

◆ 2

Densely Woven Skeins: When Literature Is a Practice of Human Rights

Amy Kaminsky

What threads connect human rights, as a discourse and as a practice, to literary writing, criticism, and theory in Latin America? Are those fibers part of the very cloth of human rights and literature as interwoven practices; or is it the deft critic-seamstress who unwinds her own thread from a spool she keeps in her basket of critical methods, guides it through the eye of her needle, and stitches the two disparate fabrics together along a more or less visible seam?

We might argue (tautologically) that because the right to produce, circulate, and read literary texts is a subset of human rights, literature constitutes a piece of the very stuff of human rights. The right to literary expression is guaranteed in Article 13, section 1, of the Organization of American States' "Convention on Human Rights":

Everyone has the right to freedom of thought and expression. This right includes freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing, in print, in the form of art, or through any other medium of one's choice.¹

Because such legal guarantees are a sure sign of their own necessity, we can understand how literary writing itself may function as a challenge to the abrogation of human rights. Even though the term is comparatively recent, invented well into the twentieth century, the spirit of human rights is at the heart of some of the earliest practices of Latin American literature, including the anti-authoritarian fiction of the post-independence period and the *indigenista* and anti-slavery novels.² It is hard to think of a time in Latin America when there was not someone writing about some version of what we call today human rights, and always in a way that is never quite adequate. From Bartolomé de las Casas who argued for the rights of indigenous people to a kind of freedom, but who grounded that argument in the need to wrest them from their ancestral belief systems and proposed that Africans be imported to do the backbreaking work instead, to Pérez Miranda, whose 1990 critique of torture in the twentieth century is written as a

pornography of torture, the terrain of writing rights in the service of righting wrongs is a minefield.

Most recently, testimonial writing has been a vivid, and well-studied, example of the nexus between human rights and literature in Latin America. It is a literature of witness, of facts on paper, and a testimony as well to the translucency of language, which always leaves a trace of itself. For that very reason it compels us to exert ourselves, to see through to the other side and make sense of the material reality which *is* there and to which we have access only through its mediation. *Testimonio*'s power comes from its immediacy: the speaker is witness to, or participant in, a scene that state power prefers be occluded. Its speaker speaks with the voice that power means to silence, a voice that is an assertion of that speaker's own humanity. Critical readers have interrogated the genre of testimonial writing on the terrain of epistemology as well as on grounds of aesthetics. A literature of crisis whose central purpose is resisting state terror, *testimonio* does not have time to be beautiful. Moreover, the genre raises questions of the trustworthiness of its knowledge claims, even if (or perhaps especially since) its readers recognize the urgency of the circumstances under which it is produced.

Contemporary representations of human rights abuse, whether the first-hand accounts of *testimonio*, or scenes of state terror imagined into fiction, theater, or film, are a self-conscious form of human rights work, intended to bear witness to harm and call readers to action. Authors of these works are all too often victims of human rights abuse themselves, either as a precondition of their writing, as in *testimonio*, or as a result of it. Some literary writing, then, is woven into the selfsame cloth of human rights practice.

Literary texts that represent state-sponsored or condoned atrocities, and the critical analysis and teaching of those texts, function together to bring cultural production and scholarly activity into the realm of transnational politics. Theorists and critics working in the field of Latin American literature have long made the connection between the text and human rights, even if the precise term was not always invoked. Like the writers of the texts they study, scholars and teachers of this literature have also been active participants in the struggle for human rights, not unproblematically, telling the story of those who tell the story, bringing these accounts to the attention of a broader intellectual community, disentangling their complexities, and teaching the texts that spread the word.

However, literary theorists and cultural critics in and of Latin America and beyond have also brought their analytic methods to bear on human rights discourse itself, with quite a different agenda. Such analyses function most often to reveal the Western biases in the language of human rights itself, somewhat less frequently to critique literary texts written from outside the nation, and least often to problematize oppositional texts from within.³ In the first instances, they mean to condemn the deployment of human rights arguments that justify

colonial practices, including those that would save the savage from himself, or as postcolonial feminist critics have noted, that would save the brown woman from the brown man. Holding that human rights law and language are fundamentally damaging to the very rights they wish to secure, these analyses argue that the very basis of “human rights” is irreparably colonialist and can only serve to reinforce colonial power relations. Moreover, the same line of thinking suggests that dominant-culture literary representations of human rights abuse perpetrated upon and by the “other” do the same.

