KATJA KURZ

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The Aesthetics of Life Writing in Human Rights Campaigns

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For my godchild, Luis Emanuel Morweiser (born 2012)
And to the memory of my father, Bruno Kurz (1942–2010)

Acknowledgments

When I entered the American Studies doctoral program at Johannes Gutenberg University (JGU) in Mainz, I brought together my previous studies in American literature, cultural anthropology, and international law for a truly innovative and challenging project. Through the doctoral exchange cooperation between the JGU American Studies program and the Department of English and Comparative Literature at Columbia University in New York, I conducted initial research from 2008–2009, and was fortunate to work with postcolonial scholar Joseph Slaughter. It was Professor Slaughter's pioneering work in the realm of human rights and literary studies with a focus on Africa that sparked my interest in combining my previous research in life writing with legal and cultural studies in ways previously unforeseen. During my second research visit at the Institute for the Study of Human Rights (ISHR) at Columbia University from 2010–2011, I conducted interviews with human rights advocates and spoke to experts in the field.

This book focuses on the reception of human rights campaigns from the perspective of the United States as a location. This is not to say that I privilege this particular vantage point above others, but that I am contributing to transnational American studies as a particular branch of area studies. From this perspective, human rights campaigns in the United States are not fixed geographically: the public discourse on a particular campaign often spans many continents, particularly when informed by foreign policy interests. For this project, I focus on English-language discourse, with a few ventures into German when necessary. This focus is a consequence of my own professional and personal biography as an emerging German scholar of American studies. Over the course of this research, I have traveled back and forth repeatedly between the United States and Germany.

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[1] Transl.: PRO Humanities and Social Sciences 2015.

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[2] Transl: German Association for American Studies.

[3] Website of the agency: www.hbdg.de.

Introduction

An interdisciplinary approach makes combining the analysis of transnational American studies (TAS), life writing, and human rights possible. I have selected works that display the intersections between these seemingly isolated research foci in order to uncover new insights into how they shape and are shaped by each other. Focusing on TAS allows us to consider the multiple border crossings experienced by the authors and in which the texts are embedded in. This comprises both the geographical border crossings, i.e., the migratory experiences of the authors, as well as the ideological border crossings, i.e., the work with coauthors in transatlantic and transpacific constellations. The texts themselves also display formal border crossings, borrowing from different genres and including, at times, contesting elements that stem from conflict between the authors' cultural backgrounds and collaborations with coauthors, publishers, and rights activists interested in pursuing their own agendas. Historical as well as present relations between the United States and the countries of the authors' origins or residence impact the way these works are circulated and received in the public discourse. As these ties are intricate and subtle at times, I will briefly address them where appropriate. U.S. foreign policy, warfare, and humanitarian interventions are sometimes closely tied. Even though most of these works will never formally enter the canon of "American literature," they display significant transnational links with the United States, and should be taken into account in order to uncover new perspective. This is a major advantage that a TAS approach offers—not only in terms of geography, but also in regard to literary negotiations.

The focus on "life writing" in its more liberal definition rather than a focus on traditional autobiography allows for the comparative study of various genres and crossover works that defy traditional markers of autobiography as a work written by an author about his life. Life writing comprises various texts that deal with life in a diversity of formal constellations, including collaborative works, i.e., two or more authors working together works that include the role of translators and publishers

in the analysis, and texts as various as published memoirs, blog posts, website entries, musical lyrics, letters, audiovisual sequences, public performances, editorials, and interviews. Although the written text still prevails in the conception of life writing, boundaries of genre and media are often crossed. Life writing also comprises open-ended or fragmentary works. Considering the subsequent works in relation to their positioning as life writing allows us to shed light on their aesthetic dimensions and formal innovations. While some coauthors make more conservative choices in presenting the author's lives, others break generic boundaries in order to properly portray the author's multiple cultural and linguistic qualities. They share intertextual elements and recurring tropes that help to properly situate them in the public discourse. The focus on life writing allows for a more holistic reading of the texts in terms of genre and narratology and lays bare the aesthetic dimensions as necessary components of human rights campaigns.

