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**New Theories, Models and Methods
in Literary and Cultural Studies /**

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THE 'TRANSLATIONAL TURN' IN LITERARY AND CULTURAL STUDIES: THE EXAMPLE OF HUMAN RIGHTS¹

DORIS BACHMANN-MEDICK

1. The Translational Turn

Throughout the humanities, greater attention is being paid at present to the category of translation (Bachmann-Medick 2012). More than ever before, the traditional understanding of translation as the (philological and linguistic) translation of text and language is being expanded upon. Increasingly, translation is being spoken about as cultural translation. Yet often the use of this term is merely metaphorical, or even downright inflationary.

It remains to be asked how 'translation' might be developed from a metaphor into an analytical category of its own. A first step might be to concretize translation through conceiving of it as a social and inter(cultural) practice and connecting it – as mediation, negotiation and transformation – back to the sphere of interactions and social relations. It is with this expanded understanding of translation that contemporary research in the cultural and social sciences appears to react to the manifest differences, asymmetries and ruptures of a globalized world that is more reliant than ever on processes of translation: on translation between social and ethnic groups, between religions, between cultural systems, and between academic traditions and cultures of knowledge.

Translation itself is, therefore, both a category of social practice as well as an important focus for the analysis thereof. Thus it might be possible for the humanities and the study of culture² to conceptualize translational processes as a pivot of research and of socio-political interaction. Thus areas of social problems might be dealt with from a new analytical viewpoint. Jürgen Habermas, for example, calls on religious communities in post-secular societies to 'translate' their religious language into a publicly accessible secular language (Habermas 2006), while Joachim Renn grounds a whole theory of society on 'relations of translation,' which he uses to reinterpret integration processes (Renn 2006).

The category of translation has also found its way into the field of historical research, in particular into studies of migration, missionary activities, and conversion (Lässig 2012). It is viewed as a prerequisite for transnational historiography (Juneja and Pernau 2009). But translation studies itself is also venturing deep into socio-political

1 For a longer version of this text in German, see Doris Bachmann-Medick (2012a). For the English translation of this essay my warmest thanks go to Joanna White and to Greta Olson.

2 The 'study of culture' is used in contradistinction to 'cultural studies' as formulated by the Birmingham School.

tical fields of translation. Titles such as *Translating Terror* (Bassnett 2005), *Violence and Translation* (Das 2002), and *Translation and Conflict* (Baker 2006) are just a few of many pertinent examples. They show how translation is being primed for use as a new category of analysis in the cultural and social sciences, and as a category of practice at the same time. Meanwhile, there is even talk of a “translational turn” (cf. Bachmann-Medick 2009, 2010). But how has this massive expansion and positive reevaluation of the translation perspective been arrived at?

The starting point was a cultural turn in translation studies that began in the late 1980s, which has led to the opening up of philological-linguistic translation research to new perspectives from the study of culture (Bassnett and Lefevere 1990; Venuti 2000). The familiar categories of literary translation (original, equivalence, fidelity) were expanded upon to include new key categories of cultural translation: cultural representation, transformation, foreignness and alterity, displacement, cultural differences and power.

An important insight for this changing context was provided by cultural anthropology as the discipline that deals with the translation of foreign cultures: translation here always requires contextualization and referentialization. Whether in the field of cultural translation or of language and text translation, terms, symbols and practices always need to be contextualized, i.e. located within their wider contexts of use and cultural symbolic functions. This also includes their relation to specific social concepts, such as the concept of emotion. For example, the Malayan language has fifty-five different terms for anger, and their usage depends on the type of social relation and societal status that is in question. Their nuanced richness can hardly be captured by our meager range of (European) terms for ‘anger’ (‘anger,’ ‘irritation,’ ‘rage’) (cf. Röttger-Rössler 1998). On the basis of such differences in linguistic classification and demarcation alone, processes of translation prove indispensable to an emerging world society. Whilst these differences extend beyond mere linguistic ones, an expanded understanding of cultural translation still needs to stay connected to the procedures of linguistic transfer, not least of all to multilingualism and language conflicts.

On the one hand, there is enormous worldwide multilingualism. For example, over 1,000 languages exist in New Guinea alone, not all of which are mutually comprehensible. On the other hand, the oppression of a minority culture is usually accompanied by the marginalization of its language; thus a clear inequality between languages has to be taken into account. In any event, the more than 6,000 languages worldwide hardly have an equal chance of asserting themselves on the translation market, even though their intrinsic value is supposedly guaranteed by the Universal Declaration of Linguistic Rights. Inequalities located on a linguistic level certainly take on far sharper contours when they appear as social and cultural discrepancies. Thus asymmetrical cultural contacts and the obstacles and disruptions they cause also call for the promotion of translation as an important cultural technique in globalized societies. This concurs with the insight into cultural theory that cultures are always already translated and developed through processes of translation. This provides an

alternative model to certain guidelines for international relations policy which, at times, still follow a course laid down by Samuel Huntington’s prophesy of a ‘clash of civilizations’ (1998). Not translational at all. Huntington’s definition of culture imagines cultures as cages that contain and thus determine the essence of, for example, Islam and its allegedly invariable traditions, with the result that a fixed concept of an enemy becomes inevitable and unavoidable. In contrast, a translational understanding of culture allows differences to be seen as negotiable rather than as anchored in fixed, essentialized definitions. Instead of claiming to see clashes, an eye is kept on the potential to deal with cultural overlappings.