Two separate notions of the genesis of human rights discourse and practice, both accurate, but with decidedly different emphases and endpoints, help explain the discrepancy between skeptical post-colonial theorists and politically engaged Latin Americanists, groups that overlap considerably.⁴ For the first group, the modern foundation of human rights discourse is the culprit. With its deepest roots in Enlightenment thinking, it purports to speak to universal rights, but in practice has, historically, been grounded in the systematic exclusion of gendered, racialized, and colonized others who are barred from membership in the class of the fully human. Insofar as that systematic exclusion is intrinsic to the notion of universal human rights, and until globalized power relations no longer reinscribe such exclusions, the framing and implementation of human rights will remain dangerously flawed and serve to perpetuate unequal power arrangements. Moreover, international norms are enforced not by a chorus of equals, but rather by the world’s most powerful nations, in whose interest it is to maintain their hegemony. Finally, human rights discourse is embedded in the justification of the modern nation-state.

On the other hand, contemporary human rights law was implemented after the Second World War, in order to create a legal framework for intervening in claims of national sovereignty, most pointedly in cases where the state itself perpetrates atrocities. That law explicitly includes women and minoritized people. On this model, international norms might well emerge not from the hegemon, but from below, and in fact Latin Americans—central among them Hernán Santa Cruz—were among the framers of human rights language and law. Santa Cruz was largely responsible for the inclusion of socio-economic rights in the conception of human rights, thus moving the model well beyond the scope of Enlightenment thinking. Moreover, Santa Cruz’s persuasive insistence to include socio-economic rights within the framework of fundamental human rights was very much a product of his intellectual and political formation as a Latin American.⁵

For human rights activists, the acute situation of the individual subject, otherwise powerless before state power, is the primary concern of creating a supra-national means of ensuring human rights. Standing by and doing nothing in the face of state-sponsored or state-condoned atrocity is not an option, even if the machinery of recourse is imperfect. Here it is instructive to attend to Alicia Partnoy’s insight on historicizing and contextualizing the intervention of scholars in the production of

knowledge about human rights abuse (Partnoy 2006). Partnoy, herself a survivor of state terror in Argentina, argues that at the time of crisis, compromise may be necessary. When the need for intervention is acute, even an intervention that reinscribes the objectification of the victim of abuse is welcome. Once whole again—or at least safe from imminent harm—survivors rightfully demand the full subjecthood that the state strove to deny them. However, sympathetic scholars, laying claim to expertise and the tools and methods of trustworthy knowledge production, by their very methods can once again objectify the survivor of torture or the victim of repression.⁶ When the expertise of the scholar trumps the experience of the survivor in making truth claims, Partnoy argues, the power of the powerful is reinforced.

Although claims of the sovereign subject that subtend all claims to human rights are the assertions of modernity, and thereby flawed and perilous, I believe they are the best we have, and that the ambition of universal human rights must include achieving a more perfect—and therefore less hegemonically defined—universality.⁷ Moreover, the survivor of human rights abuse, whose subjectivity was so deeply imperiled, cannot so cavalierly dismiss the wholeness of her own being-subject. In the end, the underlying warrants for both the value of the literary text and the claims of human rights are identical, and they both rest on the modern claim of the human. The saving grace is that the exclusionary notion of the human on which Enlightenment thinking is based has, since the nineteenth century, been challenged by a variety of often interconnected social movements addressing the exclusions and oppression of the raced, gendered, colonized, and classed other. These struggles are far from complete, but to suggest that the category of the human has remained static since the Declaration of the Rights of Man in 1789 is simplistic and counterproductive.⁸

Nevertheless, we do well to draw still another distinction. Not only do we need to differentiate between the human rights discourse that undergirds the modern nation with all its exclusions, and the transnational conventions on human rights that challenge the sovereignty of the nation; it is also useful to distinguish both of these from the cultural practices of human rights. Diana Taylor argues that the literary and dramatic representation of trauma heals both the maker and the viewer;⁹ and Doris Sommer relies on Kant's notion of the democratic promise of aesthetic judgment in modernity to argue that humanism is not a frivolous use of intelligence and time, but rather is the bedrock of all free judgment. Sommer then proceeds to make a case for cultural agency: the making of objects of beauty and delight that subtends a coherent and healthy polity.¹⁰

