Introduction:

According to the OED, ‘human rights’ are defined as ‘the set of entitlements held to belong to every person as a condition of being human’. The concept rose to prominence with The Declaration of the Rights of Men and of Citizens, by the National Assembly of France (1789) and Thomas Paine’s Rights of Man (1791). But to begin with, such ‘rights’ were certainly not seen as ‘universal’ and the question of who was entitled to hold them was intimately associated with the definition of the wider political constitution. As Mary Wollstonecraft pointed out in A Vindication of the Rights of Woman (1791), ““to see one half of the human race excluded by the other from all participation of government, was a political phænomenon that, according to abstract principles, it was impossible to explain”. If so, on what does our constitution rest? If the abstract rights of man will bear discussion and explanation, those of woman, by parity of reasoning, will not shrink from the same test’.

The definition of who is fully ‘human’ and entitled to bear ‘rights’ was thus problematic from the outset. The novel made crucial interventions in this debate, and the formal qualities of the genre are consequently seen to carry crucial ethico-political weight: novels, both Victorian and contemporary, are fascinated by questions such as ‘who can be allowed to tell their own story – who must be spoken for?’ The literary sphere can thus be seen as a space in which the idea of people as ‘self-representing’ is imagined and tested. As Joseph Slaughter has argued in his seminal study, Human Rights, Inc: The World Novel, Narrative Form, and International Law (2007),

The novel genre and liberal human rights discourse are more than coincidentally, or casually, interconnected … They are mutually enabling fictions: each projects an image of the human personality that ratifies the other’s idealistic visions of the proper relations between the individual and society and the normative career of free and full human personality development … Human rights law does indeed recognize an implicit freedom to plot a life story, and the species of person that the law describes is, in effect, homo narrans … (p. 4 and p. 40)

In this influential model, the Bildungsroman ‘normalizes the story of enfranchisement’ by making socially marginal figures representative (p. 157), and readers are educated in matters of ethics though feelings of sympathy and identification.

Charles Dickens’s masterpiece Great Expectations (1861) is a first-person account of a young man’s ‘rise’ from the socio-economic margins to gentility after the receipt of an unforeseen bequest. At least in part, then, Great Expectations performs a version of what Slaughter calls the ‘democratic social work of the Bildungsroman’: ‘as a human rights claim, [the Bildungsroman] is a narrative instrument for historically marginalized people to assert their right to be included in franchise of the public sphere and to participate in the deliberative systems that shape social normativity itself by setting the limits between the enfranchised and the disenfranchised’ (pp. 156-57). Pip – literate and eventually immersed in ‘the social norms of the bourgeois reading public’ – can be incorporated fully into the franchise of the human. Others are not so lucky. Buried deep at the heart of the novel lies the testimony of Magwitch, a convict transported to Australia, ‘carted here and carted there … as much as a silver tea-kettle’, whose subsequent acquisition of colonial wealth underpins Pip’s ascent: ‘I lived rough, that you should live smooth; I worked hard, that you should be above work’. Magwitch’s scapegoating in the novel is complicated by this assertion of economic interdependence which questions whether the apparent distinctions can in fact be maintained between the ‘convict’ and the law-abiding protagonist, the penal colony and the metropolis, guilt and innocence, constitutional order and martial violence.
In recent years, a number of contemporary novels have prised open these fissures buried deep within *Great Expectations* (and *Bleak House* (1852-53), another Dickensian masterpiece which depends for its affective power on a similar dynamic of incorporation). This course is designed to ask a number of questions about Dickens’s work and the novels which parody, or protest against, it. Why does Dickens offer the most compelling portrait of the metropolis of London which peopled the penal colonies of the New World? As Juliet John has argued, ‘[i]n the career and myth of Dickens, [Benedict Anderson’s] idea of “imagined community” goes global’ (*Dickens and Mass Culture*, pp. 6-7). One interest of this seminar, then, is the identification of the qualities inherent in Dickens’s fiction which permitted such transnational transplantation. But another strand, perhaps politically more intriguing, is the critique the contemporary novels offer of the Victorian concepts of sympathy and incorporation, and of the jurisprudential architecture of Empire itself. In her compelling account of nineteenth-century colonial violence (*Law and Colonial Cultures*, 2002), Laura Benton argues that a potentially more inclusive legal pluralism was displaced from colonial courtrooms precisely because the acknowledgement of the rights of ex-convicts was seen to require the expulsion of the Aboriginal ‘other’: this is another example of the process by which some could be ‘incorporated’ at the expense of others, with the ‘Magwitches’ of the colonies now seen as full participants in the public sphere and worthy bearers of some civic rights. Each of the novels that we look at in weeks 2-5 raises complex questions about what it means to be human, what it means to be recognised before the law, and why the Victorian model of ‘incorporation’ was both significant and yet ultimately limited. In the course of our discussions, students will learn about the contested and conflicted relationship between ethics and art, and they will also be encouraged to interrogate the role that art can play in the formation of public opinion and in social change over time.

