Coloniality of knowledge and Torture: Representations of the Self and Other in Torture Museums in Germany

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Abstract:

Reports about the use of torture in some Latin American countries have been studied by scholars of human rights, as well as activists who, especially since the 1970s, seek to draw attention to the employment of torture[2], in both the Global North and Global South. Newspaper articles, TV documentaries, Internet content produced by NGOs, and even first-hand contact with activists from Latin America compete in supplying the imagination of European people with images on this matter. The field of memory and history of torture and cruel punishment is not free from the epistemic divisions that characterize the issue. In some museums dedicated to the theme of medieval torture in Germany, torture (as part of the legal systems and Inquisition in Europe during the Middle Ages and early modernity) is brought into context with violations perpetrated in the recent past in Latin America. This is done either through the association of medieval torture devices to human rights abuses perpetrated by the police in Latin America and in other parts of the Global South; as well as by bringing together a small campaign of Amnesty international against human rights violations in the Global South as part of an exhibition showcasing torture in the Middle Ages. In this article, I analyze the ideas behind the association between Europe's past and Latin America's current struggles against torture in the exhibitions of two museums in

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[2] Any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him/her or a third person information or a confession, punishing him/her for an act s/he or a third person has committed or is suspected of having committed, or intimidating or coercing him/her or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiesce of a public official or other person acting in an official capacity.' (Article 1, Convention against Torture and other Cruel Punishments in: http://www.un.org/documents/ga/res/39/a39r046.htm)

Germany; the *Mittelalterliches Foltermuseum* (MF), in Rüdesheim am Rhein and the *Kriminalmuseum des Mittelalters*, (KM) in Leipzig.

Introduction

In Germany, torture instruments have been displayed in regional history museums over the last two centuries, because they have been understood to be a part of regional history and representing past local traditions. They are particularly common in museums in counties where the witch-hunting period was more manifest (Scheffler, 2002). From the 1980s, however, some museums were created throughout Europe with the exclusive purpose of telling the history of penal systems and the use of torture during the Middle Ages. In the same period the abuses perpetrated by military dictatorship in Latin America gained repercussion worldwide and became the focus of a rising transnational activism whose main voice was Amnesty International (Bahar, 2009). The decision to build exhibitions solely dedicated to medieval justice is related not only to the importance the theme of torture gained at the time, but also speaks about the curiosity the theme raised and continues to raise. Among the elements that drew and still draw attention to this type of exhibitions are: the eroticization and fetishizing[3] associated with the theme, the curiosity of imagining the body in pain (Bishop, 2014), interest in learning how practices of justice have changed over time, and interest in observing and experiencing reminiscences of a period seen as particularly violent and cruel (Schild, 1989). The Middle Ages is usually portrayed in movies and fiction literature as an age of oppression, injustice and above all little regard to the human life. The now widely discredited expression 'Dark Ages' was for a long time employed to point out the brutality and backwardness that supposedly marked the period (Mills, 1995). Thus torture museums may become involved in broader processes of turning the Middle Ages and its punitive traditions into a spectacle.

Like any other social practice connected to the activity of educating and remembering, museums are the outcome of struggles for representing the past as well as the result of an interpretation of the present (Bennett, 1988). In this sense, the

[3] The images representing the martyrdom of women during the witch-hunting period tend to sexualize the body of the young women shown in both pictures and mannequins.

production of exhibitions and its artifacts should be critically interrogated vis a vis power relations in the field of cultural production as well as to how they reproduce broader structures of hegemony (Urry, 1998). Museums are both products as well as agents of particular historical moments, and the power imbalances that define which knowledges matter and which representations are considered truer than others. Like other products in the field of preserving the past, museums and their exhibitions build on and reproduce claims to identities, and in particular to a national identity (Coombes, 1988). Therefore, they also continuously engage notions of self and other, as well as nationalism and cultural difference (Riegel, 1996). This last point is a particularly sensitive issue when the exhibitions deal with contentious heritage, such as a past considered extremely violent (Macdonald, 1998; Macdonald, 2009).

There are multiple dimensions of colonialism related to the theme of torture, especially when it is seen as resulting from the innate cruelty of the other. First, the discussion on the abolition of torture in Europe that occurred during the eighteenth and nineteenth centuries portrays this process as a change in these societies towards a more rational and humanist mentality (Krämer, 2004). The abolition of torture functions in this narrative as a hallmark in the establishment of a higher level of humanity achieved by a collectivity (Mills, 1995). Second, the international activism against it sometimes frames the campaigns in terms of a civilizing mission while ignoring local conflicts and efforts to solve torture problems.

In this article, I analyze two museums exhibiting torture and punishment in Medieval Germany. They not only follow the common sense approach of the period, but also seek to draw attention to remnants of the medieval practices in the contemporary global south. On the one hand bringing together two very distinct phenomena, may speak for the museums' anxieties of stating the continued relevance of this problem and through this enhance the exhibition's contemporary repercussions. On the other hand, searching for the roots of current torture in the Middle Ages risks covering up the fact that this phenomenon has never abandoned humankind, as well as silencing the power relations involved in its use. Thus the nexus of past and present raises several questions. Why show current official use of torture in the global south if the exhibition's theme is medieval Europe? Which identities are claimed and reproduced in this encounter? What identifications enable two different kinds of otherness

(Medieval Europe and Latin America) to be mirrored against each other in these exhibitions?

