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# Theoretical Perspectives on Human Rights and Literature

Edited by  
Elizabeth Swanson Goldberg  
and Alexandra Schultheis Moore

Foreword by Joseph R. Slaughter



# **Theoretical Perspectives on Human Rights Literature**



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**Dedicated to those on whose behalf human rights  
desire to speak, and to those whose utterances inspire  
deeper understanding of human vulnerability,  
connection, and possibility.**

**For Chloë, Samantha, and Marcelle**

# Foreword

## Rights on Paper

*Joseph R. Slaughter*

The front page of the 28 May 1961 edition of *The Observer* newspaper featured an unusual essay by Peter Benenson, a British Barrister and (as his biographers like to note) one-time tutee of the poet W. H. Auden. Benenson's article, "The Forgotten Prisoners," told very short stories of six men imprisoned by governments for their political or religious views; these "Prisoners of Conscience" (a term that would become a keyword in the twentieth-century human rights lexicon) had been selected by Benenson and his colleagues—"a group of lawyers, writers, and publishers in London"—as the subjects of their *Appeal for Amnesty, 1961* campaign, which evolved shortly thereafter into Amnesty International. In his article, Benenson made what must now seem a rather extraordinary claim about the generic technical innovations of his campaign's approach to "mobilis[ing] public opinion." "The technique of publicising the personal stories of a number of prisoners of contrasting politics is," Benenson claimed, "a new one. It has been adopted to avoid the fate of previous amnesty campaigns, which so often have become more concerned with publicising the political views of the imprisoned than with humanitarian purposes." In Benenson's formulation, the "personal story" of the religious or political "non-conformist" is not itself a political story; that is, the "personal story" is something worth defending in its own right.

The modern amnesty campaign emerged, at least in part, as a defense of literature, or literary values, forms, and figures of free expression, what Mümtaz Soysal characterized as "voices of the human imagination" in his speech accepting the 1977 Nobel Peace Prize on behalf of Amnesty International. Literature has a central place in Benenson's *Observer* article; indeed, in the examples he offers of the powerful effects of concentrating "world opinion . . . on one weak spot" through publicizing the personal stories of political prisoners, Benenson cites the cases of Hungarian poet and novelist, Tibor Déry, who had recently been released under pressure from "Tibor Dery committees" formed around the world, and of Spanish

lawyer, sociologist, and essayist Tierno Galván (“and his literary friends”), who were acquitted of political crimes against Franco’s government after foreign observers arrived to monitor the trials. Furthermore, of the six Prisoners of Conscience whose personal stories Benenson publicized, two (Constatin Noica, held in a Romanian prison, and Agostinho Neto, an Angolan held by Portuguese colonial authorities) were identified as poets and literary critics. Noica was later amnestied in August 1964, and the release of Neto—who was just the first of many Prisoners of Conscience adopted by Amnesty to go from prison (and poetry) to the presidency—was announced in the first annual Amnesty International report with the following caveat: “If a prisoner is released . . . after some publicity about conditions in a country, we can only note the coincidence. We cannot say that Amnesty was directly responsible. In the twelve months that Amnesty has been working, however, there have been enough coincidences to make us feel that what we are doing is having some influence” (cited in Amnesty International). We might want to repeat the cautious modesty of this claim in noting some of the intersections between literature and human rights; however, I can say that the essays in this collection show enough “coincidences” between the two to suggest that what literature does clearly has some influence on human rights.

The centrality of literary expression to the *Amnesty Campaign, 1961* reflects the professional interests of the committee of lawyers, writers, and publishers with whom Benenson worked, but it also emerges from Amnesty’s narrow mandate to advocate on behalf of “Prisoners of Conscience,” who were defined as “Any person who is physically restrained (by imprisonment or otherwise) from expressing (in any form of words or symbols) any opinion which he honestly holds and which does not advocate or condone personal violence.”<sup>1</sup> Amnesty drew its charge from the Universal Declaration of Human Rights, especially article 18 (freedom of thought, conscience, and religion) and article 19: “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.” In its efforts to defend these “rights that exist on paper,” Amnesty developed literary methods for mobilizing public opinion (the personal story) and focusing it on repressive regimes (the mass letter-writing campaign) that themselves depended heavily on paper. Both of those methods exercise precisely the rights of freedom of opinion and expression that are being denied the Prisoner of Conscience; in other words, the techniques entailed in defending freedom of expression are of the same kind as the modes of expression for which the political prisoner is being punished. In a sense then, at least some of the original Amnesty campaigns were defenses not just of individual writers but of the literary universe and its conditions of possibility more generally.