However, even a translational definition of culture does not necessarily couple cultural translation with cultural dialogue or cultural understanding in the sense of an a priori bridging of differences. Rather, the presence of conflicts, separatist secessions and militant independence movements in a globalized world suggests that ruptures and, above all, misunderstandings need to be taken more seriously than heretofore. Indeed, they must be understood as highly constructive starting points for intercultural communication. If all one sees is the widespread and harmonizing vision of translation as bridge-building between cultures, then translation’s potential for ‘difference management’ is all too easily lost.

A painting by the Philippine artist Alfredo Esquillo from the exhibition *Identities versus Globalisation?* (2003) illustrates this quandary. Under the title *Modus Operandi*, which refers to the globalization model, it represents global interrelations and interconnections through a multidirectional translational bridge structure that appears to be rigid and paralyzing. It is clear that individual cultures and societies are no longer able to steer themselves: they are frozen in the network. Everyone is sitting in the same boat, but each person sits in only half of the boat. Here, the translational bridges end in bisections, blockages on both sides, in paralysis and loss.

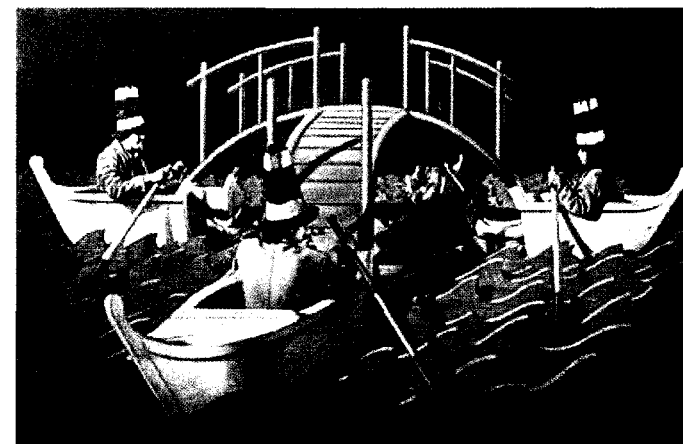


Fig. 1: Alfredo Esquillo, *Modus Operandi*.
With permission of the Heinrich Böll Foundation Berlin.

An alternative model to such static bridging operations can be found in an interactive approach to global networks: translation is conceived in this case as a dynamic process of negotiation. In this productive sense translation could serve as a crucial category for the analysis of global society, not in order to simply bridge local and regional differences, but to enable cultural self-assertion and active local forms of appropriation in the face of global networks.

For this to happen, translation processes in today's transnational, global contexts first need to be made visible, since they are predominantly determined by a regime of 'immediacy.' This dominant regime, which is gaining ever more currency through new communication technologies such as mobile phones, is characterized by a decrease in transfer time. It embodies omnipresence and the availability of information and eschews any kind of a delaying 'in-between.' According to the sociologist John Tomlinson, the idea at the heart of this kind of 'immediacy' is precisely the "redundancy or the abolition of the middle term" (2007: 91). This also explains the phenomenon of contemporary translation processes becoming more invisible than ever: transfer processes are skipped over due to the vision of an immediacy that does not seem to need a mediator. Translation as mediation is thus masked by the promise of instant access to information and consumption.

Therefore a focused and differentiated look at translation processes also puts a spoke in the wheel of worldwide communication's all too smooth networking tendencies. Translation, after all, often involves quite contentious processes of negotiation, and these require 'in-between' spaces of cultural contact. In general, factors such as mediacy, mediators, mediation activities, transition situations, constraining factors and, above all, power have to be taken more seriously as essential dimensions in intercultural relations of communication. Sweeping statements about cultural translation thus will not be enough. Instead, interstitial spaces and their workings must be made concrete, independent of whether one is examining contemporary or historical scenes of intercultural contact. Looking at these spaces as 'translation spaces' entails two things: one, avoiding conceiving of identity in binary relations around opposing poles, such as us – others, own – foreign, etc.; and, two, venturing into the actual spaces in which relationships are formed through interactions and concrete processes of translation.

This perspective suggests trying to put Homi Bhabha's somewhat formulaic concept of "culture as translation" into practice in such a way that culture appears as the expression or result of translation processes. When Bhabha stresses that "Culture [...] is both transnational and translational" (Bhabha 1994: 172), this is much more than just a play on words. It points to culture as a dimension that may only be created through multilayered phenomena of overlap and transfer as well as through repeated acts of negotiation. Rather than claiming culture to be an 'original' and particular context of traditions, it should be considered as an 'impure' mix of differing or contradictory experiences, meanings, multiple affiliations and respective power struggles. At the same time, Bhabha's formulation suggests the necessity of developing "culture as transla-

tion" beyond a mere metaphor for all kinds of hybrid mixed relations towards an analysis of social and historical translation procedures. Examples for this can be found by paying greater attention to those individual transfer procedures through which non-European societies have adopted foreign concepts during their modernization processes (cf., e.g., Shimada 2000). Migration could also be analyzed under this revised notion of translation as a chain of transformation processes by which migrants continually have to translate and retranslate themselves instead of merely responding to the possibilities for integration offered to them by so-called multicultural societies (Wolf and Vorderobermeier 2008).

