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Benjamin Goh 

Abstract, What remains of European thought in law and literature's "global turn"? To address the question, this article reopens Nuruddin Farah's *Gifts* (1993) alongside modern and contemporary writings on globalization, cosmopolitanism, and their (de)constitutive medial conditions. Scholarship in law and literature, comparative literature, and world literature are first reviewed for their disclosed risks and potentials of attending to postcolonial literature in the name of globalization. This is followed by a return to Farah's novel and its pertaining European intertexts, including Immanuel Kant's essays on cosmopolitanism, enlightenment, and book publishing. I suggest that these key exchanges between Farah's critique of humanitarian aid in late-1980s Somalia and Kant's classics reflect the importance of (re)staging dialogues between postcolonial literature and the European legacy as we work towards a planetary discourse of law and literature.

Keywords, Law and literature, world literature, postcolonial literature, cosmopolitanism, media theory, Nuruddin Farah, Immanuel Kant

INTRODUCTION

Law and literature's present reorientation to postcolonial literatures of the global South promises to correct the field's historical bent towards the Occident.¹ As a contribution to this "global turn" and our reckoning with its limits, this article addresses the question of the place of European thought in the planetary reworking of law and literature. Taking as our focal text Nuruddin Farah's *Gifts* (1993),² a Somali-authored novel set in late-1980s Somalia, we ask how a postcolonial novel concerned with humanitarian aid in the international legal order has been read, and could further be read, alongside and against certain European classics implicated in the problematic. These include three of Immanuel Kant's essays in the *Berlinische Monatsschrift*: "Idea for a Universal History with a Cosmopolitan Aim" (1784), "An Answer to the Question: What is Enlightenment?" (1784), and "On the

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Wrongfulness of Reprinting” (1785).³ Supplementing two recent commentaries on Farah’s novel,⁴ our present discussion of the traffic between Farah’s and Kant’s works suggests the importance of (re)staging dialogues between postcolonial literature and the European legacy as we work towards planetarity in law and literature.

In what follows, we first consider Elizabeth Anker’s and Pheng Cheah’s interpretations of Farah’s novel in the fields of law and literature and world literature. On top of noting some key differences in how these commentaries relate to capitalist globalization and European thought, we recall Gayatri Spivak’s idiom of “planetarity”⁵ as a critical alternative to that of “globalization”, which shapes our present rethinking of the “global turn” in law and literature. Then, in step with Cheah, we take the novel’s debt to Europe seriously by reading it alongside Kant’s preceding essays on cosmopolitanism, enlightenment, and book publishing. Juxtaposing Farah’s work with Kant’s enables us to reconstitute Kant’s media theory, and to clarify the limits and potentiality of our European inheritances as we negotiate law and literature’s planetary shift.

REOPENING *GIFTS* IN LAW AND LITERATURE’S “GLOBAL TURN”

Despite once being chiefly associated with the 1970s and 1980s wave of humanist resistance to the economic analysis of law in North American law schools, law and literature has long outgrown its US-centric narrative of origins, now encompassing scholarship from/about other geographical regions and localities.⁶ In Elizabeth Anker’s and Bernadette Meyler’s introduction to their recent co-edited volume *New Directions in Law and Literature*, and particularly Anker’s contributing chapter “Globalizing Law and Literature,” the “provincialization”⁷ of the field’s focus on Anglo-American and European legal cultures within an international and a global frame was stressed to be an emergent field practice striving to displace its Western-colonial bias. Whereas Greta Olson’s “de-Americanization”⁸ of law and literature proceeded by drawing attention to British and German contributions to the interdiscipline, Anker and her colleagues working in/with postcolonial studies more radically reorient the field to the global South.⁹ Such a decentering of the global North from within law and literature participates in a wider movement to “decolonialize”¹⁰ research and higher education; decolonial praxis being critically attuned to, and committed to altering, the geopolitics of knowledge production.

In two of Anker’s attempts to “globalize” law and literature,¹¹ Farah’s *Gifts* features as an exemplary postcolonial novel depicting law as a profoundly ambivalent set of phenomena, at once perpetuating the violent oppression of disenfranchised Somalis under the Barre regime, and yet enabling them to engage in meaningful social practices that exceed suspicious accounts of law as an imperialist, and a neoliberal capitalist, machinery.¹² At the heart of *Gifts* is a love story between Duniya; a twice-divorced, thirty-five-year-old Muslim Somali nurse raising three children; and Bosaaso; her fellow countryman and former acquaintance who has recently returned from the US “to

donate his services to the government and people of his country.”¹³ But as each local or foreign newspaper item concluding nearly every chapter indicates, this personal, romantic narrative occurs within a larger geopolitical narrative where Somali lives bear the inestimable effects of humanitarian aid given by developed countries fronting the international legal order. Consider, for instance, the second local newspaper excerpt that relays the suspicion of Chernobyl-induced nuclear contamination in the dairy products, including innocuous-seeming staples such as milk and butter, donated by “the European Community”¹⁴ to Somali and other “Third World countries,”¹⁵ which emblemizes the hidden bodily threats posed by foreign aid to the recipient nations and their citizens. Relatedly, by way of gendered allegory, the Western powers bequeathing perilous gifts unto the dependent African states are criticized to be not unlike the dishonest husband who gave gonorrhea to his pregnant wife seeking treatment from Dr Mire (whom Duniya assists): “‘You see, Doctor’, she said, ‘it’s my husband who brings things into our house, good and bad things. Please help me and my baby.’”¹⁶ Just as thoughts of Bosaaso recur before the visibly distracted Duniya at work “mysteriously clad in all sorts of disguises,”¹⁷ so too do the wealthy donor countries reappear across the novel in varied guises of privileged figures, including the suspect male stranger offering Duniya a lift home in his sports car and the suggestive “reward [of] further gifts.”¹⁸ That such “gifts” were made, or promised to be made, to vulnerable women in times of need, there being fuel and food shortages, intermittent power outages, no public transport, and other state and infrastructural failures, rendered the misconduct of the (often male) “donors” all the more dishonorable.

The pertaining incident in the novel upon which Anker centers to present its critique of international humanitarian aid is Duniya’s explanation to Bosaaso for her hesitation to receive unsolicited lifts from him to and from her workplace, the Benaadir Maternity Hospital:

Because unasked-for generosity has a way of making one feel obliged, trapped in a labyrinth of dependence. You’re more knowledgeable about these matters, but haven’t we in the Third World lost our self-reliance and pride because of the so-called aid we unquestioningly receive from the so-called First World?¹⁹

The total dependency of a sovereign nation-state, and the indignity of such reliance, are sharply identified to be the implicit costs of gifts received by Somalia and other African countries. “In this way, *Gifts* unfolds a scathing critique of the fiscal and legal enslavement that development and foreign aid packages frequently impose on the global South.”²⁰ Duniya’s evasions of gifts, or substitution of self-determined costs for such acts of “generosity,” are presented as critical responses to the indentures imposed upon desperate aid recipients, be they individual Somalis or the so-called Third World countries.

It bears noting, as Anker does, that despite tacitly undermining the sovereignty of the Somali state at an international level, legal and political institutions could play a vital role in generating, ratifying, and thereby preserving, the interpersonal relationships in Somali society. Perhaps the clearest event where the domestic juridical order, derisively and knowingly referenced by the civil servant Bosaaso as “bureaucracy,”²¹ suggests its “capacitating”²² function is Bosaaso’s registration of Duniya and himself as co-guardians of Nasiiba’s foundling (only later revealed to be her friend Fariida’s illegitimate son). Whilst not indefensibly dismissed by Nasiiba as a contingent effect of “typical men’s logic,”²³ it is through Bosaaso’s and Mataan’s (Nasiiba’s twin-brother’s) founding act of reporting to an inspector the existence of the “abandoned” infant that a common future for these Somali lives becomes possible. Specifically, the registration of Bosaaso and Duniya as the foundling’s interim “co-responsibles”²⁴ not only facilitates the latter’s treatment at the hospital for an infected navel, but also opens up the possibility of his adoption by the two “following an appearance before a board [to decide] if [they] are fit to be his parents.”²⁵ Though dying without explanation before the projected adoption, the foundling was the vital center around which Duniya’s family, Bosaaso, as well as her babysitting neighbors, gathered as they attended to his every need and guarded him against ill-intentioned visitors such as Shiriye (Duniya’s half-brother) and Muraayo (wife of the foundling’s biological father, Qaasim). As Duniya twice observed, the foundling was the basis for the formation of the grammatical first-person plural “we,”²⁶ one occupied by her family and Bosaaso, which the law affirmed by granting the foundling and his co-guardians their interlinked legal positions.