Moreover, literature itself is a site of authorization and confirmation of the human. To write is to make a claim of humanity, to exercise the voice and the power of speech. Claims of individual, inalienable human rights, whether they are made on the state or in the transnational arena, rest on a notion of the individual that is also implicit in the institution of literature in the West. The question of who may profess authorship, and

whose authorship is then recognized, is intimately tied to who can claim citizenship, and who is fully human. However, as Cristina Peri Rossi's child protagonist in "La índole del lenguaje" (The Nature of Language) learns, "el lenguaje es de los que mandan" (92) (language belongs to those who rule). A seven-year old poet whose sense of language as malleable, tactile, and, when committed to paper, fragile, his own linguistic production—a composition ruined by an erasure deemed unacceptable by the teachers in the military academy he attends—is discarded, not even given the acknowledgement of failure. His words are made to disappear, like his uncle who has been imprisoned for resisting an oppressive government.

Literature, as it is understood in modernity, is the expression of the writer, an artist with a unique vision and whose worth in large part depends on his originality, but who also draws the universal out of the particular. Despite the bracing work of the postmoderns challenging the primacy of the subject-writer, this sense of the author has remained powerful. Where the text is deemed dangerous, or subversive, the state has sought to punish the person responsible. The writer, whether revered or reviled, is a model singular subject.

Similarly, the human in human rights is the sovereign subject, the uniquely precious and irreplaceable one whose very being is its own justification. Societies, systems, individuals, nations, international laws, conventions, and treaties, decide who, exactly, is human. These concepts of literature and the human are deeply modern (rather than post-modern), and they are concepts that I want to take seriously here, since they are still profoundly meaningful. The simple fact of embracing these notions, however partially, draws attention to their limitations. As we have noted, the modernity of literary universalism and of the rights of man not only excludes a variety of subjects (racialized minorities, women, the colonized); it is grounded on those exclusions. The challenge is to keep what is good in modernity and extend it to those excluded others, thus transforming it—perhaps beyond recognition.

Among the snares of a liberal modernity is that the same classes of people who have the greatest access to making their voices heard are those who are most likely to be understood as human, with rights as such, thus creating an echo chamber that reinforces and naturalizes the collapsing dominant masculinity into the universal. When Hugo Achugar writes of the deliberate and instrumental production of literary anthologies in the legitimization of Uruguay as a nation, he argues that the emerging nation relies on the evidence of literary production in making claims of nationhood. Achugar goes on to demonstrate that the individuals who are marshaled to represent the unique culture (which nevertheless is necessarily recognizable as Western), and therefore constitute the justification for the new nation, are already raced and gendered legitimate. The existence of literary texts by *criolla* women and indigenous people was beside the point in making claims for national legitimacy. The European-descended and male citizens on whose behalf the claim was being made map perfectly onto those whose

voices are represented in the anthology. They represent the nation and its citizenry; and such a citizenry, with its demands for the right of self-determination, makes its claims on the basis of a restricted notion of the human that has much in common with those included in the French “rights of man,” and all the men who were “created equal” in the U.S. version, who were very particular kinds of men (and not women at all). We are still arguing over whether women’s rights are human rights; they have only very recently been included as such in international conventions.¹¹ The power of the state devolves onto the male head of household, whether father or husband, but preferably both, and who carries out the culturally normativized subordination of women. The slogan “democracia en el país y en la casa” (democracy in the nation and in the home), which was promoted by progressive women toward the end of the Pinochet dictatorship in Chile, succinctly expresses the link between the hyper-masculinized right-wing state and the normative practices of the patriarchal household.

Human rights law intrudes on claims of national sovereignty, allowing intervention when the state itself abrogates the rights of those living under its jurisdiction. Still, claims to nationhood and claims to human rights rest on similar notions of the unique nature of the human subject, and those claims and notions are deeply intertwined. A nation’s literature serves as a litmus test for who is human, which in turn underwrites the robustness of human rights while limiting access to those rights to its own citizens.¹²

Hernán Vidal, in fact, takes the nation state as a necessary player in the dynamic of power that simultaneously demands and destabilizes the practices of literature as human rights events. In his argument for the practice of literary criticism as a defense of human rights, Vidal notes the central paradox of the literary text that, as an “exercise of liberty” makes claims for universality, humanity, and democracy—the claims of the free subject, in other words—even as it is recuperated by and for the nation, and more ominously, the state. Vidal’s nineteenth-century source, José Victorino Lastarria, unwittingly establishes this problematic in his utopian vision of literature as foundational in the construction of a democratic society within the confines of the new nation. Vidal’s own solution does not appeal to a globalized, supra-national practice (i.e., one modeled by human rights law) for a criticism that would get beyond the nation and its competing (literary) monuments. Instead, he proposes a lithe, self-reflexive practice that refuses the “bureaucratization that threatens to turn [literary creation and critical reading] into inert and authoritarian ethical paradigms” (Vidal 124). Vidal’s is a defensive stance, ever wary of the power of the state. It is attentive to the need to adapt to the historical moment and therefore unsupported by the strong claims of a system of absolute values that subtend human rights law. It feels precarious in its agility, although it is perhaps necessarily so.