I divide the investigation of the exhibitions in three parts. In the first section, I present a short review of the literature on museum studies regarding national identities and cultural difference. In the second section, I investigate the exhibitions with regard to their general approach to the theme of medieval penal systems and torture, by evaluating the exhibitions' structure, topics, campaigns and objects that were chosen and ignored. In the third section, I will present a short overview of the discursive field related to torture, with a particular view towards a changing perception on the employment of torture in Europe during the Middle Ages. I examine two sources of colonization pertaining to the theme of cruelty: the dichotomies between rational and irrational, and between human and inhuman. Additionally, I undertake a brief assessment of the emotional appeals the display is meant to cause. The way the exhibition is constructed invites different moral considerations concerning the wrongness of torture and the lacking moral qualities of a culture and a society that allows it. Finally, in the last part of my analysis, I combine the analysis of the exhibition's texts with my examination of the campaigns against torture displayed in a panel in the MF in Rüdesheim. This allows me to discuss how the silences and invisibilities constructed in the exhibitions may reproduce the coloniality and otherness that are present in some discussions about torture.

Museology and Collective memories: exhibiting identities and embodiment

Museums were first invented during the nineteenth century as part of broader social changes in Europe, which, among other things, impacted the predominant views about the relation between culture and a community's public life (Bennett, 1995). Following an exhibitionary practice, museums were seen as tools to bring culture to the whole population as well as spaces that should help the task of raising better-informed and active citizens (Bennett, 1988; Keene, 2005). Artwork, objects supposed to record the ways of other times and other peoples, and objects aimed at reproducing a whole field of knowledge were arranged in exhibitions that were intended to establish new bonds between a community and its shared culture (Keene, 2005). Among the educational tasks assigned to these institutions, one is of particular interest in this article:

preserving community history and cultural legacy. Keeping memory and cultural heritage alive in museums help communities to learn and record who they are and who they are not. The museums' role as cultural remits in charge of preserving and creating public displays leads them to play an active role in the maintenance of heritage (Urry, 1998). They provide sources of symbolism, national pride and narratives of belonging to a people.

In broad strokes exhibitions are the outcome of how artifacts are displayed and connected to sources of knowledge, being thus shaped by predominant worldviews and the silences that accompany them. Museums may reproduce the current regime of knowledge through its choices on what is of public interest, which artifacts matters and how they are going to be displayed. And, most importantly, by selecting some narratives and knowledges instead of others (Bennett, 1988). As Sharon MacDonald puts it 'any museum or exhibition is, in effect, a statement of position. It is a theory: a suggested way of seeing the world' (1996: 14).

Moreover museums maintain an authoritative and legitimizing status within the field of knowledge production and preservation (Keene, 2005). The combination of this status and their particular characteristics of granting materiality to their discursive and non-discursive messages provide museums with a special role as key cultural loci of our times (Macdonald, 1998). They are sites where such discourses are not only embodied, but also sensed (Seremetakis, 1996). As Urry points out, to visit an exhibition is not only to witness a kind of artifactual history it is also a way of taking part in it by experiencing it, 'to reminisce is collectively to effect a performance' (Urry, 1998:55). There is no history conveyed without the performance of heritage. Kershaw (2001) states that the performativity of reminiscence is not a passive process, but one that actively involves the audience. Far from being a mere relation of production and consumption of culture, this interaction involves, among other things, the curators' expectations about the lessons that are expected to be learnt from the exhibitions and how the audience interacts with them (Macdonald 1998).

Narrating selves and representing painful pasts

For Nadia Seremetakis (1990) the individual contribution to collective memory is a process that goes beyond texts and symbols. For her it requires tasting, touching,

feeling, hearing, or in other words the use of different senses. It involves emotional processes that are connected to how the information, the narrative and the seen objects impress individuals not only in a dialogical but also in an emotional way. She draws attention to the affective dimensions of material culture. Paul Stoller describes this relation as 'the exchange of sensory memories and emotions, and of substances and objects incarnating remembrance and feeling' (Stoller 1996: 118). The connections one makes to the history that is being told and seen is mediated by imagination and sentiments like empathy, desire, rejection or shame. Therefore, artifacts must be comprehended as providing passageways into experiential fragments (Seremetakis, 1996). Barthes approaches this issue in terms of contact across time, a perspective Dinshaw (1999) draws on in order to, once more, interrogate mainstream views about history and past. According to her 'we are moved, emotionally and psychically, by the things we look at. Such theories trouble distinctions between subject and object, and in turn problematize the identities around which these distinctions turn' (Dinshaw, 199: loc 305).

Dinshaw (1999) revisits both the poststructuralist view on how history is written in a discursive way, and Homi Bahbha's observations about how the historicist perspective seeks to establish causal connections between various moments that might have been disconnected in history in order to fit into a continuist-cohesive-ideological narrative. She states that such continuity is determined by the views one era has established regarding an earlier one, but not only in the sense of the power relations involved in them. This process, in her view 'engages all kinds of differences, though not all in the same ways, racial, ethinic, national, sexual, gender, class, even historical/temporal (…) as resource for subject and community formation and materially engaged coalition building' (Dinshaw 1999: loc. 72). In this sense, her view of history associates both arguments: the critical approach to historicism and the perspective that history is embodied and experienced by the needs of belonging and cultural assumptions of the present. As she points out, looking into documents, paintings, and artifacts is an experience determined by how people in the West make connections with past phenomena while constituting selves and communities.

Therefore museums have a direct impact on the local politics of belonging, and the relation a community has to its past and present. These are particularly sensitive issues when the exhibitions deal with contentious heritage, such as torture in the Middle Ages. The literature on curating contentious heritage has examined exhibitions on themes such as atrocities committed during civil wars, genocides, the holocaust, slavery, and crimes against human rights (Macdonald, 2009). Some of the challenges faced by such exhibitions include the risk of invisibilizing other atrocities and becoming oblivious of the continuation of the actions that have led to the contentious heritage and its legacy (Webster, 2009; Purbrick, 2011; Greenhil, 1992). This raises further questions: How do museums deal with heritage no one is proud of? How is the contentious past negotiated so to allow for a positive identity that conveys a sense of belonging constructed in the present?