**Course Structure:**

6 x 1.5 hr seminars running weeks 1-6 of Lent Term. Each week, discussion will open with either one or two student-led presentations.

**Preparation for Seminars:**

Students taking this course should read the texts listed under ‘Core Reading’. ‘Contextual Sources’ are Victorian and critical texts that particularly illuminate the ‘Core Reading’, whilst the list of ‘Further Secondary Reading’ offers guidance to students as they navigate their way through the extensive existing scholarship on the selected topics.

Students will also want to bear in mind that several of the novels listed under ‘Core Reading’ are very long (particularly *Great Expectations*, *Bleak House* and *The Street Sweeper*), and the most effective preparation for this course would be to read them well in advance of Lent Term.

All the Victorian and contemporary novels listed are available in a range of editions, and you are welcome to use whichever edition you are able to acquire.

**Essays:**

Any essays written for this course must bear a clear relation to its themes and historical scope. Students are encouraged to formulate their own questions in consultation with the course convenor.

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Seminar 1:

**Human Rights and the Novel (I): Great Expectations and the Cultural Work of Incorporation**

Article 1:
All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 6:
Everyone has the right to recognition everywhere as a person before the law.

Article 7:
All are equal before the law and are entitled without any discrimination to equal protection of the law. _Universal Declaration of Human Rights_ (adopted by the UN General Assembly, 10 December, 1948).

In our first session, we will discuss _Great Expectations_ and think about the burgeoning body of criticism that addresses the role played by narrative fiction in the formulation of a rights-based discourse. What does it mean to be recognised as a person before the law? What does it mean to imagine a more inclusive constitution? Are all equal characters equal in the eyes of the author, if not the judge in the courtroom? Often not – both forums are underpinned by comparable economies of sacrifice. What does Pip gain from his experiences, and why must Magwitch die at novel’s end? Is Dickensian value invested more significantly in the narrator who survives or the victim who is almost ‘ritually killed off’ that Pip might live free of the compromising taint of criminal culpability? Why have subsequent authors – particularly those from Australia and New Zealand – seen this as an ur-text for the reimagining of various ‘rights’ and freedoms?

**Core Reading:**
Charles Dickens, _Great Expectations_ (1861).

**Contextual Reading:**
Nathan Hensley, _Forms of Empire: The Poetics of Victorian Sovereignty_ (Oxford University Press, 2016).


**Further Secondary Reading:**


Thomas Paine, _The Rights of Man_ (1791) – numerous modern editions available.


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**Seminar 2:**

Peter Carey’s _Jack Maggs_ (1997): ‘The Empire Writes Back’
What might the ‘story’ of *Great Expectations* have looked like if Magwitch’s experiences had been placed centre-stage? Carey’s extraordinary novel reworks the relationships between the ‘Pip’ and ‘Magwitch’ figures (‘Henry Phipps’ and ‘Jack Maggs’ respectively), between the genres of criminal biography and the realist novel (positioned variously as *Great Expectations*, *Jack Maggs*, and *The Death of Maggs*), and between the heart of Empire and the colonial periphery more generally. In this seminar, we’ll discuss (amongst other things), questions of form, the work of parody, and the ethics of appropriation. Who owns a story, and what ‘rights’ to other people have to tell it for us? Is legal or political representation more effective (or more ethically suspect) than self-representation? Why is the testimony of eyewitnesses such a powerful component of modern historiography?

**Core Reading:**


**Contextual Reading:**


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**Seminar 3:**

**Lloyd Jones’s *Mr Pip* (2006): Sympathy, Identification, and Survival**

None of the contemporary novels we’re looking at on this course offer the reader much consolation, but this is one of the most distressing. Can a novel offer comfort in times of civil war? What does it mean to read, to identify with the characters of a text from the other side of the world, and then to perhaps die for that very act of identification? As the school-teacher Mr Watts explains early on, ‘Pip is an orphan. He is like an emigrant. He is in the process of migrating from one level of society to another’. In this way, Pip’s experiences are loosened from their Victorian context and positioned in such a way that they can speak to a wider community – and after the loss of the portable object of the novel itself, when the children of the community are compelled to try and retrieve the text from their memories alone, the transplantable ideas of ‘Pip’ and ‘Dickens’ enable them to think about the things which war cannot take away from them – their personal voices, their sense of their own singularity. But then tragedy strikes again, this time irrevocably. Pip has taught the children of the war-zone to ‘reimagine the world’ but there are losses that cannot be redeemed.