A translation perspective urges us to search for the moments of mediation in every instance of contact, transfer, mixing, transmission, etc., in order to prize open transfer procedures that appear too smooth and to move towards a recognition of (cultural) differences. The heterogeneous spaces of discourse within a society might thus be made visible, and forms of resistance, sub-cultures and parallel worlds, etc. that cannot be brought together under one (mainstream) culture (*Leitkultur*) would thus be opened up.

The field of interculturality could also be explored in more detail to uncover its complex translation processes. The model of translation explicitly takes the 'shifts,' or even breaks between different spheres of articulation, forms of discourse, cultures and academic systems as its starting point. From this position, it raises specific questions: How does intercultural contact actually proceed; does one have to make oneself 'translatable' for it to occur; what misunderstandings arise during contact; and, last but not least, should not the very productivity of these misunderstandings be taken seriously in cases of intercultural contact?

That the study of culture can uncover such translational dimensions at the level of the research object is, however, just one side of the coin. The other side of the 'translational turn' extends beyond the level of the object. As a category of analysis, translation can be applied on a level at which the conditions and underlying structures of academic and cultural communication come into view critically. Given the worldwide dynamics of circulation, one might ask to what extent it is actually still possible to distinguish textual 'originals' in the sense of 'points of origin'? Where are these to be located? In the sphere of consumption, it appears that everything has already been translated because it has been circulated and assimilated as an image, a symbol or a commodified object around the globe. In reality, however, it is primarily Western brand names such as McDonald's, Coca Cola and Adidas that, as global icons, embody translations without originals in the world of consumption. A similar situation seems to exist in academic fields. Here, too, critical questions need to be asked about the localizations and transfers of theories, concepts and research terms which, whilst often characteristically Western, have been positioned globally and make claims to universality. Making a 'translational turn' thus affects the foundations of one's own research traditions and approaches. It will then also prove vital to trace these globalized terms back to their Western or Eastern and, therefore, thoroughly limited contexts of formation, in other words to localize them. On this level of "cross-categorical

translation" (Chakrabarty 2000: 83ff.) the analytical terms of one's own academic system become 'negotiable' with the key terms of other, also non-Western, academic cultures.

Consequently, it seems to be not enough for a new translation perspective simply to conceive and develop new research terms, e.g. difference, negotiation, transmission, conformation. The crucial point is that a translational analytical approach also has to embrace its own research vocabulary. This means recognizing much more than the translational character of academic objects themselves in order to be able to apply the generalizing and unifying terms that we use on a daily basis in a more differentiated way: these terms include but are not limited to modernization, industrialization, globalization, identity, culture, interculturality, individuality, foreignness, etc. Such terms need to be examined for their internal translational structure, for their complexity, their inner contradictions and culturally specific formations.

Thus, when we speak of the individual, of literature, or of text, of authorship or fiction, of rights or freedom, then we must first examine the translatable elements of these synthesizing analytic categories before proceeding on to any other cultural and intercultural translation processes. This is unavoidable in comparative literature but also in transnational historiography because ultimately both deal with entanglements and translations between Europe and the non-European world and with histories of contact (Osterhammel 2001). Western research terms are not the only ones capable of completing this type of analysis.

The idea of 'culture as translation' is, therefore, far-reaching. It extends to the level of questioning one's own Western categories of analysis and comparison, in particular their claim to universal validity. At the same time, a critical reflection on the universalization and/or localization of concepts marks an important juncture from which the new understanding of translation could be made fruitful for the contemporary global debate on human rights.

Human rights may also be understood as a sort of 'travelling concept.' However, the concept of human rights is not spread through travel alone but always has to first be 'translated' into a local context. In dealing with human rights we, furthermore, need to trace the steps of their transmission, the conditions, practices and processes of their transformations as well as the diversity of their reference points: all of these factors remain opaque in sweeping statements about intercultural communication. Only through observing human rights in 'translational' terms does an empirically deepened and enriched access to their foundations and realizations and the forms by which they are communicated in various historical, sociocultural and political situations finally become possible.

2. The Example of Human Rights

The conditions of globalization have given rise to a complex intercultural debate on human rights. Not only is the practical implementation of human rights a point of con-

tion, but also their violation and, above all, their transcultural justifiability. A new conceptual viewpoint could be brought to this debate by analyzing it under a translational perspective as a tension-filled translation scenario. In doing so, we enter new territory.

Today, the continual point of reference in this debate is still the UN Universal Declaration of Human Rights (UDHR), which was passed in 1948 (cf. United Nations 2013a). This declaration has become one of the most widely translated documents in the world (into 379 languages) and, as "the most 'universal' in the world [...] has been awarded the Guinness World Record," as the UN Human Rights website proudly proclaims (United Nations 2013b). Despite the fact that serious problems in language translation have already been raised in connection to the declaration (cf. Garre 1999), the UDHR still possesses the undisputed authority of an 'original' text. The really critical problems in translation, however, arise from another area of conflict, one that deals with cultural and political differences emanating from the question of "Is there a transcultural foundation to human rights?" In regard to this question, the initial, emphatic human rights declaration still claims the status of an 'original' that remains the reference point for subsequent worldwide declarations, revisions and translations.

