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Vulnerability in Human Rights and Literature

(University of Hyderabad, March 10, 2023)

In their introduction to the recent volume, *Victimhood and Vulnerability in 21<sup>st</sup> Century Fiction*, Susana Ortega and Jean-Michel Ganteau provide an overview of the shift from trauma literature to what they term “a literature of victimhood and other forms of vulnerability” that they identify as ascendant since the 1990s.<sup>i</sup> Today I want to acknowledge and put pressure on the trajectory that they trace in order to think about the potential uses of vulnerability theory in literary studies especially in relation to human rights. In doing so, I move away from the psychoanalytic roots of trauma theory and toward legal and material approaches to vulnerability as a condition of social existence, a challenge to normative readings of subjectivity and personhood, and a theoretical approach rather than a literary category. I’m going to map out a cursory look at key theories and then conclude with a short literary analysis.

[Slide 2] Ortega and Ganteau focus on “the ascendancy of the wound” in literary theory, starting with theories of trauma, as well as in contemporary culture.<sup>ii</sup> They emphasize that, according to the OED, both victimhood and vulnerability contain a “common denominator” of exposure or susceptibility to wounding; and they use victimhood and vulnerability at times interchangeably and often together in much of their essay, such that the two words signal a temporal distinction – the victim has experienced the wound, the vulnerable may yet – more than a conceptual one (except to note at one point that victimhood is one of several “forms of vulnerability”).<sup>iii</sup> What remains most important for them regarding vulnerability is how it opens

up questions of self and other, which they read in terms of the Levinas and the ethical turn in literary studies.

The reading of the wound in victimhood and vulnerability as “the unmistakable trace of a relation, including a link to the other’s wound” connects vulnerability studies with attention to the ethics of care (which they trace through French feminist theory) and Judith Butler’s and others’ approaches to precarious life and dispossession.<sup>iv</sup> As opposed to trauma theory which focuses on the wound as a breach, impairment, or debility, Butler’s approach, especially in their co-authored work, according to Ortega and Ganteau, envisions the “positive form of dispossession—what is at stake is the demise of a vision of the sovereign subject, fully in charge and superbly autonomous,” and, in its place, the recognition of the “ordinariness” of vulnerability.<sup>v</sup>

Ortega and Ganteau outline those theoretical approaches to vulnerability for the ways they inform the category of victimhood and vulnerability literature. They propose reading for the “poetics of narrative vulnerability” which reprises many of the characteristics of trauma literature, including intensification, recursiveness, fragmentariness, and formal experimentation, as well as incorporates examples of solidarity and resistance.<sup>vi</sup> Although chapters in their volume address novels concerned with a wide range of global harms, if vulnerability truly is “ordinary” and we are all ontologically vulnerable, as I think they rightly suggest, then any novel would necessarily fit within literature of victimhood and vulnerability, thereby raising questions about the usefulness of the category. Thus, I want to deepen the examination of vulnerability theory and sketch out alternative approaches that may clarify some of contributions a vulnerability-informed reading might offer – reading *through* theories of vulnerability and human rights rather than *for* vulnerability.

[Slide 3] Thinking through that “demise of a vision of a sovereign subject” has been central to recent critiques focused on the human of normative human rights, particularly the gap between human beings and their access to legal personhood (being recognized as a claimant before the law). Critics argue the Universal Declaration of Human Rights and its subsequent legal instruments posit the liberal subject as the bearer of rights, and thereby reinforce a concept of ideal selfhood that is \ rational, coherent, bounded, and autonomous. As feminist, critical race studies, and Third World Approaches to International Law (TWAAIL) scholars have long demonstrated, this ideal has historically privileged white, male, literate, propertied subjects—those coded as rational and having the greatest access to autonomy in the public sphere—as persons before the law. This coding raises two additional conceptual challenges. First, there is the philosophical problem of how to define the human in terms of intrinsic properties or modes of being. Second, critics of modern human rights, beginning most notably with Hannah Arendt’s “The Decline of the Nation State and the End of the Rights of Man” (1958), have analyzed the slippage within the UDHR and related instruments’ conception of the human and the person. The human being as the bearer of inalienable rights is quickly replaced in these documents by the category (and exclusions) of legal personhood (denoted as “everyone” or “no one”). As Arendt argued, the rewards of legal personhood and rights most readily accrue to citizens. Because the state’s claim to sovereignty emerges out of a conflict over inclusion and exclusion, citizenship and its benefits become a tool for regulating national belonging, thereby ensuring that rights are unequally available within a nation-state’s population. In terms of the conceptual underpinnings of rights, they become, in Rancière’s words, “the rights of those who have no rights”; abstracted from their political context, rights “seem to be of no use. And when they are of no use, you do the same as charitable persons do with their old clothes. You give them to the poor.”<sup>vii</sup>