Focusing on human rights enables us to trace the discursive routes that these works of transnational life writing have taken and does justice to their ideological instrumentalization. The fact that these works have been produced within—and often circulated for—a specific human rights campaign also impacts the texts themselves aesthetically, both in terms of form and in terms of content and language. The transnational links bear relevance in terms of human rights, i.e., when it comes to the collaboration between authors and activists included in the process of life writing, or the influence of scholar-activists in terms of discursive framing. In some ways, the works attempt to demonstrate that human rights transcend any nationalistic approach by alluding to a supposedly universal value system that all countries have defined as a key component of international law. However, the allusions and "humanizing effects," such as giving face to abstract human rights abuses, or humanizing populations that are often rendered as something "other" than human, in the texts often draw on concrete images of national history and culture. This depends largely on the context of the collaboration, in particular the role of the coauthors in transatlantic and transpacific constellations. Targeting the geographical and ideological market where the works would be published—many are published in the United States and in Europe initially and then translated and relicensed—also leaves ideological as well as formal traces in the texts. As in publishing in general, the anticipated reception of these works within human rights campaigns does not always match with their actual

reception—with unexpected alliances forming along the way. An interdisciplinary approach allows for a more holistic exploration of how the transnational links of these works and persons involved contribute to the resulting texts and how these works of life writing are strategically used within specific human rights campaigns.

Human rights activist across the globe are competing against each other to have an impact, given the scarcity of resources available. Some campaigns are successful while others fail, even if they are very similar in kind. What determines their success or failure? Activists seem to hunt for a magical formula that can be uncovered and emulated. There is no mathematical equation or recipe for success, but this study helps to illuminate specific case studies of successful campaigns in context. Using examples of contemporary campaigns in the United States that revolved around best sellers, I will discuss which circumstances led to their success and why.

Human rights campaigns usually try to elicit empathy, urging potential donors to identify with a cause and offer support (monetary or otherwise). In their attempts to gather support in the United States, a number of campaigns elicit autobiographies of leading figures in an attempt to provide an individual hero to personify their collective efforts. Sometimes a campaign leader becomes the crucial figure around whom a campaign develops, as is the case with Waris Dirie and Ishmael Beah.The campaigns discussed in this book share the strategic use of genres of life writing to humanize their causes and to inscribe themselves into the public sphere. This has brought forth a number of human rights campaign inspired autobiographies that became worldwide best sellers. In many cases, people developed an interest in the concomitant campaigns after reading a leading figure's autobiography. Part of their success stems from the careful choices made by activists, coauthors, publishers, agents, and campaign leaders in regards to the forms of representation and conventions used to portray the story at hand in the form of an "autobiography" or a "memoir" for readers.

For this study, I have selected three case studies according to the following criteria: The cases must be contemporary (published around or after the turn of the millenium), U.S.-based (in their production and/or reception), successful (i.e. in terms of reception, impact on the discourse, and sales) campaigns that generated best sellers (in the United States and/or worldwide), and focused on the rights of women and children as

particularly vulnerable groups in international law. My work is a compromise between a detailed study of one campaign that would consider all campaign materials (i.e. print, TV, radio broadcast, online media, interviews, campus talks, live performances, newspaper articles, posters, brochures, blogs, social media etc.) and a general survey of the development of a variety human rights campaigns in relation to the United States. Borrowing from both approaches, I provide an analysis of the textual strategies used in the campaign texts combined with an analysis of the external factors contributing to the reception and political momentum that the campaigns achieved. The evanescent nature of the web, however, makes it difficult to track changes in the presentation of the campaign—material that is online today might be taken off tomorrow without leaving a trace. The works of life writing selected for this study are an integral part of the specific campaigns in question, but certainly not the only ones. Rather, they are complemented, revised, and at times even contradicted by other campaign materials, as is the case with Fadumo Korn. The dynamic interplay of texts often creates ambiguity and tension. The texts are part of the larger campaign "machine" orchestrating the public persona of the activist. Given the immediate and long-term effects of published autobiographies as well as their shelf lives, the choice by campaign stakeholders to publish an "autobiography" or a "memoir" is both an opportunity to create a more lasting impact than a blog or poster campaign material, but also a risky commitment. Once a book is on the market it cannot be taken back, even if it flops or is exposed as a hoax like in the case of Somaly Mam, thus collapsing an entire philanthropic empire.