The contemporary debate on human rights, one might argue, consists of translations without an original. An important argument for this position is a historical one: whilst the UN declaration of 1948 may appear to have the authority of an 'original,' it is already a translation. It explicitly saw itself as a project for translating the fundamental rights of the earlier French and American eighteenth-century Enlightenment human rights declarations into more contemporary and varied rights discourses, including, for example, those pertaining to the right to found a family or to work. It is astonishing that whenever recourse is made to human rights today, this important post-war declaration is referred to. However, it is not referred to as the original but as a general point of reference, or a model "document of intent" (Garre 1999: 15), a canon of universal principles and norms. For precisely this reason, one had and still has to rely on the culturally concretizing work of translation, since human rights only develop out of complex cultural, political and legal translation processes in the first place. It is not enough that human rights are, in practice, implemented, assimilated, transformed or even breached. Rather, it is the various attempts to keep current global human rights discourse open to continual intercultural processes of norm building that are critical here.

The question is whether this discourse will continue to remain caught in the European humanist tradition of human rights or whether reciprocal processes of translation between disparate ideas on human rights from different cultures can be set into motion. These issues are crucial to the future development of world society and they might be approached by opening up the translation potential of various levels of the new human rights discourse.

Level 1: Translation Processes between Disparate Declarations of Human Rights

The Universal Declaration of Human Rights from 1948 is the key text in the contemporary human rights debate. Despite its claim to universality, it has repeatedly triggered critical translation issues between Western and non-Western human rights positions. It has also been met by suggestions for additions and the wish for alternative versions. Even the process in which the UDHR itself 'originated' involved a complex operation in translation. Over a two year negotiation process, representatives from Western countries, and also from India, China, Iran, Lebanon, Egypt, Syria, the Soviet Union, the Philippines, Uruguay, Chile, Cuba, and Brazil – all presided over by Eleanor Roosevelt – were called upon to reach a consensus about the document.¹

As a reaction to the human rights abuses perpetrated by the aggressor states involved in World War II, the UN declaration explicitly obliged members to protect individuals from arbitrary state violence. The distinctly Western character of the declaration was made visible here. The predominance of rights relating to freedom and equality, to individual rights and to democratic convictions was also characteristically Western. Overall, this concept of human rights was cast in a markedly secular and liberal mold. Even in the preparatory phase, these unexamined predispositions gave rise to critical reactions from cultural anthropologists (cf. The Executive Board of the American Anthropological Association 1947). They objected to the fact that despite its universal claim, the intended declaration was unmistakably in the grip of the principles of Western liberalism. It was fixated on the premise of the autonomous individual. It did not adequately take into account the involvement of social groups and, furthermore, it ignored the existence of cultural differences. Under such auspices, there was no way in which it could be applied unproblematically to other cultures and societies.

However, these critical arguments were still rooted in the strict cultural relativism of the 1940s and 1950s; i.e., they were based on an understanding of culture that invoked separate, individual cultural claims and traditions and thus questioned and relativized any kind of cross-cultural, or even universal, claims. In the face of globalized relations, such culturally relativist positions are no longer supportable today. Cultures' mixings and inner contradictions demand a more hybridized understanding of culture. This needs to be kept in mind when considering the following objections to the UN de-

¹ Translation problems were already present during the drafting phase of the UDHR. An exemplary case of this is a passage from the minutes of the twenty-second meeting on 5 May 1948: "Mr. Hendrick (United States of America) and Mr. Santa Cruz (Chile) stated that in the legal systems of their countries, the word 'person' could have various interpretations, and this might cause difficulties in translation." Another example for the debate on translation and wording is the dispute over the use of the words "cruel and inhuman" in Article 7: "Mr. Wilson (United Kingdom) said that he would abstain from voting on Article 7 as it stood because the words 'cruel' and 'inhuman' were too subjective. What might be called 'cruel or inhuman' in one country might not be considered so in another." The meeting records of the drafting committee can be accessed online via the homepage of the United Nations archive (cf. United Nations 2008).

claration from different regions of the world. It is not so much a cultural relativism that is at work here. Rather, the differing perspectives of alternative declarations of human rights have to be seen as the expression of a translational dynamic, which precisely through its articulation of differences allows international consensus building to move forward. The recognition of differences paves the way for human rights to become negotiable multi-locally, and even globally, beyond Western systems of thought. The very fact that European, Asian, African, and Islamic human rights declarations are now able to assert themselves by their own means point to the altered cultural relations of translation.

A central position in this on-going human rights debate is occupied by the African human rights declaration, the *African (Banjul) Charter on Human and Peoples' Rights* from 1981. It represents a clear outcome of the process of decolonization and post-colonial self-articulation. From the beginning, it has cast a shadow on the UDHR itself, which it deemed to be a product of hidden colonial and imperialistic aims. Instead of emphasizing individual rights as in the UDHR, the Banjul Charter formulates collective rights and – this is new – explicit obligations, in particular, the duty to "strengthen the national independence" (1981: Art. 29,5). This kind of translation of the vocabulary of human rights is anything but a recourse to an original. Rather, it represents a critical break with the context in which this 'original' arose, with its points of reference and, in particular, with the echoes of colonialism and imperialism to be found in it. These echoes are countered with alternative, postcolonial reference points. The key words here are "independence" and "people's rights" (instead of individual rights) and, furthermore, the eradication of all forms of colonialism as well as the claim to a constitutive "right to development" (1981: Preamble).

