

## Interview: Drucilla Cornell, Rutgers University

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*Drucilla Cornell is a Professor of Political Science, Women’s Studies, and Comparative Literature at Rutgers University. She has taught previously at the Benjamin N. Cardozo School of Law in New York City and the Rutgers School of Law in Newark. A major voice in the world of feminist legal and ethical theory, she is perhaps best known as one of the organizers of the conference on deconstruction and the law at Cardozo, resulting in the landmark collection Deconstruction and the Possibility of Justice (1992)<sup>1</sup>. As this interview indicates, her work has taken a new direction with her discovery of uBuntu, a system of relational ethics practiced in South Africa. I spoke with Dr. Cornell about uBuntu and other matters in May of 2013. Below is a transcript of that conversation.*

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**Coletti:** The question I would just start with – and you can go in any direction you want with this – is, Why South Africa?

**Cornell:** I think that’s a really good question. I’m not sure that I can answer it except by being rather personal. I went to South Africa in 2001. I had been getting invitations as an academic since the election of Nelson Mandela. People were interested in the Imaginary Domain, and how to think about gay and lesbian rights, and “multicultural rights,” to use a commonplace phrase. I was invited to give some named lectures at the University of Stellenbosch, and to give some lectures in the Western Cape of South Africa, and at the Witwatersrand University in Johannesburg.

It’s after 1989, the Berlin Wall has fallen, the mood which affects the academy in the United States – which continues – is post-revolutionary, post-Marxism, and I am neither a post-revolutionary nor a post-Marxist, because I don’t think there’s any way to be post-Marxist, or post-revolutionary. And why don’t I? Because I think that the devastation of the problems that the species is facing are primarily the result of living under a capitalist system. And that would go for all of what we call nature. That we are destroying the earth and have the capacity to do it is unquestionable. Nor am I someone who says, “Well, we’re just a bad parasite; let the earth correct itself and throw us off.” I think the death of billions of people and most of the animals with us would be not the solution to this problem. The end of capitalism, however, is, and we have to try to figure out how to end it.

So I went to South Africa at a time when Mandela was released from prison and stated he was still committed to socialism. And of course he moved way away from that position, and there are a number of wonderful books on this. For example by Patrick Bond, called *Elite Transition*,<sup>2</sup> and Sampie Terreblanche's *Inequality in South Africa*.<sup>3</sup> But there was something in South Africa, and it's still there, and that is revolutionary hope. People in South Africa have lived through one revolution and they are still alive. So the idea that we're post-revolutionary, the la-dee-dah, sophisticated cynicism of the United States – although you certainly have it, particularly among white academics – it is not, if you want to use the more Heidegger and philosophical concept, the “mood” [of South Africa]. And I was swept up, if you will, in being in a place where everybody talked about socialism: what it was, what it might mean, and we're going to need a second revolution. They were leading these incredible campaigns, like the treatment action campaign and the shack-dwellers' movements. So I decided that I wanted to come back, but differently, and at the time I was making this decision, the University of Stellenbosch set up the Stellenbosch Institute for Advanced Study, and they asked me if I wanted to be one of the founding fellows. I said, “Great, but I want to do something about South Africa.” And so I went up to Khayamandi to attend some high school classes, and decided I would do something on uBuntu.

You might look at a book by Jean Genet called *Prisoner of Love*.<sup>4</sup> He spent years of his life living in Palestine. It's the closest I can describe is to how I was completely drawn in to the struggle to try to think through what the substantive revolution in South Africa. It was not a conventional, procedural revolution. It was what's called a substantive revolution. That doesn't mean there wasn't an armed struggle; there was. It just means that, basically, the ruling party voted itself legally out of power; and, secondly, that at the time of the negotiations, the laws that were in existence were not wiped off the books. Everybody who was in the government wasn't fired, so it was a different form of transition. [South Africa is] probably the only country in the world that's had this kind of transition.

So in a certain way I think I felt drawn to do what I could for the South African revolution. That's the honest answer.

**Coletti:** Did you go with a particular research agenda or a set of interests for the work that you knew you wanted to do there? And did you end up following an expected path with that research or with that work, or did it end up morphing into something that took on its own life that surprised you when you look back?