When referring to human rights campaigns, I imply criteria similar to projects, i.e., a team working together in a planned course of action toward a defined goal, usually under time restraints and monetary restrictions. A human rights campaign is a joint organizational effort by various stakeholders to reach a defined objective. In terms of the case studies selected, my focus is on ultimate goals, such as achieving legislation to end female genital mutilation (FGM) or the conscription of children in armed conflict, as well as the more specific steps that campaigns undertake to achieve them (e.g., improving public perception, political lobbying, fundraising). The majority of campaigns selected in this study are carried out by nongovernmental organizations (NGOs), even though some of them also cooperate with national and international governmental

bodies such as the European Union (EU) or the United Nations (UN). The focus is largely on social activists and campaigns that use multimedia components as vehicles for communication in a competetitive nonprofit environment. Measuring the success of campaigns is challenging because the indicators are diverse and often difficult to evaluate with objectives such as "raising awareness." If the focus is on fundraising, indicators are the amount of monetary and in-kind donations (including volunteers donating their time) that organizations participating in campaigns raised as revenue—such as the very successful Somaly Mam Foundation in the United States. When the issue is achieving legal change, then passed laws or court decisions relevant to the topic at hand are an indicator—although the causation between a specific campaign and a legal change is not easy to prove. If a campaign aims at changing public perception, an increase in discourse on the topic is a more reliable indicator. This could include, for example, authoritative agents participating in the discourse on the topic, such as an increase in media reports related to a best seller and the campaign topic at hand. In this regard, hitting a best seller is one indicator that the adjacent campaign has "hit a nerve" in the public discourse.

For the analysis of external factors contributing to the success and development of campaigns, I focus on the larger context within a particular discourse. The reception of a published "autobiography" or "memoir" embedded in a campaign largely depends on an encouraging environment. In some instances, the violation the campaign addresses was already recognized in the United States, and in other cases the violation first had to be made legible as a human rights abuse to begin with. Some campaign leaders profited from the legacy of previous activists; others pioneered into the field struggling to claim their space alongside already well-established campaigns, as is the case with Fadumo Korn. Aside from variables such as timing, strategic partners, media representation, the aesthetic choices of genre and form also weighed in to determine a campaign's success when it comes to the campaign's "memoir" or "autobiography." The ideological backdrop against which the campaigns were launched also plays a role, both on the side of the political decision makers and civil society.

In my analysis, I address textual strategies of genre, modes of narration, and forms of collaboration between activists and coauthors. My aim is to find out how activists and coauthors make the activists' life stories legible to the public, and how they attempt to gather support and

empathy on a textual level. Cognitive studies have long shown that we can connect to a fictional persona as much as to a person. The forms of presentation as aesthetic components, however, do influence empathic identification. In framing the forms of representation, campaigns rely on collaboration. In ways similar to the nineteenth-century abolitionist movement in the United States, contemporary human rights campaigns pair victims of human rights abuses (or former slaves) with literate intellectuals or creative writers (or abolitionists) to tell their story. Although their presentation relied on patriotism and the notion of American law, much of their legacy informed later rights activists. Today's human rights campaigns focus on the notion of universal, inalienable rights that we all share by the circumstance of being human. What distinguishes earlier collaborative efforts from the constellations that we see in human rights campaigns today are the increasing number of stakeholders directly involved in campaigns, and the often enormous campaign production "machines" that generate the campaigns oscillating around the activists' autobiographies. It is difficult to speak of one author and one coauthor, since there are a lot more people involved in campaigns. Subsequently, the "autobiographical pact" (cf. Lejeune 16-18) between autobiographer and reader about the truthfulness of the narrative seems to extend to adjacent campaign texts and materials. The same can be said of the "paratexts" (cf. Genette 9) extending to a plethora of campaign texts. A campaign in its entirety creates the public figure of "Ishmael Beah" or of "Halima Bashir." More than just being human rights "sympathizers," activists pursue action to bring about social or political change, implement policies and strategies, and dedicate themselves to vigorous campaigning to achieve their goals in the interest of a particular human rights concern. Campaigns imply that activists are working for the greater "common good" of a particular disenfranchised group or for humanity at large, rather than their own success.

The three thematic case studies chosen for this study address the topics of child soldiers, female circumcision, and sexual violence against women of ethnic minorities. All share a direct involvement with the United States in terms of advocacy. My goal is to illuminate the textual strategies of aesthetic choices and their context in terms of discursive placement. The campaigns focus on questions of gender, race, and age. For each chapter I have chosen two contrasting examples of a particular campaign topic, contrasting not necessarily in their success, but in the ways their

campaigns were devised, produced, and carried out in relation to the United States. Despite their particularities, their comparison allows for some general conclusions that will illuminate the intricacies of their reception. For example, I evaluate the forms activists use to present their life stories and to make their suffering legible within a human rights framework, what modes of narration they chose and the role that coauthors played in the process, as well as the level of success of some campaigns compared to others.