Reading the exhibitions of the *Mittelalterliches Foltermuseum* in Rüdesheim and the *Kriminalmuseum des Mittelalters* in Leipzig

There are different sorts of museums whose displays deal with the theme of torture[4]. In Germany, this issue is most commonly addressed in regional history museums (Stadtmuseum, Landesmuseum, Geschichtsmuseum), in which some torture instruments are shown as they are connected to the regional history; as part of special exhibitions for the history of witch-hunting and the Inquisition, especially in the German south; and in small museums in castles where torture instruments are commonly displayed in the torture chambers where they were applied. Furthermore, there are museums for the history of law (Rechtsgeschichtmuseum and Kriminalmuseum) and also some museums dedicated exclusively to the theme of torture in the Middle Ages (Mittelalterliches Foltermuseen) (Scheffler, 2002). A brief comparison of how these last two types of museums approach the theme helps us to shed light on the views, knowledges, interpretations, narratives and messages conveyed through their exhibitions.

In History of Law museums, such as the Kriminalmuseum in Rothenburg ob der Tauber, the focus is on the establishment of law and how past societies organized themselves concerning the exercise of justice. Special attention is given to the relation

between the centralization of political power and the right to the use of force. The exhibition is organized around the establishment of canon law, the influence of religion, the degree of separation of powers (legislative and political during the Middle Ages and early modernity) and subordination of ruling and the practices of justice to a constitution (Schild, 1989). Information and objects provide details about constitutional law, penal proceedings, penal systems and the history of policing (Mittelalterliches Kriminalmuseum Rothenburg o.d.t, 2005). The exhibition includes also punishment in schools and sentences to public humiliation, as they were part of the punishment traditions of some periods. The approach evident in these exhibition choices seek to summarize some of the main academic discussions in the field of history of law. This can be identified through the museums' selection of knowledge about the traditions that gave birth to constitutions and law codes, the social relations that supported the different forms of punishments, and the impacts of the exercise of justice on the social structure and everyday life[5] and vice versa. In Rothenburg, there is a wide variety of objects that seek to reconstruct the path of the exercise of justice over the time. The torture instruments are given some emphasis through the allocation of a substantial space to them. Yet, they are just another element in the exhibition, which also includes a large selection of legal antiquities, such as books, illustrations, documents that belonged to the nobility, aristocracy and the clergy, guild laws, heraldry, medals, armorial, blazons, seals, medals, law symbols and caricatures about justice (Mittelalterliches Kriminalmuseum Rothenburg o.d.t, 2005).

Differently from the history of law museums, in the torture museums analyzed here *Rüdesheim Mittelalterisches Foltermuseum* and *Mittelalterliches Foltermuseum* in Leipizig, the focus is placed markedly on punishments applied during the Middle Ages and by the Catholic Inquisition. Concerning the law, although some information is given about the constitutions that prescribed some of the punishments, in both museums there was little information about the penal systems and their implications on social structures at the time. Some more systematic attention is given to the history of inquisition. In *Rüdesheim* there is a presentation of key persons who established

[5] In general, it seems to follow the line of thinking, whose main exponent in the German context is Wolfgang Schild (1989), who contributes to the exhibition catalog. The past laws are to be seen in their own context, social structures and power hierarchies and constraints, and most importantly in their continuities, history is after all a fragmented process. As he states, one of the possible ways of making sense of the cruel punishments in those exhibitions, is by recognizing the social conflicts resulting from an upper class with power and sufficient means to apply these excesses.

theological thinking concerning witchcraft. The principal legal dispositions gave power to inquisitors and produced books that influenced the theological debate on the theme. More detached attention is given to the German thinkers and clerics who criticized the phenomenon, in particular to Friedrich Spee[6]. In Leipzig, by the time I visited the exhibition, there was a small panel with information about the witch-hunting period. Nonetheless, in both exhibitions, the few references seeking to link the punishments to the broader social structures and medieval law stated that there were differences on sentencing according to class and gender. They also drew attention to the fact that due to prejudices and oppression, some groups such as homosexuals were particularly disempowered and rendered more vulnerable to the worst punishments.

During my visits to the MF in Rüdesheim and my single visit to the KM in Leipzig, I identified the following themes: the application of torture both in trials during the Middle Ages and the interrogation of people charged for witchcraft and heresy by the Inquisition, corporal punishment, sentencing to public humiliation, death penalty and witch-hunting. As mentioned above the punishments are at the core of both exhibitions and the instruments are the main attraction. This focus is also confirmed by absence of other legal antiquities related to the penal systems during the Middle Ages. The short texts that describe the instruments are accompanied by book pages and longer texts that refer to some of the gadgets displayed on the walls. All of them mainly allude to the suffering and pain inflicted by the devices. They explain the injury caused to the body, the duration of the torment, whether the consequences where permanent or not and the degree of pain in comparison to other practices. In some cases, mannequins representing female victims are used to confer embodiment to the mentioned suffering.

Both exhibitions, in Rüdesheim and Leipzig, reproduce some of the stereotypes about the 'Dark Ages'. Assuming a more commercial posture, they seek to engage the public by constructing exhibitions where the themes of cruelty and barbarity are at the core. This is evident from the choice of images and text that focuses on the pain and suffering produced by the torture, and the privileged status held by capital penalty, corporal punishment and torture instruments. This interpretation is further supported

[6] Friedrich Spee (1591-1635) published *Cautio Criminalis* in 1631, anonymously criticizing the low efficiency of the *hexenprozess* (Krämer, 2004).

by the exhibition advertisement available on the websites and the catalogues. Both sources announce the possibility of witnessing the cruelty from medieval times and feeling the Middle Ages. The MK in Leipzig states on its website that:

> Zeichnungen und Radierungen geben die Grausamkeit aus der Zeit der Inquisition wieder. Tauchen Sie ein ins Mittelalter, in historischen Gewölbekellern erleben Sie das Mittelalter hautnah (...) Wir verfolgen mit unserem Museum ein festes Ziel: Unsere Besucher sollen die Grausamkeiten der mittelalterlichen Rechtsgeschichte hautnah erleben und über eins der schlimmsten Kapitel der Geschichte sprechen[7].