**Cornell:** At the time I began the work I didn't know anything about uBuntu, except from what I learned from attending a high school class. It was very controversial; I knew that. And it was used all the time by the different political groups in South Africa, both on the right and on the left. I didn't speak Xhosa; later, I would spend years trying to learn it. So I just came up with a proposal, and Stellenbosch gave me a very small stipend for myself and my daughter. I decided that we would do research into the role of indigenous values, ideals, and rituals in the struggle

itself and for the transformation of the new dispensation, though I had none of the tools really to do any of that.

So I went to South Africa in the summer of 2003 and there frankly wasn't much interest, if any, in this project amongst the white academics who I approached. There was great cynicism. Now the project is very high profile and supported, so it's in a whole different world in 2013 than it was in 2003. But it was very controversial then. I was traveling with my daughter and a young black man who was my daughter's math tutor at the time – a family friend, basically. We went to the Mug and Bean, a coffee chain in South Africa; I was feeling pretty discouraged because I couldn't generate any interest. And these three young women who lived in Khayamandi, which is the township right outside of Stellenbosch, came up and said they know a lot about uBuntu. And they could set me up in Khayamandi to do interviews about uBuntu. So I went with it.

**Coletti:** Can you describe for people who might not be familiar with the term, What is uBuntu? Does it have a special meaning? Why did you pick it as the title of your project?

**Cornell:** uBuntu is hard to define. It's a relational ethic of obligation which begins at birth, through the ritual of the burial of the umbilical cord. So indigenous values and indigenous rituals are completely integrated. And why does it begin there? Because the burial of the umbilical cord is when you technically, ritually, begin your own process of individuation from the mother. So it's both a ceremony to celebrate the mother's labor and to recognize that you are now separated from her, in a different way than you were in her womb.

It's a worldview, almost. It's an ethical worldview which understands human beings to be completely connected to one another. And there are ethical obligations that we inherit at birth that are not what you would call reciprocal-to-rights obligations. These obligations go way beyond what we think of as the obligations in rights. So, for instance, if you wanted to give a legal example: in living customary law, there's a very hefty duty to rescue another person. In Anglo-American law, and Roman-Dutch law, there is no duty to rescue, unless it's an immediate family member. But to walk by somebody who's drowning and not save them would be to condemn yourself to complete marginalization in the community under uBuntu. So the idea of individualism is completely rejected by uBuntu, but not individuation. And individuation is always a relational project. There's no individual who becomes him or herself without community support, and the rituals are both a reminder of and a provision for a support system so that the people can make the transitions from one stage to another in their lives.

**Coletti:** This sounds very similar to care ethics, but the word that I feel might be keeping these two theories separate is the word "obligation."

**Cornell:** Care ethics is an Anglo-American concept. I think we need to be wary of making those kinds of comparisons because the parameters of Anglo-American political philosophy are care versus justice, with the other side of the care argument are people like John Rawls who supposedly defends justice over care. So your question is very much within a particular Anglo-

American context. Since uBuntu is all about justice, it's all about what justice demands, which is why uBuntu underwrites dignity for a lot of the people who appeal to it. So uBuntu should not be framed as care versus justice; instead, uBuntu is a way in which justice is conceived. What you owe to the community and what you are owed back is constantly thought through but it's not really captured by the care-justice debate. One thing I learned immediately in this work is, Don't translate into a very particularized debate because the terms may be so different. In fact, uBuntu ethics captures justice and care in a way that would be important for people in that debate because it might be a richer way to think about what they're trying to get at.

**Coletti:** That's why this sounds so interesting to me because it always frustrated me when I was in graduate school how in conversations about care ethics I felt that if I tried to put one foot in each camp, care and justice, I would immediately be shot down because, "Oh, you can't do that, this is an either-or discussion."

**Cornell:** I think the posing of either-ors in this way blocks thinking. I have spent my entire life avoiding either-ors. It's foundational for the way I think. So I also would have had one foot in both camps. To a certain extent, somebody like Seyla Benhabib tried to do that in a lot of her work about the particular and generalized other. But even there, it doesn't capture what uBuntu is about because it's not like there's a particular other that you owe something to. [In uBuntu,] you are obligated to every human being to rescue them, end of discussion. So in a certain sense, there are obligations based on something like the recognition of human being-ness that goes way beyond whether you're Zulu or you're Xhosa. So it's seen at the level of the human in a particular way. It's universalizable in a sense, but it's also very particular.

