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Caryl Phillips: Writing and the Question of Rights

Stephen Clingman

There is a sense in which Caryl Phillips's life was founded on migration. At the age of three months his parents emigrated with him from St Kitts to Britain, where they settled in the white working class environs of Leeds, far from other West Indian migrants who gravitated to London or Birmingham.[1] There Phillips experienced the casual and not so casual racism of his surroundings—a teacher reflecting on the surnames of his pupils and remarking to the hilarity of all that with a name like Phillips he must come from Wales.[2] It was a life of everyday slights and confrontations, often blunt, and sustained well into his adulthood. Everything conspired to make him feel he did not belong. Phillips fought against the expectations of a system designed to confine him, succeeding in gaining admission to Oxford University, but even there feelings of unsettlement remained. He could find a home neither in the ethereal abstractions of college life nor in the West Indian communities of London's Notting Hill, where he would go in search of belonging. It was an African American friend who persuaded him to head to the United States for some relief, and there he discovered the writing of Richard Wright and Ralph Ellison and the realization that he too wanted to be a writer. The problems he faced of marginalization and unsettlement would become his topic: it was through writing that he could explore what he called "the conundrum of my own existence."[3]

This was the context for a journey of exploration Phillips undertook in 1984, when he was twenty-six, traveling through Europe from its nearest neighbor Morocco to Moscow. He was investigating as a kind of participant observer a world that both contained and excluded him, and the book he

[1] For a foundational overview of Caryl Phillips's biography, career, and range, see Bénédicte Ledent, *Caryl Phillips* (Manchester and New York: Manchester University Press, 2002), pp. 1-16, or the accounts he has given in interviews, a good number of which were collected in Renée T. Schatteman (ed.), *Conversations with Caryl Phillips* (Jackson: University Press of Mississippi, 2009).
[2] Caryl Phillips, *The European Tribe* (New York: Farrar, Straus, Giroux, 1987), p. 2.
[3] Phillips, *European Tribe*, p. 8.

subsequently published, *The European Tribe*, recorded his sense of the historical labyrinth he inhabited. This was a Europe, Phillips wrote in a phrase that became a sustained motif for him, "that I feel both of and not of."[4] He visited the Anne Frank house in Amsterdam; he spent time with James Baldwin in France; in Venice he reflected on the mirrored histories of blacks and Jews in Europe, something that came to shape notable aspects of his fiction. At school he had always been compelled by the figure of Othello; now in Venice, he remarked wryly, he saw only one other black man who "looked nothing like Othello."[5] His understanding, however, was clear. Regarding Othello's particular crisis, he insisted on an obvious point, that "Othello was a black man" in the strange position of being both both a privileged and ostracized servant of empire. In many ways these thoughts and recognitions prefigured a topical landscape that had already opened for Phillips with plays he had begun to write and the publication of his first novel, *The Final Passage* (1985).[6] What is clear is that over the years in his writing Phillips has gone well beyond the perplexities of his own life, though his own experience has sensitized him profoundly to the predicaments of many others marginalized in the world.

When it comes to questions of law and rights, here is one way of expressing the enigma both he and others have faced. In England, when Phillips felt himself excluded by the world that included him, he was of course a citizen. In that regard, he had all the rights that citizens deserve. But in ways that go beyond the pure factuality of citizenship, what in fact were his "rights," and the rights of those like him? Unless we want to dwell in purely legalistic terms on such a question, it seems there must be other issues to consider. Among these are questions of belonging, dwelling, recognition, hospitality—in essence, how people are made to feel "at home" in their world. Beyond this, there is the further question that Phillips's work itself invites: whether writing such as his can introduce other dimensions of

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[4] Phillips, *European Tribe*, p. xi. For the repeated refrain that "I am of, and not not of, this place," see Caryl Phillips, "Introduction: A New World Order," in *A New World Order: Selected Essays* (London: Secker & Warburg, 2001), pp. 1-4.

[5] This and the following quotation, Phillips, *European Tribe*, pp. 45, 46.

[6] Caryl Phillips, *The Final Passage* (London: Faber and Faber, 1985).

rights not included in mere facts of citizenship. Phillips's work deals with migrants, refugees and others who emerge from devastated histories, but it also deals with citizens who for one reason or another do not belong. In mirrored but asymmetrical forms the lives of his characters intersect, overlap, cross space and time towards and past one another. All are in some sense struggling for placement, fulfilment, dignity, compassion. Many of them have stories that in the normally legible world—legible in the sense both of intelligible and recognized by laws—remain utterly unseen and unheard. It is these stories and the very fact of their invisibility that Phillips's work both addresses and some ways restores, allowing them a fugitive presence in the world from which they have been exiled. It may be in this way that beyond purely legal and jurisdictional foundations, writing invokes alternative forms of "rights." These are forms to which we must pay attention.

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The classic definition of rights as based on citizenship was given by Hannah Arendt in the aftermath of the Second World War. Arendt herself had been a refugee, a Jewish citizen of Germany stripped of that citizenship before going into exile in France, where in 1940 she was interned as a German national—a fact that captured for her as for many others the abject irony and vulnerability of being stateless.[7] In her subsequent analysis in *The Origins of Totalitarianism*, the key move she noted in such matters was the denationalization of targeted populations, the stripping of citizenship which in effect meant the loss of rights. The calamity of the rightless, she pointed out, was not that they were deprived of specific rights but that they had fallen out of any community that granted them. In her evocative phrase, they had lost

[7] For some of the ironies, see Hannah Arendt, "We Refugees" in Jerome Kohn and Ron H. Feldman (eds.), *The Jewish Writings* (New York: Schocken, 2007), p. 270.