Let us add that, for much of the novel, Duniya and her family’s material well-being is substantially assured by the functioning domestic and international legal infrastructure. This includes, first, their occupation of a two-story house owned by Qaasim, the brother of her second ex-husband Taariq, on the payment of nominal rent pursuant to the erstwhile couple’s “delicately negotiated”²⁷ divorce agreement. As foregrounded in the opening chapter, Duniya’s rented home is one of the few properties in an impoverished district of Mogadiscio “that boasted such amenities”²⁸ as “running water ... wash-basins ... [and] proper toilet facilities,”²⁹ the knowing privilege of which leads her to avert her gaze from her neighbors biting on African chew sticks. Further, Duniya’s family relies upon monthly US-dollar remittances from her brother Abshir living in Rome to secure their limited independence from extrafamilial aid.³⁰ The legally protected wealth from a patriarchal source, one that calls attention to Somalia’s status as a former Italian colony, ensures the freedom from debt that Duniya and her children hold dearly. In her initial (re)encounter with Bosaaso, she could offer a hundred and fifty Somali shillings for his ferrying her to work, a not-insignificant sum that takes account of the petrol deficit in Mogadiscio.³¹ Similarly, her son Mataan

could ignore Bosaaso's offer of sugar to the family and, instead, retrieve the scarce commodity in Somalia from a shelf in their home as guided by his mother.³² The "valued monthly gifts in hard currency"³³ from Abshir, unlikely to depreciate in value and in their latest receipt amounting to three thousand US dollars,³⁴ evidence the personal empowerment that these lawful gifts offer to the novel's favored characters. This is so notwithstanding the complex, and potentially interminable, cycles of debt and repayment surrounding gift-practices that Farah invites us to consider.

PLANETARITY AND WORLD LITERATURE AGAINST GLOBALIZATION

Whilst important, and in a sense no less critical,³⁵ Anker's recuperation of law from critique poses two related risks that warrant our attention. The first concerns Anker's strategic, but also perilous, retention of the neoliberal idiom "globalize" to present her advocated turn to postcolonial literature in the interdiscipline. The thrust of her commentary is that globalization, as depicted in Farah's novel, is not simply a phenomenon of global capitalist exploitation, but more importantly also a wellspring of opportunities for social practices that elude the calculative logic of neoliberalism. "Globalization, in other words, does not entail a single, unbroken narrative of homogenization, conformity, incorporation, and power imposed by Northern profit centers on the South; to the contrary, it simultaneously proliferates exceptional, insurgent zones and liaisons that are pregnant with opportunity."³⁶ It is in support of this ultimately redemptive image of globalization that Anker cites the local practices of reciprocal gifting, entangled with the problems of famine and humanitarian aid to Somalia, as markers of legality that exceed narrowly legal-positivist accounts. "*Gifts* thereby offers a complex, dense portrait of globalization that contends with not only its risks but also its many opportunities."³⁷

Yet, Anker's "restoration"³⁸ of globalization also risks underestimating the threat that the imperial-capitalist machinery poses to scholarly discourse. As part of her sketch of three historical preconditions motivating law and literature's ongoing excursion beyond American and European sources, Anker identifies critiques of neoliberalism, a form of "totalizing"³⁹ political rationality that has led to the world's "corporatization, rationalization, instrumentalization, and capitalist exploitation,"⁴⁰ as some of the key sources orienting the field to geopolitics. Let us note that, insofar as law and literature, too, is part of the world undone and rewrought by neoliberalism, the field's "global turn" might well be driven by the logic of capital itself. Wendy Brown has acknowledged the immense difficulty of evading this governing logic: "It's quite hard to escape neoliberal rationality, including for those who imagine that they are radically critical of it. Consider, for example, how many left intellectuals use their social media profiles—Twitter, Facebook, etc.—not to build the Revolution, but to promote their books, speaking

gigs, and ideas in order to boost their market value. This has become so ubiquitous that we hardly notice it.”⁴¹ If law and literature’s interest in questions of globality arises within, rather than outside, “neoliberalism’s stealth revolution,”⁴² then it remains vital to guard against the field’s total seizure by capitalist modes of governance. As an ethical gesture, it is justifiable to adopt an attitude of suspicion towards the prevailing constellations of power, which extends to being reflexive about the methodologico-theoretical terms in our scholarly debates are cast.

Given the stakes, we may want to adopt Gayatri Spivak’s alternative idiom of the “planetary” to recast the turn to Farah’s novel and other postcolonial works in law and literature. Planetarity was an emergent counterfigure to the globalization of comparative literature, which has since ceded ground to the erstwhile subfield of world literature.⁴³ In a telling paratext, the acknowledgments page of *Death of a Discipline* (2003),⁴⁴ Spivak expressed her hope for the book to be read as “the last gasp of a dying discipline.”⁴⁵ The burgeoning demand for world literature in English translation has led to a degradation and marginalization of disciplinary efforts to close read works in their original languages, Western European or not, which attests to a “globalizing”⁴⁶ violence that privileges the dominant Anglophone powers. In the face of the digitally enabled reduction of our world into a gridded and calculable space—as figured by the scale model of the globe or, better yet, the scalable imagery on Google Earth—Spivak called for a critical refiguration of the world from a marketized sphere to an “other” planet:

I propose the planet to overwrite the globe. Globalization is the imposition of the same system of exchange everywhere. In the gridwork of electronic capital, we achieve that abstract ball covered in latitudes and longitudes, cut by virtual lines, once the equator and the tropics and so on, now drawn by the requirements of Geographical Information Systems... The globe is on our computers. No one lives there. It allows us to think that we can aim to control it. The planet is in the species of alterity, belonging to another system, and yet we inhabit it, on loan.⁴⁷

Invoking the critical idiom of alterity and the non-appropriable other for/to whom we are responsible, the planetary counter-modality of comparative literature acts as a corrective to the globalization of research and the commoditization of literary works implied in the neoliberal idiom. Whereas global Anglophone literature now so predominates in the field of world literature that Spivak has more recently opted for comparative literature to be supplementary to the field (albeit in a critical sense),⁴⁸ there perhaps still is room in the interdiscipline of law and literature to resist, and guard against, the total subordination of its research to market imperatives. My suggestion is that Spivak’s other-oriented idiom of

planetary, into which globalization ought to be displaced through attentive acts of readership, is a stronger bulwark against neoliberal capitalism in law and literature.

A second risk in Anker's take on world literature and law pertains to her silence on the European intertexts that inform *Gifts*. Whereas Farah foregrounds in the book's front matter his novel's "most important"⁴⁹ debt to Marcel Mauss' anthropological study of gift-practices in Melanesia and other "archaic societies,"⁵⁰ Anker makes no reference to the prior intertext, thereby burying the novel's enmeshment with a French-authored classic. In reconstructing the novel's critique of international law and politics, specifically, humanitarianism as "the latest ideology enforcing both the fiscal subjugation of Africa and other global wealth disparities,"⁵¹ Anker declines to revisit any of the European classics on international legalism, universal human rights, and cosmopolitanism.⁵² Both the chapter's textual body and its footnotes suggest that Farah's novel and its juridical implications could be understood without attending to its relationship with Europe. It is as if the turn to the global South in law and literature necessitates an abandonment of the Northern textual-cultural inheritances; a literal "turning away" that effaces their mutual geopolitical entanglements.