The first case study (Chapter 2) addresses campaigns against FGM that have played a major role in public discourse the United States from the 1980s onwards. Even though the phenomenon had been an issue in the 1960s, it had been previously considered untouchable by international law given its occurrence in the private sphere. The further development of women's rights as human rights changed this perception and placed the issue on the public agenda. The discussion was not only relevant abroad, but also in immigrant communities from locations where FGM was traditionally practiced. A landmark lawsuit from 1996 reflects the urgency of the topic at that time. That year, a U.S. immigration court granted a young Togolese woman, Fauziya Kassindja, asylum and established FGM as a form of gender-based persecution. It set a precedent for later jurisdiction in immigration law, in which women fleeing from FGM as a discriminatory practice could seek asylum in the United States on the basis of gender-based violence and persecution. In the mid-1990s, top model Dirie brought the topic to mainstream attention by speaking out about her own experience of circumcision in her native Somalia. Her testimony heightened interest in an already sensitive topic. The UN recognized the opportunity for enlisting Dirie's celebrity status to raise awareness about FGM worldwide. Former UN Secretary General Kofi Annan appointed Dirie as special ambassador against FGM in 1997. She subsequently became the face of global efforts to end the practice. Over the next ten years, Dirie published three autobiographies, each with a different coauthor. Her first book, *Desert Flower,* became an instant best seller and propelled the issue of FGM into mainstream mediascapes worldwide. Her modeling career already dwindling, Dirie made the crusade against FGM her personal mission and dedicated most of her time to advocacy, lobbying, and speaking around the world. She set up her own foundation called Desert Flower after the book in 1998. While based in New York, her advocacy focused on the UN and the United States, but

she later extended her scope to Africa and Europe. Dirie published her second autobiography in 2001 after her first return to Somalia. The third autobiography followed in 2006 after Dirie had moved to Austria and began to focus on immigrant communities in Europe. The second and third books never reached the best-seller status of the first, which was even made into a feature film in 2010—another indicator of its continuous mainstream appeal.

Around the same time, another Somali activist, Korn, started campaigning against FGM after being inspired by Dirie's story. Korn had come as an asylum seeker to Germany, where she eventually settled and started a family. Korn began campaigning under the umbrella of the German subsidiary of the nongovernmental organization FORWARD, which maintains close ties with sister branch in the United Kingdom. Similar to Dirie for the UN, Korn became the face of the FORWARD-Germany campaign against FGM in Europe. She published her first autobiography in 2005 and her second in 2010. Her first was translated and published in English in the United States in 2006. In Germany, Korn's autobiography became a best seller—although it never surpassed Dirie's *Desert Flower* in terms of sales and publicity. Korn maintained close ties to the United States through relatives and more prevalently through her FORWARD-Germany colleague and translator of her autobiography, Tobe Levin, a U.S. feminist scholar with a long track record of campaigning against FGM. In the United States, her autobiography was lauded in academic circles, but did not become a mainstream success like Dirie's. Korn's and Dirie's campaigns overlap in some ways, but use fundamentally different ideological approaches to the issue of FGM. Their works touch on the issues of gender equality with a focus on the female body as a nexus of intersecting and competing discourses.

The second case study (Chapter 3) addresses the issue of child soldiers. This issue also gained attention in the United States in the 1990s in the context of African civil wars and other armed conflicts involving children as combatants. Whereas children at arms is not a new phenomenon in history—just consider the participation of youth in World War I and II, and even the American Revolution—the development of international human rights law fundamentally changed our understanding of the concepts of "childhood" and "youth." Even though child soldiers today are not only a phenomenon in Africa, but also throughout Asia, public discourse on the subject in the United States and Europe has mostly