Whereas Rancière argues for re-engagement with the political sphere in which people (re)claim and, thereby, reactivate rights, other theorists have productively sought to reconceptualize human rights from the standpoint of the post-sovereign or the vulnerable subject, as opposed to the liberal subject as the ideal bearer of human rights. These theorists stress subjects' material, embodied, interconnected, and therefore vulnerable lives as opposed to their reason, autonomy, and will, and their emphasis is on the web of relations in which we are all embedded rather than a dichotomous model of self and other.

[Slide 4] In *Redirecting Human Rights: Facing the Challenge of Corporate Legal Humanity* (2010), Anne Grear proposes a more holistic re-conceptualization of the UDHR from the standpoint of the vulnerable subject. Vulnerability, she argues, stems from human beings' embodiment (and, thus, inherent physical fragility) and relationality (there is no such thing as a completely autonomous person). Vulnerability, then, does not signify a deviation from or an injury to an otherwise sovereign individual. Rather vulnerability describes at once the condition of human existence and, crucially, the differential ways we are exposed to one another and to harm depending on our specific forms of embodiment and social positions. By insisting on vulnerability as an integral condition of existence as opposed to a temporary exposure to danger, Grear, following Martha Albert Fineman (2008) and drawing like Elizabeth S. Anker on phenomenology to focus on the corporeality of the subject, re-orientes human rights away from the fiction of the inviolable, disembodied liberal subject and re-centers particular, material, human experience as a foundation for legal personhood. More specifically, Grear's theoretical and historical approach aims to provide a basis for defending *human* claims to rights as opposed to claims by non-living legal persons, such as corporations.

Two additional dimensions of Grear’s theory of vulnerable subjects and their legal standing deserve emphasis. First, vulnerability for Grear does not signify one pole of a binary relationship between violation and inviolability, endangerment and security, weakness and strength. Instead, vulnerability, she maintains, can be “embraced and celebrated as a value intrinsic to multiple forms of human flourishing.”<sup>viii</sup> Vulnerability is crucial to understanding ourselves not as autonomous beings who navigate the world according to a compass of disembodied reason but as interdependent ones whose identities, desires, and fulfillments are socially constructed and dynamic. Second, even though vulnerability is inherent in human existence, Grear’s focus is on the distribution of political and economic forms of vulnerability—often discussed in terms of precarity and targeted precaritization. Grear addresses the manifold ways in which globalization as an economic process with political and cultural ramifications compounds bio-social vulnerability to produce more intense forms of “exploitation, exclusion and immiseration.”<sup>ix</sup> These forms of suffering are differentially distributed, such that social vulnerability is anything but universal in how it is experienced and by whom.