Literature and human rights may have intersected only recently as common or overlapping areas of scholarly inquiry, but the two have been bound

up with one another in the field (so to speak) for a very long time. As a number of the chapters in this volume, and studies elsewhere, demonstrate, literary works and literary modes of thinking have played important parts in the emergence of modern human rights ideals and sentiments, as well as in the elaboration of national and international human rights laws. Such relationships are rarely quantifiable, which I think is probably a good thing for both literature and human rights—not only because it leaves the dynamic terms of their entanglements undetermined in mutually productive ways but also because it reminds us that we must resist the easy temptation to instrumentalize one in the service of the other, to bend one to the exigencies of the other. In other words, the terms of cooperation, coordination, and contradiction between literature (or cultural production more generally) and human rights remain open questions. That the influence of literature on human rights may be both immense and immeasurable is not just a reflection of the indefinable epistemic effects of what Gayatri Chakravorty Spivak has described as “the Humanities . . . without guarantees”<sup>2</sup>; it is the condition and wager of human rights work itself. In the early years of its existence, for example, Amnesty International properly refused to credit directly its letter-writing campaigns with the release of political prisoners. In the presentation speech awarding the Nobel Prize to Amnesty International, Aase Lionæs flirted with some inexact statistics on the percentage of prisoners freed to “provide some indication of the scope of the [organization’s] work”; she concluded, following Amnesty’s own lead, that such figures were impossible to calculate, arguing instead that it is “more important to consider Amnesty International’s worldwide activities as an integral part in the incessant pressure exerted by all good forces on governments and on the United Nations Organisation.” Like literature, letter writing too is an activity without guarantees; and like letter writing, literature (in its best moments) participates in mounting “incessant pressure” through its own “worldwide activities.”

By any account, the *Appeal for Amnesty, 1961* campaign’s emphasis on personal stories predates the so-called narrative turn in the social sciences and the ethical turn in literary studies—when narrative and ethics apparently turned into one another. Personal stories are the contemporary currency of human rights projects, and it seems difficult now—despite Benenson’s insistence—to imagine the genre as new in 1961 or to imagine a time before personal stories and human rights campaigns. Indeed, from our perspective, it seems almost as difficult as imagining the introduction of a third character onto the stage of classical Greek drama as a revolutionary literary technological innovation—in a sense, Amnesty’s efforts were similar: to introduce a third character (world opinion) into the two-person drama of political imprisonment, to interpose public opinion between the state and the individual. Nonetheless, looking back, it is possible to see that the rise of personal story politics and memoir culture in the 1970s and 1980s coincided with mass movements for decolonization, civil rights,

women's rights, and sexual freedoms—many of whose participants would themselves become subjects of Amnesty's letter-writing campaigns. In fact, one of the primary tools of all those campaigns was the personal story—although, in contrast to Amnesty's official opinion, the personal was also (or always already) political.

The intellectual (and not just the emotional or political) attraction of Amnesty International's project for academics in particular might suggest that we should look more closely at the relationship between the development and popularity of human rights campaigns in the 1970s and 1980s and the turns taken by literary studies and the social sciences at the same time. What we call the World Republic of Letters in the second half of the twentieth century was at least in part shaped by the human rights campaigns defending the lives and rights of individual writers, but the campaign methods themselves seem likely to have had an influence on the generic shape of late-twentieth-century literature, and vice versa. We might discover, for instance, that human rights campaigns and methods like those popularized by Amnesty International and other organizations had more to do with steering the narrative and ethical turns than we suspect—that the dramatic turn to personal stories in the context of human rights struggles (broadly understood) helped to create and consolidate many of the literary tastes and methods—as well as the memoir culture—that remain with us today.

I have considered here only one very narrow but highly and historically influential way of thinking about the links between literature and human rights—the admirable chapters in this collection strike out in other important directions. Indeed, as a group, these chapters explore what we might call the necessary and incessant pressure of culture and the worldwide activities of literature on human rights thinking and practice.

## NOTES

1. Peter Benenson, "The Forgotten Prisoners," *The Observer*, May 28, 1961. <http://www.amnestyusa.org/about-us/the-forgotten-prisoners-by-peter-benenson/page.do?id=1101201>.
2. Gayatri Chakravorty Spivak, "Righting Wrongs," *The South Atlanta Quarterly* 103, no. 2/3 (2004), 537.