Vidal is rightly chary of the state and of its powers in literary matters: government censorship is a good sign of the abrogation of human rights writ large.¹³ Little wonder that book burning stands in for

the destruction of a free society. It also signifies the will to silence each of the voices that every one of those books represents. Kill the book; kill the writer. The symbolic execution in censorship of the author of dissident language becomes real under conditions of authoritarian state terror. Rodolfo Walsh and Haroldo Conti, whose writing prompted their imprisonment and death, and survivors Alicia Partnoy, Alicia Kozameh, and Nora Strejilevich, whose imprisonment, torture, and exile have driven their writing, are among the poets, novelists, artists, and journalists who were over-represented in the lists of the disappeared during Argentina's Dirty War, their corporeal bodies fused and confused with their bodies of work—censorship reconfigured as a death sentence.

At the other end of the spectrum, legal writing on human rights abuses as well as literary and popular, often journalistic, writing produced by outsiders looking in, is most typically produced by privileged observers: those with the power of the published word, sources of distribution, enough financial ease to note what's going on elsewhere and find the time, energy, and resources to write about it. Such privilege, which feminists have told us includes the privilege of not being self-aware, makes the writer suspect since it is predicated on the very advantage that underwrites institutionalized oppression.¹⁴ Understandably, then, current critical practice questions the motives of human rights interventions on the part of the developed world, when the object of the critique is the practice of the global other.¹⁵ Western criticism of non-Western practices masks the abuses taking place in the West and also obfuscates the Western practices of imperialism and colonialism responsible for engendering, exacerbating, or promoting abusive practices. Still, human rights abuses occur in developing nations, and they merit attention and intervention, ideally from a posture of solidarity.¹⁶

Legal and literary writing on human rights do not, of course, map neatly onto each other. Whereas human rights law necessarily generalizes, claiming universal, over-arching truths, human rights literature centers on the messy ambiguity of the particular and the complexity of the specific. Bold primary colors (or perhaps the severity of black and white) serve the purposes of emergency intervention and, subsequently, adjudication; but the decisive, unambiguous letter of the law may well be incompatible with the nuance of the literary text that in its specificity takes into account multiple and conflicting relations of power and requires greater subtlety of palette. Yet the two come together precisely because the law, in its global scope, aims to meet up with the particular in addressing the violence done to people as well as to the ideal of human rights. In Argentina, the massive abuses of human rights during the euphemistically named *Proceso de Reorganización Nacional* (Process of National Reorganization) included the disappearance, torture, and exile of a disproportionate number of writers and artists. Under such duress, and in its aftermath, no written accounts, literary or otherwise, of these events and practices could be construed as wholly linguistic events or strictly aesthetic phenomena. Writing in the name of

human rights rests on the writer's implicit promise that the text is as true to material reality as the imperfect process of narration allows. At the same time, testimonial texts notoriously and openly refuse transparency. Rigoberta Menchú's challenge to her readers that they trust her account even though she willfully and protectively keeps her community's secrets, and her construction of a personal collective narrative for Guatemala (which gave David Stoll the ammunition to discredit her account) are echoed in the deliberate blurring of the boundaries between fiction and testimony in texts exposing Argentina's prisons and torture centers by Alicia Partnoy, Nora Strejilevich and Alicia Kozameh, among others. The disclosure that the chaotic, shattering experience of trauma cannot be represented raw, but instead must undergo a kind of civilizing process, fashioning it into a coherent narrative, if it is to be communicated at all, is a testament to the honesty of these writers, not to the will to falsehood. The fact of kidnapping, torture, and other forms of state terror has made the notion of concealing the signified behind a shifting and insubstantial or always unsure signifier, intolerable. The testimonial signifier does its best to illuminate its signified, knowing that others would prefer the darkness. The personification of the signifier here is intentional: the "signifier" is (also) the testimonial speaker, a signifying subject, a purposeful agent of history.