**Core Reading:**


**Contextual Reading:**

Seminar 4:


The female characters Dickens encourages us to admire are habitually self-effacing – Esthers rather than Estellas. Dickensian heroes are also dutiful, and self-sacrificing: when it is required of a man to lay down his life for his brother, Dickens wants us to believe that the Scriptural injunction will be followed – witness the extraordinary affective power of *A Tale of Two Cities* (1859). What happens when that myth of self-sacrifice arrives at the frontier of empire? Can a sentimental ethical education inspire moral behaviour in extreme circumstances where violence reigns and the rule of law has no effect? Dickens was greatly upset by the suggestion, in 1854, that John Franklin’s exploratory expedition to discover the North-West Passage in the Arctic had ended not only in death, but also in cannibalism, and in numerous articles for *Household Words* he attacks the integrity of the local Eskimo people on whose testimony the final accounts of the expedition depended. He went on to co-write, with Wilkie Collins, the melodrama *The Frozen Deep* (1857) which restores the idealised male European act of self-sacrifice to centre-stage. Flanagan’s deeply moving novel writes back to *The Frozen Deep*, examining John Franklin’s time as Governor of Van Diemen’s Land and his role in the genocide of the local Aboriginal people. How can ambition or desire be accommodated alongside the repression of self required by the rhetoric of self-sacrifice? Is such sacrifice ever wholly virtuous? This novel recognises the impulse many men feel towards the ‘good’ whilst at the same time exposing the lies on which Victorian ideas of ‘civilization’, Empire, and ‘duty’ depended.

If seminar attendees were keen, we could also watch a screening of the prize-winning Tasmanian film, *Manganinie*, a study of the Black Wars on the frontier in 1830, as an accompaniment to this week’s work.

Core Reading:


Contextual Reading:


Seminar 5:

Elliot Perlman’s *The Street Sweeper* (2011): *Bleak House* and the Forms of Ethical Argument

In this seminar, Dickens’s *Bleak House* (1852-53) serves as our point of departure for a discussion of Elliot Perlman’s recent novel *The Street Sweeper*, which chooses to engage with Dickensian aesthetics in formally inventive ways. Why do both novels move freely between first- and third-person forms of narration? What ethical implications does style carry in these works? What sorts of political work are performed most effectively by different ‘voices’? Why might a novel feel the need to circle around the same events, narrating them from various different perspectives? *Bleak House* and the *Street Sweeper* share another point of contact as well, and that is their close relationship to historical source material. In *Bleak House*, this is the many petitions to reform the Court of Chancery, published throughout the 1830s and 1840s, which Dickens digested after his own unhappy experiences as a litigant in Chancery in 1844. In *The Street Sweeper*, it is David Boder’s harrowing interviews of survivors of the Holocaust, recorded in the Stuttgart West Displaced Persons Camp in 1946, published as *I did not interview the dead*. Both novels are interested in the processes Boder calls ‘acculturation’ and ‘deculturation’ – the means by which people are stripped of their humanity to enable their easy dismissal/destruction by the state. Giorgio Agamben’s definition of ‘bare life’ and the distinctions he maps out between *zoe* and *bios* in *Homo Sacer* will be helpful in this discussion.

Core Reading:


Contextual Reading:


Further Secondary Reading:


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Seminar 6:
Human Rights and the Novel (II): On Literary Interventions in the Public Sphere, Now and Then

Is it wishful thinking to suggest that a novel might intervene in public argument, either in the Victorian period, or now? Is this idea in fact dangerous? In this final seminar, we will try and take an overview of the ways in which art might offer any kind of ethical instruction – a position more complicated now, perhaps, than in Dickens’s own time. In George Eliot’s always insightful analysis: I think aesthetic teaching is the highest of all teaching because it deals with life in its highest complexity. But if it ceases to be purely aesthetic – if it lapses anywhere from the picture to the diagram – it becomes the most offensive of all teaching. Avowed Utopias are not offensive, because they are understood to have a scientific and expository character: they do not pretend to work on the emotions, or couldn’t do it if they did pretend. (Letter, Eliot to Frederic Harrison, 15 August 1866)

Should ethical behaviour depend upon such ‘work upon our emotions’? The Victorian model – in which our sympathies are acted upon by what we read and we are thus moved to ameliorate the sufferings of our neighbours – has largely been superseded by the rhetoric of rights: as Paul Ricoeur observes, ‘the virtue of justice is based on a relation of distance from the other, just as originary as the relation of proximity to the other person offered through his face and voice. This relation to the other is, if I may so put it, immediately mediated by the institution’ (The Just, p. xiii). On this view, Dickens’s insistence that charity begins at home is only part of the equation.

I will pre-circulate copies of Eliot’s ‘Notes on Form in Art’ and some extracts from A. V. Dicey’s Lectures on the Relation between Law and Public Opinion in England during the Nineteenth Century (1905) to enable us to explore these difficult questions in a focussed manner.

Core Reading:
George Eliot, ‘Notes on Form in Art’, and ‘Felix Holt’s Address to the Working Men’ (1867).

Contextual Reading:


Christine Krueger, Reading for the Law: British Literary History and Gender Advocacy (Charlottesville: University of Virginia Press, 2010).