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# Introduction

## Human Rights and Literature: The Development of an Interdiscipline

*Elizabeth Swanson Goldberg and  
Alexandra Schultheis Moore*

Although the Universal Declaration of Human Rights (UDHR) was endorsed in 1948, and international law and practice of human rights have burgeoned in the interim, in many ways a conversation between literature and human rights has only just begun. It seems appropriate to pause, then, to ask why literary scholars should embrace human rights as an analytical lens, and what literary reading and critique can add to the aspirational field of human rights. In spite of ongoing debates about the framing of human rights via the construct of the nation-state, about its dependence upon the recognition of a rights-bearing individual whose legitimacy often, in fact, vanishes precisely at the moment she most needs the protective force of human rights, and about its complicity with the very power structures and violence it seeks to eradicate, the vision of creating conditions whereby persons and cultures may be free from persecution and deprivation remains a common denominator for advocates and critics of human rights alike. Whether or not the language of human “rights,” with its nationalist and juridical parameters and moral idealism, is the most efficacious and ethical framework for the work of securing dignity for all peoples remains in question. Still, striving toward such a condition is never not urgent: as Elaine Scarry reminds us in *The Body in Pain*, the most important thing we must know about torture is “that it *is happening*.”<sup>1</sup> Generalizing from the scene of torture to preventable human suffering of both acute and chronic kinds, we must understand the role to be played by human rights, with its instrumentalization in international law and politics, in ending suffering and striving for human dignity and justice—even as we recognize its imperialist origins and complicities with global power and corruption. Our questions about the theoretical implications of interdisciplinary work in human rights and literature are posed within this aura of contestation, critique, and deep desire for social justice.

While the imbrication of the humanities and human rights is evident on the most basic etymological level, overt attention to interdisciplinary work in these two fields is relatively recent. Human rights academics and activists have for some time considered the significance of cultural texts in the

struggle against human rights violations, and scholars in literary studies have always devoted critical energy to interpreting representations of suffering, yet their pairing as an interdiscipline is emergent. It is clearly rooted in questions and approaches developed over several decades in trauma, postcolonial, holocaust and genocide, and feminist studies, questions and approaches which also fueled and were fueled by the rise of the “personal story” in responding to social suffering, as Joseph Slaughter’s Foreword to this volume explains, as well as the foothold human rights discourse and ideals gained in political and activist rhetoric in the late 1970s. In his important new history of how human rights achieved its current ideological dominance, Samuel Moyn underscores the importance of 1977 as its “breakthrough year”: the year Amnesty International was awarded the Nobel Peace Prize, U.S. President Jimmy Carter made human rights a centerpiece of his governing moral framework in his Inaugural Address, and Charter 77 was published in Czechoslovakia.<sup>2</sup>

As an interdisciplinary scholarly field in the U.S., human rights and literature gained formal momentum after September 11, 2001. The shift in political, social, cultural, and intellectual landscapes at that point seemed suddenly both to obviate and to render imperative the connection in relation to changing understandings and practices of war, imprisonment, torture, and immigration. As human rights continues as the dominant discourse for addressing issues of social justice more broadly, scholars working at the intersection of human rights and literature, each galvanized perhaps by his or her own political moment and geographic location, are developing new and more effective tools for understanding the ethical, literary, and political implications of their shared intellectual foundations. Interdisciplinary scholarship in human rights and literature, finally, undertakes two mutually invested intellectual projects: reading literary texts for the ways in which they represent and render intelligible the philosophies, laws, and practices of human rights from multiple, shifting cultural perspectives and considering how stories, testimonies, cultural texts, and literary theories contribute to the evolution of such philosophies, laws, and practices. Significantly, both intellectual projects are profoundly implicated in—and have profound implications for—the realm of the political as located within the flows and jumps of global capitalism.

As Domna C. Stanton notes in her “Foreword” to the special issue of the *PMLA*, “The Humanities in Human Rights: Critique, Language, Politics,” human rights and the humanities have a long, shared history. The proliferation of literary and cultural texts telling the stories of past and current human rights violations clearly necessitates an understanding of human rights philosophies and frameworks; less obvious, perhaps, is the extent to which the critical insights gained through literary readings in the past fifty years might be brought to bear in human rights contexts—in the field and in legal, activist, and scholarly sites—to open the foundations of shared rights norms to new interpretations. The essays in this collection

explore this intersection from both perspectives. They examine ways in which human rights norms and concerns change the way we read familiar literature even as they shape new directions in the “world republic of letters”; and they bring the interpretative methodologies of literary criticism to bear on human rights to uncover the stories that normative rights discourses implicitly include and exclude. If, as Thomas Keenan suggests, “[e]thics and politics—as well as literature—are evaded when we fall back on the conceptual priority of the subject, agency, or identity as the grounds of our action,” theoretical approaches to reading literarily can help return us to the necessary work of negotiating shared foundations of rights, suffering, and representation.<sup>3</sup>