That's one thing that I've thing that I've always found frustrating in the U.S. academy: the debates are so narrow. It's among a hundred people who keep debating each other and attacking each other and changing their minds and saying, "He did this," or "he did that," and, as you said, how can you say, "It's either care or it's justice." Already that has to be a mistake.

**Coletti:** If you are in a professional academic setting, say, if you go to a conference and you have a conversation with other academics and you're talking about this ethical worldview – what, typically, when you're talking to people who aren't familiar with this, what is the reaction that they tend to give you? "Wait a minute, obligated to *every* human being? That's ridiculous! That's impossible!" Is that a reaction that you get very often, because when I talk about care ethics with other people, that's the reaction that I get from them. So I wonder if you face a similar problem.

**Cornell:** Well, yes and no, because I work a lot in South Africa. So certainly the project has undergone both research into and advocacy for respect for indigenous ideals and rituals. So in a sense the whole point of the project is to not just talk to academics, but also to talk to people who are in Parliament, or in the courts, and also talk to counter-hegemonic movements like the shack-dwellers. In the shack-dwellers movement, a concept of revolutionary uBuntu is used, which has

now spread through the whole umbrella organization of mass movements which they helped to form. When I talk to people in the shack-dwellers movement, they don't ask, "Well, what is this obligation?" since they're part of the struggle for the meaning and significance of indigenous ideas in a revolutionary context. In this way it's a contextualized universal.

There's a Xhosa word, and there's a similar word in Zulu, "serati," which means that people actually have an energy force between them. This is actually very accepted in neuroscience. I hate to use these machine words, but the brain is actually viewed like an electric factory: it's sending electronic impulses throughout your body all the time. Chinese acupuncture understood this 5,000 years ago, so it's nothing new. Those electric impulses that go through your spine basically are the commands that are constantly being given out, such as, "raise your hand." All the things we do are basically energy impulses. If that's the case – and Einstein said telepathy is clearly possible – you don't read somebody's mind; you're reading somebody but the mind is not something separate from the body or embodied in one individual. You're in a field with others and you are sensing that field. And African philosophy has understood that. We didn't need neuroscience to teach them that, but it's good for those who are looking at the science now.

Serati gets at that. It's about this idea that we're actually in a force field. So if you and I were sitting in a restaurant, and somebody hit somebody else in the back of the restaurant and everybody just sat there, the entire energy field that connects us would be affected. There was a murder right outside my apartment the other night and most people ran towards the victim which is a sign of understanding that at the level of what I'm calling the "electrical energy" that exists between people. And what's interesting is that now that's what neuroscience is coming to. Neuroscience isn't against agency; it doesn't say that the brain is the soul or the mind because of all of this electrical nerve processing that's going on constantly. So, for example, my daughter was buying a cookie around the block [during the murder] and she said, "Everything changed." And she didn't even know what had happened, because people are sending out electrical impulses, a panic, an "Oh my God, I have to do something," all that is being signaled before a word gets spoken. This means that when someone says, "So what is this obligation to every human being? You're not in physical contact with every human being!" they are not noticing their daily contact with all sorts of human beings, and that is the point, you have to *notice*. So if you walk by someone who is begging and you don't give money, and you don't say anything, then you have not noticed that there is another human being who is suffering and that this will affect every other relationship around you, not just the person who didn't get the money.

There's a wonderful book coming out in Fordham Press by a very good friend of mine, Carrol Clarkson, which describes this notion of Serati.<sup>5</sup> In South Africa, second by second you are asked to give money or buy this magazine called *The Big Issue*, and you're constantly bombarded with "Can you help? Can you help? Can you help? Can you help?" And every time you don't help, that's a decision that you've made but it's also part of what I'm calling this electrical field which is captured in African Xhosa philosophy with the word "serati."

