



## Introduction

According to the Universal Declaration of Human Rights in 1948 and other covenants of human rights, mainly based on the 1948 declaration, many basic human needs are recognized as human rights to maintain social justice and peace among human beings.<sup>1</sup> People need the protection of their lives and interests, such as their right to life, liberty and security, the right to leave any country, and the right to keep private property.<sup>2</sup> For example, the right to migrate, which is the central issue of this thesis, is mainly to make sure that all human beings have the right to leave what distresses them and seek a better place to stay. The concept of rights is to keep one's basic interests from being violated by others in any situation. Ideally, human rights should be equal and universal anytime anywhere with no exception. However, human rights encounter more and more difficulties in the context of economic globalization, encouraged by the speedy global flow of capital and people. This thesis intends to analyze the global injustice reflected in the global mobility, one of the human rights defined in the Universal Declaration. Instead of researching the cases of global injustice from the social scientific aspect, I choose to examine a few recent fictional texts of global mobility because literary representations sometimes can provide more angles to reflect reality to some extent. They can show how people would feel and realize these violations occurring in their everyday life.

Dealing with these contemporary plights of human rights represented in fictional works, I intend to combine the social and literary studies to find a new

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<sup>1</sup> The other covenants include at least European Convention for Protection of Human Rights and Fundamental Freedom (1954), International Covenant on Economic, Social and Cultural Rights (1966), International Covenant on Civil and Political Rights (1966), and so on.

<sup>2</sup> Those rights are listed in the Universal Declaration of Human Rights in 1948 as Article 3, 13, and 17.

method of research. Distinguishing from the traditional social studies which focus on analyzing social facts, this thesis takes different filmic and literary representations of people's everyday life as case studies. On the other hand, unlike traditional literary discipline which isolates literature from the real social context, this thesis dedicates to examining how the literary works provide different angles to understand our living circumstances. The concept of human rights is not only a social issue about how to justly make laws and define citizenship but also an important factor that affects how people actually live their everyday life. Through fictional representations, we may see from a micro point of view how people approach and realize the concept of human rights in their everyday struggle for living.

Among all kinds of practices of global mobility, I choose to study the representations of refugees/illegal immigrants and global mass tourism: Michael Winterbottom's film *In This World*, Stephen Frears's *Dirty Pretty Things*, Stephanie Black's *Life and Debt*, and Jamaica Kincaid's essay *A Small Place*. The refugees/illegal immigrants, whose rights are hardly recognized by any receiving countries, reveal the most straitened predicament of human rights in our age. And global tourism gives us a great example about how the capitalism or economic globalization affects the practice of human rights, especially the global mobility. Both illegal immigrants and tourists exercise the global mobility as their rights but they have totally different social and economic statuses. While the migrations of refugees or illegal immigrants might not be welcomed by the host countries, global mass tourists are excessively encouraged to travel around. The representations of these two kinds of global migrants disclose different social and economic violations that may

exclude certain groups of people from the opportunities to survive and live safely.

Global people flow truly exposes the problem of how human rights are implemented and protected in globalization. For centuries the maintaining of global peace and the enforcement of human rights has been relying on nation-states, which have prevented other countries from invading and have been the highest institutions of military and political power to compel citizens to obey the national laws. When the world starts to integrate economically, the global mobility highly penetrates the national borders that distinguish citizens from outsiders. Larger and larger number of people would exercise their right of mobility to live, communicate, migrate, and work for various reasons in others' nation-states in today's world. The high global mobility forces the nation-states to deal with the human rights of foreigners whose civil rights are not recognized in the national law. These foreigners can only count on the receiving nation-states to formulate special policies to define under what circumstances can they be accepted conditionally and have certain rights as citizens.<sup>3</sup> The implement of human rights today is still based on a firm border that separates citizens from non-citizens even though the global capital has meanwhile many national borders removed.