For Grear, the embodied, socially situated, and, therefore, vulnerable human being has already been written into law in general and the UDHR more specifically. She posits vulnerability as a theoretical and pragmatic correction to human rights scholarship that has either championed or critiqued the liberal subject (a category that has historically excluded some people—slaves, colonized subjects, women, indigenous peoples—from human rights) and the law as “a particular form of disembodied rationalism.”<sup>x</sup> In an effort to revivify the subject of human rights from abstracted, disembodied and, therefore, debilitating readings of it, she highlights how the concept of embodied human life was central to drafting the UDHR. To begin, Grear points out that “human rights were explicitly conceptualized by the drafters of the UDHR

as a direct reaction to the murderous (embodiment-centred) bio-politics of the Nazi regime.”<sup>xi</sup> She then proceeds, via Johannes Morsink’s analysis of the intentions behind the specific articles, to elucidate rights that respond to Nazi perpetrators’ specific assaults on embodied human beings, assaults such as ghettoization, forced labor, medical experimentation, and genocide.<sup>xii</sup> She concludes, “the main categories of human rights established in the UDHR paradigm can be read as an extended defence of human embodied vulnerability.”<sup>xiii</sup>

Grear’s argument for re-centering embodied vulnerability at the heart of human rights has both moral and legal dimensions. Although vulnerability is not experienced the same way by everyone, vulnerability is nonetheless a universal condition. Interconnectedness and interrelationality, for Grear, bear a moral imperative that leans toward compassion and responsibility. Motivated by and responsive to this moral imperative, international human rights “should be conceptualized as juridical instantiations of our shared duty to respond to the fundamental incidents of a human ontic commonality.”<sup>xiv</sup> In other words, Grear seeks to re-invigorate international human rights as a primary means of responding juridically and morally to predations on specific populations by both markets and states. International human rights, she argues, constitute a technology for acting upon our ethical responsibility for one another, a responsibility which is itself rooted in our shared vulnerability.

It’s worth noting here Joseph Slaughter’s important critique of Grear’s historiography of human rights for ignoring the extent to which “the human rights personification of the human being has a discursive genealogy that is entangled with the legal life of the corporation and imperial capitalism – and, more importantly, therefore, that figuring the human being through the vehicle of the person in international law remains a risky business, since its occupants and destination are far from certain.”<sup>xv</sup> Slaughter’s insistence that human rights are ineluctably bound

to the corporation undercuts the idealism of Gear's approach to the normative regime of human rights. Ratna Kapur offers another important critique of vulnerability-centered human rights: "Rights may be alluring and the risk of re-subordination worthwhile, if pitted against the option of no rights and, hence, no recognizable subjectivity. But, in continuing to centralize the role of the state in protecting the vulnerable subject, such interventions continue to run the inevitable risk of subordination and exclusion, and remain confined within a liberal fishbowl."<sup>xvi</sup>

[Slide 5] Although they develop their theories of the political and legal subject through different philosophical histories, Judith Butler shares with Gear an understanding of vulnerability as constitutive of what Butler terms the "post-sovereign" subject. Whereas Gear provides what she argues is a corrective reading of human rights to focus on the vulnerable subject, Butler theorizes vulnerability, grievability, and precarity as the foundation for a political subjectivity that exceeds the limited structures of human rights. Butler has theorized the political subject according to the relationship between three terms:

- vulnerability—those foundational conditions of social and bodily materiality that determine our "dependency and interdependency"<sup>xvii</sup>;
- precarity—the politically and economically distributed, structural conditions of precarious existence;
- and agency.

Like Gear, Butler emphasizes the ways in which our physical, material existence gives lie to the fantasy of autonomous, self-authoring liberal subject of human rights. And, they analyze grievability (whether or not one's death or injury is grievable by those across socio-political divides) as an index of one's position within the matrix of socio-political relationships. Mourning and grievability provide a window onto the value—including the expendability, or the absence of

value—of specific populations. As I have argued elsewhere, Butler’s turn toward mourning and grievability illuminates the political legibility, or lack thereof, of specific populations or persons and the harms they suffer, even as it ignores mourning and grief within the subject’s own context. In addition, mourning and grievability alone foreclose a more complex analysis of other dimensions of vulnerability and precarity in political life.<sup>xviii</sup> The question of whether or not a person is mourned masks investigation into the ways in which vulnerability and precarity, first, may be distinct from victimhood—recognizable or not—and, second, may be complementary to or even constitutive of forms of political agency.