Instead of accepting the staged demise or irrelevance of European thought, perhaps we ought to ask what remains of it in law and literature's planetary turn. Again, it is worth returning to the theoretical debates of comparative and world literature, now to Pheng Cheah's "temporalization"⁵³ of world literature; in particular, of postcolonial literature. Whereas Anker aligns with other key proponents of world literature in taking for granted a predominantly spatial approach to world and world literature that exhibits an untroubled continuity with capitalist globalization,⁵⁴ Cheah joins Spivak in taking a critical position against globalization by advancing an alternative understanding of world literature in radically temporal terms; a counter-perspective that crucially draws upon the history of European thought. David Damrosch's classic definition of world literature adopts a spatially biased metaphor of texts circulating across territorial borders: "I take world literature to encompass all literary works that circulate beyond their culture of origin, either in translation or in their original language."⁵⁵ In unquestioningly emphasizing the geographical migration of texts originally published within a local national culture, Damrosch's account accedes to globalization's expansionism, as the latter relentlessly extends into new markets, gaining more consumers and sources of revenue. For Cheah, studying the global circulation of texts is less important than understanding the world-making power of literature, that is, the "normative force that literature can exert in the world, the ethicopolitical horizon it opens up for the existing world."⁵⁶ Whereas the former is more of a *sociological* question that could be addressed through bare empirical research, the latter needs a profoundly *theoretical* imagination of

world and its relationship with literature. This is where Cheah draws upon the temporal concepts of “teleological time” (encompassing means-end relations and final causality) and “worlding” (relating to the conditions of possibility of world-making) from the continental-European traditions of German idealism, Marxist materialism, phenomenology, and deconstruction. In short, Cheah apprehends time as the originary force that opens up a world as a totality of meaningful relations; a force immanent to literature as its condition of possibility. World literature is literature that ushers in the coming of time: the entry and opening of new worlds with the potential to disrupt the calculative and exploitative processes of capitalist globalization. “As an enactment of the opening of worlds by the coming of time, world literature points to something that will exceed and disrupt capital.”⁵⁷ Narrative literature of the postcolonial South is a key modality of world literature that counteracts the violence of globalization; its destruction and subsumption of non-European cultures; by (re)constituting other-worlds that resist and undercut Western teleological time.⁵⁸ Postcolonial novels mobilize and reenact the original opening of a world, a radical temporal effect maintaining an ongoing relation to exteriority that disrupts the hegemony of a global market of commodities. The experience of postcolonial literature qua world literature, in its structural relation with the originary force of time, is the experience that presents the most radical resistance to the capitalist world-system, neocolonialism, and other totalizing forces.

Rather than presuming the autonomy of literature and literary cultures of the global South, Cheah draws attention to certain “missed encounters”⁵⁹ between the discourses of postcoloniality, world literature, and cosmopolitanism, and brings the philosophico-literary inheritances of Europe in conversation with non-European cultures. Let us recall Cheah’s discussion of Kant’s and Mauss’ works alongside postcolonial world literature, which instantiates a way of dealing with the legacy of Europe that does not entail its categorical renouncement. As if affected by Jacques Derrida’s 1991 UNESCO lecture on Kant’s “Universal History,”⁶⁰ Cheah cites Kant’s disparaging reference to fiction by way of self-distinction as an example of eighteenth-century cosmopolitan discourse’s symptomatic dismissal of literature. “It is, to be sure, a strange and apparently an absurd stroke, to want to write a *history* in accordance with an idea of how the course of the world would have to go if it were to conform to certain rational ends; it appears that with such an aim only a *novel* could be brought about.”⁶¹ To ensure that Kant’s teleological history of the world that will have culminated in the establishment of a world federation of states would be taken seriously by his readers, the philosopher opted to distinguish his history from the genre of novels. In spite of Kant’s authorial attempt to avert the risks of literature by excluding the possibility of interpreting his cosmopolitan history as literature (an exclusion that Derrida understood to be a “classical philosophical gesture”⁶²), Cheah

sharply notes that Kant's "cosmopolitan optic,"⁶³ that is, his vision of the world as a universal community of dignified persons to be treated equally regardless of national and ethnic differences, was born not of visual perception but of literary imagination. "It should be evident that we should not take [Kant's] presentation of the world for granted because, at the very least, it is given to us by the imagination."⁶⁴ Whereas the rear view mirror through which Duniya's and Bosaaso's eyes meet could locate the two in a common place, "sealed in a common fate,"⁶⁵ no similar self- and other-observation could be made of the vast multitude of persons extending across the earth. The obscured literary origins of Kant's philosophy, for Cheah, evidences a lack of reckoning with literature in cosmopolitan discourse, the recognition of which paves the way for his own rereading of postcolonial novels, including Farah's *Gifts*, as world literature, that is, as normative contributions to world-making in theory as well as in practice. Kant's cosmopolitan ethic and text are not cast aside, but rather critically renewed in Cheah's theory of world literature.

Similarly, in interpreting *Gifts*, Cheah pays heed to its debt to Mauss' anthropological account of archaic gift-institutions. Central to Mauss' theory of the gift, advanced through his study of potlatches and potlatch-like practices in American northwestern tribes, Polynesia, Melanesia, and ancient Rome, is a profoundly social concept of reciprocity that exceeds the contractual doctrine of consideration that defines modern (and contemporary) capitalist relations. Whereas modern contract law assumes contracting parties to be fairly atomistic individuals who are free to enter into similarly self-contained legal transactions with one another, Mauss' study of archaic gift economies suggests that social obligations exceeding expressly agreed-upon terms amongst gifting parties are generated by the gift-object within each social order. The effectuation of social relations by gifts, including what Mauss understood to be the three essential obligations of giving, receiving and reciprocating gifts,⁶⁶ was that aspect of society which Mauss saw to be occluded and threatened by capitalist modernity.

As Cheah demonstrates, whereas Mauss advocated for a "return"⁶⁷ to such pre-capitalist gift relations, Farah "transposes"⁶⁸ these ideas arising in the French anthropologist's text to late-late-1980s Somalia and, in three respects, "transforms"⁶⁹ so as to critique, even undo, the international legal order's neocolonial fettering of Somalia's right of self-determination. First, Farah's critique of international humanitarian aid collapses Mauss' operative distinction between gift and capitalist economies, suggesting that the debt-incurring foreign donations more closely resemble commodity exchanges in modern European markets.⁷⁰ The paradigmatic novel event is a Danish woman Ingrid's sale of an old china tea set to Bosaaso and his first wife Yussur for 10 USD, the near-equivalent of a Somali senior civil servant's monthly salary, whilst boastfully presenting it as "more or less a gift."⁷¹ Second, rather than positing the insistence of

potlatch elements in ancient Indo-European legal systems and their modern counterparts (which, in the latter instance, could serve as potentially redemptive coordinates), Farah reimagines Somali traditions of reciprocal giving as strict alternatives to the phenomenon of humanitarian aid. For instance, as outlined in one of Taariq's newspaper articles, the one-off Somali practice (*Qaaraan*) of passing round a hat for donations amongst invited friends and family whilst leaving undisclosed the specific sum and donor⁷² serves as a telling contrast to the American practice of affixing to its regularly donated food sacks in print with the gift relation between the two nations, "DONATED BY THE USA TO THE REPUBLIC OF SOMALIA."⁷³ Third, whereas Mauss foregrounded a marked agonism between donors and recipients, particularly in respect of two American northwestern tribes (the Tlingit and the Haïda), Farah presents Duniya's unreserved acceptance of her brother Abshir's gifts as another Somali practice of mutual self-help amongst family members and within local communities that well exceeds the competitive, calculative practices, be they in archaic, modern European, or international legal orders. Respecting the "pride"⁷⁴ of the Somalis, or what Kant understood to be the "dignity"⁷⁵ of rational agents, entails recognizing present recipients in need as potential future givers; givers enacting a communal responsibility rather than servicing an unrepayable debt. Through this parallel reading of Mauss' and Farah's works, Cheah demonstrates the productiveness, even necessity, of grappling with the European classics that inform postcolonial literary productions of the global South.