The global injustice and violations occur partly because the enforcement of rights remains localized when the world grows more universal. Without effective executive institutions of human rights at the global level, it relies on the nation-states to mend the law to deal with the rights of the migrating people. Even though UN

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<sup>3</sup> For instance, in Taiwan, the policy forbids the foreign spouses applying citizenship until they follow all the rules and live in Taiwan for over five years. The immigration policy of the United-States declares that anyone who invests more than ten thousand dollars in America and provides jobs to at least ten Americans can have a better chance to become American citizen.

establishes international committee of human rights to supervise globally, it “possesses no independent enforcement machinery and so is restricted to the monitoring rather than to the enforcement of human rights enumerated in its covenants” (Brysk and Shafir 21). The UN can do no more than investigating, publishing reports, and submitting questions to its members. The real executives of human rights are still nation-states. Because nation-states have full authority to decide how the foreigners should be treated, they would make policies according to their own benefits instead of the human rights of these immigrants. In other words, the rights of immigrants are easily violated since no superior institutions can regulate the receiving nation-states, which value the national interests more than immigrants’ rights, to treat them justly.

Economic globalization transforms the essence of the concept of human rights. The concept of human rights is to make sure that everyone has the same access to the basic needs for survival and a dignified life. By doing so, people can peacefully co-exist within a community and that would gain most interests with least damage in human society (Nino 46). However, emphasizing accumulation rather than equally distribution, economic globalization changes this logic of human rights. According to David Harvey, capital accumulation proceeds with a series of geographical and spatial (re)organization “that facilitates capital accumulation...[and] to make way for further accumulation at a larger stage” (*Spaces of Hope* 54). The goal of economic globalization is exactly the opposite of that of human rights. Using the spaces in accordance with its principle of capital accumulation, economic globalization would forbid those who may not be helpful for further capital accumulation to enter certain

spaces. Thus, the right to move that allows people to seek a better life becomes a certain kind of privilege only for those who hold capital.

In Chapter One, I summarize a few representative spatial and geographical studies of Étienne Balibar, Saskia Sassen, and David Harvey to explain the problems of human rights we face today. Most of the crises of human rights are initiated by the political conflicts about how to use the spaces. For example, when economic globalization expects to make the world border-less so that the capital can freely come and go into any spaces in every country, the global enforcement of human rights still counts on national citizenship, which relies on a fixed border to exclude outsiders from entering national territory and spaces. The national sovereignty over its territory is changing as well. As far as global market is concerned, the nation-states have to submit themselves to the supranational organizations, such as IMF and WTO, to fully open its market for international corporations and firms. As for immigrants, including refugees, (illegal) immigrants, and guest workers, they are left to the receiving nation-states to manage and regulate. The spaces of the world integrate globally for economic interests but the social and political consequences resulted from this global economic development must depend on the local governments to contain. The inconsistent transformations of spaces in different scales endanger the practice of human rights because it is impossible to separate the economic rights from other social and political needs of human beings.

Chapter One focuses on three theorists and their theories: Étienne Balibar, Saskia Sassen, and David Harvey. Balibar theorizes carefully the complicated causes as well as effects of border conditions today. He redefines the border not as the fixed

national territorial border that aims to preserve the functions of the national sovereignty. Rather, the borders are “dispersed a little everywhere, wherever the movement of information, people, and things is happening and is controlled” (1). These dispersed borders are no longer simply for protecting the national spaces. Since they are everywhere, they may be manipulated and (re)located for different economic, social and political interests of different parties. Balibar’s theory helps us to understand how human rights could be violated when these borders are manipulated by interest parties, including the nation-states, the multinational corporations, the local government, and the citizens. Sassen studies the capitalization of global mobility and rights. She notices that nation-states may grant the capital-holders, such as the professionals of all kinds, the right to enter for the interests they may bring. On the other hand, the low class migrants may be treated as unwelcome outsiders and illegal immigrants. Sassen also coins a term “economic citizenship” to refer to those international firms which have hyper-mobility to freely use the spaces of various nation-states for their own economic interests. Her researches precisely point out the ongoing global process of the capitalization of citizenship which is one of the crises of human rights. Human rights, supposedly equally distributed among humans, are now concentrated on capital holders, whether they are human beings or non-human economic agents. As a geographer, Harvey tries to find the spaces of hope in today’s chaotic economic exploitation of spaces and human life. Instead of separating human needs into different categories, including the economic, political, social, and cultural one, he urges us to re-think the essence of various human rights from the spatial and geographical aspect.