"the right to have rights," something that became visible "only when millions of people emerged who had lost and could not regain these rights."[8] To this extent, they had been expelled from humanity altogether, which made a mockery of the phrase "inalienable human rights." As Arendt put it in particularly telling words, "It seems that a man who is nothing but a man has lost the very qualities which make it possible for others to treat him as a fellow human."[9] This is her classic formulation, and it seems incontestable in juridical terms. At such a point, the refugee approaches the condition of what Giorgio Agamben terms "bare life"—something we might see as the preface in the German context of the 1930s to the mass exterminations that followed.[10] In such a condition there are simply no rights at all.

In his book *Homo Sacer*, Agamben takes Arendt's observations on the negation of rights to their ultimate extreme. This is where he proposes the idea of what he terms "the camp" as "the *nomos* of the planet"—its universalized and governing principle enclosing everyone. The terminology is not accidental: the "camp" is drawn from the concentration camps of the Nazis. No escape here, and it would seem that both citizens and refugees alike face their nemesis in this reality. Under a permanent state of exception rights such as they exist at all are subject to sovereign power and there seems to be no exit. It is intriguing then that in a paradoxical move, Agamben also sees a redemptive potential in the figure of the refugee. Appealing for a model that goes "beyond human rights," he remarks of refugees that they disrupt the standard triad of state-nation-territory, which are in effect mutually defined. In this way, the refugee proposes a typology engendering both deterritorialization and reterritorialization, insofar as such a figure is both inside and outside the nation. What is new in our time, he remarks, is that growing

[8] Hannah Arendt, *The Origins of Totalitarianism*, new edition with added Prefaces (New York: Harcourt, 1973), pp. 296-7.
[9] Arendt, *Origins,* p. 300.
[10] For "bare life," Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life* (Stanford University Press, 1998).

sections of humankind are "no longer representable inside the nation-state."[11] The refugee then represents a new possibility for both the individual citizen and the nation-state, a condition of "exodus." This term too is surely not accidental: with an implicit allusion to the Biblical exodus from Egypt, it suggests a departure from empire. Hence the redemptive aspect. Only in a world in which the topology of national spaces has been deformed, suggests Agamben, can the citizen "recognize the refugee that he or she is."[12] In a similar vein, Etienne Balibar has proposed a concept of "nomadic citizenship," what he terms the "*civis vagus*, the citizen of the roads."[13] Such a model would make citizenship partially independent of territory and offer not so much a notion of citizenship of the world but citizenship *in* the world in all its complexity.[14] A conception of this kind would presumably rest on different versions of identification, even for those who stay in place, rather than solid and fixed borders and boundaries, whether of self or state.

How then to adjudicate these different models in either their abject or redemptive formulations? What may be evacuated by all of them are notions of time, process, history. So, against both Arendt's definition of rights and Agamben's notion of the "camp," Jacques Rancière notes what we may term an essential geometry in their conceptions, closed spheres in which rights are either tautological (those who have rights have rights) or void (no one truly has rights).[15] Truly voided in such formulations, according to Rancière, is a concept of the political which is based not on geometry but on process—the expansion and argumentation regarding spheres of human rights, so that those who are excluded can begin to gain them. This develops through what he calls "dissensus"—putting two worlds at odds in the

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[11] Giorgio Agamben, "Beyond Human Rights" in *Means without End: Notes on Politics* (Minneapolis: University of Minnesota Press, 2000), p. 21.
[12] Agamben, "Beyond Human Rights," p. 26.
[13] Etienne Balibar, "Toward a Diasporic Citizen? From Internationalism to Cosmopolitics" in Francoise Lionnet and Shu-mei Shi (eds.), *The Creolization of Theory* (Durham, NC and London: Duke University Press), p. 221.
[14] Balibar, "Toward a Diasporic Citizen?", p. 226.
[15] Jacques Rancière, "Who is the Subject of the Rights of Man?", *The South Atlantic Quarterly* 103 (2), 302.

same world.[16] So, women could begin to campaign for their rights based on the principles enjoined in existing notions of rights, for instance in the Declaration of the Rights of Man and of the Citizen (1789). By the same token, we might say that Agamben's proposition of the redemptive refugee as the one who simply through her status *as* refugee deterritorializes the topology of the nation similarly rests on geometry—a matter of structural position vis à vis the state. What it does not rest on would be the history, politics or struggles of actual refugees—or citizens. No doubt there would be a similar critique of Balibar's notion of "nomadic citizenship," though to be fair, Balibar has not surrendered notions of complexity. It is quite likely that there is not much redemption to be had for many who find themselves on the roads of the world, whether as citizens or stateless. But there are very real struggles.

In all this, it may be clear that, as Lida Maxwell puts it, rights are not a property but a project.[17] This is a project she sees in political terms, but it also seems rich territory for literature, and indeed debate over the nature of rights has continued into discussions of the literary. So, for instance, Lynn Hunt, in her book *Inventing Human Rights*, sees literature as the cultural precursor to notions of human rights, insofar as literature proposed in its workings the notion of separate, autonomous individuals—the prerequisite for individual rights. So too, it was literature that historically invoked "imagined empathy"—the capacity to conceive that someone else is "like you."[18] When it comes to human rights, however, one might suppose that a key test is how we behave towards someone *unlike* us; it also seems unlikely that empathy as a generalized moral source had to wait for literature to be invented. As for separability and autonomy, the success of a character such as Robinson Crusoe, which Hunt cites as foundational in our conceptions of the individual, is surely dependent on Friday's servitude—an ironic underestimation of what autonomy can, and often has, meant historically. At best, such an account of

[16] Rancière, "Who is the Subject?", 304.
[17] Lida Maxwell, "…to Have…," in Stephanie DeGooyer et al, *The Right to Have Rights* (London: Verso, 2019), p. 49. Compare Jacques Rancière on how rights expand through dissensus to those who have no part: "This is politics, which is not a sphere but a process" ("Who is the Subject?", [305]).
[18] Lynn Hunt, *Inventing Human Rights: A History* (New York: Norton, 2007), p. 32.

human rights would appear to be consolatory, allowing us to admit others into "our" community without questioning too much what "our community" is. It may in fact depend on a notion of the human which is, in a sense, pre-defined as a set of qualities and categories. What a framework such as Hunt's also excludes is a notion such as the African principle of *ubuntu* (evoked in the saying, "a person is a person because of other people"), where reciprocity is defined communally rather than through separability and autonomy.