Compared with Anker's situation of *Gifts* in the project of "globalizing law and literature," Spivak's and Cheah's respective theories of planetarity and world literature bear greater potential to disrupt capitalist globalization's subsumption of academic, literary, and postcolonial cultures within its homogenizing, flattening frame. Cheah's commentary on Farah's novel presents a critical mode of engaging with postcolonial literature that recognizes its debt to Europe; an exemplary reading that merits renewal and supplementation. How might our understanding of Farah's novel be enriched by Kant's philosophical history and his other related contemporary works? How could a juxtapositional reading of postcolonial literature with its pertaining European intertexts contribute to a planetary turn in law and literature that recalls Spivak's critical revisioning of comparative literature?

FROM COLONIAL LAWGIVING TO POSTCOLONIAL STORYTELLING

Widely known as is Kant's stern critique of European colonization for undermining the doctrine of right and cosmopolitan project in *Towards Perpetual Peace* (1795),⁷⁶ Kant's "Universal History" (1784) had arguably supported and legitimated the colonial usurpation of non-European lands such as that of Somalia.⁷⁷

As Farah reminds us through the English language in which his novel is written, and through the novel's many references to Mogadiscio's inheritance of Italian culture,⁷⁸ Somalia was colonized by Great Britain and Italy between 1839 and 1960, before plunging into civil war and falling under the military rule of Mohamed Siad Barre (1969–1991).⁷⁹ Given Somalia's colonial history, which forms the backdrop of Duniya's and Bosaaso's love story, Kant's earlier article in the *Berlinische Monatsschrift* lends itself to be read alongside, and against, Farah's novel.

Pursuant to his humanist-rationalist philosophical commitments, Kant sought to view the sum total of seemingly accidental historical events as unfolding according to “a determinate plan of nature,”⁸⁰ that is, from a teleological or ends-oriented worldview that saw history as the fulfilment of the human use of reason. Whilst originally centered upon the individual rational agent naturally predisposed to develop the use of his own reason,⁸¹ this image of history yields four interlinked sets of socio-political phenomena: one, history fulfils itself in the whole human species' use of reason,⁸² which anticipates Kant's theory of enlightenment as “mankind's exit [*der Ausgang des Menschen*] from its self-incurred immaturity”⁸³; two, the attainment of such a naturally ordained end proceeds by means of social conflict or “antagonism in society,”⁸⁴ which propels the rightful ordering of society where laws are administered under a “perfectly *just* constitution”⁸⁵; three, as a necessary interim facilitative measure, local communities must enter into a “great federation of nations,”⁸⁶ a political composite from which collective decisions extend, and which guarantees “a universal *cosmopolitan* condition”⁸⁷; and four, this idea of “*universal world history*” includes as one of its motors, if not its very end, the prophesized event of European nations legislating for, and perhaps on behalf of, non-European nations: “one will discover a regular course of improvement of state constitutions in our part of the world (which will probably someday give laws [*Gesetze geben*] to all the others).”⁸⁸

The Eurocentrism in Kant's philosophical history is strikingly evinced in his genealogical tracing of Prussian and other European legal cultures to their ancient Greco-Roman predecessors, which leads up to his conjecture on Europe as the final universal lawgivers:

For if one starts from *Greek* history – as that through which every other older or contemporaneous history has been kept or at least accredited – if one follows their influence on the formation or malformation down to the present time its influence on the education or miseducation of the state body of the *Roman* nation which swallowed up the Greek state, and the latter's influence on the *barbarians* who in turn destroyed the former, down to the present time, and also adds to this *episodically* the political

history of other nations, or the knowledge about them that has gradually reached us through these same enlightened nations – then one will discover a regular course of improvement of state constitutions in our part of the world (which will probably someday give laws to all the others).⁸⁹

The Greco-Roman origins of early modern European legal systems are privileged as the historical starting point that prescribes Europe's destiny of transmitting its laws to non-European societies, the latter of which occupy the other-position of the "barbarians." As Derrida has noted, notwithstanding the affirmatively cosmopolitan vision of community announced in Kant's philosophical history, the essay is "the most strongly Eurocentered text that can be,"⁹⁰ given its constitutive exclusion of non-European histories and cultures.

Whether as assessed from within the early modern context of colonial-nationalist expansionism or in the present postcolonial aftermath, Kant's anticipated final event of European lawgiving reads like a problematic defense of Western imperialism. As well observed by Pauline Kleingeld, Kant's contemporary intellectual adversaries such as Georg Forster and Johann Gottfried Herder had taken the former to task for endorsing racialized colonial violence, suggesting then that anti-colonial or decolonial thinking was by no means foreclosed to eighteenth-century Germany.⁹¹ Appealing as is Kant's imagining of citizenship beyond national-cultural borders, the text's preservation of a European core that overwrites all other legal cultures will have legitimated the contemporaneous and posterior projects of Western empire-building.⁹²

As a critical gesture, Farah's novel de-prioritizes colonial lawgiving in favor of postcolonial storytelling, imagining and demonstrating the competence of Somali subjects to "give back" to their global Anglophone and European counterparts no less rich narratives extending from non-European cultural traditions. Whereas Kant's imperialist history would relegate a former Italian-British colony such as Somalia to a predominantly passive role of receiving the laws of its colonial masters, in *Gifts* we find a proliferation of narratives from/on Somali culture that collapses the hierarchy instated by Europe, recognizing both as storytelling equals. Cheah has observed the foundling's arrival and departure, in and from the lives of Duniya, Bosaaso, and their relations, to be the central plot event that generated plural stories about the foundling's significance to their lives in Mogadiscio.⁹³ As Duniya would reflect at the foundling's wake: "Everybody had turned the foundling into what they thought they wanted, or lacked. In that case, she said to herself, the Nameless One has not died. He is still living on, in Bosaaso and me."⁹⁴ Nasiiba's inaugural tale of her discovery of the baby by a rubbish bin;⁹⁵ Bosaaso's bureaucratic imagining of himself and Duniya as the married legal parents of the foundling;⁹⁶ Dr Mire's anecdote of a child who died

early without sin and yet was perhaps unjustly ranked below an elderly man in heaven's hierarchy;⁹⁷ and Taariq's creation-myth of the Ethiopian as the envy of all races;⁹⁸ are but some of these narratives inspired by, and centered upon, the founding.

Focusing on the cultural specificity of the stories arising in *Gifts*, let us add that the novel is not only set in famine-stricken and civil-war-torn Somalia of the late 1980s (as dated in/through the contemporaneous local and foreign newspaper items), but further composed of, and punctuated with, Somali folklore, parables, and rituals that contest local-governmental and foreign-international determinations of Somalia's identity as an abject recipient of humanitarian aid.⁹⁹ Other commentators on *Gifts* have directed us to the inserted newspapers' function of presenting the political context of humanitarian aid against which Duniya's and other Somali individuals' acts of giving are juxtaposed, which reveals the calculative, self-interested character of the international legal donations.¹⁰⁰ What have been less remarked upon, and yet warrant closer attention to, are some tensions between the news items of varying sources that attest to divided positions taken *within* the political setting. In the local government newspapers (the accredited source "SONNA" ostensibly standing for the Somali National News Agency), we find the Somali government's presentation of the nation as in desperate need of foreign monetary aid to deal with famine. The opening news item, for instance, references the Head of State Mohamed Siyad Barre's request to German, Britain, French and Italian ambassadors to consider contributing to Somalia's campaign to exterminate the crop-damaging desert locusts, a campaign already receiving the financial support of the US and Dutch governments.¹⁰¹ And yet, two chapters later, in the third newspaper excerpt from New York's "Reuter"¹⁰² (a close fictional analogue for Reuters), we find a critical account of foreign aid offered by a United Nations Development Programme spokesman, who re-attributed the cause of death by starvation in "the developing world"¹⁰³ to the foreign aid policies and warned against the relationship of total economic dependency on "developed countries"¹⁰⁴ thereby engendered. Whilst the popular imagination of foreign aid has been structurally, and often unconsciously, defined by the "savages-victims-saviors metaphor"¹⁰⁵ (well reflected in Ingrid's presentation of "*Apfricans*"¹⁰⁶ as failing to value Western gifts while continually appealing "for more aid, more loans"¹⁰⁷), the third item suggests that criticisms of foreign aid for producing the metaphorized relationship between nations and its deleterious effects on the developing states were being advanced by international agencies in opposition to the decisions of national governments. Taariq's clear-headed criticism of food donations for protecting the "corrupt leaderships [from] the starving masses"¹⁰⁸ and "[sabotaging] the African's ability to survive with dignity,"¹⁰⁹ advanced in the novel's closing newspaper article, arose within a larger divided discourse on the politics of humanitarian aid.