In more recent work on vulnerability, street politics, resistance, and dispossession, Butler turns attention to these complexities: to the dangers of vulnerability as a theoretical lens for thinking about human rights violations as well as vulnerability’s political potential either alongside or outside of human rights claims. In terms of its dangers, vulnerability, especially when it is rooted in embodiment, can connote passive victimhood. Even more damagingly, and as Kapur argues, a focus on vulnerability can reinforce views of specific populations, such as of the category “women,” as physically and ontologically vulnerable and in need of assistance or protection as opposed to being structurally disadvantaged or targeted in ways that rights claims or other forms of agency might address. When vulnerability functions in these debilitating ways to designate certain persons as inherently or essentially susceptible to endangerment, agency (and the liberal subject to whom it is attached) appears as its opposite, such that to exercise agency is to triumph over vulnerability. In “Rethinking Vulnerability and Resistance,” Butler reminds readers that vulnerability in and of itself is politically neutral. Indeed, it has been coopted by privileged persons seeking to protect their standing (as we see in current arguments about the “vulnerability” of whiteness or of men accused of sexual harassment in dominating



relations of ruling in the U.S.) and as a rhetorical move that precedes arguments for increased state power in the name of national security. Such uses of vulnerability manipulate its relationship to precarity, to social, structural, and institutional endangerment, in order to protect privilege and domination rather than to remediate injustice.<sup>xix</sup>

To counteract such readings of vulnerability as either ontological (rather than political) or in service to racist, misogynistic, anti-democratic, or otherwise exclusionary politics, Butler insists on understanding the body “less as an entity than a relation.”<sup>xx</sup> Thinking about the body relationally draws attention to the material and affective dimensions of embodiment as well as to how they are produced and shaped by our conditions of social embeddedness. If vulnerability can describe our capacity to be harmed and to flourish within a specific context, then vulnerability “is neither fully passive nor fully active, but operating in a middle region.”<sup>xxi</sup> It both indexes social and corporeal conditions of vitality (as opposed to grievability) and provides a foundation for resistance to the very forces that may render some lives more precarious, endangered, or expendable than others. Moreover, Butler insists, those forms of resistance to or, more properly, of freedom from precaritization need not be limited to normative human rights claims. Freedom and flourishing exceed the legal categories and institutions of human rights.

Across their intellectual differences, Gear and Butler invite a re-consideration human rights and its limits as a normative regime. Rather than a set of abstract universal principles that attach to or are the property of the individual, human rights in these approaches are discursive and juridical norms, developed and developing in relation to specific political contexts. Whereas Gear reimagines the vulnerable subject as at once universal and specific within those normative structures, Butler considers the ways in which “political resistance relies fundamentally on the

mobilization of vulnerability” beyond the framework of human rights.<sup>xxii</sup> [Slide 6] Kapur’s critique of human rights (and the vulnerable subject of rights) goes much further. She argues:

[H]uman rights do not lead to lasting freedom, but are a mechanism tied to a specific and normative script of freedom that is in turn tied to a very specific, and narrow, understanding of happiness and the ‘good life.’ In fact, the methodology for procuring and securing freedom through rights emerges as thoroughly complicit in an aggressive global political project where even the minimum intervention is productive of specific subjects and political outcomes.<sup>xxiii</sup>

And in place of normative human rights and its subject, Kapur argues for a turn toward non-dualistic understandings of subjectivity—of turning within to reorient one’s awareness of the relational matrix which constitutes us and our potentiality for freedom.

Kapur’s more comprehensive critique aside, whether working within or outside of human rights, the vulnerable and precarious subjects in the approaches sketched above respond to or even initiate their “deliberate exposure” to harm to claim political (and possibly legal) standing.<sup>xxiv</sup> [Slide 7] Instead of imagining rights as at once a possession and a remedy without positing normative human rights as a panacea to injustice and harm, then we might ask how 1) the social imaginary of human rights – however paradoxical and compromised -- might be expanded through the lens of at once shared and differential vulnerability; 2) how vulnerability might found a political response against precarity—against social endangerment, expendability, and exploitation—and toward flourishing; and, 3) how, in literary and cultural studies, theories of vulnerability might direct us toward the materiality of texts and contexts, the differential circumstances of their subjects, and the stakes of cultural production and consumption.