In a more sophisticated and rightly acclaimed book, *Human Rights, Inc*, Joseph Slaughter takes a formal approach to such matters, seeing human rights discourse and the *Bildungsroman*—the novel of formation or education—as mirror forms of one another in that each of them figures the incorporation into society of previously marginalized figures.[19] Always, according to Slaughter, these mirror forms reconcile the gap between natural law (what one is by nature) and positive law (what one is through the laws of society). So too they reconcile the gap between the "human being," in whatever way one construes this, and the "person"—the rights-bearing individual recognized and constituted by the law. Yet here too there may be issues. A novel such as *Jane Eyre*—a female version of the *Bildungsroman*—shows us that Jane's "incorporation" takes place only through the literal evisceration of the novel's other major female character, Bertha, the West Indian "madwoman in the attic": white female subjectivity at the expense of the creole, a form of uncanny incorporation to be sure.[20] Beyond that, do all *bildungsromane* involve incorporation? Are there no other literary forms that invoke human rights? Slaughter, following Rancière, does make room for dissensus in the postcolonial bildungsroman,[21] but in the light of questions such as these, it may make sense to draw our theory regarding human rights as much from the literature as the reverse.

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[19] Joseph Slaughter, *Human Rights, Inc.* (New York: Fordham University Press, 2007).
[20] For more in-depth discussion on these matters, see Stephen Clingman, "Rights, Routes, and Refugees: The Fiction of Caryl Phillips," *Law & Literature*, 27, 3 (Fall 2015), 366-69, DOI: 10.1080/1535685X.2015.1099220.
[21] Slaughter, *Human Rights*, p. 181.

Yet how are we to do so, and what should our guidelines be? If we are exploring the literary in relation to rights, it may appear that the question of narration is key—perhaps the right to tell one's story or to have it told. But that question may not be straightforward. As Joseph Slaughter has reminded us in other of his work, "there is no explicit right anywhere to narrative, or a right to narrate as such."[22] Beyond that, it is also clear that there is no simple equation between narration per se and the structures of fiction: narration can be constructed in many different ways, and not always to support human rights. The question is even more intricate in relation to complex writing such as Caryl Phillips's. If we are thinking of his work then, this will take some exploration. Where might his writing stand in relation to theories of rights and the link between literature and rights? Where might it extend beyond purely legal questions?

At this stage we can enumerate some propositions. First of all, there is the Arendtian observation that when the human being is evacuated from the realm of rights, he or she is also profoundly evacuated from the realm of the human; such an individual has "lost the very qualities which make it possible for others to treat him as a fellow human." This paradoxical formula, so powerful in itself, must nonetheless mean that there is some residue that falls outside the law, some recognition of what in other respects has become invisible. The human being remains, even as a provocation, even if his, her or their recognition under the law does not. In this light the question of rights is profoundly relational: the right to have rights only exists in the context of, and because of, asymmetries and inequalities in that very sphere. This would apply to citizens in many contexts as well as to the stateless. As Emmanuel Levinas has suggested, even the worst torturer attests to the thing he destroys;[23] so too, the suppression of rights must prompt some contemplation of their absence—and their need. But crucially what is

[22] Joseph Slaughter, "Life, Story, Violence: What Narrative Doesn't Say," *Humanity* 8, 3 (Winter 2017), 469, DOI: https://dx.doi.org/10.1353/hum.2017.0028.
[23] Recalled by Jacques Derrida, *Adieu to Emmanuel Levina*s, trans. Pascale-Anne Brault and Michael Naas (Stanford University Press, 1999), p. 50.

invoked is *space* for their contemplation, and this is where writing such as Caryl Phillips's—to the extent we can read it for questions of rights—is located. Whether his characters are citizens, migrants or refugees, they are invariably marginalized, but this does not mean that they proceed towards incorporation at the center. Rather, in fact, the reverse: if anything they remain invisible in the public domain, or in one way or another disappear completely. But this in turn does not mean that they are removed from the realm of the human; again, rather the reverse. Their humanity is invoked by the public invisibility of their stories, and what is certainly invoked in Phillips's work is compassion—a presiding compassion for their predicaments and their humanity. As for the question of visibility, this is a complex matter in his work. The invisibility of his characters becomes visible, but Phillips also allows his characters private dimensions of interiority into which he will not intrude. This too is a mark of the dignity they deserve—a "right" within fiction as in life.[24] We all deserve a certain degree of invisibility; assuming to know the full story of anyone's life would be a form of violation. Moreover, this practice of narrative restraint militates against the misrecognitions always possible in forms of "recognition."[25]

With regard to Arendt/Agamben/Balibar, there are further points of significance. It is unlikely that any of Phillips's characters would be seen in a redemptive light. There is no formulaic or geometric undoing of the state-nation-triad here, but nor are his characters simply denizens of some all-encompassing "camp." Similarly, there is no romanticization of what it means to be a "citizen of the roads," as much as his characters are located, as per Balibar, "in the world" if not "of the world" (remember Phillips's own formulation, that he felt both "of and not of" the European world which he inhabited). Whether as citizens or otherwise, the idea of being "in exodus" is suggestive for the

[24] For a significant account of the ethics of Phillips's practice among and across his various characters and settings, with implications for both writer and reader, see Stef Craps, "Linking Legacies of Loss: Traumatic Histories and Cross-Cultural Empathy in Caryl Phillips's *Higher Ground* and *The Nature of Blood*" in Bénédicte Ledent and Daria Tunca (eds.), *Caryl Phillips: Writing in the Key of Life* (Rodopi: Amsterdam, 2012), pp. 155-73.