The MFM in Rüdesheim seeks also to draw attention to the use of some of the torture instruments in current times. Its catalogue reads, 'Die dunklen Zeiten sind vergangen – doch sind auch Methoden der Inquisition verschwunden?' The texts imply that all use of corporal punishment and torture are medieval practices. That is they are practices that belonged to that period instead of a kind of violence that has been and continues to be in use in all parts of the globe (Mittelalterliches Foltermuseum Rüdesheim am Rheim, 1993: 05).

Torture instruments displayed in both exhibitions with mentions to the Global South

Torture devices currently displayed in the exhibitions in the Leipzig and Rüdesheim museums are mostly dated from the thirteenth to the eighteenth century. Among the objects presented in both exhibitions is the prong collar, a kind of round collar with spikes in it. The display is accompanied by remarks about its current use in the new world, as a taken for granted idea that all countries in the global south incorporate torture as part of their judiciary systems and that this is an expected situation. The sentence 'not only' seems to seek to shock the audience by alluding to the idea that western countries may also make use of this device

> **Prong collar:** (…) It works passively, static and does not require the work and costs of an executor. It works by itself night and day, creating no unexpected incident and requires no supervision. For these reasons this instrument, as so many of those exhibited here, is still in use in many countries, and not only in the third world. (Rüdesheim, 20.03.13, my translation from the German text)

[7] Available at: http://www.kriminalmuseum-leipzig.de.

Figure 01 Thorned Collar. *Mittelalterliches Foltermuseum,* Rüdesheim. Author's photograph.

The Judas cradle is another gadget present in both exhibitions. Its accompanying text in the KM in Leipzig strengthens the idea that the same object is used across the years with a few technological improvements. The text uses the expression 'Latin American governments' making it unclear whether it refers to official punishment or police violence. It provides no details that could clarify in which countries such abuses have been perpetrated. The text gives the impression that the use of such devices is so common that there is no need for precise information. The same text was displayed in Rüdesheim during my first visit in 2011. However the text exhibited in 2012 was altered and the references to Latin America removed. The accompanying text in the Leipzig's exhibition makes the link between medieval torture in Europe and contemporary torture in Latin American countries explicit:

> This procedure remains practically unchanged from the Middle Ages till today. The victim is suspended above the pyramid as in the illustration and then lowered onto the pyramid top, so that her weight rests on the anus, vagina, scrotum or below the coccyx. The executor, according to the interrogator's commands, can make the pressure vary from nothing to the full weight of the

body. The victim can be shaken or impaled on the top several times. Today, this method is made use of by not a few Latin American governments and elsewhere, with or without improvements such as electrified belts and tops. (Leipzig, 18.05.13, translated from the German text)

Figure 02 Judas Cradle. Reproduced from *Mittelalterliches Foltermuseum,* Rüdesheim Catalogue with thanks.

One of the most interesting descriptions displayed in the two museums is the one that explains the use of the garrote. The text describing the instrument and providing information about its precedence and usage affirms that it was used in Latin America until the end of the twentieth century. The text probably refers to the military dictatorships in the region. Information on the methods used in the authoritarian regimes in the region for murdering are not complete. The most common method was shooting. The use of an instrument that is designed for a public spectacle is very unlikely. Nonetheless, if the mention seeks to draw attention to the human rights

violations during the military cups,[8] this information is not disclosed, nor is it conveyed that the death penalty is abolished in all countries of this region except for Guatemala and Cuba[9]. The text, which is displayed close to the gadget, where a mannequin portraing a female victim representing the body in pain lays, reads:

> The second type of garrote presented in this exhibition, was used until the end of the twentieth century in Catalonia and some Latin American countries, being still found in the new world. Police use it for torture and executions. (Rüdesheim, 20.03.2013)

Figure 03 Garrote, nineteenth century Europe. *Mittelalterliches Foltermuseum*, Rüdesheim. Author's photograph.

Violence against women is naturally a subject mentioned several times in both exhibitions, as 75% of the victims of the Inquisition, were females. In the excerpt below, which is taken from the displayed text extracted from a book that is also

[8] It is worth recalling that some military dictatorships in South America had agents trained in torturing political prisioners. The training was provided by the CIA.
[9] Available at: www.amnestyinternational.org.

exhibited, it is stated that rape in marriage is still unfortunately not criminalized in all parts of the globe:

> (…) Extra-marital violations were investigated and punished with much reserve. This situation still today has but slightly changed. Rape in marriage is still today sacrosanct in many countries (not in Germany). (Leipzig, 20.03.13, translated from the German text)

In the German translation, displayed close to the instrument a comment has been added to the effect of stating unequivocally that this country was not such a place that accepted rape in marriage.

Connecting past and present: The campaign from Amnesty International presented on the second floor of the *Mittelalterliches Foltermuseum* (MF), in Rüdesheim a. R.

In Rüdesheim there is a panel with a selection of several human rights campaigns. An analysis of the themes present in the mentioned panel is relevant to the argument developed in this article. This panel shares the floor with the part of the exhibition that is exclusively dedicated to witch-hunting in early modernity in Germany and other parts of Europe. The panel however, is mostly dedicated to civil war and to gender based violence in the global south. The folders portray women who survived slaughter during conflicts in Rwanda, Tanzania and Afghanistan, inequality of rights among women and men in Afghanistan, and the famous case of violence against women in the Mexican town Juaréz.