focused on Africa. Ishmael Beah became a leading figure in the movement against the use of child soldiers in armed conflict. A former child soldier during the civil war in Sierra Leone, Beah fled to the United States in the late 1990s. Having previously participated in the UN children's parliament, Beah relied on his ties with renowned storyteller Laura Simms in New York to seek refuge. During his education at Oberlin College, he drafted a manuscript for his memoir with the help of a professor and subsequently published the book called *A Long Way Gone: Memoirs of a Boy Soldier* in 2007. Coffee giant Starbucks promoted the book as part of their corporate social responsibility program, thus boosting sales in the United States. It became an instant best seller and propelled the issue of child soldiers into mainstream media. For several years, Beah acted as the face of UNICEF campaigns until he eventually created his own foundation in New York. When Beah refused the help of a journalist offering to reunite him with a man in Sierra Leone who claimed to be his father, contradicting Beah's statement that his family had died during the war, a public debate about the veracity of Beah's story unfolded in January 2008. At the forefront was The Australian newspaper, which published dozens of articles in a campaign aimed to discredit Beah's memoir as a fabrication and a fraud. Similar to the debate about the truthfulness of Guatemalan indigenous rights activist and Nobel Peace Prize laureate Rigoberta Menchú in the 1990s, the "Beah controversy" sparked a lively debate about the definitions of life writing, the problem of memory, and the limits of creative license. Unlike the other activists in this study, Beah was the only one who did not write his story with a formal coauthor, but adhered instead to a more traditional notion of authorship. Scarred by the controversy, Beah published his second book, *Radiance of Tomorrow*, in 2014 about post-conflict peace-building in Sierra Leone in the form of a novel, choosing fiction over nonfiction.

Emmanuel Jal is another former child soldier who became a celebrity in the global campaign against the recruitment of children in armed conflict. Born in southern Sudan, he became entangled in the civil war and ended up fighting for the Sudan People's Liberation Army (SPLA) until he was withdrawn from the fighting by British humanitarian worker Emma McCune. She had become a contested figure in humanitarian circles after marrying SLPA warlord Riek Machar. After adopting Jal, McCune smuggled him to Kenya to go to high school. After her death in a car accident, Jal began to make music and eventually climbed to the top

gospel charts in Nairobi and the cosmopolitan category of "world music." His publicity increased in 2008 after the launch of an autobiographical album, *War Child,* establishing him as a hip hop activist against the recruitment of children as combatants in war. He became a celebrity in the United Kingdom, and later in the United States. Jal published his autobiography *War Child: A Child Soldier's Story* in 2009 with a British journalist as coauthor. His book became an international best seller. A year before the book's publication, a documentary film of the same name was launched, using some earlier video footage from the 1990s of Jal in an Ethiopian refugee camp. Jal became the spokesperson for the Make Poverty History campaign and the Coalition to Stop the Use of Child Soldiers in the United Kingdom. After reaching international fame, Jal founded his own charity, Gua Africa, in the United Kingdom. As part of his advocacy in the United States and for the UN, Jal concentrated on working with urban street children. Jal's advocacy is largely inspired by—and placed in the context of—Christian gospel.

The third case study (Chapter 4) addresses sex trafficking of—and war crimes against—women of ethnic minorities. Following the cases of war trials and crimes against humanity sanctioned by the International Criminal Court (ICC) in the 1990s, rape has become recognized as a strategic weapon in armed conflict, punishable by international law. Even though the victims of these crimes are not always only women and children, these two "vulnerable" groups continue to dominate the discourse. It is against this backdrop that Halima Bashir, a Sudanese woman, published her autobiography *Tears of the Desert* under a pseudonym with the help of British journalist Damien Lewis. Lewis had become a celebrity coauthor after helping Mende Nazer publish her autobiography *Slave.* Bashir, a member of the Zaghawa minority in Darfur and a medical doctor by profession, became a target of the Sudanese secret police after witnessing and reporting to international agencies an assault on schoolgirls by local militia. When she fled to the United Kingdom, she became an activist for the Save Darfur campaign to stop the genocide in Darfur. It was within this campaign that she published her memoir *Tears of the Desert* in 2008. Due to U.S. involvement in Darfur, her book became an instant best seller in the United States and was even recorded as an audio book. In 2008, on the 60th anniversary of the Universal Declaration of Human Rights (UDHR), former U.S. President George W. Bush invited Bashir to the White House

to honor her activism and to support efforts to end the genocide in Darfur. Bashir became the face of the Save Darfur campaign, albeit veiled in order to protect relatives against retaliation. Unlike the other activists selected for the study, Bashir was a "reluctant activist," media-shy and soft-spoken. Her case expounds upon the problem of authority over one's life story and the ethics of campaigning for human rights.

