Introduction

Comparative Human Rights: Literature, Art, Politics

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What have literary studies contributed to scholarship on human rights? The occasion for asking the question seems timelier than ever. With ongoing financial crisis worsening the material foundations of social justice, while bankrupt states underfund higher education, opportunities to discuss literature and human rights, like the February 2009 symposium that anticipated this special issue, may soon become fewer and further between. What seems likely, nevertheless, is that human rights will remain central to many contemporary debates—from the global economy to the environment, gay marriage, human trafficking, and cultural and religious nationalism. As topics like these continue to engage researchers across the disciplines, scholarship will become more comparative in probing the historical, philosophical, rhetorical, and aesthetic contexts of human rights.

The multidisciplinary attention to human rights in the humanities and social sciences today explores the exchanges between political, legal, and ethical discourses on human rights and cultural texts including literature, the visual and performing arts, film, and popular culture. Literary critics such as Ian Balfour, Eduardo Cadava, and Bruce Robbins have been at the cutting-edge of recent scholarship that seeks “to interrogate, measure, challenge, and encourage the efficacy of human rights and human rights discourses” (Balfour and Cadava 2004: 278). Historians such as David Armitage (2007) have provided new understandings of the origins of human rights in transnational discourses of liberalism, Enlightenment, and natural law. Working on locations such as China, Hong Kong, and Iran, the political scientists collected in Mahmood Monshipouri et al.’s anthology, Constructing Human...
Rights in the Age of Globalization (2003), have found that the importation of universalistic creeds produces widespread conflict and opposition. The sociologist Kate Nash illustrates a comparable emphasis in The Cultural Politics of Human Rights (2009), a comparative study of Great Britain and the United States: “the importance of culture to the study of human rights” she argues, “has not been so much neglected as it has been routinely referred to as essential . . . without, however, being given rigorous attention in its own right” (5).

Culture has, perhaps, been most emphatically addressed in scholarship that seeks to describe the connection between human rights and the humanities—particularly the ethico-political legacies of the Enlightenment. Pheng Cheah is among several recent cultural critics to argue that, for better and worse, humanistic philosophy—from Kant’s day to the current investment in cosmopolitan political theory—has been and remains “intimately connected” to the human rights discourse that globalization has fostered (1). Cheah’s premise in Inhuman Conditions: On Cosmopolitanism and Human Rights (2006) is that humanistic thinking, including the ideals of freedom developed by Kant and Hegel, underwrites capitalist globalization as well as notions of human rights. The result is a double-edged discourse that promotes false confidence in the progressiveness of globalization as well as necessary regulative ideals like cosmopolitanism and rights.4

As Domna Stanton has suggested, “connections between the humanities and human rights have existed historically and conceptually in the West through the mediation of humanism” (2006: 1518). That, however, is a relation that some literary scholars seek to complicate. In the introduction to a recent special issue on the topic, Sophia McClennen and Joseph Slaughter argue that while “the humanities have some bearing on human rights” and vice versa, “humanism may not prove to be the most satisfying basis for claiming linkages between the two, especially if we recognize that the human envisioned by human rights is a creature of the law and the state; that is, the human of the law and the human of literature do not fully line up” (2009: 5). That kind of insight motivates several of the essays collected for this special issue. Since literature is the site of formal complexity and modes of multivocality that other humanistic discourses seldom approximate, exploring human rights in—and as—an aesthetic requires nuanced theoretical and comparative approaches.

When literature specifically has been the object of human rights analysis, the discussion has generally centered on narrative. The rise of human rights discourse has, for example, been repeatedly tied to literary developments in the novel. In her widely-discussed Inventing Human Rights (2007), Lynn Hunt links the emergence of a human rights sensibility to the sentimental novel. According to Hunt, sentimental fiction foregrounded intersubjectivity and taught its audience new ways of imagining equality, leading eventually to the formulation of the French Declaration of the Rights of Man. She also suggests that the growing disapprobation of torture in the eighteenth century illustrated radically new attitudes towards the body.

In yet another acclaimed book from 2007, Human Rights, Inc.: The World Novel, Narrative Form, and International Law, Joseph Slaughter connects international human rights law to another literary genre, the Bildungsroman, or novel of education. As articulated in the 1948 Universal Declaration of Human Rights (UDHR) and the United Nations’ covenants, he suggests, human rights defined the modern person in a manner that mirrors the Bildungsroman’s focus on individual formation. Moreover, both human rights discourse and the Bildungsroman argue for the individual’s inclusion in the nation-state. Such “incorporation” of the individual is the source of the human rights “plot,” a narrative pattern that undergirds the shape of human rights law. The oft-quoted phrase from Article 26 of the UDHR that links the right to education to the “the full development of the human
personality” implies an understanding of Bildung that, Slaughter demonstrates, was at play in the creation of the law.