Presented in the first of Taariq's newspaper articles as "a true story [that] happened in a village in Lower Juba in Somalia,"¹¹⁰ "The Story of a Cow" anticipates and structures Duniya's relationship with the foundling, a bilateral gift-relation that counteracts and exceeds that of humanitarian aid. Situated as occurring during the worst famine the Horn of Africa has faced in the twentieth century, the story depicts the failures and successes of acting honorably in a dire situation where one's values and kinships are threatened, a situation that parallels Duniya's trying dispute with Taariq's sister-in-law Muraayo over the enmeshed fates of Yarey and the foundling. In the parable, two blood-related neighboring Somali families who had relied upon a cow owned by one of them for milk were made to endure a severe phase in the famine when the cow's owner Harun began denying his neighbor-friend Musa of milk for the latter's baby daughter. That night, the cow appeared at the door of Musa's house, as if wanting to be milked, but Musa kept his vow not to steal. The next day, the cow refused to be milked by anyone other than Musa, producing in the first and second instances three and four times as much milk as during the pre-famine days. Whilst Harun would boast to a group of visiting travelers that night about his ownership of the milk-abundant cow, Musa would instead remain silent. Even after the cow had disappeared later that night, allegedly sighted by the travelers as departing in the form of an Islamic prophet and saint, Musa would not comment on the rumoredly divine occurrence, as if recognizing that any self-aggrandizing commentary on his involvement would sully the event and their memory of it.

Partaking of Musa's honorable position in the novel's frame narrative are the maternal figures Duniya and the old woman Maryam, both in their roles as caregivers motivated not so much by self-interest as by an ethical sense of responsibility for the other. Not unlike Musa in respect of his offer to milk the cow in spite of Harun's calculative acts (the latter having refused to share the milk with Musa when the latter could no longer find meats worthy of exchange), Maryam had opted against speaking of her anonymous gifting of a blanket to Taariq when he was out on the streets, "tucking [him] in like a motherless baby,"¹¹¹ and further "guarding [him] against thieves and dogs."¹¹² Pressed by Taariq to recall the incident in Duniya's presence, Maryam chastised him for degrading the act by publicly crediting her for it: "why devalue the significance of the act by mentioning it in public? Why must you speak of it?"¹¹³ Other than volunteering her and her granddaughter Marilyn's services to care for the foundling when he was alive, she also kept vigil by the foundling's corpse, saying words of Koranic prayer and respectfully shielding it from external gazes by covering the body with a sheet and shutting the room window.¹¹⁴ Her dignified mourning rituals are juxtaposed with Bosaaso's rehearsal of a cold bureaucratic speech, urging as he does for the baby to be sent for a post-mortem dissection and six copies of the

death certificate to be submitted to the district police station.¹¹⁵ Maryam's acts of caregiving without promise of gain are further distinguished from Shiriye's calculative conduct, for instance, his renunciation of a vow to put a stop to Duniya's marriage with the elderly Zubair in exchange for bride dowry.

In a kindred manner, Duniya kept the foundling not because doing so held any promise of reward, but rather simply as an ethical gesture that paralleled Musa's, whose story in the newspaper she had just read: "Had Khadr [the Islamic prophet] now chosen to enter her house in the guise of a baby abandoned near a rubbish-bin?"¹¹⁶ It was in response to a felt sense of alterity, "the presence of a spirit paying her home an ethereal visit,"¹¹⁷ that she accepted the gift of the foundling, despite her perceptible doubts about Nasiiba's story of its finding. Pressed by Shiriye to account for her decision to care for the foundling, she sharply outlined the limits of his self-serving rationality: "Would it make sense to a man like you, who has never known the meaning of a kind gesture, that *we* are keeping him out of pure kind-heartedness, motivated by goodwill, an act of mercy such as one might extend towards a blind man crossing a dangerous road?"¹¹⁸ The first-person plural composed of Duniya, Bosaaso, and her family; an emergent community; was presented as a critical substitute for Shiriye's (and Harun's) proprietary "I." More magnificently, Duniya defiantly rejected Muraayo's offer to swap Yarey for the foundling, knowingly exercising her proprietary right as tenant to exclude Muraayo from the premises, notwithstanding the latter's status as the landlord's wife. "I'm the tenant and I have the right to throw you out."¹¹⁹ The Western-colonial law of property was thereby strategically relied upon by Duniya to affirm her role as the foundling's caregiver in this impossible, and perilous, situation of having to choose between him and her biological daughter. Against Harun's and his analogues' self-interestedness, Duniya affirmed Musa's sense of communal generosity beyond blood relations, thereby aligning herself with Maryam and Musa. It was fitting that the foundling reciprocated Duniya's kindness with the tightly knitted communities formed around him, both in his life and afterlife.

Whereas Kant had feared his philosophical history would be dismissed as literary fancy, Farah proffers the power of literature, particularly its storytelling function, as that on which a postcolony like Somalia could rely to "bilateralize" its gift relation with the international legal order. Instead of the European continent legislating for and on behalf of the rest of the world, in *Gifts* it is Somali culture, and in particular Somali storytellers, that "gives back" to Europe stories shaped by local traditions and lived experiences occurring within, and against, the international legal order. Duniya's care for the foundling, and other novelized acts of giving, are the alternative gift-modalities and -practices, grounded in ethics and communal sentiments, that exceed the self-serving logic of humanitarian aid. Between "legal" and "literary" enactments of cosmopolitanism – mutually

entwined as they might well be – it is the latter that Farah depicts and demonstrates in this postcolonial novel.

(RE)MEDIATING THE POSTCOLONIAL

What enables the giving of these Somali stories to Europe? Under what material conditions does the alternative cosmopolitan modality of postcolonial storytelling become possible? Whilst Kant's focus in "Universal History" was on the *domestic and international laws* that foster humankind's use of reason and eventual emancipation from immaturity and civil strife (as evidenced in the motif of securing "freedom under external laws"¹²⁰ and "establishing an externally perfect state constitution... the only condition in which it [the human species] can fully develop all its predispositions in humanity"¹²¹), his next two essays in the *Berlinische Monatsschrift* expressly attend to the *communicative-medial conditions* that afford the making of a cosmopolitan order and world community. When read adjacent to Farah's novel, including the concluding scene of Duniya's reunion dinner with Abshir, Kant's media-theoretical texts demonstrate their value in illuminating the material basis of postcolonial storytelling

Published just a month after "Universal History," Kant's "What is Enlightenment" (1784) presented the printed book as humanity's *pharmakon*, at once a poison and a cure to the human being's state of immaturity.¹²² Cited alongside, and ahead of, two human experts on spiritual and bodily health, the book-authority was identified to be an obstacle to the courageous use of one's own understanding: "It is so comfortable to be a minor! If I have a book that understands for me, a spiritual advisor who has a conscience for me, and a doctor who decides upon a regimen for me, and so forth, I need not trouble myself at all."¹²³ As Kant's main target in this essay is religious tutelage,¹²⁴ it is possible that "book" here refers to Martin Luther's German translation of the New Testament, copies of which had been circulated across the German-speaking states since the sixteenth century.¹²⁵ But as a common noun and synecdoche, "book" potentially encompassed the totality of print matter that was proliferating across the eighteenth century, provoking critiques about the "reading addiction"¹²⁶ and "plague of German literature."¹²⁷