[25] Patchen Markell indicates how the desire for recognition can "sustain some of the forms of injustice that many proponents of recognition rightly aim to overcome": *Bound by Recognition* (Princeton University Press, 2003), p. 5. I am grateful to Nefeli Forni Zervoudaki for pointing me to Markell's book.

inhabitants of Phillips's work, so long as we focus on the *in* rather than some achieved or even envisioned destination. The history of empire and its aftermath is the point of departure for Phillips's preoccupations, and for many of his characters that history generates actual departure, sometimes chosen, often forced. They experience various forms of alienation, becoming alien. But if in that respect there is exodus, there is no promised land on the horizon either within the state or outside it. Instead, what Phillips's writing explores is the *route*—the routes taken by his characters, whether citizens, refugees, or those in-between. But we have to understand too what the "route" means. In this regard, as I have suggested elsewhere, etymology provides illumination. The term "route" comes from the Latin, *via rupta*—the broken road.[26] All of Phillips's characters are in transit along the broken road, broken in relation to the past, the present and the future and across the spaces they inhabit. This does not mean they have no rights; what it means is that their rights are profoundly broken as well. Something needs to be recovered or at least pointed to; this is what writing can do. Incorporating but also going beyond rights there must be other forms of recognition.

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What then does it mean to belong in the world? What does it mean not only to have a home but to be and feel at home, to dwell with some sense of assurance? What do we owe one another, whether as citizens or not? Such questions, as I have suggested, are both the explicit and implicit contemplations provoked by Phillips's work, supplemental to purely legal definitions of rights.

Such questions have also been the domain of philosophical and theoretical enquiry, sometimes with direct reference to the literary but always with implications for it. Writing in the midst of the First

[26] Stephen Clingman, *The Grammar of Identity: Transnational Fiction and the Nature of the Boundary* (Oxford University Press, 2009), p. 25; "route (n.1), Etymology," *Oxford English Dictionary*, March 2026, https://doi.org/10.1093/OED/2997777069. Also Clingman, "Rights, Routes," 370-71.

World War, the Hungarian critic Georg Lukács wrote that "the novel form is, like no other, an expression of…transcendental homelessness."[27] In the immediate aftermath of the Second World War, Theodor Adorno wrote that "Dwelling is now in the proper sense impossible…Today we should have to add: it is part of morality not to be at home in one's home."[28] These words came in his book *Minima Moralia*, in a section titled "Refuge for the homeless," which very likely indicated the context for his meaning. In the wake of the Nazi apocalypse, when so many had been killed and unhomed, how was dwelling without an abiding consciousness of such atrocity and the exclusion of others possible?[29] Yet, writing at the very same time as Adorno, the former Nazi philosopher (and Hannah Arendt's former lover) Martin Heidegger posited a countervailing view. For him, building, dwelling and thinking were part of the self-same phenomenon, and the the paradigmatic dwelling was a farmhouse in the Black Forest built some two hundred years ago by peasants.[30] In such a setting, dwelling and belonging were decidedly monadic in ethnic terms: no others or refugees or homeless to complicate matters.[31] Closer to our own time, Jacques Derrida has drawn attention to the distinction between "*The* law"—which enjoins unconditional hospitality to others—and the laws (in the plural) which are "always conditioned and conditional."[32] (We might express this as an opposition between the Law, with a capital "L," and the laws.) For Emmanuel Levinas, hospitality is a supreme injunction. As he puts it, the self is both host and "hostage" to the other, and, in his evocative formulation, "The possibility for the home to open to the Other is as

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[27] Georg Lukács, *Theory of the Novel*, trans. Anna Bostock (London: Merlin, 1978), p. 41.
[28] Theodor Adorno, *Minima Moralia: Reflections from Damaged Life*, trans. E. F. N. Jephcott (London: Verso, 2005), pp. 38-39.
[29] Stephen Clingman, "Fugitive/Narrative: Some Starting Points," *Politics/Letters* 12 (May 28, 2018), paras 4-5 (http://quarterly.politicsslashletters.org/fugitivenarrative-starting-points/).
[30] Martin Heidegger, "Building Dwelling Thinking" in David Farrell Krell (ed.) *Basic Writings* (San Francisco, CA: Harper, 1993), pp. 361-2.
[31] Stephen Clingman, "The Question of Dwelling: South Africa and Elsewhere," *English Studies in Africa* 63, 1 (2020), 97, DOI: 10.1080/00138398.2020.1780758.
[32] Jaques Derrida, *Of Hospitality / Anne Dufourmantelle Invites Jacques Derrida to Respond*, trans. Rachel Bowlby (Stanford University Press, 2000), p. 77.

essential to the essence of the home as closed doors and windows."[33] Totality involves closure and exclusion; infinity—the creation and experience of it—comes through openness.