The campaign material about gender inequality in Afghanistan draws attention to the case of a young woman arrested under the accusation of adultery. The text reads ‘kharla is 18 years old… She was arrested for adultery because she has left her elderly husband. This is a crime that until today is trailed and punished in Afghanistan’. The campaign about gender inequality in Afghanistan also draws attention to the work of Medica Mondiale which works with women who are taught how to drive and given the opportunity to get a license. The text points out that this is a right denied to women in that country. The case of Juaréz in Mexico occupies a more conspicuous space in the panel. There are three posters that refer to sexual violence, torture and the murder of women, which for a long time were given little political attention in Mexico and went unpunished. The pictures on the panel show the region where the

women's bodies were found, the demonstrations against the absurd impunity that surrounds the case and relatives of the victims.

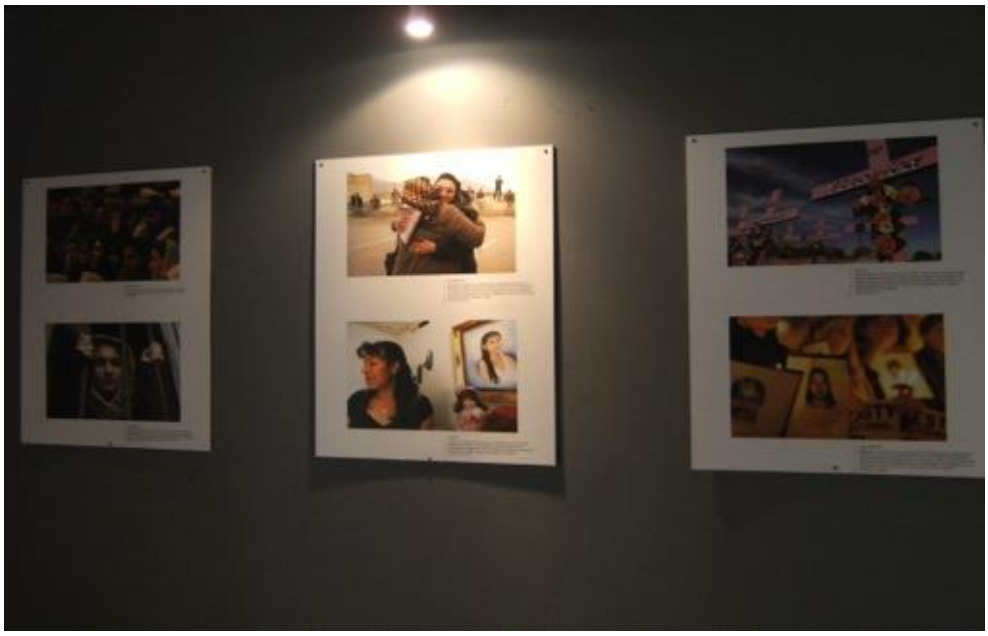

Figure 04 Amnesty International campaigns about Ciudad Juaréz and gender rights in Afghanistan. Exhibited in the *Mittelalterliches Foltermuseum*, Rüdesheim. Author's Photograph.

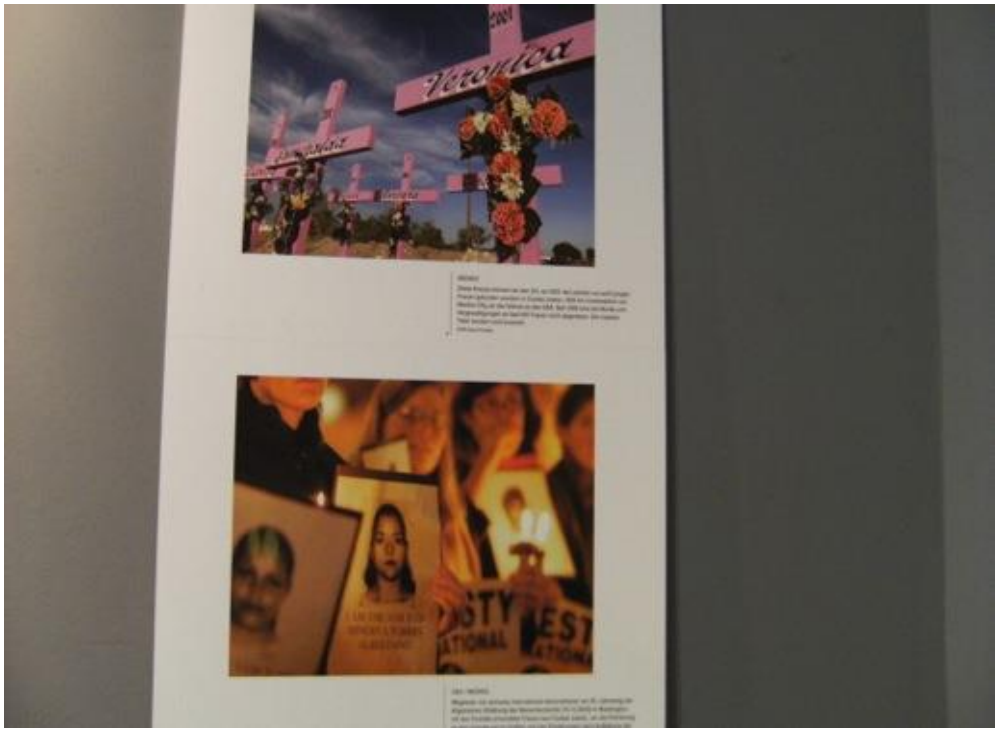

Figure 05 Amnesty International campaign about City Juarez. Exhibited in the *Mittelalterliches Foltermuseum,* Rüdesheim. Author's Photograph.