**Coletti:** Listening to you talk about this, I'm reminded of the work of Dr. Jill Bolte Taylor. She wrote a book called *My Stroke of Insight*<sup>6</sup> and she describes in deep detail what it was like to go through a major, debilitating stroke. For many weeks, perhaps many months, the only functioning portion of her brain, I believe, was the right side of her brain because the left side of her brain had been severely traumatized. She found that as she recovered and could do more for herself, she had to inform people who were spending time around her that they were responsible for the energy they brought to her room. Because when people came and went – and I'm trying to think of a way to connect it very directly with what you were just offering me – that the energy that they came and went with, it would either replenish her or it would suck her dry. And she couldn't figure out a way to convey to people that this mattered and it was real.

**Cornell:** I would love to read this because that is very much to the point. What you do is always part of the environment you're in. I was just at an academic conference where somebody was speaking about how everything is hopeless and revolution is impossible, and you could just see the crowd sinking. Many just got up and left, and it wasn't just [because of] the words. See, that's the whole serati point. It's about the whole energy that's being put out into the world.

**Coletti:** This is fascinating to me and I've done a lot of reading – not with uBuntu ethics, but very much aligned with everything that you're discussing right now – and many times I've wanted to talk about this with people or just see what they think, and I just know based on certain professional experiences that I've had that I think I might get laughed out of a room if I try to show how philosophy is relevant to, for example, Jill Bolte Taylor's work. And thus I've been very quiet about it. I guess this is a question about courage. How do you just go out there and describe these things to people and not care if their reaction happens to be, "I don't know, I think that sounds ridiculous." What do you do?

**Cornell:** uBuntu is seen as completely ridiculous by white academics in South Africa. My uBuntu Project was laughed out of the room both in the United States and in South Africa. What you do is persist. If you think that you are on to something that is important, you persist and you re-educate yourself. I have an example of a famous academic in the United States saying to a constitutional judge in South Africa, "Well, I really admire the work of the uBuntu Project, but uBuntu can never be a constitutional principle." And the judge said, "The project already won its battle. uBuntu has been re-constitutionalized. It's now used constantly." So the question of whether or not uBuntu can be a constitutional principle is moot, obviously, because it *has* become one. And most of the justices on the constitutional court have taken it as such. I think one organization you should look into is the Caribbean Philosophical Association. Jane Gordon is now the president, and there is a woman as the vice-president as well. And these ideas can actually be discussed there.

**Coletti:** Yes, that's been my experience, too.

**Cornell:** I am hoping that we will build a truly comparative perspective that doesn't just begin with the European canon and then move to include others.

**Coletti:** Thinking of this discussion we've been having about how you very deeply perceive how people can change, for better or worse, the connection, the energy that exists between people... Do you enjoy teaching, when you do teach, and if so, why?

**Cornell:** Yes, I enjoy teaching because I think mentoring young people reflects our obligations to pass on the mantle of critical theory.

**Coletti:** How does this impact how you choose to lead a classroom?

**Cornell:** I'm sure my idea of mentoring has a huge impact on it, as does my commitment to alternative, democratic, pedagogical ways of approaching students in the classroom. The uBuntu project is a research project, but it is not only that, at least in a conventional sense. I've organized something called the uBuntu Township Project. It took up where we did interviews in the townships. The people from the project who lived in the township took responsibility for all the interviews. If you view things this way, from the perspective of serati, then the most important thing you can do in a classroom is create a positive energy, if you want to put it [that way], and a support system that allows people to do their best work, which goes exactly against the cynical idea that the way people learn to work in this world is they have to get the shit kicked out of them.

**Coletti:** Yes, I've never understood that either. I think it's so disturbing, to some extent.

**Cornell:** I think it's very disturbing, too. It was very present at the time when I was a law professor. I just ignored it. I ignored it and I got a lot of shit for it! So when I tell you to just ignore things, I'm not doing it lightly, because you're going to take a lot of knocks because we're supposed to do things a certain way and march to a certain drum. Being an academic is a very confining lifestyle unless you find homes like the Caribbean Philosophical Association which allow you to be much, much more daring than in other arenas of academic life.

**Coletti:** Do you find that you very often feel yourself gravitating toward that home on some days? I like how you used the word "home." That idea of – you're out there, you're getting your work done, you're encountering people who are open to your ideas, people who are not open to your ideas – how often do you find yourself thinking, "I have to gravitate towards my academic home, so to speak, for an escape"?