[Slide 8] Wendy Hesford's recent book, *Violent Exceptions: Children's Human Rights and Humanitarian Rhetorics*, provides an excellent example of work that engages these braided questions. In *Violent Exceptions*, Hesford analyzes the figure of the "child-in-peril"—the paradigmatic vulnerable subject—in contemporary legal and cultural discourses. The book has two central aims. First, Hesford develops a material rhetorical methodology to analyze human rights-related case studies concerning children in vulnerable or violent contexts ranging from war and displacement to trafficking to disability to race, gender, and sexual identity. Second, she shows how the figure of the child-in-peril elides collective human rights struggles in favor of humanitarianism on behalf of select victims. In Hesford's words, the book "argues for the recognition of the limits of the humanitarian paradigm of human rights to address systemic violence and scale the magnitude of the risks that imperil the human rights, lives, and futures of children growing up in the midst of violent conflicts, racial dispossession, and environmental degradation, and in contexts governed by the rise of authoritarian regimes and leaders."<sup>xxv</sup>

Hesford grounds the methodological framework of *Violent Exceptions* in a set of key theoretical concepts: genealogy, material rhetoric, diffraction, and exceptionalism (specifically US claims to exceptionalism). Drawing on Michel Foucault's genealogical method, she situates normative human rights and the rhetorics that engage them in their historical contexts. Each case study begins with an overview of the circumstances from which it arose. That attention to context, including the context of the relevant human rights norms and of the example's social and cultural representations, undergirds her material rhetorical approach. While she makes a sustained argument against humanitarianism when it functions as a neoliberal substitute for collective human rights claims concerning structural and systemic violence, she also considers the multiple, contradictory ways a given text might circulate and be consumed by different local,

national, and transnational publics. Employing feminist physicist Karen Barad's concept of "diffractivity" to refer to those differences in meaning and significance, Hesford repeatedly asks how discourses are mobilized, by whom, within what contexts, and with what effects.

In probing these questions, Hesford aims to refigure the idea of agency. The problem of whether children may be direct human rights claimants or require some form of custodial representation rests at the heart of children's human rights. Hesford addresses this problem by redefining agency: instead of being tethered to the individual, agency is reconfigured "as emerging from material-discursive entanglements," which are, of course, linked to the same webs of relationality Butler describes in more abstract terms.<sup>xxvi</sup> In this way, Hesford defines an alternative to the liberal model of human rights as individual property guaranteed by the international order and conceptualizes agency wielded by the dispossessed, the vulnerable, and the precarious. She shifts to questions of how both human rights and humanitarianism arise in specific material and rhetorical spaces and attach (or fail to attach) to different kinds of subjects – and for different readers -- who themselves are constituted politically in those same spaces.

[Slide 9] In my current research, most roads lead to use of the U.S. Guantánamo Bay naval detention center as a prison for suspects in the Global War on Terror, and I've written previously about how thinking through vulnerability, precarity, and agency opens up Mohamedou Ould Slahi's extraordinary book, *Guantánamo Diary*, in important ways. Reading *Guantánamo Diary* – with its 2500 redactions and extensive footnotes -- not just as the story of a vulnerable and precarious subject who is the target of state violence but as a precarious text, I argue that it renders precarity and vulnerability material and legible in support of a rights claim addressed not to the state, but to Slahi's readers. Rather than foreclose meaning, the redactions work in concert with their surrounding text, the footnotes, and Slahi's textual *repairs*,<sup>xxvii</sup> as he

calls them, in the restored edition to engage readers in the dialogic process of meaning making in the book.