At the same time that Bashir published her autobiography, Somaly Mam's *The Road of Lost Innocence* was released in its English translation. Mam originally published her autobiography in French in 2005 with the help of a ghost writer who remains unnamed. Like Bashir's, it became a prompt best seller in the United States and worldwide. Mam, who was born into an ethnic tribe in Cambodia, shared her story of becoming orphaned during the Cambodian civil war and being sold into forced prostitution. It was only after she bonded with French humanitarian worker Pierre Legros that she eventually found a way out of prostitution and relocated to France before returning to Cambodia to work for Médecins Sans Frontières. With the help of Legros, Mam founded her own NGO and set up a shelter for former "sex slave victims" that would provide schooling, counseling, health care and vocational training. After a spectacular raid of a brothel in Phnom Penh, Mam's organization made headlines and drew increased international attention. Mam was soon heralded as a heroine and became the face of international campaigns against sex trafficking, drawing support from a number of high-profile celebrity activists such as U.S. actress Susan Sarandon and fashion icons like Diane von Fuerstenberg. After winning numerous awards and getting more activists involved, she launched her own foundation, the Somaly Mam Foundation, in New York—recruiting leading figures such as Facebook chief operating officer and *Lean In*-author Sheryl Sandberg for its advisory board. Unlike Bashir, Mam's charismatic smile and good looks made her a popular icon featured frequently in the media, until a *Newsweek* feature in May 2014 raised questions about the legitimacy of her story. The ensuing debate quickly erupted into a scandal that culminated in Mam stepping down and the Somaly Mam Foundation ceasing all operations in the United States.

The three cases selected address women and children as particularly vulnerable groups in international law. Each of the following chapters explores the campaign autobiographies in relation to the complementary campaign activities and analyzes how the activists construct their

experiences within a specific rights movement. My analysis focuses on the humanizing effects employed by the authors to make their experiences legible to a culturally and geographically different readership. The following chapter (Chapter 1) sets the groundwork for the theoretical approach and the methodology applied to find answers to the questions informing this study. Inspired by groundbreaking research conducted by scholars in the humanities and social sciences, I will explore relevant theories at the intersection of legal, cultural, and literary studies.

1 Human Rights Advocacy, Empathy, and Aesthetics

1.1 Interdisciplinary Spaces: Law and Literature

During the revolutionary uprising in the spring of 2011 in the Middle East and North Africa, which commentators enthusiastically termed the "Arab Spring," an incident left its mark on the celebratory discourse dominating Western news reports. South African CBS correspondent Lara Logan, reporting live from Tahrir Square in Cairo, found herself sexually attacked by some of the protesters in the crowd. A few months later she decided to tell her story "just once," in order to break the silence before going back to her profession as a news correspondent, and to give voice to other female foreign correspondents who had shared the same painful experiences. Throughout her revelations, she insisted that, "I don't want this to define me," suggesting that she did not want to bear the mark of being a sexual assault victim, but rather to blend back into the regular crowd of reporters (CBS). Logan decided against becoming an activist for the protection of female foreign correspondents, although she learned that many had been victims of sexual assault and abuse throughout their careers, but were forced to remain silent.

Whereas Logan chose not to be "marked" by this experience, many human rights activists have no choice but to accept the marker of having experienced violations on their own bodies if they decide to speak out against them, thus "marketing" their experiences as part of a human rights campaign to stop that particular kind of abuse. Assuming the position of a frontline activist requires the perpetual reiteration of the experiences that gives them the credibility to speak out as a "survivor" and a witness. Not surprisingly, genres of life writing have gained prominence in many human rights campaigns as markers of authenticity and agency. As we will explore in the following pages, the connection between life writing and international human rights advocacy is a multifaceted one, with the realm of law affecting the realm of culture and vice versa.

Literature, Law, and Transnational American Studies

This project necessarily brings together seemingly disparate disciplines. What the "human" means in human rights and which cultural differences determine our understanding of human rights are only a few of the issues discussed in this nascent field. Interdisciplinary literary and legal studies are a fairly recent phenomenon in the humanities. Reflective of institutional changes, what had been considered "law and literature studies" in its earliest incarnation, over time evolved into "law, culture, and the humanities" alternating with "law, literature, and language" and even "law and semiotics," thus branching out into new disciplinary constellations (cf. Olson 359; Peters 451). Even though there were earlier impulses[4] for the establishment of law and literature scholarship in the United States, it was not until the 1970s that the field became institutionalized and thus grew into a movement[5] by the mid-1980s (cf. Peters 443).