Situated in a humanist European frame of reference, the UN declaration had highlighted civil and political rights. By contrast, the Banjul-Preamble emphasizes "that civil and political rights cannot be dissociated from economic, social and cultural rights." Just these types of legal claims, which make up the majority of the articles in the African declaration, stand out primarily due to their explicit reference to the African "liberation struggle against foreign domination" (1981: Art. 20, 3). This means that on the level of the declaration, a politicizing form of translation is at work, i.e. even before any kind of practical implementation has taken place. Furthermore, the orientation towards the "values of African civilization" (1981: Preamble) introduces an essentializing shift. Both elements signal a departure from the universalizing nature of post-war human rights discourse.

Localizations, or even essentializations, have also been brought in from an Asian perspective. Such was the case in the 1990s when the debate about 'Asian values' (as opposed to 'European' ones) intervened in an ever more complex process of translation. In turn, this debate introduced new principles of human rights into the field: these included community rights instead of just individual ones; order and discipline took precedence over liberty and freedom in accordance with the Confucian system (cf. Bell 1996; Sen 1998). This is all subsumed under a paternalistic understanding of

the state, which, however, can also have the function of legitimizing repressive forms of government. This may be seen today, for example, in China's human rights conduct. In general, Asian states retain the principle of the sovereignty of the nation state as well as the principle of non-intervention in the affairs of other states. Yet the necessity of always formulating political rights in tandem with economic developments, which are in Asia highly dynamic, is also emphasized as is the case in *The Bangkok Declaration* of 1993. Here, too, the UN declaration's claim to universality is completely undermined.

A further link in this intercultural chain of translation is constituted by a third important instance of the translation of human rights. Again, in 1990, the fifty member states of the Islamic Conference passed their own declaration, known as the *Cairo Declaration on Human Rights in Islam*. In an act of religious translation, this 'Islamic' human rights declaration stresses that the "Islamic Shari'ah is the only source of reference for the explanation or clarification of any of the articles of this Declaration" (1990: Art. 25). This can hardly be seen as a question of translation but rather as one of revision. In this article alone, the secular concept of human rights has been revised in favor of an explicitly religious one. This also relativizes the claim that human rights are universally valid, since the appeal to the Shari'ah limits the declaration's application to Islamic societies and calls into question equal rights for women and non-Muslims. It also challenges the equality of religions and curtails claims to both religious freedom and the freedom of opinion and expression (cf., also critically, Bielefeldt 2004; Schirmacher 2008).

Thus it seems questionable whether this Islamic revision can actually be considered a 'translation' of the UN declaration at all. Here, instead, two diverging systems of reference are 'set against one another': religious obligation as a faith-based, Islamic point of reference against secular rights as the UDHR's secular, liberal point of reference (cf. Ghalyoun 2009: 362). And yet the focus on translation shows precisely how necessary it is to venture into just such a level of 'pre-translation' and consider the different systems of reference themselves. It is here that crucial intersections in the dynamic shifts in the cultural migrations and modifications of human rights positions are to be found. These are located between the acceptance of and oppositions to translations as well as translations that work in multiple directions. Thus I would like to suggest a new interpretation of the interwoven chain of human rights translations; they are 'partial translations' of 'universal declarations.'

But why in fact describe this process as 'translation' and 'partial translation' at all? Focusing on translation is surely better suited to capturing the conflictual communication and mediation practices involved in declaring human rights than any preconceived ideas about harmonious 'intercultural dialogue' possibly could be. Such notions are preoccupied with the goal of reaching mutual understanding. Translation does not have to mean complete transfer. Here, cultural anthropologist James Clifford's suggestion to orient the analysis of culture towards "partial truths" (Clifford 1986: 7) is helpful. Might not the assumption of 'partial translations' also be fruitful for the

analysis of human rights? One might argue that only partial translations can keep differences in place and enable a kind of "faithless appropriation" practice (Tsing 1997: 253) that explicitly breaks with the equivalence requirement, which translational authority, as monopolized by the West, has been so quick to assume. Only then might 'multi-vocal' perspectives be made available for human rights discourse: the resultant prospect of a transnational constellation of negotiation might allow common (general, normative) 'points of reference' to be pin-pointed. At any rate, such a process of translation would remain open-ended, because it would always be able to incorporate other particularities into it, i.e. partial, 'multi-vocal' contributions from different areas and regions of the world.

Partial translation also entails differentiation and concretization. The 1993 Vienna Human Rights Conference, in which 171 nations participated, was particularly concerned with breaking down the still very formulaic and generalized human rights declarations that had followed upon the UN declaration; it worked to gradually bring them into specific, contemporary fields of law (*Vienna Declaration and Programme of Action* 1993). The fact alone that 400 NGOs participated meant that there was pressure to 'work up' specific legal entitlements into new formulations of human rights. On the one hand, this resulted in increased responses to local demands, including the rights of indigenous ethnic groups and entitlements to participate in local decision making processes, etc. On the other hand, reactions to global threats to human rights such as terrorism, gender-based violence and colonialism became central issues.

This development shows that even on the level on which human rights are declared, a translational reference to their application and implementation is implied. In this manner paths are opened up for multi-directional translations. For it is precisely in local and regional fields of action that important impulses arise for a re-translation back into the general, normative sphere of human rights declarations.

