubber-hook into the whale carcass suspended by The Pequod. Should Ishmael fail to support Queequeg, the line will drag Ishmael down to the sea, as well. As Ishmael describes the “perilous business” of this monkey-rope, he says, “I seemed distinctly to perceive that my own individuality was now merged in a joint stock company of two: that my free will had received a mortal wound; and that another’s mistake or misfortune might plunge innocent me into unmerited disaster and death” (*MD* 320). This loss of total free will and dominion over one’s own body, though undeniably a limitation on Ishmael, is not without its own use. As Ishmael continues, “I saw that this situation of mine was the precise situation of every mortal that breathes; only, in most cases, he, one way or other, has this Siamese connexion with a plurality of other mortals. If your banker breaks, you snap; if your apothecary by mistake sends you poison in your pills, you die” (*MD* 320).²⁸

In this passage, Ishmael is hinting at the un-seeable lines connecting creatures one to the other, in a web of mutual dependence and peril. Once one envisions these unseen lines, it is impossible to ignore the delicate balance on which the system rests. In Ishmael’s description, relative power is just that—relative. To exercise a surplus of

²⁷ Macey is “the luckless mate, so full of furious life” who “for ever sank” (*MD* 316).

²⁸ Armstrong (1042) also reads interconnectedness among animals and the human body, noting that Ahab’s artificial leg, made of a whale bone, incorporates the very creature Ahab is hunting. Armstrong notes further that the ship itself is made of whale bones, pointing to the “interchangeable” characteristic of the forms of Ahab, The Pequod, and Moby Dick.

power in one animal-animal connection could send ripples throughout other connections and rebound onto the original offender. Instead of deploying lines to acquire creatures (or power or things), Ishmael invites the reader to hold tenderly to the lines that are already connecting us to each other in multiple ways.

Acknowledging the peril of these connections, Ishmael nevertheless notes, “Nor could I possibly forget that, do what I would, I only had the management of one end of it [the line]” (*MD* 320). This too strikes a cautionary note, in which Ishmael warns against the hubris of believing that one controls the entire line merely by clinging to one end of it. Recognition of the agency of the creature on the other end of the line requires both diligence (to one’s own responsibility) and surrender (to the other). After all, as Ishmael observes, there is always the possibility that “innocent” Ishmael may suffer an “unmerited . . . death” (*MD* 320) at the hand of the man on the other end of the line. Therefore, the monkey-rope may not produce a just result in every instance, but Ishmael nevertheless theorizes it as a necessary condition of social relations in general. Ishmael’s conception of this social bargain hears its echo in Chapter 130, when Ahab entrusts Starbuck with his life, counting on Starbuck’s adherence to the social order of the ship despite Starbuck’s status as an “an otherwise distrusted person[.]” (*MD* 539).

Here Melville seems to be in conversation again with Bentham on utilitarianism, in which Bentham asserts, “It is in vain to talk of the interest of the community, without understanding what is the interest of the individual” (*Morals* 12). Though Bentham seeks to use utilitarianism to argue for laws that have the greatest utility (*i.e.*, produce the greatest “happiness” for the greatest number of people), Melville seems to be urging something else. Melville seems to take Bentham at his word about talking of the interest

of the community by understanding the interests of the individual; he pushes Bentham's theory of utilitarianism and troubles it by calling attention to the potential for individuals to suffer under a utilitarian system. Rather than using utilitarian principles to call for a certain type of *law*, Melville seems instead to be using utilitarian principles to call for a certain type of *personal ethics*.²⁹