If the children, husbands, mothers, friends were snatched from their homes, schools, workplaces, city buses, and denied any place to be, only to turn up, so many of them, in mass graves, or lost forever in the Atlantic Ocean, dropped from military airplanes, all that is left are the stories, the truth commissions, the denunciations—language reconstructing what happened, and images that freeze them in the before. It is painful, and perhaps beside the point, to declare that those stories are incomplete, shifting, indeterminate, just one version, precisely because they are so precarious. Incomplete and indeterminate they may be, but that is because so many of the secrets of the dead—and of their killers—are still being kept. The fragments of stories, the shards of testimony, are pieces, but those pieces have an integrity that cannot be denied. Moreover, they are fragments, shards, and pieces precisely *because* the lives they represent were shattered, physically and spiritually—people taken from their world, bodies broken under torture, and that shattering is part of the story as well.

Nevertheless, the slippery nature of language itself must also be acknowledged in a representational economy in which the text is a post-facto artifact, not least because language enlisted in the name of denouncing state-sponsored or state-condoned atrocities has, and is meant to have, consequences. Those consequences, moreover, are not always knowable, much less under the control of the writer. The struggle over language and meaning—how obvious it is now—is a definitive part of the political and military struggle for power, and the terrain of that struggle ranged from the human body to the national landscape to the discursive space of the nation. Under these conditions, the literature of the years of the most blatant of human rights abuses, of dictatorships,

torture, disappearances, exile, and their aftermath function, among other things, to counter the official governmental word propounded in newspapers, television, radio, and imposed via censorship of any counter-voices.

Prison writing, including poetry, some of it smuggled out of the clandestine prisons in Argentina and Chile during the 1970s, records and verifies the practices of disappearance. The stories told to the compilers of the official documents on torture and other human rights abuses by political prisoners who survived are part of this material. Insofar as they put into language what was experienced on the body, they are a kind of fictionalization. This does not in any way mean their stories are false, but rather that their telling of the stories verifies them—makes them real—for a wider group than those who experienced them. Shaping their experience into a coherent narrative, they give the reader not only access to their stories but a purchase on them. The short memoir/fictions of Alicia Partnoy's *The Little School* take the raw material of arrest, torture, death, and survival (which Partnoy presents in the framing material of the text) and give them form and depth. These stories, which Partnoy tells us lie somewhere between fiction and history, convey the horror of the torture centers, but also the sense of love and friendship and political commitment of those entrapped there.

Texts denouncing human rights abuse were also written by others; this literature is not the exclusive domain of those who experienced imprisonment or torture. Ana Vásquez, a Chilean psychologist who worked with survivors of torture, wrote a novel, *Abel Rodríguez y sus hermanos* (*Abel Rodríguez and his Brothers*), about political prison. Luisa Valenzuela, who lived outside her country during the years of the dictatorship, has written numerous texts in which she implicitly addresses human rights issues by interrogating the relationship among gender, sexuality, power, and politics.¹⁷ Her work is characterized by a linguistic exuberance and pleasure that belie her often painful content. *Como en la guerra* (*He Who Searches*) is a dense, complex, and mysterious text, in which Valenzuela illustrates the paradox of witness and language. When you are in the scene of atrocity (in the novella, a house where terrible things happen and escape is restricted) it is impossible to see the shape of the structure, to be able to abstract from the particular what the whole looks like, not least because such knowledge is controlled by those perpetrating the atrocities. Escape to the outside makes it possible to understand the whole, but communication back to those most in need of it is made impossible.

In the description of the nightmarish house in *Como en la guerra*, Valenzuela describes the structure of systematic human rights abuse. The house is all-engulfing and threatens terrible consequences for those who try to escape, but the nature of those punishments is not made clear. In the short story, "Impedimentos generosos flotan" (*Generous Impediments Float Down the River*), Valenzuela evokes the challenge to a complacent society of the silent evidence of state terror. The strange "impediments" are human bodies. No one seems to be able to tell just

why they are clogging up the river, washing up on shore. This is the flip side of the house of terror. Those outside do not know, or are unwilling to make the connection, between the dead bodies and the actions that resulted in their presence. The sense of the uncanny in her short story collection, *Aquí pasan cosas raras (Strange Things Happen Here)*, in which the very normal existence of a society is interrupted, is precisely the point. The veneer of the normal is so shiny that it blinds the eye to what is happening just beneath that surface. Moreover, it does that so well that even when the carefully burnished surface is cracked open to reveal the atrocities being committed, people cannot really see those atrocities for what they are. They simply make no sense in the context of what the populace believes to be normal, so they cannot be true.