Notwithstanding these contemporaneous suspicions of print surfeit as evidencing superficial reading habits and heralding intellectual decay, Kant recognized that it was through such print matter as his essays in the *Berlinische Monatsschrift* that the practice of enlightenment proceeded. Kant's advocated "public use of one's own reason"¹²⁸ depended on the publishing apparatus that circulated books amongst readers within, across, and beyond national borders. "[By] the public use of one's own reason I understand that use which someone makes of it *as a scholar* before the entire public of the *world of readers*

[*Leserwelt*].”¹²⁹ Stressing the “world” [*Welt*] in the “world of readers” [*Leserwelt*], Kant presented his cosmopolitan optic in terms of the circulation of books and other print matter that afforded and evinced communications between authors and readers. Literary communication in the material form of print was central to what John Christian Laursen memorably called the “subversive Kant,”¹³⁰ for whom publicity and critique, or the public submission of religion law, and all other dogmata to the tribunal of reason, was essential to the freedom of universal humanity.¹³¹

Kant is not usually compared to twentieth-century media theorists like Marshall McLuhan and Friedrich Kittler.¹³² But Kant’s “On the Wrongfulness of Reprinting” (1785), as well as his later writings on the nature of the book and the experience of reading, evidences a similar acute awareness of the communicative function of the book and its dependence on a medial infrastructure to which embodied persons are connected, particularly through their eyes. Whilst mainly proposing a *juridical* structure premised on authorial personhood to secure communicative freedom, Kant’s 1785 essay elaborated on both the publishing apparatus and the printed book qua optical medium as the material conditions for author-to-public communications.¹³³ Whereas other contributions to the late-eighteenth-century German debate over the regulation of book publishing attempted to identify some intangible property whose authorial ownership rendered unauthorized reprinting wrongful,¹³⁴ Kant’s case turned upon a distinction between the book as action (*opera*) and the book as work (*opus*). Though it is true that Kant understood the authorial speech act “in” the book as that which the authorized publisher alone could rightfully relay to the public,¹³⁵ it is no less important that Kant viewed such public communication as extending from the opticality of the book. Fittingly, Kant used the footnote, a paratext that necessitated an ocular shift from the main textual body to its bottom margin, to advance his theory of the book as optical medium:

A book is the instrument for delivering a *speech* to the public, not merely a thought, as is, for example, a picture, a symbolic representation of some idea or event. This is what is essential here: that what is thereby delivered is not a *thing* but an *opera*, namely *speech*, and indeed by letters. By calling it a mute instrument I distinguish it from one that delivers speech by sounds, such as a megaphone or even the *mouth* of another.¹³⁶

Counterexamples of acoustic media, “megaphone” and “mouth,” were cited to stress the material specificity of books, which instead relied upon visible letters to relay their authors’ speech. Such an understanding of the opticality of books would be doubly rehearsed in *The Metaphysics of Morals* (1797), where literary

communication was described as mediated by “visible linguistic signs”¹³⁷; and in *The Conflict of Faculties* (1798), where Kant promoted the Breitkopf Fraktur typeface used in the *Berlinische Monatsschrift* as “strengthening the eyes perceptibly”¹³⁸ unlike its Roman counterparts. These observations anticipate McLuhan’s archaeology of “typographic man”¹³⁹ and Kittler’s history of optical media from the *camera obscura* to computer graphics.¹⁴⁰

German print culture of the late eighteenth century might seem to be quite distinct from Somali culture of the late 1980s. Whilst the narrated lives of Duniya and her fellow Mogadiscio inhabitants include print matter such as the local and foreign newspapers read by her and Nasiiba, Mataa’s frequent book in hand, and the “great European classics”¹⁴¹ read and translated by Dr Mire and Bosaaso, Somali society is defined less by public letters than by oral speech delivered in person and *via* radio. The community formed around the foundling was facilitated by news of his abandonment, and subsequent care by Duniya, disseminated by residents and through Radio Mogadiscio. News of Duniya’s imminent departure from her district and Abshir’s impending arrival in the capital are broadcast by children playing hopscotch and hide-and-seek. As confirmed by Duniya in her search for a new rental flat, Somalia remained an “essentially oral society”¹⁴² despite having opened its doors to foreign visitors and inhabitants pursuant to global capitalist processes:

It was a pity that newspapers did not carry notices advertising small flats to rent, only large villas intended for foreign residents of the metropolis, who were willing to pay their Somali landlords in hard currency. For locals, news about the availability of vacant accommodation, like other information, was circulated primarily by word of mouth in this essentially oral society.¹⁴³

Accordingly, it was through Duniya’s and Nasiiba’s conversation with Miski (the sister of the foundling’s mother Fariida) that they were able to secure a flat in the city center owned by the father of Miski’s former fiancé.¹⁴⁴ As evinced in the novel’s web of Somali names, kinships and extended social relations, supported by broadcast acoustic media, were the channels that relayed information on, and thereby configured, the lives of the Mogadiscio residents.

Yet, it is by means of the book-artifact that we in the global Anglophone sphere are able to glean Farah’s novelized tales of speech-dominant Somali communities and their oral traditions, the reliance on which coheres with Kant’s account of print-based literary communications. As registered in the publisher’s peritext of the 1993 book edition, the New York company Arcade Publishing was the print agent that ensured the digital typesetting of the literary work, whose copyright the author owns. More than the system of intangible ownership rights

that presently governs the novel's reproduction and use (whose proprietary idiom Kant had refused in respect of eighteenth-century authorship), it is the literalization of Somali oral culture, particularly its remediation into a printed book composed of Roman letters, that recalls Kant's vision of a world of readers interacting with print. No less than Kant's enlightenment discourse, Farah's postcolonial storytelling depended on, and continues to depend on, a medial infrastructure to store and transmit content to the reading public. Without the book-medium and the literary machinery (or what book historians have referred to as the "communication circuit"¹⁴⁵ of book producers, distributors, and recipients), the many Somali and African stories, split between those of violently gendered rituals such as infibulation and those of communal caretaking practices that exceed the calculative logic of humanitarian aid, could not have reached us. Farah's alternative cosmopolitan vision of bilateral gifting between Somalia and Europe, the developing and developed worlds, depends on the printed book as one of its key medial conditions of possibility.

Recognizing the centrality of media—acoustic, optical, or multimodal—to Farah's postcolonial novel enables us to appreciate its discourse on the critical role of books in Somalia's media ecology as constituted in/by globalization. *Gifts* registers the impact of the entry of Euro-American filmic and visual culture into the Somali imaginary, seducing Somali subjects to replicate Western habits, cultures, and ways of speaking, which might not be the most meaningful nor ethically sound. As onlookers to Nasiiba's and Yarey's frequent consumption of Hollywood films *via* Bosaaso's and Muraayo's video-players, Duniya and her bookish son are able to observe the girls' imperfect mimicry of Western characters and speech. "Going out Nasiiba shouted, "I love you, Mummy," clearly emulating American girls whom she had seen in films. There was no doubt in Duniya's mind that her children loved her".¹⁴⁶ Similarly, Mataan joined Duniya in suspecting that Yarey's lines about "loving"¹⁴⁷ an Italian film were given to her by Nasiiba, "rehearsed to the last comma, question and exclamation,"¹⁴⁸ which raises doubts about the authenticity of their speech. Maryam's granddaughter Marilyn, though originally named after her, would rather be known as the American sex symbol Marilyn Monroe.¹⁴⁹ Most tellingly, as instructed by Nasiiba and as frequently seen on the television screen, Yarey proposed to follow what Bosasso later revealed to be a "neo-colonial tradition"¹⁵⁰ (and, indeed, a gendered one) of dressing in white and presenting a welcome bouquet of flowers to Abshir, as if she were "an innocent young virgin... offered to a visiting man who happens to be a head of another state."¹⁵¹ Farah enlists the novel to reflect on the limits of colonial and neocolonial mimicry.