The novel is not, however, the only narrative genre closely associated with human rights. Various forms of life writing have also been the source of a rich conjuncture of literature and human rights. Memoir, testimony, and its particular Latin American form—testimonio—have disseminated stories of struggle and suffering which form eloquent claims to rights while lodging accusations against rights abusers. In Human Rights and Narrated Lives (2004), Kay Schaffer and Sidonie Smith discuss an “ethics of recognition” that life narratives enact not only through the detailed illustration of suffering but also through powerful moments of self-assertion and implicit claims to rights. Kimberly Nance takes this distinction a step further in Can Literature Promote Justice? Trauma Narrative and Social Action in Latin American Testimonio (2006). Nance’s rhetorical analysis of testimonio re-focuses the genre by deemphasizing its role as a repository of stories about human rights abuse, and stressing the active shaping and deployment of accusation.

Particular attention to narrative forms has been central also to the examination of the history of humanitarian ethics. The nineteenth-century campaign for the abolition of slavery, for example, showcases the potential for narrative genres, especially personal narratives, to mobilize public opinion. This dynamic is explored in depth in Humanitarianism and Suffering: The Mobilization of Empathy (2008), a volume of essays by historians, anthropologists, legal scholars, and literary scholars edited by Richard Wilson and Richard Brown. While not specifically focused on the impact of literature per se, these essays demonstrate the centrality of narrative concerns to a multiplicity of disciplines. Moreover, in exploring the collection of narratives by legal commissions, human rights nongovernmental organizations (NGOs), international organizations, and the media, the volume shows how narrative practices impact human rights in the field.

In a general way, the essays that follow build on this legacy; but they also explore human rights as a framework through which humanists might consider the complex relations between art and power, culture and the state. In doing so, their perspective on the conjuncture of artistic study and human rights draws on the critical insights of postcolonial study and poststructuralist critical theory. Some of the essays (especially those by Anustup Basu, Eleni Coundouriotis, and Joseph Slaughter) question the assumed transparency of human rights narratives by drawing attention to covert distortions. Still others broaden the topic by looking at genres such as poetry (Feisal Mohamed), film (Basu), and visual art (Slaughter). As McClennen and Slaughter have elsewhere suggested, symbolic forms and social contexts “are intimately tied to relations of power” (7); thus, scholars of human rights cannot afford to ignore the politics of representation. The essays in this special issue answer such calls to explore the cultural provenance of human rights from numerous vantage points.

While several contributors explore specific genres and aesthetics, the essays by Daniel S. Malachuk and Kimberly Nance apply literary analysis to the philosophical and pedagogical foundations of human rights practice today.

In the first essay in the special issue, Malachuk reconsiders the case for human rights from the vantage of post-secularism, an approach to thinking about modernity advanced in the recent work of political theorists such as William Connolly and Charles Taylor. Malachuk evaluates a number of “post-secular” alternatives to the anti-foundedalist assumptions of postwar human rights theory. He argues that Connolly’s Nietzschean case for a robust pluralism animated by religious and spiritual feeling corrects the deficient anti-foundedalist human rights theory of liberals like John Rawls and Richard Rorty. But a stronger strand of post-secularism, Malachuk believes, is the religion of humanity that John Stuart Mill proposed in the mid-nineteenth century. Building on the insights of
legal scholar Marc D. Perry, Malachuk concludes that human rights theorists should follow Mill in acknowledging the quasi-religious basis of their claims. A more concertedly literary focus is at play in Feisal Mohamed’s effort to describe a comparable impasse in human rights theory and practice.

Where Malachuk explores the philosophical limitations of anti-foundationalism, Mohamed singles out Kant’s legacy as an ongoing challenge for human rights today. As opposed to the “magisterial” human rights practice embraced by many global elites, Mohamed urges poignancy as an immanent aesthetic around which to organize the concrete response to human suffering. Institutionalized human rights, he argues, reproduce the Kantian tendency to abstraction and, thus, ignore the right to freedom from material want. Mohamed urges poetry to exemplify the poignancy needed to reorient human rights around human experience. Poignancy, as illuminated by Orpheus, John Keats, Theodor Adorno, and Gayatri Spivak, is the antidote not only to Kantian elitism but also to the kind of political reaction against human rights ethics that Alain Badiou, among others, has urged.

Where Mohamed theorizes the potential political effects of poetry, Kimberly Nance takes a more pedagogical approach to the topic of reading for human rights. She sets out to explain why literature professors who seek to inspire their students to act for social change so seldom succeed in doing so. In fact, she tells us, “a sense of obligation to act [is] only one of many possible outcomes of reading about human suffering” and “probably the least likely.” This dilemma has been at the center of debates about humanitarianism, perhaps most notoriously in Luc Boltanski’s Distant Suffering (trans. 1999) which begins with the image of the western subject watching a humanitarian crisis on television. Drawing on her background in rhetorical studies, Nance reminds us that persuasion works more effectively when it addresses “potential resistance” rather than “positive action.” The danger of focusing mainly on the latter is that readers who are frustrated by inadequate action may lose confidence in political agency or even cease to believe that injustice exists. Nance concludes by calling for additional understanding of the human rights context in the literature classroom.