Inevitably, all these concerns—of dwelling, home, hospitality, belonging—have implications for colonial and postcolonial contexts, for these were issues which the history of colonialism and its aftermath accentuated sharply. Frantz Fanon in *The Wretched of the Earth* noted how in the colonial setting there is a strict division between the settler and native zones: "The native town is a hungry town, starved of bread, of meat, of shoes, of coal, of light."[34] In *Black Skin, White Masks* he wrote of the profound alienation of the black individual in a world governed by whiteness: "The black man among his own in the twentieth century does not know at what moment his inferiority comes into being through the other."[35] Writing of the world of apartheid, Njabulo Ndebele noted how the very meanings of home, of time and space, were distorted for black South Africans (and no doubt, in different ways, for whites too).[36] Certainly such themes have been repeated in locations from India to Africa to the Americas. Against this backdrop, as well as the distorted history and dynamics of Europe which Phillips experienced at first hand, it is unlikely that any of his characters would reach a state of infinity in the good sense (Levinas's radical openness to the Other), though numbers of them may well do so in the bad, lost in seemingly endless realms of abandonment. As Derrida reminds us, "There would be no hospitality without the chance of spectrality."[37] Numbers of Phillips's characters become spectral in this sense, denizens of a national and transnational uncanny which neither has a proper home for them nor recognizes them in any real or dignified sense. They live on the shadowed underside of belonging,

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[33] Emmanuel Levinas, *Totality and Infinity: An Essay on Exteriority*, trans. Alphonso Lingis (Pittsburgh, PA: Duquesne University Press, 1969), p. 173. For host and hostage, see *Totality* p. 299, and Emmanuel Levinas, "Substitution" in Seán Hand (ed.) The Levinas Reader (Oxford: Blackwell, 1989), p. 101.
[34] Frantz Fanon, *The Wretched of the Earth*, Preface by Jean-Paul Sartre, trans. Constance Farrington (Harmondsworth: Penguin, 1967), p. 30.
[35] Frantz Fanon, *Black Skin, White Masks*, trans. Charles Lam Markmann (London: Pluto Press, 1990), p. 110.
[36] Njabulo Ndebele, "Home for Intimacy" in Andries Walter Oliphant (ed.), *A Writing Life: Celebrating Nadine Gordimer* (Johannesburg: Penguin, 1998), pp. 455-59. A version of this meditation is repeated in Ndebele's novel, *The Cry of Winnie Mandela* (Banbury: Ayebia Clarke, 2003), pp. 80-84.
[37] Derrida, *Adieu to Emmanuel Levina*s, pp. 111-12.

dwelling and hospitality, moving towards and across one another but seldom finding a proper home, which is surely one of their rights.

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In referring to Phillips's work so far, I have spoken of his writing more broadly rather than only of his fiction because his characteristic themes—and sometimes his characteristic forms—carry across to his body of non-fiction as well. Sometimes, as in the case of his book *Foreigners* (2007), his work has been categorized as fiction in the USA and non-fiction in the UK. One of the long narratives the book contains, "Northern Lights," indicates why there might be some justice in this.[38] The piece tells the story of David Oluwale, originally from Lagos, Nigeria, who came to Britain as a stowaway in 1949, and gravitated to Leeds, where he ended up living on the streets. By 1969, he was dead, drowned in the Aire-Calder Canal. A police inquiry found that he had been subject to systematic abuse by two policemen in particular, Sergeant Kenneth Kitching and Inspector Geoffrey Ellerker, and in a subsequent trial the two were found guilty of assault. A suspicion that the two had killed Oluwale was charged but never proved.

All of this and more finds its way into Phillips's account, particularly if we read it in relation to the question of rights, both in the purely legal sense and in the broader sense I have been suggesting. For one thing, Oluwale was both an immigrant and exile, but also a British subject and citizen, thereby straddling the usual Arendtian distinctions—and entering the characteristic territory of Phillips's work.[39] One might extend the point further: Oluwale was *the citizen as refugee*, hounded as such by the police. Beyond this, there are formal features in "Northern Lights" which generally become salient in Phillips's

[38] Caryl Phillips, "Northern Lights" in *Foreigners* (New York: Knopf, 2007), pp. 149-235.
[39] At an event in Leeds in 2008, Caryl Phillips suggested that a memorial to David Oluwale should be established. The David Oluwale Memorial Association was formed in 2012, and Phillips unveiled a plaque in his memory in 2022.

writing, for the story by no means offers a simply linear account. Rather, Phillips presents us with a narrative constellation across space and time. Aspects of this come from disparate voices talking about Oluwale which are initially hard to place: a West Indian woman who used to see David when she was fourteen years old; an asylum inmate; a medical officer; a white woman; a Nigerian immigrant; the voice of the racist M.P., Enoch Powell. These voices become intrinsic to the story as whole, while the "frame" narrator, if there is one, is equally dispersed. Sometimes the narration is presented in the third person, offering fairly straightforward reportage; sometimes it is in the second person, addressing Oluwale as "you"; sometimes the narrator appears to enter the story, revisiting sites, including the home street of Inspector Ellerker, offering interjections which, if direct, are hard to pin down in terms of their finality or authority. In these ways, forms of fiction, non-fiction, and narrative extrapolation are mixed to various interpretive ends.[40] They are also not incidental to the larger issues we have been considering. In contrast to the findings of a police inquiry or a trial which will decide guilt or innocence, this becomes an account which is distributed in multiple directions and towards multiple perspectives. The question of Oluwale's "rights" as refugee/citizen is dispersed among his community and into his afterlife, but also towards the writer of the account and its readers. David Oluwale is *our* problem, he becomes in the writing and reading *our* responsibility as we respond to its multiplicities. The act of fragmented commemoration foregrounds a larger, circulated but collective, accountability. And that means accountability in every sense of the word: how much we are responsible, how we tell this story to ourselves and to others.