In a section on penal jurisprudence, Bentham himself describes ethics as “the art of directing a man's own actions” either through himself or his agents (*Morals* 282). Interestingly, Bentham identifies as possible agents: “1. Other human beings who are styled persons. 2. Other animals, which on account of their interests having been neglected by the insensibility of the ancient jurists, stand degraded into the class of *things*” (*Morals* 282). Here again is a point of connection with Melville's work in *Moby-Dick*. Both Bentham and Melville deploy some degree of creaturely fluidity between human persons and other animals. The resonance in Bentham for slaves is obvious, which only foregrounds the presence of slavery in Melville's treatment of the whales and the crew of *The Pequod*. Where Bentham calls for law (statute) to address these issues of ethics at the level of the general, Melville seems to zero in on the specific, the intimate. As Matteson writes, “If the terms of Melville's proposed code remain obscure, they remain so because his novel legislates for the spirit rather than for the state” (118). Perhaps in awareness of the inherent violence of a system of state-based law, Melville instead is calling for an intimate, personal, even natural law among creatures as a means of working out the ethics of interdependence he dramatizes through the line.

²⁹ I do not wish to engage here in an argument for animal liberation. Rather, I argue that Melville is using the animal as exemplary of several categories of people who are yet denied treatment as full persons—slaves, imperial and colonial subjects, etc. This model, as I argue in what follows, uses interdependence, rather than sympathy, as the foundation for its ethical framework.

In “The Jeroboam’s Story,” Melville’s precedential use of the line concerns the danger of defining power in self-reinforcing terms, and defining it in such a way to justify the destructive move to “own” others. By contrast, “The Monkey-Rope” urges a mode of navigating the lines that, though un-seeable, are always already in place. In that chapter, recognition of the other as a legitimate being demands surrender to the shattering of the myth that one controls the line merely by holding it. It is not a perfect metaphor for justice, nor should it be. Whereas Bentham wants to create laws that govern the line—a move that implicitly puts certain legislators and power-holders atop the state hierarchy—Melville wants to destroy the myth that positive law is capable of controlling the line. For Melville, the line dislodges the reader from familiar hierarchies, wiping out the power structures that Bentham’s utilitarian principles reinforce.

By simultaneously demythologizing law and calling for a network-based ethical framework, Melville also draws attention to the networked nature of the law itself. As Goodrich (187) writes, “The connotative, symbolic and ideological dimensions of the affinity of legal text to legal social hierarchy—the discursive techniques and sanctions which restrict and delimit who may speak, on what topic and with what content—are of profound significance to an understanding of legal rhetoric.” The legal text operates in conjunction with social hierarchies, and indeed it depends upon them to, as Goodrich says, “restrict and delimit who may speak, on what topic and with what content” (187). Moreover, the intertwined arms of the law—the lawmakers, law enforcers, and many overlapping juridical bodies—implement the same orders of hierarchy as those present in social orders.³⁰ For Goodrich, “legal discourse is socially and institutionally authorized—

³⁰ For instance, authority from certain courts takes higher precedence over that from other, “lower,” courts; different actors are empowered to maintain authority or plain police power over others.

affirmed, legitimated and sanctioned—by a wide variety of highly visible organizational and sociolinguistic insignia of hierarchy, status, power and wealth” (188). What Melville’s work in *Moby-Dick* accomplishes is a careful isolation of these numerous, entangled lines to expose the power relations at work within individual transactions and writ large.

Amid Melville’s many citations to the line are those that lay bare the line’s potential to connect two creatures in a relationship, not of ownership, but of mutual dependence. For Bentham, the creation of just law depends on legislators who not only have the capacity to divine which laws will produce the greatest utility for the most people, but also who have the capacity for sympathy in reaching this calculus. For Melville, the line is a visual signifier for what I suggest is Melville’s call for an ethics of interpersonal relations that rejects sympathy as a prerequisite for its functioning. Sympathy, which already figures two people in a hierarchical relationship to one another—wherein one more intelligent, fortunate, or feeling individual feels a sympathy for the less intelligent, less fortunate, less aware individual—loses its meaning in Melville’s formulation. Instead, if the governing ethics of creaturely relations accepts vulnerability and dependence as natural traits of all creatures, sympathy is not the hinge on which it is necessary to build the relatively peaceful co-existence of various creatures. Facially at least, this move to take sympathy out of the question in favor of a model of mutual dependence suggests that self-preservation and selfish desire will displace community-based interactions.³¹ However, destabilizing the role of sympathy in

³¹ Note that Melville explicitly refers to this mutual protection principle in Chapter 87, “The Grand Armada.” He writes that the whales swam in huge pods and “it would almost seem as if numerous nations of them had sworn solemn league and covenant for mutual assistance and protection” (382). This mutual

creaturely relations therefore also destabilizes established hierarchies and disrupts oppressive structures.