Figure 07 Amnesty International campaign showing a survivor from a massacre perpetrated by Rebels from Zaire, in which 30 women and children from Ruanda were killed.

Figure 08 Mannequin portraying a victim of the Catholic Inquisition. Exhibited in the *Mittelalterliches Foltermuseum,* Rüdesheim. Author's Photograph.

Although extremely important in the scope of international activism and the advancement of an international agenda for human rights, this selection of topics is highly puzzling given the exhibition's main theme. Torture and capital punishment were used in the penal system in European countries and by the Inquisition. The cases of torture and violence against women in Ciudad Juaréz are not related to trials in the Mexican penal system. The cases taken from Rwanda and Tanzania relate to civil war, and thus are also not directly connected to the theme of a penal system that incorporates the use of torture and death penalty. The examples taken from Afghanistan relating to the theme of gender inequality in the penal system is the most direct display in the exhibitions. However the examples that are shown are not connected to the kind of punishments focused on in the exhibition. These cases occur outside the legal system, which does not make them less important but situates them in another discussion. There is no direct relation between the medieval punishments that are the main focus of the exhibition and the campaigns. Nor does their display

build on continuity of the history of law. Considering the exhibitions as a whole, if the idea was to point out that torture is still present in contemporary societies, why then skip the nineteenth and twentieth centuries in Europe and why ignore cases that have attracted international attention such as the Abu Graib and Guantanamo? Since some of the instruments exhibited had been employed for capital punishment why not mention countries where the death penalty is still systematically employed? The topics mentioned in the panel do not relate directly to the thematic field of the exhibition, instead they seem to emerge out of the exhibition's preoccupation with torture and corporal punishments, and the cruelty of the other. As stated in some of the texts displayed in the exhibitions using torture and corporal punishment is a sign of inhumanity, irrationality and barbarism. What do all these terms mean? What do they mean when placed alongside each other and in relationship to other cultures? To answer this it is necessary to briefly investigate the genealogy of the concept of cruelty and how it negotiates national identities, cultural difference and notions of self and other regarding violence. The point here is not only to discuss the exhibitions, but otherness and coloniality of knowledge in the broader discussion about torture that is reproduced materially, emotionally and discursively.

A brief genealogy of the concept of cruelty in western canon

Seneca posed some of the most important questions about cruelty during late Antiquity. In *De Clementia*, he starts a philosophical debate about the difference between cruelty and ferocity. Cruelty is defined as an excess of severity in the establishing of a punishment, which stems from political man's mental intemperance. In other words, cruelty is the excess of the sentence. It relates to the realm of brutality of men who do not possess the quality of pondering and judging well. It is a feature of tyrants. Its opposed trait is *clementia*, which is a quality of political men who are well balanced and use good sense while applying justice. 'Killing the strangers or burning people alive are actions characterized by ferocity *(feritas, ferocitas)*, savagery *(saevitia)* or even insanity *(insania)'* (Baraz, 1998: 197). Seneca explains that although seeming cruel those actions fall outside the definition for two reasons. First they do not belong to the exercise of justice. Second, since these deeds show extreme propensity for violence not to seek revenge or to punish a crime, but for no other

purpose than that of finding pleasure in causing pain. Because of this they are not rational actions but nonhuman characteristics.

Although both definitions converge in later contributions this distinction is important because it brings about the two most important topics in reflecting about cruelty, a pleasure in watching suffering, and an excess in punishment. It also sets the path to two detached preoccupations in later debates about the theme (Baraz, 1998). The first is the preoccupation in defining the difference between human cruelty and bestial inhuman cruelty that generally appears in historical accounts about the cruelty of others. The second is the concern about rational and irrational cruelty. Concerning the first one, during late antiquity, Roman authors mention cruelty in the context of execution and war including dismemberment, feeding animals with human flesh, torture, creativity in finding slow and particularly painful executions and attending the sessions for the sake of enjoyment (Baraz, 2003). There is an important distinction in portraying the cruelty of the Romans and that of the barbarians. While cruelty in the sense of enjoyment and savagery also relates to the Romans, it does so on an individual level not on a cultural one. It is attributed to tyrants and some soldiers. Most importantly, the cruelty of the tyrants is seen as something developed, almost as an acquired madness. In the excerpt below Seneca seems to understand this inhuman cruelty as a worsening of the cruelty (in the sense of excess of punishment).

> Cruelty is the beast human evil…to take joy in blood and wounds is beastly madness (*ferina rabies*)…the reason why savagery transgresses first all ordinary, and then all human bounds, then indeed the dread disease of that mans mind has reached the farthest limit of insanity, when cruelty has changed into pleasure and to kill a human being now becomes a joy (Baraz 1998: 198)

Nonetheless, Seneca also sees cruelty as a vice that is prompted on watching plain violence as in the games.