By focusing not on the direct evidence of atrocity, but rather on its secondary consequences (the sudden availability of good shoes on the feet of the formerly barefoot, the inconvenience of clogged waterways), Valenzuela evokes the power of hegemonic discourse to keep the obvious from being seen, no less acted upon. At the same time, however, she opens a space for changing perception. *Realidad nacional desde la cama (Bedside Manners)* picks up on this challenge to the control of knowledge: those in power (the military, the government, their henchwoman the maid) contrive to limit the protagonist's field of vision. Her human rights are abrogated in a parodic way: she is incapacitated by her own privilege: a luxury resort that works hard to lull her into a complacency she resists and that in the end will not stand up to the material reality of poverty on one side and a soldiers' uprising on the other. *Realidad nacional desde la cama* must be read as an allegory of repatriation, and of the state of Argentina at the end of the 1980s. As a work of fiction, *Realidad nacional desde la cama* was under no obligation to attend to actual facts. But in her attention to the underlying structures of economic and political instability, and the fraught contestations around gender, sexuality, and class, Valenzuela managed to describe a historical moment with such accuracy that her novella predicted the subsequent events of a military uprising. Any literary analysis is necessarily partial, but an analysis that neglects the relationship between this particular text and its real-life referent is also inadequate. However surreal, and however partial the view, Valenzuela saw and named Argentina's national reality in the mid- 1980s. Valenzuela's *Realidad nacional desde la cama* is not a novel about human rights abuse, but the atrocities committed during the Dirty War lie just beneath its surface and create the conditions for the story and its telling. Siding up to the story of terrible violence, Valenzuela recounts scenes that are unintelligible without some familiarity with Argentina's recent bloody history, but that at the same time provoke the reader to ask what they can possibly refer to.

Valenzuela's indirection, Partnoy's startlingly gentle takes of torture and survival, Strejilevich's swathing of self in the collective story of what she calls "a single numerous death," all represent the humility that Boubacar Boris Diop prescribes for those writing about human rights

abuse. A Senegalese journalist, Diop was one of the writers sent to Rwanda as part of a project called “Duty of Memory” to tell the story of war and genocide.¹⁸ The creative agency that Doris Sommer celebrates is, more often than not, humble in this way. Humility, however, is not the stuff of international law, where the softening action of figurative language can only get in the way of the necessary clarity of separating the just from the unjust, the right from the wrong, the innocent from the guilty.

International law, the warrants of national sovereignty in the face of colonialism, the critique of abuse from within and from elsewhere, the claims of cultural memory and the conflicts over which history is to be written, the bodies on which abuse can still be read through the scars of torture, novels, films, play, poems, monuments, memoirs, and the very meaning of the human in the modern world, all and variously collide in the universe of human rights. Like light—which sometimes behaves as particles, and sometimes as waves—these many levels and sites of human rights seem incompatible. They embody contradiction. Nevertheless, the desire for justice that underlies human rights animates all of them, even as their conflicting claims make their shadows visible.

Notes

1. On the other hand, the so-called “right to reply” provides the chance to defend against accusations of human rights abuse. Article 14, Section 1 of the Organization of American States’ “Convention on Human Rights” states that “[a]nyone injured by inaccurate or offensive statements or ideas disseminated to the public in general by a legally regulated medium of communication has the right to reply or to make a correction using the same communications outlet, under such conditions as the law may establish.”
2. Paolo G. Carozza traces the Latin American contributions to the intellectual history of human rights, beginning with Bartolomé de las Casas, lighting on Bolívar, and ending with the framers of the 1917 Mexican Constitution.
3. An example of the first is Lila Abu-Lughod on human rights discourse in general; of the second, Jean Franco on Lawrence Thornton; and of the third, David Stoll on Rigoberta Menchú.
4. You would be hard-pressed to find a progressive, politically engaged Latin Americanist who disagreed with the critique of post-coloniality. Nevertheless, post-coloniality follows a very different trajectory in Latin America (see, for example, Molloy 2005).
5. I am grateful to Kathryn Sikkink for information on Santa Cruz, whose contribution to human rights law she discusses in *Mixed Signals*.
6. David Stoll is probably the most notorious of such academics, although it would be disingenuous to call him sympathetic. In questioning the credibility of the testimony of Rigoberta Menchú, he armed a conservative cadre that went far beyond his stated intentions of questioning details of her first-person account without denying the overall reality of the repression itself.
7. How these claims intersect with extra-human needs and “rights”—of animals, of the planet itself—is beyond the scope of this paper.
8. Judith Butler wonders “which legacies of the human do human rights presuppose,” or if indeed human rights posits the human as some “future possibility” (1659).