According to Julie Stone Peters, the narrative jurisprudence or legal storytelling movement was born out of the idea "that listening to oppositional stories could revolutionize the law" (447). It was influenced by institutional formations combining "psychotherapeutic claims for the healing power of telling one's story with political claims for the transformative power of narratives of oppression," therefore relying conceptually on feminist studies, critical race theory, trauma studies, the emergence of the genre of *testimonio,* and the establishment of truth commissions where victims and perpetrators of atrocities might share their stories (Peters 447). The narrative jurisprudence movement, so Peters, "had a definite political program that took arguments for the humanizing effect of literature and translated them into the sphere of radical critical legal thought" (447). Some scholars allude to the "beauty" of justice and the aesthetics of legal storytelling in this context (cf. Douzinas and Nead). The traditional canon with works of Shakespeare as a guide to ethical value was thus extended to include the marginalized, voiceless, and victimized "others" offering a different perspective on truth and jurisprudence (cf. Peters 448). Postcolonial scholars Sophia A.

[4] Critics often refer to Benjamin Cardozo's 1925 essay on "Law and Literature."

[5] Peters argues that humanism dominated as a heuristical project in the 1970s, hermeneutics in the 1980s, and narrative in the 1990s; see Peters 444.

McClennen and Joseph R. Slaughter have argued that the comparative study of human rights must transgress geographical and linguistic boundaries:

> Rigid institutional stress on national languages, like the singular emphasis on theme in so much human rights scholarship, constrains unnecessarily the productive potential of comparative work and reduces the scope of its possible ethical engagements. For instance, the languages of human rights are many—legal, political, economic, cultural, scientific, sentimental, theoretical—even if all the words that constitute them can be found in the same linguistic family. (12)

Because of the complex nature of human rights, McClennen and Slaughter reason, we must apply critical thinking "that exceeds the confines of traditional disciplinary formations," while remaining mindful of our own tendencies to "create hierarchies and to reify difference" in cross-cultural context (13). This holds particular importance since the cases in this study are implicated in various political, historical, and economic ties between their countries of origin (or residence) and the United States as a vantage point. When looking at the best sellers functioning within the context of human rights, we need to be mindful of the complex historical and political ties between the United States and Europe, Sudan, Sierra Leone, Somalia, and Cambodia as we are contextualizing the activists' border crossings and the reception of their works. Transnational American Studies (TAS) provide a productive framework[6] to illuminate the complexity of human rights advocacy in relation to the United States as a subject of study, as we will explore below.

Former American Studies Association president Shelley Fisher Fishkin defines it as the task of TAS to focus on contact zones[7], crossroads, and borderlands (19). Like McClennen and Slaughter, Fishkin finds it imperative that we look beyond U.S. borders in order to understand the United States and U.S.-American culture in all its

[6] Many critics refer to Carolyn Porter's 1994 essay as a significant impulse for the development of TAS.

[7] Although some scholars trace the origins of TAS back to an increased interest in globalization, most construct it as a consequence of innovations made in ethnic studies; cf. Ngai 59; Elliott 8.

complexity, and so that we don't fall prey to Manichean oversimplification which we so often see in U.S. politics (20). Such an approach emphasizes the role of the United States as "a participant in a global flow of people, ideas, texts, and products," which cannot be comprehended without breaking linguistic barriers including works of American literature and criticism written and published outside of the United States and in languages other than English (Fisher Fishkin 24, 26). Such an approach allows us to include Korn's advocacy on FGM, for example, even though the majority is published in German. This approach also creates space for the comparative study of social movements worldwide, such as anti-FGM campaigns in the United States, Austria, and Germany or the abolition movement in Cambodia and in France. According to Fisher Fishkin, we need to understand the reception and reconfiguration of U.S. cultural forms taking place elsewhere in order to explore "how American television, film, the internet, rock, and popular music help societies outside the United States negotiate aspects of their own cultures," rather than using the one-directional concept of cultural imperialism to understand how globalization works (33). This is particularly relevant for understanding Jal and Beah, who found inspiration through American forms of hip hop and rap music as vehicles for articulating their experiences—and in the case of Jal, to transform his experiences into acoustic advocacy. When it comes to revolution and the negotiation of citizenship, it is particularly revealing to look at the multi-directional, transnational flow of ideas, symbols, and cultural forms in relation to the United States:

> Reading Thoreau helped inspire Gandhi to develop his own brand of civil disobedience, which crossed the Pacific to inspire the civil rights movement; the idea of dissent through civil disobedience as particularly American resurfaced in Asia when Tiananmen Square protesters used the Statue of Liberty as a symbol. African, African American, and Eastern European musical traditions met and mixed in the United States to produce jazz, which traveled back to Europe [. . .]. (43)