Thus understood, Farah's restaged gap between the worlds of speech and writing, and that of Somali oral culture and global Anglophone written culture in particular, facilitates our rereading of the closing scene of Duniya's reunion

dinner with Abshir as an allegory of the postcolony's transition from orality to literacy. Unlike the preceding part of the frame narrative wherein Duniya exercised self-determining control over Somali gift economy (quite unlike Somalia's subjection to the international legal order), her experience during and memory of the interval between Abshir's imminent return and the reunion dinner, as well as that of the dinner itself, was characterized by gaps that suggested a cession of personal sovereignty. About half an hour before Abshir's plane landed, she was suspended in an inner state of "delirium," as if undergoing a radical bodily transformation akin to childbirth:

Duniya now wondered to herself if she were hallucinating, she was sure she had lost touch with the physical reality surrounding her, and sensed delirium engulfing her, making feel giddy, the way labour pains desensitize a woman so she cannot feel the pain because there is too much of it.¹⁵²

Despite recovering from the vertiginous sensory overload and regaining her bearings sometime after Abshir's return, at the dinner Duniya would once again regress to an opaque state of self-splitting, alluding to the existence of two possible selves, Duniya as narrator and as character:

Whom was Bosaaso married to?
Which Duniya?
This or the other?
She wishes she knew.¹⁵³

Building upon the meaning of Duniya's name (Arabic for "world"¹⁵⁴), Cheah has read the self- and world-fracturing event as illustrative of the inhuman coming of time: the originary force that opened up Duniya's love story with Bosaaso, and that maintained Duniya's reception of other stories to come. It is in this attentive receptiveness to other worlds to come, evocatively depicted in Duniya's self-crisis, that Cheah locates the power of postcolonial literature to resist the totalizing processes of capitalist globalization: "postcolonial world literature's normative task is to enact the unending opening of a world as a condition for the emergence of new subjects in spite of capitalist globalization. Its non-utopian promise is that we can belong otherwise, in different ways, because quivering beneath the surface of the existing world are other worlds to come."¹⁵⁵

The mediality of *Gifts* presents a no less fundamental, and an arguably more historico-culturally specific, alternative to Cheah's interpretation of this scene as the novel's structural opening unto the originary gift of time. Duniya's crisis in/of self allegorizes, and indeed demonstrates, Farah's perilous remediation of Somali

oral stories into a postcolonial Anglophone novel. Her uncertainty as to whom Bosaaso is married reflects the Westernized Somali author's own struggle to present Somali culture in a written form to be read by a global Anglophone audience. What about Somalia's speech-dominant society and oral traditions might be lost in their remediation into printed letters of the English language? As a double synecdoche for Somalia and Europe, Duniya/Farah's self-doubt further echoes Somalia's own tumultuous transition from a predominantly oral society to a literate one that is equally able to contribute to the global Anglophone public sphere. Despite these reservations on the part of the Somali author and his character, they recognize that it is by means of the optical remediation that their postcolonial stories could be gifted and relayed to the rest of the world. Hence, it is fitting that *Gifts* concludes by anticipating the world's receipt of Duniya's story: "The world was an audience, ready to be given Duniya's story from the beginning."¹⁵⁶ In this postcolonial novel, we find another imagining of a cosmopolitan community bound by books, one that recalls, and critically qualifies, Kant's universal vision.

CONCLUSION

When Spivak revisited "planetarity" as an untranslatable term in 2015, it was not the cosmopolitan but rather the critical Kant whom she cited in support of its deployment against the dogmatics of environmental, geological, and evolutionary-biological sciences.¹⁵⁷ "If we think critically – *via* Kant again – only in reference to our cognitive faculties and consequently bound to the subjective conditions of envisioning planetarity, without undertaking to decide anything about its object, we discover that planetarity is not within the subject's grasp."¹⁵⁸ Rather than submitting planetarity to the control of unexamined precepts and disciplinary structures of thought, she recalled the planet's irreducible alterity, its "belonging to another system,"¹⁵⁹ which necessitated our resistance to the globalist reduction of all planetary phenomena to measurable, fungible units.

Planetarity's association with death and otherness puts the figure in relation with Farah's own treatment of cosmopolitanism, both within the fictional Mogadiscio and its ghostly reappearance in the author's later essay, "Of Tamarind & Cosmopolitanism" (2002).¹⁶⁰ Therein appears an instructive contrast between the communities formed around the foundling's death and the 1991 destruction of a cosmopolitan shopping complex in the capital city. Run by residents originally from the Middle East and the Indian subcontinent, the lively Tamarind Market had acted a microcosm of Mogadiscio's cosmopolitanism since as early as the tenth century.¹⁶¹ When Farah returned to the city after the fall of the Barre regime, however, he found operating in its place the Bakhaaraha Market, a pale imitation "largely emptied of cosmopolitans"¹⁶² and, instead, defined by capitalist forces and clan loyalties. Unlike the hospitality to strangers

demonstrated by those who nurtured, then mourned for the death of, the founding, insularity and “[intolerance]”¹⁶³ defines the new clan-dominant Market. If the historical demise of the Tamarind Market stands for the loss of Mogadiscio’s cosmopolitan spirit to capitalist and parochial forms of violence, then it might be that a renewed sense of planetarity is needed to counteract such threats to cultural difference.

In their respective cosmopolitan visions, the Somali writer and Prussian philosopher pose the necessity of reimagining the world in ways that exceed nationalist, regionalist, and globalist frames of intelligibility. Spivak’s other-oriented figure of planetarity is our theoretical guide between postcolonial literature and the European legacy. Reworked in planetary terms, law and literature allows us to resume the unfinished transactions between Farah’s novel and Kant’s texts on cosmopolitanism, enlightenment, and book publishing. Both the limits and potentiality of our European inheritances are illuminated by the fiction’s cosmo-medial traces. Recognized to be a media theorist, Kant presents to the interdiscipline a channel beyond capitalist globalization and Eurocentric universalism. A medial rethinking of Kant could help disclose what remains of European thought in the postcolonial here and now.

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2. Nuruddin Farah, *Gifts: A Novel* (New York: Arcade Publishing, 2016). The first edition was published in 1993.
3. Immanuel Kant, “Idea for a Universal History with a Cosmopolitan Aim,” in *Kant’s Idea for a Universal History with a Cosmopolitan Aim: A Critical Guide*, ed. Amélie Oksenberg Rorty and James Schmidt (Cambridge and New York: Cambridge University Press, 2009), 9–23; Immanuel Kant, “An Answer to the Question: What Is Enlightenment? (1784),” in *Practical Philosophy*, ed. Paul Guyer and Allen W. Wood, trans. Mary J. Gregor (Cambridge: Cambridge University Press, 1996), 15–22; Immanuel Kant, “On the Wrongfulness of Unauthorized Publication of Books (1785),” in *Practical Philosophy*, ed. Paul Guyer and Allen W. Wood, trans. Mary J. Gregor, (Cambridge: Cambridge University Press, 1996), 27–35.
4. Elizabeth S. Anker, “Globalizing Law and Literature,” in *New Directions in Law and Literature*, ed. Elizabeth S. Anker and Bernadette Meyler (New York: Oxford University Press, 2017), 210–25; Pheng Cheah, “Resisting Humanitarianization,” in *What Is a World? On Postcolonial Literature as World*