9. “Trauma-driven performances offer victims, survivors, and human rights activists ways to address the society-wide repercussions of violent politics and also, indirectly, to relieve personal pain” (Taylor 1674).
10. I have noted elsewhere the odd peripherality of these Latin Americanists in the issue of *PMLA* in which they appear, a positioning that emblemizes the marginalization (which is not to say absence) of Latin America in discussions of both human rights and, as it turns out, feminist criticism. Briefly, the issue contains papers from a conference on human rights and the humanities, as well as a special section dedicated to feminist criticism, substantial sections in neither of which any Latin American (or Latin Americanist) voice is present. Sandwiched between these sections is a series of short essays by Taylor, Sommers, Partnoy, and Franco, all feminist critics in the Latin American mode, that is, feminists engaged in interlocking political struggles and analysis. *PMLA* includes their work but sets them off by themselves, apparently as an afterthought to the human rights conference and without identifying them as feminist scholars. They are present, and even located at the center of the prestigious flagship journal of the profession, but the full significance of their work is obscured.
11. The rape of women by conquering soldiers has only recently been reclassified from the spoils of war, to war crime. Jean Franco has argued eloquently on this.
12. Lindsey Lumley makes this argument in her summa thesis, and I am grateful to her insights.
13. Literature is only one form of expression whose subjection to state intervention serves this function. Popular music, the internet, graphic art, journalism, film, television, do as well.
14. See, especially, Peggy MacIntosh.
15. See, for example, Lila Abu-Lughod.
16. The implication that Latin America is non-Western, of course, is part of the problem. Insofar as “Western” is code for hegemonic, the region is excluded from the West. Insofar as it names a cultural heritage, much of the continent legitimately lays claim to the term. See Borges, for example.
17. Valenzuela's “Cambio de armas” is perhaps her most studied short story. “La llave” (The Key) is a rewriting of the tale of Bluebeard, that is, about monstrous domestic violence. “La llave” is a contemporary story: the narrator is recently returned to Argentina from years in exile, where she has become a feminist and has made her living doing self-actualization workshops for women. Ultimately, she uses a powerful image from real life—the white kerchief of the mothers of the Plaza de Mayo—to bring traditional storytelling (the Bluebeard tale) together with parody (her affectionate send-up of U.S. self-help feminism) and political commitment. Valenzuela makes the connection between domestic violence and state violence, and shows here how the Mothers, whose goal is not feminist, complete the feminist gesture of denouncing violence in the arena of human rights activism.
18. I am grateful to James Dawes's moving and clear-eyed study, *That the World May Know: Bearing Witness to Atrocity*, for information on Diop, and to human rights lawyer Barbara Frey for leading me to Dawes.

Works Cited

- Abu Lughod, Lila. “The Debate about Gender, Religion, and Rights: Thoughts of a Middle East Anthropologist.” *PMLA* 121:5 (October 2006): 1621–1630.
- Achugar, Hugo. “El Parnaso es la nación o reflexiones a propósito de la violencia de la lectura y el simulacro.” *Las otras letras: Literatura uruguaya del Siglo XIX*. Ed. Leonardo Rossiello. Montevideo: Editorial Graffiti, 1994. 27–44.