Level 2: Localization: Translation as Local Implementation and Global Re-Translation

As is well known, human rights require more than just worldwide, universal recognition. It is necessary, through the process of 'vernacularization' to transfer them into the language of everyday spheres of thought and action so that they can acquire meaning for local actors. A translation perspective can open our eyes to the fact that: "In order for human rights ideas to be effective [...], they need to be translated into local terms and situated within local contexts of power and meaning" (Merry 2006: 1).

In this case translation means localization, a basic condition for the implementation of global ideas into local practices. Based on empirical case studies in South and Southeast Asia, legal anthropologist Sally Merry shows how this specific form of translation pertains, for instance, to "translating human rights concerning violence against women" (Merry 2006: 138). Importantly, "translating" provides access to the micro processes which are implied in this kind of mediation, i.e. the agreements and

misunderstandings, points of resistance to and assertions of power that occur during the attempt to implement human rights in a particular location.

Only through these specific acts of translation can the concrete activities of mediators working at different levels become accessible: this applies as much to transnational elites such as NGOs as to local initiatives and grass-roots activists, such as women's groups. In different ways, they all work to translate human rights: "Their translation work involves bringing the content of rights discourse to new areas, such as domestic violence and property" (Rajaram and Zararia 2009: 471). Every localizing practice for implementing human rights utilizes a corresponding rhetorical discursive strategy. Thus, for example, an explicit human rights vocabulary is employed to address an international public, program, or sponsor. A different, often morally infused, vocabulary is used, by contrast, on a local level to make connections to cultural traditions and practices (cf. Rajaram and Zararia 2009: 470).

The idiom of human rights is thus expressly made available to local ways of speaking. In doing so, it opens the door for marginalized societies to enter the 'modern' Western world and global civil society. What is remarkable, however, is that specific local interpretations and demands are simultaneously absorbed back into the emerging global sphere of human rights discourse. Therefore, it is not merely a case of a one-way translation process. Rather, what prevails is a spiral-like process of translation: "The direction of a translation process is not linear, but more like a spiral with ideas moving from global to national to local to national to global" (Rajaram and Zararia 2009: 481). The "spiral" is here no longer considered as a constructivist and rather linear "model of human rights change" in the process of local implementations of human rights (Risse, Ropp and Sikkink 1999: 3). Rather, it highlights the movement towards a human rights practice that focuses on more action and communication oriented processes of translation in their potential to re-affect the global constitution of human rights.

That specific new demands arising from local inequalities can play a role in the general catalogue of human rights can be seen in a well-known example: the petitioning for the recognition of human rights during the construction of the gigantic Narmada Dam in India. The erection of this dam led to the violent expulsion (and displacement) of the region's farmers. In this case, the farmers had no recourse to political and social human rights through the legal system. Instead, they translated their claims into ecological rights, into rights to land, forest and water. Subsistence rights (food, water, accommodation, work) were re-formulated explicitly as human rights; needs were translated into rights (Sachs 2003). What is crucial to note here is that in a subsequent step these demands were translated back into the general catalogue of human rights. In July of 2010, the UN declared access to clean water to be a collective human right and included it as Article 31 of the UDHR. Thus, what is generally understood as an appropriation is in fact a highly complex process: it consists not only of unilateral localization but also attempts to turn the translation process around in the

opposite direction. This kind of re-translation is becoming a particularly charged issue in human rights discourse.

At this point, one could say that this kind of spiral-shaped translation process is also, paradoxically, only a partial project. As Sally Merry emphasizes, it does not lead ultimately to the complete 'naturalization' of global ideas: "The programs are appropriated and translated but not fully indigenized. To blend completely with the surrounding social world is to lose the radical possibilities of human rights" (2006: 178). Precisely because their localization is always only a partial one, demands for human rights retain their radical potential for change in the long term. For this reason, they remain both regulative ideas and unfinished exercises in intercultural negotiation. Demands for human rights function as a yardstick for concrete human rights policy in particular locations.

Again, this constitutes a phenomenon of a translation without an original: "In this sense of the term *translation*, there are no originals, but only a heterogeneous continuum of translations, a continual process of rewriting in which meaning – as well as claims of originality and purity – are made" (Tsing 1997: 253). Anthropologist Anna Lowenhaupt Tsing sees this continuum in, for example, the deliberate re-writing of environmental protection in India and Brazil; it is in principle similar to re-writing in the field of postcolonial literature. Re-writing provides the opportunity to revise liberal models of human rights from a specifically non-European position and to translate them into frames of reference based on social justice, development and collective demands.

This practice of re-writing deliberately adopts the guise of a strategic universalism. The strategy consists in using references to universal human rights to gain acceptance in an internationally recognized frame of reference. This frame may then, in turn, be used to justify and push through one's own national, local or regional interests. This entails, on the one hand, to be taken seriously in global civil society or to secure persuasive arguments and to build networks, on the other. Invoking human rights documents thus also means asserting one's own legal entitlements (ecological, property and land rights): "They use globalist texts to argue that global networks must pay attention to their own global wisdom" (Tsing 1997: 269). It is in this sense that Anna Tsing maintains that "universalisms, ironically, are a flexible medium for translation" (Tsing 1997: 266). They represent a framework for initiating action that sets local human rights discourses in motion.