> But nothing is so damaging to good character as the habit of lounging at the games; for then it is that vice steals subtly upon one through the avenue of pleasure. What do you think I mean? I mean that I come home more greedy, more ambitious, more voluptuous, and even more cruel and inhuman, because I have been among human beings. (Seneca, *Epistle VII*: Ep.1-31)[10]

[10] Available at: http://www.stoics.com/seneca_epistles_book_1.html

This above-mentioned cruelty is different from the cruelty of the barbarians, whose animal characteristics are exalted and linked to their mode of living. Ammianus Marcellinus describes the Huns as two-footed animals and comments that they 'exceed every mode of ferocity' (*ferocitas*). He uses the terms *saevus* (and *saevire*), *trux*, and *truculentus* for both Romans and barbarians. However the terms *ferus* and *feritas*, animal characteristics, are used exclusively for barbarians, which is characteristic of this literature:

> Although having the outward 'figure of man', "their whole mode of life suggests that they are not: They do not cook their meat; they do not live in buildings but in mountains and woods; they look as if glued to their horses (that is, united with their animals); they do not have any political system, they do not engage in agricultural activities, and most important, like animals, they have no moral consciousness and no religion. (Baraz 2003: 31-32)

Although throughout the Middle Ages philosophical thinking rarely refers to cruelty, the theme appears in literary accounts that describes it as an irrational and inhuman trait attributing it to external others such as the Vikings and the Vandals (Schmoeckel 2000). The main themes in those depictions are violence against the church, indiscriminate massacres, sexual violence and cannibalism. During the war of religions, in literature against the Jews, and the struggles of peasants and nobles during the Jacqueries such themes were used in order to intensify the cruelty of the enemies and to deny their humanity (Baraz 2003, Elias 2010).

The main medieval author and one of the few ones to deal with the subject is Augustine (Schmoeckel 2000). His briefly discussion of the difference between cruelty and irrational cruelty states that the second type is caused by untamed passions and a progressive increasing of harshness in one's mind. Though cruelty is common to man in his fallen state, irrational cruelty derives from the harshness of mind, leading it to increase violence, not for achieving pleasure but as a brutal characteristic. He also sees it as natural to pagans, Manicheans and Jews (Baraz, 2003). In the fifteenth century Montaigne develops his thinking on cruelty by seeing it as irrational (Thompson, 2008). However, Montaigne's perception differs from previous authors as he defines cruelty as per se irrational and by claiming that anything beyond the straightforward death penalty seems pure cruelty (Baraz, 2003:25). His 'On Cruelty' published in 1580 is the first essay entirely dedicated to the theme. The essay became

influential in the seventeenth century when the abolition of torture became a more frequent topic, because Montaigne makes the bridge between the criticism of cruelty made by Seneca and the employment of torture and corporal punishment in judicial systems in Europe (Peters, 1996). Torture and dismemberment are cast as bloodthirsty actions of men corrupted by the 'ultimate vice'. In Montaigne words:

> Those natures that are sanguinary towards beasts discover a natural proneness to cruelty. After they had accustomed themselves at Rome to spectacles of the slaughter of animals, they proceeded to those of the slaughter of men, of gladiators. Nature has herself, I fear, imprinted in man a kind of instinct to inhumanity; nobody takes pleasure in seeing beasts play with and caress one another, but every one is delighted with seeing them dismember, and tear one another to pieces (Montaigne 1910, 187).[11]

There are two main points to be noted about Montaigne's essay. First he identifies cruelty as a natural proneness of man, which seems to include all humankind. He sees it as an instinct or wickedness, something intrinsic to man, regardless of whom the perpetrators and victims are. He places it as a continuous characteristic in Western history. Second, although he does not develop a systematic thinking about the use of torture as a means of proof, he is a pioneer in accusing torture of being an act of cruelty on moral grounds.

Cruelty and the abolition of torture in Europe: introduction to the discursive field related to the theme of torture

Before the eighteenth century, criticism towards the employment of torture as a means of proof in European legal systems and by the Inquisition predominantly based the arguments on the low reliability of this method. Critics pointed to its inefficiency, its injustice towards the innocent, and its potential for damaging the penal system by either corrupting the judge's soul or for disposing people who watched the public punishments to be against the law (Evans 1996, Peters 1996, Schmöckel, 2000). *Die Folter kann also zu ungerechten Verurteilungen führen, aber nur selten spurt man Mitleid mit dem Opfern der grausamen Behandlung* (Schmökel, 2000: 96). According to Peters, although there were several isolated voices during late Middle Ages and the

[11] Available at: http://oll.libertyfund.org/titles/1745.

sixteenth century, it is only with the writings of Christian Thomasius (1708), Montesquieu, Voltaire and mainly Beccaria that the condemnation of torture took on a definitive moral tone (Peters, 1996).

Throughout the nineteenth and into the twentieth centuries, this discourse was further supported by historians such as Huizinga, Weh Lecky, Andrew Dickson White among others, who not only pictured the old practices in all their gory detail, but condemned them as being the product of superstition, religious fanaticism, ignorance and brutality:

> Having identified, once and for all, the enemies of reason and humanity, having described and denounced them, they and the society for which they wrote – were at least free of them. In the work of Lea, (Elias, 2000) Weh Lecky, Andrew Dickson White and others, torture along with barbarism, superstition, despotism and theology, stand like gravestones over institutions and beliefs that meticulous scholarship and philosophical hostility had condemned, once and for all, to the buried wreckage of hopeless irrational past (Peters, 1996: 77).

In *Discipline and Punish* Michel Foucault (1995) criticizes the discourse that attributes the abolition of public spectacles of punishment and torture to the influence of philosophers of the Enlightenment. According to him this narrative only builds on (through alterity towards the Middle Ages) the constitution of the modern humanist identity forged during the Enlightenment. Such a narrative ignores social and political facts while seeking to establish a discourse according to which the abolition of torture and penal reforms are explained in terms of a moral revolution based on the valuing of reason, rationality and the human being above any institution. According to Norbert Elias taming violence and cruelty was (and still is) considered an important stage in the civilizational process.

In sum, torture is after Enlightenment considered cruel and cruelty was a characteristic that was grounded on ideas of bestiality, savagery and irrationality (Trotha, 2011). While these themes had been an old topic of otherness, during the Enlightenment they came to be associated as a culture's attitude towards its past. This creates a line of evolution concerning this topic. Abolishing torture and corporal punishment is a reflection of progress in the level of humanity of a people.