- Borges, Jorge Luis. "El escritor argentino y la tradición." *Obras completas*. Buenos Aires: Emecé, 1974.
- Butler, Judith. "Afterword: The Humanities in Human Rights: Critique, Language, Politics." *PMLA* 121.5 (October 2006):1658–61.
- Carozza, Paolo G. "From Conquest to Constitutions: Retrieving a Latin American Tradition of the Idea of Human Rights." *Human Rights Quarterly* 25.2 (2003): 281–313.
- Dawes, James. *That the World May Know: Bearing Witness to Atrocity*. Cambridge: Harvard University Press, 2007.
- Franco, Jean. *The Decline and Fall of the Lettered City: Latin America in the Cold War*. Cambridge: Harvard University Press, 2002.
- Kozameh, Alicia. *Pasos bajo el agua*. Buenos Aires: Editorial Contrapunto, 1987.
- Las Casas, Bartolomé de. *Brevísima historia de la destrucción de las Indias*. Madrid: Cátedra, 1982.
- Lumley, Lindsey Ann. "The Nation-State, Human Rights, and Undocumented Immigrants: A Failure of the International Human Rights Framework." University of Minnesota unpublished summa thesis, 2007.
- MacIntosh, Peggy. "White Privilege and Male Privilege: A Personal Account of Coming to See Correspondences Through Work in Women's Studies." *Race, Class and Gender: An Anthology*. Ed. Margaret L. Andersen and Patricia Hill Collins. New York: Wadsworth, 1991.
- Menchú, Rigoberta. *Me llamo Rigoberta Menchú y así me nació la conciencia*. By Elizabeth Burgos. Mexico: Siglo Veintiuno Editores, 1997.
- Molloy, Sylvia. "Latin America in the U.S. Imaginary: Postcolonialism, Translation, and the Magic Realist Imperative." *Ideologies of Hispanism*. Ed. Mabel Moraña. *Hispanic Issues* 30. Nashville: Vanderbilt University Press, 2005. 189–200.
- Organization of American States. "Convention on Human Rights." O.A.S. Treaty Series No. 36, 1144 U.N.T.S. 123, entered into force July 18, 1978. Repr. *Basic Documents Pertaining to Human Rights in the Inter-American System*. OEA/Ser.L.V/II.82 doc.6 rev.1 at 25 (1992).
- Partnoy, Alicia. "Cuando Vienen Matando: On Prepositional Shifts and the Struggle of Testimonial Subjects for Agency." *PMLA* 121:5 (October 2006): 1665–1669.
- _____. *The Little School: Tales of Disappearance and Survival in Argentina*. Pittsburgh/San Francisco: Cleis Press, 1986.
- Pérez Miranda, Ricardo. *En esa copia feliz del Edén*. Santiago: Editorial Aura Latina, 1990.
- Peri Rossi, Cristina. "La índole del lenguaje." *Cosmoagonías*. Barcelona: Laia, 1988. 83–92.
- Strejilevich, Nora. *Una sola muerte numerosa*. Colección Letras de Oro. Miami: North/South Center Press, 1997.
- Sikkink, Kathryn. *Mixed Signals: U.S. Human Rights Policy and Latin America*. Ithaca: Cornell University Press, 2004.
- Sommer, Doris. "Useful Humanism." *PMLA* 121:5 (October 2006): 1670–1673.
- Stoll, David. *Rigoberta Menchú and the Story of all Poor Guatemalans*. Boulder: Westview Press, 1999.
- Taylor, Diana. "Trauma and Performance: Lessons from Latin America." *PMLA* 121:5 (October 2006): 1674–1677.
- Valenzuela, Luisa. *Aquí pasan cosas raras*. Buenos Aires: Ediciones La Flor, 1975.
- _____. "Cambio de Armas." *Cambio de armas*. Hanover: Ediciones del Norte, 1982.
- _____. *Como el la guerra*. Buenos Aires: Editorial Sudamericana, 1977.
- _____. "Generous Impediments Float Down the River." *Contemporary Women Authors of Latin America*. Trans. Clementine Rabassa. Vol 2. Ed. Doris Meyer and Margarite Fernández Olmos. Brooklyn: Brooklyn College Press, 1983. 245–49.

- _____. "La llave." *Simetrías*. Buenos Aires: Sudamericana, 1993.
- _____. *Realidad nacional desde la cama*. Buenos Aires: Grupo Editor Latinoamericano/Emecé, 1990.
- _____. *Strange Things Happen Here: 26 Short Stories & a Novel*. New York: Harcourt, Brace, Jovanovich, 1979.
- Vásquez, Ana. *Abel Rodríguez y sus hermanos*. Barcelona: Gaya Ciencia, 1981.
- Vidal, Hernán. *Crítica literaria como defensa de derechos humanos: Cuestión teórica*. *Hispanic Studies* 2. Newark: Juan de la Cuesta Hispanic Monographs, 1994.

Kaminsky, Amy. "Densely Woven Skeins: When Literature Is a Practice of Human Rights." *Human Rights and Latin American Cultural Studies*. Ed. Ana Forcinito and Fernando Ordóñez. *Hispanic Issues On Line* 4.1 (2009): 44–57. http://spanport.cla.umn.edu/publications/HispanicIssues/pdfs/KAMINSKY_HR.pdf.