**Cornell:** Not very often.

**Coletti:** Well, that's good.

**Cornell:** I have lived a very independent life. Now, I've also taken a lot of knocks for it. On the other hand, I'm the most senior woman professor in my department, and I'm the highest paid

woman in my department by far, so I've taken a lot of knocks but I've gotten up again. I think the biggest price that I've probably paid, to be honest, is that I do feel isolated a lot of the time. But over the years I have developed some former students, and have met some mentors, people like John and Jean Comaroff, so I have developed a kind of academic community that I rely on very much to guide me when I do something like move to South Africa and start doing something completely new. Because I know that I need that community to stay grounded. The other thing is that I've also had a life as a playwright. I was a law professor so I could work as a lawyer. I've never been a hundred percent in the academy at any time in my life. In the uBuntu project I've produced a documentary film and I'm now working on a fiction film project. So the other way I've kept everything going is I've kind of kept a lot of different projects going at once, and I found that necessary for me.

**Coletti:** Can you tell me a little bit about your plays? How did you become interested in writing plays? If someone charged me with that task, I can't imagine accomplishing it let alone doing it in a way that I'd be pleased with. How did you come to have this interest? Does it cross over with your academic work or do you use it as an escape to take a break from your academic work?

**Cornell:** I think it's kind of the reverse. I never intended to be an academic. I intended to be a playwright or a poet, which is what I first published in. And perhaps after that, if I needed a day job and I went to law school, I would do labor law or something like that. I was a union organizer. I was a hardcore activist in my teens and twenties. I joined Marxist-Leninist groups and I thought that my life was going to be a life as a Communist, which is a different life than the life of an academic. Even if there wasn't going to be a revolution in my lifetime, I would find a way to live a kind of revolutionary life by being in some kind of organization and continuing to work in factories and be a union organizer.

I lost a huge battle with the Teamsters Union. I was organizing for United Electrical Workers. When I lost that battle I had to do a re-evaluation of where I was in a lot of aspects of my life. So I took some classes in advanced math and almost pursued a Ph.D. in mathematics. I've always had this interest in math and science. I got into a great program – this was in 1977 – and I just chickened out. And then I went to law school but I didn't intend to be an academic. I intended to be some kind of left-wing playwright and I was dreaming dreams of Bertolt Brecht and I continue to see my work as, mainly, that of transforming the world. So then I went to law school at a time when critical legal studies was really happening and I ended up getting a job as a professor. It was kind of happenstance if you want to put it that way.

**Coletti:** Did you like it?

**Cornell:** I'm asked that question a lot by younger people. "Like" is, maybe, too strong a word. I love teaching and I love reading and I love ideas, let's put it that way. It has been an incredible day job. I'm a single mother; I have a daughter. I don't think I could have raised her on my own



with my initial idea of being a part-time labor lawyer and a poet or a playwright, because, though I've had a number of produced plays, I certainly never made any money off them. So it has provided me with a very decent day job. Are there things I don't like about it? Yes. I don't like the way things seem to turn in on each other constantly, in a way that I find very unproductive.

**Coletti:** What do you mean by "turning in"?

**Cornell:** The way that debates get defined. Like, you gave the example of the care-justice debate. So it's turning in on itself, without really questioning, "Why are we using these terms, exactly? What do these terms tell us? How do they help us? Are there ways that they don't help us? Do we need to think in different terms?"

**Coletti:** This is a very selfish question but I'm going to ask it anyway. My sister just graduated from law school last Friday. What advice – if you could give advice to anybody graduating from law school in 2013 – what would you hope that they would listen to if you gave them one message?

**Cornell:** My god-daughter just graduated from law school.

**Coletti:** Congratulations!

**Cornell:** So I've been obsessing on this question. She wants to do work with refugees. Very important, very far-reaching work, and it's very difficult to get a job, and she'll always be very poorly paid. In my time, when I graduated from law school, we had all these Ford Foundation public interest law firms which paid fairly well and there's still one or two left, but very few left, so it's very, very, very competitive to get in a public interest job. Not impossible. I really want my god-daughter to land on her feet and get a good job. The other problem, of course, as you know, is the problem with loans. And people come out of law school heavily indebted. There's still loan forgiveness for people who go into a certain kind of work, and that's all for the good. If you're a political activist and you've graduated from law school, it's going to be difficult but don't give up on the idea that there's something that can be done, for you to get a job that furthers the politics that you want to practice.