[Slide 10] In closing, then, I'll turn to one other Guantànamo example, this one drawn from poet Phil Metres' work, *Sand Opera*, a title that plays on the Standard Operating Procedures employed to regulate Guantànamo prison life. Guantánamo offers a compelling example of the nexus of sovereignty and governmentality, ones that put particular pressure on the cultural forms available to witness the violent effects of that nexus. I investigate this intersection through docupoetics—the incorporation of historical documentation into poetic content and form—and material vulnerability order to consider how cultural production engages the violence that administrative measures both dispense and mask in the service of aggrandizing state power. [Slide 11] Metres' poems engage directly with the 2003 and 2004 Standard Operating Procedure manuals for JTF-GTMO; his work formally and substantively exposes the administrative measures that codify the state's claim to the right to harm those held captive in the war on terror. Blending what he has termed documentary “language of evidence” with poetic “language of transcendence,” *Sand Opera* makes sensible the light and shadow of state violence and the subjects upon which it is visited. In doing so, it often displaces the lyric subject of both rights and harm, presenting instead an alternative poetics of witnessing atrocity. His work also returns the reader to the SOPs themselves. Conditioned by the poetic, the language of those documents turns from operationalizing the state's objectives to inviting an interrogation of them.

As the Camp Delta rules for detainees indicate, the SOPs provide their own self-legitimation by continually (re)producing the subject-objects of their surveillance and control. Because the captives are always already terrorists, humane treatment as defined in the SOPs is conceptualized and operationalized as a matter of “U.S. Personnel Standards of Conduct” (1.2)

as opposed to prisoners' human rights. This circular logic recognizes humane treatment as a reflection of the US military's ostensible civilizational superiority, and euphemized violence (scripted as defense, deterrence, disorientation, and "enhanced interrogation") as what the detainees-as-enemies inherently deserve.

[Slide 12] I'll touch briefly on the poems "Searching the Koran (Standard Operating Procedure)," "Handling the Koran (Standard Operating Procedure)," "Document Exploitation (Standard Operating Procedure)," and the menacingly titled "MUSLIM BURIAL (Standard Operating Procedure)." It's worth looking quickly at some of the relevant passages in the SOP that clearly identify the Koran as an object of suspicion, yet one that also demands the handler signal "respect and reverence." [Slide 13] In "Searching the Koran" and "Handling the Koran," fragments of those administrative procedures are rearranged, first, to present the Koran as a sacred and delicate text that binds guards, interrogators, and detainees together in unforeseen ways—as human beings with a spiritual capacity rather than as actors and targets; and, second, to underscore the contradiction between the respect accorded the Koran and the demonization of detainees based upon their religion as opposed to their actions. Whereas initially the instructions seem to call for behavior "in an upright manner" ("Searching the Koran"), the last two poems turn suspicious, threatening, and deadly. "Documents" are no longer to be handled with "reverence" ("Handling the Koran"), but to be exploited through methods that are redacted from the Wikileaks manual ("Document Exploitation"). The shift in tone between these poems is reflected in their forms as well. In the earlier two poems, fragments on the pages serve as a reminder of their origins while inviting readers to make new meanings in the white spaces. Rather than securitizing operations against those targeted because of their beliefs, handling and searching the Koran become open to spiritual and religious inquiries that bind people to one

another as well as to their faith, even as the language denotes the spectral presence of detainees' shackles.

“Document Exploitation” returns the reader forcefully to the contradictions and hypocrisies of the SOPs: the SOPs posit Islam and the detainees as ultimately unknowable, although both are always already confirmation of terrorist inclinations; and on the level of the redacted release of the procedures, the SOPs demand transparency of detainees' readings, writings, and behavior, while barring any public transparency of the agents' of the state's own methods. In this sequence of poems, the Koran itself thus changes from sacred to suspect object, a trajectory of violence that portends the “MUSLIM BURIAL” that follows. [Slide 14] The poem, following the logic of the SOP in order to expose it, and incorporating that logic in order to draw attention to the the poem's structure, adheres to traditional forms of respect for the dead. Here the mix of fonts and diagrammatic symbols encloses the clinical description of burial within ritual mourning, honor, and supplication, “O Allah, forgive this deceased.” The poem functions doubly to pay homage in culturally appropriate terms to those who died in detention and to illuminate the violent hypocrisy of the SOP's gesture of cultural respect. Although the ending of the poem reconstitutes the speaking subject, it does so through the language of a common prayer which cannot be bound by the confines of the prison, thereby pluralizing rather than individualizing the subjects (including readers) who might inhabit that voice. [Slide 15] Thus, the poem itself figures a relational response and responsibility toward the violence wrought by both sovereignty and governmentality against disposable others.