In a moment in the novel that perhaps best dramatizes this new ethics, the natural line of dependence and the man-made line of property literally cross each other. In “The Grand Armada,” amid the many harpoon lines that fly at the whale pod, there is also a small group of pregnant and nursing mothers with their calves. One particularly small, evidently newborn whale floats to the surface, where Queequeg cries out in alarm that the tiny whale has been struck. Melville writes that the whale:

floats up again, and shows the slacked curling line buoyantly rising and spiraling towards the air; so now, Starbuck saw long coils of the umbilical cord of Madame Leviathan, by which the young cub seemed still tethered to its dam. Not seldom in the rapid vicissitudes of the chase, this natural line, with the maternal end loose, becomes entangled with the hempen one, so that the cub is thereby trapped. Some of the subtlest secrets of the seas seemed divulged to us in this enchanted pond. We saw young Leviathan amours in the deep. (*MD* 388).

Here, Melville introduces two citations to the line: one to the natural, or umbilical, cord attaching a baby whale to its mother, and the other being the harpoon line. The umbilical cord, though it may indeed evoke sympathy from the reader (or Queequeg and Starbuck) itself does not manifest a relationship of sympathy. Rather, the umbilical cord epitomizes vulnerability and dependence, wherein the baby whale *in utero* literally receives nourishment via the cord from its mother. This is a relationship rooted in, above all else, a creaturely obligation from one to the other. Though this obligation creates a temporary hierarchy, the status of dependence on one’s mother is a universal, and inescapable one. The umbilical cord gestures toward the dependence that is shared, at one time or another, by all creatures.

protection does not offer ultimate invincibility for the whales, but it is difficult to avoid reading a tone of admiration into his description.

By contrast, the harpoon line represents an overt attempt to dominate another creature. Implicit in this relationship is a power hierarchy, wherein one animal uses sheer power and force to commandeer another. A common suggestion for overcoming such hierarchies is to employ sympathy: if one feels sympathy for the hunted animal, one will not be able to kill it. What this scene in “The Grand Armada” demonstrates is how ineffective the sympathy model is to address the problem of a power hierarchy. Indeed, it simply substitutes one hierarchy for another: the hunter becomes the sympathizer taking pity on, or enacting charity toward, the hunted animal. The power to kill becomes a choice possessed by the hunter, and one the hunter may deploy at will.

By looking at shifting dependencies and vulnerabilities, Melville instead obliterates all hierarchies as temporary and unstable. In such a destabilized setting, sympathy can no longer function as the governing ethical principle. The mother and baby, attached by an umbilical cord, are engaged in a transaction of dependence – one which will likely repeat, either in reverse as the mother requires care in old age, or when the child himself or herself becomes a parent. This fragile, but crucial line of the cord is but one of several such instances in *Moby-Dick*, where the line is one of dependence and connection rather than attack and property.³²

Toward the End of the Line: the Conclusion of *Moby-Dick*

By the time The Pequod finally encounters Moby Dick, the precedential framework—as well as the consistent foreshadowing in the text—has essentially

³² It is worth noting here the ways in which Melville’s ethics, which destabilizes law itself, is in an antagonistic position with those who would argue that Christianity is inherent in the common law. Since Melville’s ethical advocacy destabilizes institutions and hierarchies and reveres the personal, the earthly, it is likely that Christian thinkers would perceive Melville’s position as heretical. In *The Life of the Mind in America*, Perry Miller notes (194) that Lemuel Shaw, Melville’s father-in-law, was one of those who argued that Christianity and the law formed a union. If Melville is arguing against such a proposition, it stands to reason that he would do so in this ambiguous fashion, owing to his father-in-law’s position on the matter.