One of the difficulties in defining the interdisciplinary field of human rights and literature is the nature of the “field” of human rights: it comprises law, politics, philosophy/ethics, sociology, anthropology, history, cultural and media studies, and journalism, yet is bound by structural and institutional components of the human rights regime. And of course, approaches to literature have been informed by multiple disciplines and cross-disciplinary approaches including, most relevantly in the late twentieth and early twenty-first centuries, history, philosophy, psychology, linguistics, economics (especially Marxist theory), political science, film and media studies, feminism, critical race studies, and queer theory. Requiring rigorous scholarship, nuanced interdisciplinary work contributes to efforts to move beyond the structuring of disciplines and departments which has produced both the rise of specialization as well as the compartmentalization of knowledge. Such compartmentalization of knowledge (and the teaching and learning practices that accompany it) must especially be disrupted if we are to tackle the complexly interwoven problems accelerating in our new millennium. The contributors to this volume share attention to the ways in which literary readings of human rights discourses (fictional, poetic, testimonial, legal, political, economic, journalistic, cinematic) may illuminate both the limitations of those discourses and the imaginative possibilities of alternative frameworks. We conceptualize such possibilities as substantive, in terms of the alternative potentialities occasioned by progressive work in human rights and in literary production, and as a kind of meta-narrative reflection on the forms that such interdisciplinary work has taken or may yet take. With this dual focus upon form and content in mind, then, we posit a human rights-oriented literary criticism that engages in several unique activities which are explored in this volume: it attends to what is shared by narratives of suffering while at the same time recognizing the particular situations and positions of those who suffer; it explores how narratives probe the limits of language, representation, and translation to depict their subjects adequately; it reflects awareness of the arguably “west-centric” history of human rights, taking account of representations of non-western approaches to human rights, and of economic and social rights as well as third-generation solidarity rights; and it engages in both reflection



upon and critique of the theories of the liberal subject and the liberal democratic state that underlie the modern international human rights system.

Narratives of origins for such human rights-oriented literary criticism can be constructed in multiple ways. For instance, one may trace its growth historically, from the shared roots of modern human rights and literary expression/criticism in the eighteenth century, or in the contexts of key movements within literary studies and legal studies. The law and literature movement that crystallized in the 1970s and 1980s, alongside the accession of human rights as a leading discourse of moral idealism and social justice, presages some of the momentum and potential limitations of work in human rights and literature. Driven by shared interest in social justice as well as what Marjorie Garber and Julie Stone Peters have called “disciplinary envy,”<sup>4</sup> “[e]ach [discipline] in some way fantasized its union with the other: law would give literature praxis; literature would give law humanity and critical edge.”<sup>5</sup> Peters reads in this “double [disciplinary] desire—for the other and for the other’s projection of the self,”<sup>6</sup> the unintended consequences of “exaggerate[d] disciplinarity,” a yearning for the real “emerg[ing] from the center of postmodern skepticism as a kind of return of the repressed.”<sup>7</sup> The work materializing from this desire would purportedly bring important changes to both disciplines: the broadening of literary studies to include material effects, and of legal studies to include greater attention to theoretical and academic concerns. It is possible to see the emergence of human rights and literature as coeval with the transformation of the law and literature movement into “law, culture, and the humanities.”<sup>8</sup> Notable among literary approaches of the past several decades that have contributed to this movement are (new) historical, narratological, holocaust and genocide, trauma, and postcolonial studies, aided by what scholar Mark Sanders and others have termed “the ethical turn,” the reclamation of ethics as a central term of literary study in the wake of poststructuralist criticism and its interrogations of subjectivity.<sup>9</sup> Contributors to this volume work across this spectrum to develop substantive vocabularies, frameworks, and standpoints from which to examine the structural affinities of human rights and literature, their shared paradoxes, and the limits of legal and literary representability.

Beyond these origination points, the interdiscipline is built upon solid foundations recently produced by scholars who pose crucial questions from multiple disciplinary perspectives about the production and circulation of both human rights and literature in the modern context. Historian Lynn Hunt’s *Inventing Human Rights* (2007) makes the case that modern human rights were articulated in the particular historical moment of the American and French Revolutions partly because of the enabling function of empathic responses fostered by the novel form which produced readers able to care for others outside of the limits of their social class, gender, race, and other situated particularities. Martha Nussbaum makes a similar claim for literature’s humanizing effects on the reader: that literature enables us to “see