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- <sup>i</sup> S. Ortega and J.-M. Ganteau, “Introduction,” *Victimhood and Vulnerability in 21<sup>st</sup> Century Fiction* (Routledge 2017), 1
- <sup>ii</sup> S. Ortega and J.-M. Ganteau, .
- <sup>iii</sup> Ortega and Ganteau, 3, 7.
- <sup>iv</sup> *Ibid.*, 5.
- <sup>v</sup> *Ibid.*, 9.
- <sup>vi</sup> Ganteau 2015, qted in *Ibid.*, 10.
- <sup>vii</sup> J. Rancière, “Who is the Subject of the Rights of Man?” *The South Atlantic Quarterly* 103, no. ½ (Spring/Summer 2004), 302, 307.
- <sup>viii</sup> A. Grear, *Redirecting Human Rights: Facing the Challenge of Corporate Legal Humanity* (Palgrave Macmillan, 2010), 5.
- <sup>ix</sup> Grear, *Redirecting Human Rights*, 5.
- <sup>x</sup> *Ibid.*, 68.
- <sup>xi</sup> *Ibid.*, 140.
- <sup>xii</sup> For Morsink’s analyses, see his “World War Two and the Declaration,” *Human Rights Quarterly*, 13 (1993), pp. 357-405 as well as Morsink, *The Universal Declaration of Human Rights* (University of Pennsylvania Press, 1999).
- <sup>xiii</sup> *Ibid.*, 161.
- <sup>xiv</sup> *Ibid.*, 167.
- <sup>xv</sup> J. Slaughter, “However Incompletely Human,” *The Meanings of Rights: The Philosophy and Social Theory of Human Rights*, ed. by Costas Douzinas and Conor Gearty (Cambridge UP, 2014), 297.
- <sup>xvi</sup> R. Kapur, *Gender, Alterity and Human Rights: Freedom in a Fishbowl* (Edward Elger, 2018), 40.
- <sup>xvii</sup> J. Butler, “Rethinking Vulnerability and Resistance” in J. Butler, Z. Gambetti, and L. Sabsay (eds), *Vulnerability in Resistance* (Duke University Press, 2016), 21.
- <sup>xviii</sup> See A. Moore, *Vulnerability and Security in Human Rights Literature and Visual Culture* (Routledge, 2015), 18-20.
- <sup>xix</sup> For a helpful theorization of various dimensions of precarity, see I. Lorey, “Governmental Precarization,” trans. by A. Derieg, *Transversal: EIPCP Multilingual Webjournal* (January 2011), <http://eicpc.net/transversal/0811/lorey/en>. Lorey differentiates between precariousness (corporeal and social conditions of life), precarity (indexing social hierarchies), and governmental precarization (strategic endangerment of specific populations).
- <sup>xx</sup> Butler, “Rethinking Vulnerability and Resistance,” 19.



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<sup>xxi</sup> *Ibid.*, 25.

<sup>xxii</sup> *Ibid.*, 24.

<sup>xxiii</sup> Kapur, 46.

<sup>xxiv</sup> *Ibid.*, 26.

<sup>xxv</sup> WENDY S. HESFORD, *VIOLENT EXCEPTIONS: CHILDREN'S HUMAN RIGHTS AND HUMANITARIAN RHETORICS* 17 (2021).

<sup>xxvi</sup> *Id.* at 24, 25.

<sup>xxvii</sup> Slahi, "The End of the Story, and an Introduction to the New Edition," *Guantánamo Diary Restored Edition*, li.