In this regard, even as a work of "non-fiction," "Northern Lights" may be seen as emblematic of Phillips's writing in general. How much of this is due to his own outsider status in Britain, his own fugitive citizenship, is something we can consider. Phillips himself has commented on the interrupted

[40] For more detail on the narrative/s of "Northern Lights" see Stephen Clingman, "Writing the Biofictive: Caryl Phillips and *The Lost Child*," *Journal of Commonwealth Literature*, 55, 3 (September 2020), 350, DOI: https://doi.org/10.1177/0021989418808010.

forms that outsider writing tends to take on. Pointing to figures such as Joseph Conrad, T. S. Eliot, and Wilson Harris among others, he suggests that in their innovative and experimental work they become "disrupters of national continuity."[41] Insofar as the question of rights applies within the national setting (Arendt again), we might expect work of this kind to disrupt such foundations. At the same time, insofar as rights have, since the Second World War, been reconstituted as "human rights" more generally (going beyond the Arendtian framework), the straddling effect of such writing might disrupt any easy answers there as well. "Human rights" in their general or abstract form will range transnationally, extending to those who have been stripped of nationality or citizenship, and therefore may appear fluid and smooth in their universal imperatives. But where disruption becomes the dominant form, any homogeneous or consolatory notion of rights will also become unsettled—though perhaps more challenging and urgent. This disruption and that challenge is what we find in Phillips's writing in both the national and transnational contexts, and in their intersections.

It is worth recognizing that it may be somewhat artificial to read work such as this as if exploring the question of rights had been the writer's intention. Indeed, it is not as if Phillips's writing is "about" rights per se. Nonetheless, if we read his work with the question of rights in mind, it is clear that it becomes rich and complex precisely because of the richness and complexity of the writing. What was owed to a citizen/refugee such as David Oluwale? What was he given, where was he made to feel he belonged, what kind of dwelling in the most profound sense did he have? Beyond purely legal considerations, were these not also questions of rights? It is notable that even in the Universal Declaration of Human Rights, the only mention of "recognition" is a legal one: "Everyone has the right to recognition everywhere as a person before the law."[42] But recognition in "Northern Lights"

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[41] Caryl Phillips, "Extravagant Strangers," in *A New World Order: Essays* (London: Secker & Warburg, 2001) pp. 291-92.

[42] Universal Declaration of Human Rights, Article 6, www.ohchr.org/sites/default/files/UDHR/Documents/UDHR_Translations/eng.pdf.

means both that and so much more—both recognition at the hands of the police as well as wider and more fundamental forms of belonging. These are matters of the first importance in the story, deepened by its formal interruptions and circulations, its combined interests and provocations, its disseminations of accountability.

Such combinations, both thematic and formal, are certainly what we find in Phillips's fiction. As he put it in his essay, "Extravagant Strangers," "Eventually, *every* writer discovers that his or her main struggle is with this one word: form."[43] That complexity began early on in Phillips's work, in its mixtures of locales and periods and characters. In his third stage play, *The Shelter*, its two acts take place, respectively, on a deserted island in the eighteenth century and in a London pub in the 1950s, each time with the encounter between a black man and a white woman (played in both acts by the same actors). In the second Act, the black man is defined not so much as a British subject but "a British object"—and the realities this demarcates interrupt any potential fulfillment between the respective pairs.[44] In Phillips's fifth novel, *Crossing the River* (1993), three siblings sold by their father into slavery turn up in such different settings as Liberia in the early nineteenth century, the American "Wild West" of the late nineteenth century, and a Yorkshire village during the Second World War.[45] Such a construction (the role of the father) shows that for Phillips questions of historical complicity do not fall into simplified patterns or binaries, even as he is intensely conscious of the colonial legacies and intensities of racial construction. Again, questions of rights, responsibility and dwelling are matters of complex dynamics inseparable from a long history of hierarchy and subjugation.

In novels that followed, Phillips's engagement with such matters reach their most developed forms. In *The Nature of Blood* (1997), there are four major narratives set in different locations across

[43] Phillips, "Extravagant Strangers," p. 293.
[44] For the British object, Caryl Phillips, *The Shelter* (Oxford: Amber Lane Press, 1984), p. 43.
[45] Caryl Phillips, *Crossing the River* (London: Bloomsbury, 1993).

time and space.[46] One concerns Eva Stern, a Jewish Holocaust survivor; another is set in the town of Portobuffole, under the jurisdiction of Venice in the fifteenth century, where a blood libel accusation results in members of the small Jewish community being burned at the stake; a third retells the story of Othello (though he is not named as such); and the fourth focuses on Malka, an Ethiopian Jewish woman who has been relocated to Israel. Bookending them all is the figure of Stephan, Eva's uncle, who left Europe for Palestine in the 1930s, and encounters Malka in Israel in the 1990s. These stories, different as they are, are also told in different ways. Eva's narrative is presented mainly in the first person; the Portobuffole account in a form of faux-objective chronicle; Othello's voice tells his own story in the first person; Malka's and Stephan's encounter is a mix of first- and third-person, as well as free indirect style, which combines both. In its very structure, therefore, the novel is composed of fragments distributed across space, time and narration, which readers have to absorb and in some sense recompose; in contrast to *Crossing the River*, where the different stories are told sequentially, these are threaded through one another. The reading experience is one of navigation, in which the novel's structure suggests both difference and connection across space and time, the "broken route" of an historical syntax across different eras and locations.[47]

What are some of the implications when it comes to the themes I am exploring here? In its most direct way, there is a form of intense compassion evoked in the novel for its different characters. Eva, for instance, may be a survivor of the Holocaust, but the Holocaust also survives within her. Trauma is precisely, in Eric Santner's evocative phrasing, that which has not yet "taken place"—in the sense that it is never consigned to the past.[48] Eva's narration becomes symptomatic in her every utterance, displaced between past and present and different levels of perception and consciousness. For her, there is no outside to her consciousness, no real grip on the external. But by the same token, when she commits

[46] Caryl Phillips, *The Nature of Blood* (London: Faber and Faber, 1997).
[47] Stephen Clingman, *Grammar of Identity*, pp. 79-94.
[48] Eric Santner, "Freud's Moses and the Ethics of Nomotropic Desire," *October*, 88 (Spring 1999), 36.

suicide towards the end of the novel, there are details that we as readers do not find out. As suggested earlier, this is a mark of Phillips's ethics as a writer, the preservation of an ultimate privacy as an index of dignity. When it comes to questions of rights, these again form a supplement to purely legal definitions: not only how dignity is tendered but also how much compassion is owed; what dwelling, belonging and hospitality might mean for a figure such as Eva—that is, hospitality beyond the mental hospital in which she ends up being confined. As the novel suggests, there is an irony in the doubled nature of the term "asylum" as a place of both refuge and confinement.