At this point, perhaps surprisingly, literature enters the field. Literary texts appear to be important vehicles for translating human rights. It is no coincidence that both human rights activists and writers demonstrate "human rights works as a matter of storytelling," as James Dawes put it (2009: 394) and Joseph Slaughter elaborated on in his seminal work on human rights and the world novel (2007a). Literature is a politically effective means of narrating human rights. It provides a compelling rhetoric of liberty, equality and freedom that makes general and rather abstract norms and laws visible to the imagination and illustrates their effectiveness when individuals take action. Thus,

literature can function as an “enabling fiction” (Slaughter 2006: 1406). In turn, with its programmatic focus on the development of individual rights, the Human Rights Declaration harks back to this very same idea of enabling the individual. “Enabling” can certainly be understood as linked to (political) activism, as the actions of well-known mediating figures show: Indian writer Arundhati Roy has used her literary writing to oppose the construction of the aforementioned Narmada Dam; Nobel prize winner Rigoberta Menchú has advocated the rights of indigenous groups in Guatemala; and, in a particularly scandalous case, Nigerian writer and human rights activist, Ken Saro-Wiwa, not only became famous for his novel *Sozaboy: A Novel in Rotten English* (1985). He is also renowned for campaigning over many years for the rights of the Ogoni in Nigeria and being executed for his advocacy for this ethnic minority whose land was exploited and polluted for decades by the oil company Shell and whose population had resultantly become impoverished and oppressed. This approach of actively taking up the plight of one’s own population group, appealing to human rights, or formulating one’s own declaration of human rights, as in the *Ogoni Bill of Rights* of 1990, undoubtedly pushes the limits of translation’s capabilities. Often it leads to failed protests and conflicts or even to death sentences and executions, as in the scandalous and moving case of Ken Saro-Wiwa.

Yet even these charged areas of tension and conflict within the various modes of human rights articulations contain elements and approaches that need to be developed further into multi-directional, spiral-shaped relations of translation in world society. They can be considered as starting points for an ‘emerging original’ to develop. This does not entail preconceived and unilaterally administrated norms of human rights. What it does entail are reciprocal yet conflict-ridden attempts to find a utopian transnational horizon for political action in a globalized world. With this in mind, the environmental and development sociologist Wolfgang Sachs writes that: “Human rights have changed their locus in the social imagination. Once the legal core of the post-war community of nations [as in the UN declaration], they have now become the utopian horizon of international civil society” (2003).

The association of human rights with the social imagination brings literature into play in yet another way. In her book *Inventing Human Rights*, the historian Lynn Hunt points out that the genres of the *Bildungsroman* and the epistolary novel pre-formulated images and vocabularies of human rights during the mid-eighteenth century. They thus enabled declarations of human rights to get off the ground in the first place (Hunt 2007: 40). It was within this particular literary field that literature functioned not only as a medium for individualization but also made it possible for individual rights to be translated into general human rights, namely through the medium of empathy. As a result, the act of reading made the identification with others as equals possible (Hunt 2007: 58). The kind of identification that is achieved through compassion and empathy is found, according to Hunt, in exemplary form in Samuel Richardson’s novels *Pamela* (1740) and *Clarissa* (1747). Through their particular emotional constitutions, these novels prepared the way for Enlightenment declarations of human rights.

As Slaughter writes, in the twentieth and twenty-first centuries a postcolonial version of the *Bildungsroman* “prepares the imagination of a future international human rights domain” (2007a: 33). This is accomplished not least of all through the specific faculty of literature: to furnish the individual with the ability to self-narrate (Schaffer and Smith 2004; Slaughter 2007b), something that is also held to be necessary for the formulation of human rights. Ultimately, a literary elaboration of moral sentiments is also crucial, since, in their way, moral sentiments translate the norms of human rights and assist in their dissemination via reading.

These intersections between literature and human rights discourses can be captured even more succinctly and realistically with an explicit focus on translation rather than ‘representation’ and its related conceptual vocabulary. For only a translational perspective highlights the questionability of connecting literature and human rights as the common denominators of an anthropologically grounded emotional disposition that leaves both fields subject to a humanistically charged agenda that is constrained by cultural specificity. For a discussion of human rights in a globalized world society that is characterized by discrepancies, it would be better to pursue a process of translation that allows for disjunctions than one that continues to attempt to enforce common ideals. An early example of this type of project can be found in the work of the literary scholar Barbara Harlow, who regards the UN Declaration of Human Rights critically as a translation of the concerns of the classic *Bildungsroman*: “Its thirty articles translated the standard literary paradigm of individual versus society [...]. The Declaration, that is, can be read as recharting the trajectory and peripeties of the classic *bildungsroman*” (1992: 252-53). But, according to Harlow, as long as the perspective was focused narrowly on the individual in his or her striving for self-development other practical models for the implementation of human rights, for example, resistance remained hidden from view.

Therefore, instead of grounding the UDHR on moral sentiments in literature, the declaration’s translatability and connectivity needs to be kept in view. Only then might the enquiry into the translational dimension of human rights, in the sense of a transdisciplinary ‘translational turn,’ lead to the document’s becoming interculturally productive in various discourses, also in those that no longer function within the humanistic tradition.