Chapter Two, “The Transformations of Human Rights of Mobility in Global Age: Jamaica Kincaid’s *A Small Place* and Stephanie Black’s *Life and Debt*,” deals with the issues of borders revealed in the practice of the global mobility of the illegal immigrants in the two films. *In This World*, a dramatic documentary, represents two teenage refugees who are smuggled to London through many countries in Middle East Asia. *Dirty Pretty Things* shows the thrilling life of refugees and illegal immigrants in London. Analyzing these two films, which together picture a more complete image of the different aspects of their life in London, I argue that the violations of immigrants’ human rights are directly resulted from the interference of different interest parties that play with various borders during their migration. The refugees/illegal immigrants encounter and cross many different borders in the films. They include the national territorial borders, the social-economic borders, the corporeal border, the familial border and the moral border. Different groups of people play these borders in the films to profit themselves from exploiting the illegal immigrants. The border and immigrant police, the smugglers and some immigrants who are already citizens are three major groups that manipulate the borders and cruelly violate the illegal immigrants. Besides these groups of people, the films themselves also employ some familial or moral borders to emphasize its theme or to ease the anxiety caused by the difficult dilemmas it deals with.

In Chapter Three, I study the transformations of the right of mobility through analyzing global tourism represented in two works: Jamaica Kincaid’s *A Small Place* and Stephanie Black’s *Life and Debt*. *A Small Place* is written from the first-person perspective with the style of a guidebook. The narrator angrily depicts the past and the

present of Antigua, which is seriously damaged by the colonialism and economic globalization. *Life and Debt* is a documentary about Jamaica which is also exploited politically and economically. It is filmed from the tourist's perspective. Global mass tourism is apparently one kind of global mobility. However, unlike the brief definition of global mobility in the Universal Declaration which defines the right to move as a right to leave a country, the tourists do not simply leave a country; they represent the capital-holders and the consuming power.<sup>4</sup> Examining these two literary works to discuss global mass tourism, I argue that the human right of global mobility gradually transforms from one basic human need to a form of privilege. In other words, the right to move is capitalized. By the capitalization of mobility, I mean that on the one hand, the right to move becomes a privilege of the rich people. On the other hand, the corporations, which are not human beings but authorized and regarded as individuals in laws, start to be able to entitle human rights and be protected as real humans. The powerful and rich people and companies have hyper-mobility to use the spaces in other countries to make profits while a lot of people are too poor to escape their miserable life and leave their countries. Both works, which represent global tourism from different perspectives of the tourists and of the local, reveal how the capitalization of the global mobility may do harm to the poor Caribbean people.

In my thesis I hope to draw attention to the latest issues about human rights that profoundly affect our everyday life in the global era. To the illegal immigrants in London in *In This World* and *Dirty Pretty Things*, their dream given by economic globalization about having a better life in the global city is simply a fraud which may

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<sup>4</sup> Article 13: "Everyone has the right to leave any country, including his own, and to return to his country."



cause their death. To the Caribbean people and the tourists in *A Small Place* and *Life and Debt*, it is the ugly exploitation of all kinds that achieves today's swift growth of global tourism. These four texts together represent the events and the experiences of different people in Asia, Europe, and Central America. My reading of these texts aims to give a general idea and understanding of some plights of human rights taking place over different parts of the contemporary world. Analyzing how these literary works represent the damages caused by economic globalization which (re)organizes the spaces for capital accumulation, this thesis reveals the high cost of certain people's lives and sufferings hidden behind our prosperous global market.