Similar gestures are applied to the other characters, and in their distribution these themes are extended. Othello is at once the noble general in the service of Venice and the alien—a version of the citizen/refugee; Malka, as a black woman in Israel, is subject to cognate forms of exclusion directed historically to Jews in Europe. Questions of dwelling, belonging, hospitality resonate through variance, a sobering historical music.[49] These individual, dispersed, yet connected stories indicate our complex inheritance when it comes to such matters—specific yet displaced, asymmetrical yet congruent, gapped as well as adjacent. Attending to any one instance or all of them across their times and places requires tact, nuance, understanding, profound thought and application—exactly what is required in reading a novel such as this. All of these are dimensions to dwell on in the "righting" that writing can gesture towards.

This shift, this dialectic, is apparent too in Phillips's, *A Distant Shore* (2003).[50] On one level, the novel foregrounds the Arendtian issue of "the right to have rights" explicitly, in that its one major character is a citizen—someone with ostensibly full rights—and the other a refugee, someone with none. Their two lives intersect in glancing, unfulfilled ways, yet their stories are not simply ones of

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[49] Philips has noted his debt to musical form when it comes to the structure of his novels: see Bénédicte Ledent and Daria Tunca, Introduction, in Ledent and Tunca (eds), *Caryl Phillips: Writing in the Key of Life*, p. xiv; Ledent, *Caryl Phillips*, pp. 7-8; Stephen Clingman, "Other Voices: An Interview with Caryl Phillips," *Salmagundi*, 143 (Summer 2004), 130.

[50] Caryl Phillips, *A Distant Shore* (New York: Knopf, 2003).

opposition; instead—as in the case of the different narratives in *The Nature of Blood*—there are uneven overlaps and contiguities between them. The refugee in the novel is an African, Gabriel, fleeing his homeland after not only being the victim but also a perpetrator of atrocity and betrayal; again, Phillips draws no convenient binaries in such matters. Gabriel makes his way via France to England, where he is falsely accused of rape, but then takes to the road northwards and changes his name to Solomon. Hospitality has been extended to him: he is taken under the wing of his friend Mike and Mike's surrogate family, the Andersons. Eventually, he becomes caretaker in a new development in the village of Stoneleigh, which is where he comes into contact with the novel's other major character, Dorothy, a retired music teacher. Again, there is no simple opposition here, for if Gabriel is a displaced character, so too is Dorothy, despite being a citizen and fully "placed" as a native-born white Englishwoman. Dorothy, like Eva in *The Nature of Blood* (but as always, not exactly the same), is a symptomatic character, divorced, in crisis, in apparent mental breakdown. As in the case of Eva, she is the expression of her first-person narrative rather than its author.[51] The novel opens with what appears to be her motif: "England has changed." Dorothy is on one level an expression of this change, a condition within the national, someone who does not feel at home.

Dorothy and Gabriel find a form of relationship; he drives her to medical appointments, there is some level of care between them. But they also live in ignorance of one another's lives. Like that of other Phillips characters, Gabriel/Solomon's story is told in multiple forms, mixing and combining variants of first- and third-person, present and past tenses; his narrative is split in the same way as his identity across the different places and fractured temporalities (past/present) of the refugee. In Stoneleigh he is hounded by local young white thugs, and eventually is murdered, thrown into the local canal much as David Oluwale was in Leeds. Death by water evokes the historical memory of the vast numbers of Africans consigned across the oceans in the Atlantic crossings. It is then at the end of the

[51] Clingman, *Grammar of Identity*, p. 95.

novel that the voice of Gabriel/Solomon returns, in the moment when he first approached Dorothy's door at the beginning of their encounter, and what he says is emblematic: "If I do not share my story, then I have only this one year to my life. I am a one-year-old man who walks with heavy steps."[52] But the fact is, he was never able to tell Dorothy his story, nor she to tell him hers. Their stories inhabit the realm of what I have called the national uncanny, a haunted realm of all the divided and unrecognized stories that make up the hidden territory of the nation.[53] It is like the dark matter of the universe compared to the visible realm of what we see, a spectral domain of multiple times and places in the lives of its characters, and an implicit critique of Benedict Anderson's notion of simultaneous time in the "imagined community" of the nation.[54] This too is where we see Phillips's spectrum shift when it comes to issues of rights. Of course rights matter absolutely: Gabriel/Solomon should not be murdered and thrown in a canal whether or not he is a citizen. It is also clear that unevenness makes a difference: Dorothy, for all her displacement, is not subject to Gabriel/Solomon's vulnerability. But in this novel of mutual if asymmetrical displacement another topic—which is also a topography—comes to the fore. That is, exactly what dwelling, belonging, hospitality mean in a setting where "England has changed." In the faultlines between recognition, hospitality and rejection these matters have been suppressed and distorted in the national uncanny into a realm of unbelonging, undwelling. These are questions we might extend to our world more generally; they are questions that writing such as Phillips's evokes with extraordinary power. In doing so, the question of rights is also extended and deepened.

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[52] Phillips, *A Distant Shore*, p. 266.
[53] Clingman, *Grammar of Identity*, p. 97. For a contrasting view, that Gabriel/Solomon and Dorothy are members of "one new world tribe," see Alessandra Di Maio, "A New World Tribe in Caryl Phillips's *A Distant Shore*", in Ledent and Tunca (eds), *Caryl Phillips: Writing in the Key of Life*.
[54] Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, revised edition (London and New York: Verso, 1991).