**Coletti:** I can't even imagine the road that all of these graduates have ahead of them. Well, I guess in other fields it's just as challenging, too. I know you have a special affinity for the law since you also have a J.D.

**Cornell:** Yeah, absolutely. And there were more opportunities when I got out of law school. Like I said, I kind of fell into being a law professor because critical legal studies had opened up a space to do critical theory. I'm not sure I would ever be hired as a law professor now. Academic politics shift and change; there's more space sometimes and less space other times.

**Coletti:** We can wrap up with this. One of the other things I'm wondering is: Where do you hope to go next? You described your current research and what you're working on. Is there a certain trajectory or a certain direction you want to move in with your current research?

**Cornell:** I'm wrapping up my work in South Africa with a number of books: *The Dignity Jurisprudence of the Constitutional Court of South Africa*, which is appearing in two volumes; my own book, *Law and Revolution: uBuntu Dignity and Constitutional Transformation*; and, a third book entitled *Albie Sachs and the Transformation of South Africa: from Revolutionary Activist to Constitutional Justice* which is coming out from myself, Albie Sachs, and Karin Van-Marle. So now I'm going to undertake a very big book on law – understood in a very broad way – and revolution. Ideas of law and revolution got de-coupled under notions of the dictatorship of the proletariat; I am interested in what this de-coupling meant for Islamic revolutionary thought, for example. I taught a class on Islam in Africa and spent the last ten months trying to educate myself about Islam in the 20<sup>th</sup> century. I am teaching some of that work at Birkbeck for the Critical Theory Summer School. So that's my next big project. I'm also probably going to write a review of Lee Smolin's book on *Time Reborn*, which is a book about physics and time, and some of this work I've been doing on reading neuroscience to challenge, again, some of the negative, quote-unquote, thinking that comes out of some of that work. Because it's not coming out of neuroscience; it's coming out of other places. I'm actually going to write something I've been working for a couple of years on challenging Alain Badiou's math in set theory and I want to take that up now through some of Lee's work in physics to talk about the physical universe. If anything, my work takes us away from some of the kinds of pessimism that dominate certain members in the U.S. academy. My work is consistently about revolution and transformation.

**Coletti:** You're saying all this to a girl who cried her way through calculus and physics many years ago, so all of this is very impressive to me because I can't imagine revisiting those topics after my personal track record with them.

**Cornell:** This is probably a kind of important return for me personally because I was in a group on philosophy and science and I absolutely love math, and I felt that there was something really the matter with Badiou's whole notion in *Being and Event*, his mathematicized Platonic notion of the multiplicity of being. So I went back and really sat down again with Cantor, and then worked with some great mathematicians and physicists like Lee. Again, having intellectual comrades I trust is how I've avoided isolation. I have great comrades and friends in the academy, in many different fields, who don't ask the easy questions and go against hegemonic trends.

**Coletti:** Very helpful alliances and friendships.

**Cornell:** Yes, it keeps my energy up.

**Coletti:** I think it's so interesting how you described how you have your hands in several things at once. For someone like me it's fascinating and amazing to see how you tie them all together in

a way that is not just relevant for you personally but because of the connection you draw between these various projects. It can speak to more people on a more influential level.

**Cornell:** It's very interesting. In 1995 when I wrote *The Imaginary Domain*,<sup>7</sup> I began this practice of reading everything I wrote out loud. I had a great editor named Maureen MacGrogan who always did that with me and she's certainly part of my intellectual community. I tried as hard as I could to get away from jargon or this internal language that is being generated by a narrow academic debate. Not easy to do, by the way.

**Coletti:** I would think so. I'm so glad to hear you say that, that you insist on reading your own work out loud, because I am constantly telling my students to do that and I don't think that many of them do, despite my insistence. But it makes such a difference in how you end up putting your words on the page. Many people don't believe me when I tell them that.

**Cornell:** It does, it makes a huge difference. It's very, very important.

**Coletti:** I can't thank you enough for talking with me today.

**Cornell:** It's great to talk to you, too. And I also go to the CPA and I really think organizations like that are so important to keeping your spirits up and your mind open.

## Notes

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