Historicizing the savage Other and pitting its victims

As Mignolo (2009) points out, concepts such as 'man' and 'human' were an invention of humanists of the fifteenth and sixteenth centuries that are neither transcendental nor neutral. Humanitas has been created upon philosophical and anthropological categories of Western thought and based on epistemic and ontological differences. That is the 'modern subject', an idea of man, which was introduced in the Renaissance and became the model for the human and humanity, constituted a point of reference for racial classification (Mignolo, 1998). Not only the conquered people of the 'New World' were seen as backward because they employed corporal punishments (Thompson, 2008), but whenever the violence of the other in current times is cast as Medieval there is a historicization of them. Any advocacy that calls for the ending of violence by associating it with medieval cruelty casts blindness and silence over the continuous use of torture and operation of cruel violence in all parts of the globe - including Europe and other western countries:

> In an effort to put distance between the violence of the modern world and civilized nations many of whom perpetuated that violence, critics and commentators qualify excessive brutality and the use of torture as 'Medieval' denying the modern resort to such measures. (Tracy 2012: 13)

Critics of mainstream theories of international law, and Human Rights in particular, seek to draw attention to the contradictions present in Human Rights discourses that frame the campaigns as part of a project of watching states so that societies of the global south can be governed by a higher morality (Mutua, 2001). The narratives that identify a persistent brutality in the violent global south usually mix them with other themes such as democratization and overcoming extreme poverty. The overall backwardness is seen as a failure both on governability and the cultures that constitute such societies (Baxi, 2006; Mgbeoji, 2006). Both practice and discourse tend to ignore not only global south scholars' contributions to the Human Rights theoretical corpus (Barreto, 2013), but also ignore a legacy of colonialism and imperialism (Baxi, 2006).

This identification and non-identification is interestingly recreated and materialized in both museum exhibitions. The act of staging exhibitions already carries an intrinsic trait of producing evolutionary series. As Bennett drawing on Foucault explains:

‘museological deployment, arranged objects as parts of evolutionary sequences (the history of the earth, of life, of man, and of civilization) which, in their interrelations, formed a totalizing order of things and peoples that was historicized through and through’ (Bennett 1995**:** 96). As previously mentioned, the exhibitions affirm the narrative that the use of torture and cruel punishments has ended in Europe in the Middle Ages, while still continuing in countries who have not achieved a more humanitarian state.

Moreover, as is classical in non-critical Human Rights campaigns the injured and photographed bodies are always from the third world (Sontag, 2003) and portray subjects whose ‘dignity and worth have been violated by the savage’ (Mutua, 2001: 203). The panels exhibited in Rüdesheim not only alludes to classical themes about the cruelty of the other, massacres and sexual violence, they also seek to show the backwardness and savageness of global south societies by drawing attention to laws that are discriminatory towards women. Most importantly, the panels shed light not only on the silences and invisibilities of the exhibition, but bring into interrogation the emotional interpellations intended with this display. For Sontag suffering is a particular process that cannot be shared by any expectation. The pictures of war and other atrocities rather enlarge the distance between subjects and objects regarding violence. Judith Butler engages with Sontag’s interrogations about the purposes and effects of such exhibitions of the suffering of racialized and sexualized bodies, in order to interrogate the interpretative frame that creates such figures (Mendieta, 2013). In her view these pictures are not only produced by the ideological eye of its photographers, they are part of a shared interpretative process between the people who produce them and the audience (Mendieta 2012). For Butler there are norms of representability and cognition that define how the pictures will depict the reality. In her words ‘if the image in turn structures how we register reality, then it is bound with the interpretative scene in which we operate’ (Butler 2009:71).The indignation prompted by the panel as inserted in an exhibition about medieval torture only produces a further distancing between subjects and the victimized objects exposed by them. As Bishop states:

> This would be too unsettling. To locate such hor- ror in an everyday locale is to remind us of the monsters who lurk just outside our doors, and that is not entertainment. In order to distance ourselves from that anxiety, we need to transport our fears into a more distant landscape (like a dungeon) or a different

> temporal reality (like the Middle Ages). We can see this dissociation operant in the décor and staff uniforms of S&M clubs, torture museums and even amusement venues like the London Dungeon (Bishop 2014: 2).

Conclusion

As Rita Laura Segato (2008) points out violence against women in the rural zones of Mexico is grounded on the intersection of disadvantages locally and globally of gender, class and race. It is part of a social conflict, which involves land grabbing disputes, neoliberal politics as well as limited access of these groups to public goods and justice. These disadvantages are fuelled by the prejudices that have for a long time cast indigenous women as unworthy subjects. The socially constituted disadvantages against which women have been fighting for so long, pose difficulties for disempowered groups to mobilize the social means necessary for them to get institutional answers to the violence they suffer. Hence, there is an intricate series of violence on the semantic and symbolic levels that impact upon the material and physical violence directed against these women. There is a confusion of several themes when this violence is explained with resort to the cruelty associated to the Middle Ages. This interpellation detaches the current violence against women in Latin America from the problems that give rise to this situation. The problem lies not in the granting of lesser recognition of Human Rights in these societies, but belongs to the injustices which lead to a judicial system that fails to protect low-income-women of color by the same standards it applies to protect priviledged groups. Highlighting the problem in connection with an exhibition about the evolution of Medieval brutality, and stating how Europe has given up this violence, reveals much about the operation of epistemic coloniality of knowledge in this context.

Any discussion about human rights that still resort to the humanism terminology tends to reproduce its blindness. Is torture and corporal punishment a mater of cruelty, understood as a bestial and cultural irrational characteristics not overcome by a society; or is it manifest in all sorts of globalized and interdependent violence that is everywhere but finds its victims among the most vulnerable in whichever country they live in?

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