It will be evident from the foregoing that Phillips's explorations, both fictive and non-fictive, take on biographical form, yet it is a form that is radically reshaped in his work.[55] That is what his life stories show: there is much that is buried in every biography, and every biography must be understood in its relations and reverberations across space and time. Phillips has also been clear that his purpose has been not to examine just any biographies, but rather to recover the lost and silenced stories that have never been "in the history books."[56] These patterns take on emphatic shape in his novel *The Lost Child* (2015), and range further into questions of literary history and biography—a fitting place to consider the role of writing in relation to the themes we have been considering.[57] How this develops in the novel is extraordinarily intricate. Again in Phillips's fiction there are multiple stories in conversation with one another. One concerns Monica Johnson, a figure familiar from Phillips's other works as a marginalized white woman, in her case because of her marriage to a West Indian man whom she later left. She is also the mother of Tommy, who is murdered in a fictional allusion to the Moors murders in the northwest of England in the 1960s. The murderer is a man with whom Monica had taken up, and soon after she hears that Tommy's body has been found, she commits suicide by taking an overdose of pills. Later, like Gabriel/Solomon in *A Distant Shore*, she returns in the narrative to tell her own first-person story—the "lost" story recovered in some guise. As for Tommy, he is silent—his story told through the accounts of others, primarily his brother.[58]

The most daring moves of the novel, however, go further, into the terrain of Emily Brontë's *Wuthering Heights* in its own moors setting. Phillips has long been fascinated with both Emily Brontë

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[55] For biography as central to Phillips's work, see Bénédicte Ledent, "Caryl Phillips: The Dignity of the Examined Life," in Michael A. Bucknor and Alison Donnell (eds.), *The Routledge Companion to Anglophone Caribbean Literature* (Abingdon: Routledge, 2011), pp. 72–77. For a discerning discussion of Caryl Phillips's "autobiography of the other," see Louise Yelin, "Plural selves: The Dispersion of the Autobiographical Subject in the Essays of Caryl Phillips," in Ledent and Tunca (eds.), *Caryl Phillips: Writing in the Key of Life*, pp. 59–73.

[56] Tanya Agathocleous, *"Yorkshire calling: An interview with Caryl Phillips," Public Books*, 5 January 2015 www.publicbooks.org.

[57] Caryl Phillips, *The Lost Child* (New York: Farrar, Straus and Giroux, 2015).

[58] The character's name also carries a reference to the rock opera *Tommy* by The Who. In the opera Tommy is abused by his Uncle Ernie; in the novel it is his mother's companion he calls Uncle Derek.

and her novel, and his own novel offers a reinterpretation of hers. In Phillips's account the "dusky" figure Heathcliff is actually the son of a slave woman fathered in Liverpool by Mr. Earnshaw, a businessman whose dealings in the shipping trade connect him with the geographies of slavery.[59] He it is who brings Heathcliff back to live in his house alongside his daughter Catherine. Heathcliff is then one of the many "lost children" of Phillips's novel, but so too is Emily Brontë who, in her person as author, is also a character in *The Lost Child*. In the version we are offered here, the life of Heathcliff in Brontë's mind is fused through that of her own dissipated brother Branwell. Waiting for Branwell to return one night she finds herself "dreaming of the boy who came from the moors"—the boy who will be Heathcliff.[60] As she herself approaches the reveries of her last days, the real and the fictive are utterly interwoven in her mind: her brother with Heathcliff, Earnshaw with her own father. In the intersections of the novel the "lost child" could then be Tommy, Branwell, Heathcliff, or Emily herself, a complex rereading in Phillips's work of fiction of Brontë's own much-read fiction. Across two novels we have fiction intersecting with fiction, the real with the fictive, the lives of two authors intersecting with one another, two texts with one another's worlds, two periods in history through one another.[61] Irrespective of where Heathcliff "really" came from in Brontë's imagination, we can now no longer read her novel without the history of slavery in mind. Beyond this, as Bénédicte Ledent and Evelyn O'Callaghan argue, these figures in Phillips's novel connect with all the lost children of empire "still wandering in search of a textual home."[62]

In Phillips's writing, both in this novel and elsewhere, we are dealing then not with alternative facts, but a complex investigation of the undersides of our history—including our literary history,

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[59] For Phillips's long-term compulsion by Heathcliff in this respect, see the Postscript to his essay "Leaving Home" in *The Atlantic Sound* (London: Faber and Faber, 2000), p. 92.
[60] Phillips, *The Lost Child*, p. 105.
[61] For a fuller discussion of the complex narrative structures of the novel, see Clingman, "Writing the Biofictive," 354–57.
[62] Bénédicte Ledent and Evelyn O'Callaghan, "Caryl Phillips's *The Lost Child*: A Story of Loss and Connection," *Ariel* 48, 3–4 (2017), 240.

whether that concerns Othello or Emily Brontë—which needs to be contemplated and resurfaced. It is not a matter of litigation or insistence but rather sensitization and recognition; his fiction models for us the forms of attention required. Situated in the space between the Law and the laws, Phillips's writing goes beyond pure matters of "rights," though it includes them. The issues are existential, relational, shifting and even dissonant through historical time, and one of the things we are invited to contemplate is who in fact "we" are across our times, places, histories, identities, dissonances, correspondences and points of contact. Overriding all this is the sense in Phillips's work of a profound compassion for those who have been consigned to the underside of life, the discarded and forgotten. In this respect there is a form of recognition, dwelling, belonging, hospitality in the writing itself as supplement to the world of laws, even as the lives it dwells on are by no means appropriated, romanticized, or colonized. Given recent histories of war, refugees, climate change, border enforcements, Caryl Phillips's writing does not "right" wrongs, but both focuses on and expands our understanding of the care required. It creates a form of home across the unhomeliness of our world.