If Nance suggests the practical limitations of human rights pedagogy in the here and now, Anustup Basu evokes a longer view of culture’s impacts. According to McClennen and Slaughter, “the imaginative and social work” of literature and culture is “done over time and space . . . through the forms of stories that enable forms of thought, forms of commitment, forms of being, and forms of justice” (8). Working in a similar vein, Basu describes a recent genre—the encounter film—which derives from the cinematic imagination of Mumbai, a postmodern metropolis, in the wake of the state’s response to terrorist acts in 1993 and 2008. He contrasts the “disenchanted realism” of this cinematic form to the “excessive style” of Bollywood films. Such austerity, Basu suggests, is necessary for transforming the savior figure typical of many human rights narratives into an unlikely successor: the encounter specialist, an assassin whose extralegal handling of terrorists is depicted as necessary to enabling a liberal order in which human rights will prevail. Heroism, with its implied self-sacrifice, emerges in this crime film subgenre as almost indistinguishable from the “monstrous abuse of state power.” The genre’s particular aesthetic becomes manifest in a “third space,” outside the “territorial scope of formal law,” which oscillates between “natural humanity and citizenship rights.” This imaginative space enables us to grasp the ideological underpinnings of extralegal crimes but also to see them as intimately connected to the project of human rights.

Form remains a central focus also for Coundouriotis’s discussion of the recent child soldier narratives that she compares to an older canon of African war fiction. Looking specifically at the war novel’s figuring of the child soldier, Coundouriotis traces a pattern of arrested historicization in which the experiences of young survivors of war are disarticulated
from social context and political process. Novels like Uzodinma Iweala’s *Beasts of No Nation* (2005) and Chris Abani’s *Song for Night* (2007) are recovery narratives that reclaim and absolve child protagonists from their status as perpetrators as well as victims of violence. In thus emphasizing the retrieval of “childhood innocence” such fictions “infantilize” their protagonists, neglecting “the effort of political liberation or empowerment.” By contrast, works like Emmanuel Dongala’s *Johnny Chien Méchant* (2002) and Ahmadou Kourouma’s *Allah n’est pas obligé* (2000) illustrate a form of human rights fiction that does not fall prey to depoliticized sentimentality. The ironization, contextualization, and linguistic play that characterize these works offset the child soldier’s disempowerment, laying “a foundation for a sense of justice.”

Like Coundouriotis, Slaughter analyzes form to interrogate conventional thinking about human rights. In this concluding essay, he takes up visual media to disrupt the commonplace assumption that *unspeakable* and *unnarratable* experiences are interchangeable. In fact, Slaughter points out, to say that something cannot be narrated is to construct a narrative about its unnarratability. The essay thus highlights the difference between the unsaid and that for which claims of unnarratability are made. Guiding us through the work of visual artist Jenny Holzer, Slaughter demonstrates that the effect of seeing redacted documents, in which censored text has been blackened out, is to heighten the impression of the political stories contained therein. Yet, to see these images as narrative despite their partly censored condition is to risk the appearance of restoration to some kind of wholeness. Indeed, confronting irretrievable political damage is the point of Holzer’s art—an interpretation he connects to the poet W. H. Auden’s interpretation of Pieter Brueghel the Elder’s *Landscape with the Fall of Icarus*. Slaughter’s conclusion offers an important revision of his early essay “A Question of Narration” (1997) in which he argued that torture is antinarrative because it resists the humanizing effects of narrative. In this essay, by contrast, the formal comparison of visual and literary media suggests that the antinarrative is not necessarily the unrepresentable.

The essays in this special issue thus complicate the relation between human rights and the humanities, and between narrative and human rights, in their broadening the discussion of cultural provenance. The differing modes of human rights aestheticism on offer in particular forms of fiction, poetry, film, and visual media do not necessarily resolve the philosophical issues at stake for Malachuk or the pedagogical impasse described by Nance. But neither are they reducible to the delusive freedom that Cheah, for example, finds embedded in the legacy of Kant, Hegel, and Marx. As human rights inquiry continues to examine culture in general and artistic culture in particular, the ability of scholars to assess the aspirational, utopian reach of human rights can only become more exacting and puissant.

**Notes**

1. The symposium, organized by the Unit for Criticism and Interpretive Theory at the University of Illinois, Urbana-Champaign, was cosponsored by several units including the Trowbridge Office on American Literature, Culture, and Society.
2. See Balfour and Cadava’s “The Claims of Human Rights: An Introduction,” as well as “Reflections on Culture and Cultural Rights,” cowritten by Bruce Robbins and Elsa Stamatopoulou for the same 2004 special issue of *South Atlantic Quarterly*.
4. For a comparable critique of the “armored cosmopolitanism” that has seen human rights discourse hijacked on behalf of neoimperial military and economic interests see Paul Gilroy (2005: 63).
Gayatri Spivak writes more optimistically about the progressive potential of humanities education in “Righting Wrongs,” her contribution to the 2004 *South Atlantic Quarterly* special issue.

5. In this essay, Slaughter understands a human rights abuse as an action that “infring[es] upon the modern subject’s ability to narrate her story” (413). He also argues that “positing the voice as an emblem of subjectivity, allows for a conception of human rights that does not rely upon some essential, inherent human quality. Reconceiving notions of human rights in terms of narratability offers some departure from the double bind of universalism and fundamentalism” (412).

References