As we will see in chapter 3, Jal often refers to Martin Luther King, Jr., as an inspiration for his vision of nonviolent activism for a peaceful solution in Sudan. On the other hand, Jal's Kenyan-Sudanese brand of hip hop eventually made it back to the United States through popular culture. A transnational approach can bring together these geographically different

but conceptually similar cultural manifestations in the context of social movements[8]. When "ethnic identities define themselves through cultural images borrowed from U.S. minority politics and ethnic studies concepts," German American studies scholar Alfred Hornung clarifies, their "appropriation is by no means only derivative," but rather creative and self-reflective, retracting a specifically local perspective on these issues (69). Korn's transcultural advocacy in reaction to Dirie's campaign is another telling example of this, as we will examine in chapter 2. Historian Mae M. Ngai considers the foregrounding of human agency as the most important aspect of the transnational turn in American studies, especially when it comes to unequal socioeconomic relations and ethnic minorities (60). Tracing transnational routes "can potentially transform the figure of the 'other' from a representational construct to a social actor," so Ngai, with the result being that "the other [then] is not a passive body appropriated by hegemonic discourse, but a social actor," in pursuit of his or her own agenda while "operating within constraints set by structures and relations of power" (60-61). The appeal of this approach lies in shifting "from a methodology that emphasizes the production of hegemonic discourse to one that seeks to understand contact, translation, exchange, negotiation, conflict, and other dynamics" that are connected with the creation of social relationships across national and cultural borders (60). Rather than focusing on how transnational FGM activists are appropriated by a particular discourse on women's rights, for example, we can explore their function as agents negotiating the various discursive imperatives in different geopolitical settings.

Native American studies scholar Philip J. Deloria also interprets TAS as "a confederation of *inter*disciplines," convinced that the diversity of studies defines our field (8). The joy of such interdisciplinary venture, so Deloria, "comes with the possibilities for recombinant *play* and variation," which encourages the combination of new with traditional analytical methods, and creates space for cooperation with scholars in the natural and social sciences (16). The study of law, literature, and culture, or the intersectional analysis of life writing and life sciences—such as

[8] Grace K. Hong has argued that "race is, was, and has always been, a transnationally organized category," and refers to the racialized history of the United States in terms of slavery, genocide, migration, and labor exploitation (34).

medicine and neuroscience—prove to be auspicious new fields of interdisciplinary inquiry[9]. Apart from TAS, scholars have also proposed transatlantic, transpacific, hemispheric, or global studies—others even go so far as to suggest planetary[10] studies—informed by comparative literature and area studies. With a premium placed on ethnic studies, Hornung cautions us not to "dissolve" other American studies projects, but to stay alert to other decisive aspects of U.S. culture, such as the significance of religion in U.S. politics, which is often misunderstood when considered from a "post-Christian" perspective (69). This is particularly appropriate when considering Bashir's success in the Save Darfur campaign, which drew heavily on the Christian Right in gathering political support. To quote Canadian anthropologist Rosemary J. Coombe, the strength of "cultural legal studies"—or "legally informed cultural studies"—lies precisely in tracing "the interconnections of diverse regimes of power and knowledge and their local meanings in specific sites of transnational intersection" (61). Dirie's advocacy, for example, underwent a tremendous change when she moved from the United States to Europe. Similarly, Jal's and Bashir's U.S.-based advocacy changed signifiers as it included religious aspect in an alliance with politically influential conservative Christian circles—a move that would not make sense if we ignored the significance of religion in U.S. politics.

Law as Literature or Literature as Law: Cultural Intersections

The exact relationship between the legal and the cultural spheres continues to be ardently debated by scholars. In the same way that cultural scholars in the past decades have critiqued an elitist notion of culture, so have legal scholars begun to "explore law as a diffuse and pervasive force shaping social consciousness and behavior" rather than a self-sufficient doctrine or autonomous institution (Coombe 22). Literary scholar Brook Thomas dismisses the prevalent notion that literature merely reflects law

[9] The DFG research unit "Life Sciences, Life Writing: Extreme Experiences in Human Life between Biomedical Explanations and Worldly Experience" led by the JGU Medical Center and American Studies Division is only one of many recent examples in Germany.

[10] See Manning and Taylor, eds; Huang; Levander and Levine, eds; Buell; Spivak.