Level 3: Human Rights as a Project of Intercultural Negotiation and Translation

The two-way translations with literary discourse have already shown that it is fruitful to direct attention to a level where the human rights debate can enter into alliances with other types of discourse. Thus these debates may deliberately utilize other discourses’ capacity for concretization. This is the case when questions of human rights are translated into the discourses of development or climate change or the politics of memory (Huysen 2009). It is also the case when the general and abstract, timeless and placeless human rights are made translatable by positing them as concrete, spa-

tialized rights (cf. Benda-Beckmann et al. 2009). Edward Soja thus explains how human rights in urban spaces can be reformulated as 'spatial justice': human rights may even give rise to political movements that call for the recognition of rights to housing and habitation, and to an electricity supply, etc. As Soja writes: "the notion of rights to the city, concretizing calls for universal human rights by embedding them in specifically urban spatial contexts and causalities, has been mobilizing multi-scalar political movements" (2009: 32; 2010).

All of the examples, which could only be touched on here, are cases of translation that could be described as cross-conceptual translations, as crossings between different discursive fields. And as 'partial' contributions, they are interjections into the ongoing translational chain of human rights discourse. In this way, human rights discourses can be seen as essential parts of an emerging transnational translation project. Conceiving of them as ongoing translations of the UN declaration that negotiate the possibility of cross-cultural frames of reference may thus be understood as a process in which a still unfinished 'emerging original' can come to be.

What then are the aims of a translational approach to the question of human rights? Focusing on the local implementation of global ideas and programs is surely just a first step. The aim should be to achieve a decisive alteration in the way in which global knowledge is produced. Up until now, something crucial has been missing in the manner in which the question of the translatability of human rights has been dealt with. Too little thought has been given to the question of what strategies of communication and mediation should actually be used in a global translation project of human rights.

We live in a world where the instruments of and standards for intercultural encounters differ greatly from one another; hence the idealistic Western concept of cross-cultural dialogue, which still shines through in several of the declarations, has clearly reached its limits. A more realistic approach would therefore be furnished by a concept of translation that is shaped by challenges that have been experienced in the study of culture. Such an approach understands disruptions, inequalities, and cultural misunderstandings to be its explicit starting point and makes precisely these differential qualities into the productive basis for a new understanding of human rights. Human rights are understood not as static universal principles but rather as strategic instruments for self-interpretation. Human rights serve in the reevaluation of local knowledge production that makes a universalist framework effective for active empowerment.

3. Translational Challenges in Our Work in the Study of Culture

A translational understanding of human rights is only one example of the methodological impulses that have arisen out of translation as a new analytical category. In the inaugural issue of the new journal *Translation: A Transdisciplinary Journal*, the cultural theorist Robert Young describes translation as "a modus operandi of our times"

and as a cultural and social practice "in our current translational world" (2011: 61). In this operative sense, the concrete modi and practices of translation can be brought into view, and translation can be understood beyond its mere metaphorical sense. The general potential of this translational perspective rests in its capacity to transform methodology into a process that aims to turn the study of culture into a study of translation. Yet what does a translational approach actually entail for one's daily scholarly work?

- Translation can be taken as an impulse to pluralize phenomena and to see them in a more differentiated manner instead of approaching them as static and holistic monads. It provides a specific methodological tool of examining the shifts between the different levels and spheres that are to be investigated. It asks how transformations between different contexts and problem fields occur in detail.
- Translation may help us to ask how switching between different codes and living in various circumstances can be fruitfully understood as situations in which forms of translation take place. In this manner we may gain insights into how various codes and forms of living unfold historically and socially and we may observe their uneven developments step by step.
- Translational approaches are modi of cultural analysis that can be utilized to dissect cultural spheres and cultural practices into smaller units of communication and interaction; in this manner larger complexes of communication, including cultural transfer, cultural dialogue, and cultural comparison, can be linked to often overlooked instances of human agency in everyday life. This view on processes of translation can thus help us to elucidate not only concrete processes of exchange within cultures but also those that occur in transcultural realms: actors, cultural brokers and mediators may thus be rendered more visible. On the one hand, a translational approach directs our research attention to a micro level of cultural encounters and not alone with regard to the human rights debate. On the other, it also allows for more differentiated insights into the exact procedures and steps that are involved in the course of cultural translations to be made: translation includes not only the transmission of meaning but also processes of negotiation, misunderstanding, appropriation and transformation as well.
- As the example of human rights has shown, an extended, methodologically sharpened use of the category of translation proves to be a productive approach to the study of culture. It may both instigate a move to more concrete analytical investigations of processes of translation, transmission and transformation and enable us to also expand our awareness of the 'pre-translational' stage. This stage of translation proves to be decisive, for it contains unified and, on occasion, disparate points of reference; these points of reference set the course for further steps in the translation process by creating the constellations in which they may occur.

The greatest potential of the translation category, however, seems to lie in its capacity to stimulate a move to more translational thinking generally. Such translational thinking can be realized in the following ways. It may focus on in-between spaces in a differentiating and at the same time concretizing manner. It may encourage scholars to look for the passages and contact zones between and beyond cultures as well as their overlappings and mixtures. In this manner, simplistic assumptions about cultural transfer may be refuted, and cultural differences, subcultures, forms of resistance, and parallel lifeworlds that cannot be homogenized into any one dominant culture can be discovered and better estimated.

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