determined the conclusion that will naturally follow from Ahab's pursuit of the whale. Ahab disobeys everything in Melville's ethical framework—he asserts his pure technological and political power in an act of ownership and conquest. Motivated purely by his monomaniacal sense of revenge against the whale that took his leg, Ahab ignores his creaturely connections of dependence within the rest of his network, focused only on the single connection between himself and Moby Dick.

On sighting the whale, Ahab cries, "Towards thee I roll, thou all-destroying but unconquering whale; to the last I grapple with thee; from hell's heart I stab at thee" (*MD* 571). In this exclamation, Ahab invokes the language of conquest, destruction, and hell, while persisting in seeing only himself and the whale. Despite his need for the crew to assist him in killing Moby Dick, Ahab has taken himself (and the whale) out of the realm of broader creaturely relations. When the harpoon finally flies into Moby Dick, "the stricken whale flew forward; with igniting velocity the line ran through the groove;--ran foul. Ahab stooped to clear it; he did clear it; but the flying turn caught him round the neck, and voicelessly as Turkish mutes bowstring their victim, he was shot out of the boat" (*MD* 572). In keeping with Melville's ethics, Ahab's actions carry devastating consequences—his unbridled power play to kill Moby Dick upsets the delicate balance of mutually dependent relations. In this instance, the whale appropriates the line and harpoon, transcending the divide between fast-fish and loose-fish, and turning the weapon back upon Ahab.

In this final occurrence of the line—apart perhaps from the life-line that ultimately pulls Ishmael from the sea—Melville's precedential use of the line culminates in Ahab's death. It is at this moment that Melville's earlier cautions about imperialism

and conquest materialize into an explicit and fatal conclusion for Ahab. Melville's own writerly ambiguity throughout the novel, in which the whales are neither sentimentalized nor dismissed, makes sense within the structure he has created—Melville himself is able to reserve judgment because to judge would place himself atop the power structures he has spent the novel demolishing. Moreover, the narrative lives up to Ishmael's promise in his affidavit that “the conclusion aimed at [from the citations] will naturally follow of itself” (*MD* 203).

The conclusion follows “naturally” in that it derives both logically and through nature (the whale). *Moby Dick*'s destruction of Ahab with the line is indeed both the logical and natural restoration of balance to the lopsided power system that Ahab has attempted to establish.³³ Every previous instance of the line, where mutual creaturely dependence is rewarded and brutality is punished, is in keeping with Ahab's fate so that the conclusion of the novel is consistent with Melville's ethical framework without becoming teleological or allegorical. It simply follows naturally from what has preceded, and argues powerfully for what may follow outside the novel.

Melville's use of the line therefore calls into question the boundaries of positive law by troubling the natural. *Moby-Dick* relies on the intimate, one-on-one creaturely connections to argue for much broader ethical claims. By placing individual creatures within vast, complicated networks, Melville destabilizes hierarchies of power and rights to expose our delicate relations to one another. Inherent in this move is the low, deep warning about conquest and colonialism. But perhaps less obvious is the cautiously

³³ Matteson writes, “Melville seals off [an Emersonian] escape route by declaring all the natural world to be a deceptive screen for pervading, all-consuming death” (123). Matteson's work focuses on death in *Moby-Dick*, which renders his comment more appropriate to his own article. However, I want to trouble this observation by reading Ahab's death and the conclusion of *Moby-Dick* as an opening-up outward into the future more than simply a closing-off of the history that has preceded it.

hopeful tone Melville strikes about the potential for creaturely interdependence to offer shelter. For as much as the line is an instrument of destruction, it is also the monkey-rope and the umbilical cord, weaving us together in earthly faith and protection.

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