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5. See Gayatri Chakravorty Spivak, *Death of a Discipline* (New York: Columbia University Press, 2003); Gayatri Chakravorty Spivak, "Imperative to Re-Imagine the Planet," in *An Aesthetic Education in the Era of Globalization* (Cambridge, MA and London: Harvard University Press, 2012), 335–50; Gayatri Chakravorty Spivak, "'Planetarity' (Box 4, WELT)," *Paragraph* 38, no. 2 (2015): 290–2.
6. For two histories of law and literature based on the experiences of US and European scholars, see Peters, "Law, Literature, and the Vanishing Real: On the Future of an Interdisciplinary Illusion"; Olson, "De-Americanizing Law and Literature Narratives: Opening Up the Story," in *Dialogues on Justice: European Perspectives on Law and Humanities*, ed. Helle Porsdam and Thomas Elholm (Germany: De Gruyter, 2012), 15–43. See also Olson's more recent review of the field: Greta Olson, *From Law and Literature to Legality and Affect* (Oxford: Oxford University Press, 2022).
7. Elizabeth S. Anker and Bernadette Meyler, "Introduction," in *New Directions in Law and Literature*, ed. Elizabeth S. Anker and Bernadette Meyler (New York: Oxford University Press, 2017), 1–30. The terminology and ethos in this area is affected by postcolonial theory, particularly Dipesh Chakrabarty, *Provincializing Europe: Postcolonial Thought and Historical Difference* (Princeton and Oxford: Princeton University Press, 2000).
8. Olson, "De-Americanizing Law and Literature Narratives: Opening Up the Story."
9. Other than Anker's work discussed below, see also a 2019 special issue on law and literature from the global South, edited by Babcock and Leman, published in *Journal of Commonwealth and Postcolonial Studies*.
10. See, for instance, Walter D. Mignolo and Catherine E. Walsh, eds., *On Decoloniality: Concepts, Analytics, Praxis* (Durham and London: Duke University Press, 2018).
11. Anker, "Globalizing Law and Literature"; Elizabeth S. Anker, "Teaching the Legal Imperialism Debate over Human Rights," in *Teaching Human Rights in Literary and Cultural Studies*, ed. Alexandra Schultheis Moore and Elizabeth Swanson Goldberg (New York: Modern Language Association, 2015). The latter book chapter concerns the use of Farah as a set text for exploring the limits of human rights discourse in the light of colonial history.
12. On the hermeneutics of suspicion, see Paul Ricoeur, *Freud and Philosophy: An Essay on Interpretation*, trans. Denis Savage (New Haven and London: Yale University Press, 1970).
13. Farah, *Gifts: A Novel*, 17. Bosaaso's childhood friend Dr Mire, too, had returned from West Germany for the same purpose.
14. Farah, *Gifts: A Novel*, 23.
15. *Ibid.*, 23.
16. *Ibid.*, 16.
17. *Ibid.*, 18.
18. *Ibid.*, 21.
19. *Ibid.*, 22.
20. Anker, "Globalizing Law and Literature," 222.
21. Farah, *Gifts: A Novel*, 69.
22. Anker, "Globalizing Law and Literature," 223.
23. Farah, *Gifts: A Novel*, 69.
24. *Ibid.*, 73.
25. *Ibid.*, 73.
26. *Ibid.*, 66, 135.
27. *Ibid.*, 102. As part of the agreement, Duniya's and Taariq's biological daughter Yarey had to stay with Qasim during the weekdays, which eases the father's visits.
28. Farah, *Gifts: A Novel*, 3.
29. *Ibid.*, 3.
30. *Ibid.*, 82.
31. *Ibid.*, 6.
32. *Ibid.*, 77.
33. *Ibid.*, 82.
34. *Ibid.*, 180.
35. By this, I mean that Anker's work potentially displaces some limits of "negative critique." For Anker's recent book-length assessment of critical theory, see Elizabeth S. Anker, *On Paradox: The Claims of Theory* (Durham and London: Duke University Press, 2022). See also Elizabeth S. Anker and Rita Felski, eds., *Critique and Postcritique* (Durham and London: Duke University Press, 2017).
36. Anker, "Globalizing Law and Literature," 213.
37. *Ibid.*, 214.
38. See also Rita Felski's work on the substitutive "hermeneutics of restoration": Rita Felski, *The Limits of Critique* (Chicago and London: The University of Chicago Press, 2015).

39. Anker, "Globalizing Law and Literature," 211. See also Wendy Brown, *Undoing the Demos: Neoliberalism's Stealth Revolution* (New York: Zone Books, 2015). The other two historical conditions Anker foregrounds relate to the post-Westphalian world order, with its post-statist conceptions of sovereignty; and the rise of postcolonial studies, which has spurred investigations into the entangled histories of law, literature, and empire: see Anker, "Globalizing Law and Literature," 210–11.
40. Anker, "Globalizing Law and Literature," 211.
41. Wendy Brown, interview by Jacob Hamburger, "Who Is not a Neoliberal Today?," *Tocqueville* 21, January 18, 2018, <https://tocqueville21.com/interviews/wendy-brown-not-neoliberal-today/> (accessed May 22, 2023).
42. This phrasing is borrowed from Wendy Brown's subtitle: see Brown, *Undoing the Demos: Neoliberalism's Stealth Revolution*.
43. On disciplinary differences between world literature and comparative literature, see David Damrosch and Gayatri Chakravorty Spivak, "Comparative Literature/World Literature: A Discussion with Gayatri Spivak and David Damrosch," *Comparative Literature Studies* 48, no. 4 (2011): 455–85.
44. The book was based on Spivak's Wellek Library Lectures in Critical Theory given at the University of California, Irvine.
45. Spivak, *Death of a Discipline*, xii.
46. *Ibid.*, 15.
47. *Ibid.*, 72.
48. Damrosch and Spivak, "Comparative/World Literature," 466.
49. See the unpaginated acknowledgements page. See, too, the preceding dedications page, which marks the work as a tribute to his deceased mother alongside the British novelist Angela Carter.
50. Marcel Mauss, *The Gift: The Form and Reason for Exchange in Archaic Societies* (London and New York: Routledge, 2002).
51. Anker, "Globalizing Law and Literature," 222.
52. Other than Kant's philosophical history discussed below, see also two classics of modern international law, Hugo Grotius, *De Iure Belli Ac Pacis* (1625); Francisco de Vitoria, *De Indis et de Iure Belli Relectiones* (1557).
53. Pheng Cheah, *What Is a World? On Postcolonial Literature as World Literature* (Durham, NC: Duke University Press, 2016), 191.
54. Other than Damrosch's work discussed below, see Franco Moretti, "World-Systems Analysis, Evolutionary Theory, *Weltliteratur*," in *Immanuel Wallerstein and the Problem of the World: System, Scale, Culture*, ed. David Palumbo-Liu, Bruce Robbins, and Nirvana Tanoukhi (Durham and London: Duke University Press, 2011), 67–77; Pascale Casanova, *The World Republic of Letters* (Cambridge, MA and London: Harvard University Press, 2004). For a recent study on the role of international copyright law in the circulation of world literature, see César Domínguez, "In 1837/1838: World Literature and Law," *Critical Inquiry* 47 (2020): 28–49.
55. David Damrosch, *What Is World Literature?* (Princeton and Oxford: Princeton University Press, 2003), 4.
56. Cheah, *What Is a World? On Postcolonial Literature as World Literature*, 5.
57. *Ibid.*, 11.
58. Other than Farah's novel, Cheah discusses works by Michelle Cliff, Amitav Ghosh, Ninotchka Rosca, and Timothy Mo.
59. Cheah, *What Is a World? On Postcolonial Literature as World Literature*, 3.
60. Jacques Derrida, "The Right to Philosophy from the Cosmopolitical Point of View (The Example of an International Institution)," in *Ethics, Institutions and the Right to Philosophy* (Lanham, Boulder, New York, Oxford: Rowman & Littlefield Publications, Inc., 2002), 1–18.
61. Kant, "Idea for a Universal History with a Cosmopolitan Aim," 21. See also Simon Glendinning, *Europe: A Philosophical History, Part I: The Promise of Modernity* (Abingdon, Oxon, and New York: Routledge, 2021), 81–4.
62. Jacques Derrida, *Ethics, Institutions, and the Right to Philosophy*, ed. Peter Pericles Trifonas (Lanham, Boulder, New York, Oxford: Rowman & Littlefield Publications, Inc., 2002), 23. This second look at Kant arose in the roundtable discussion that happened after Derrida's contribution to the first International Conference for Humanities Discourses held in April 1994, whose text was based on his 1991 UNESCO lecture.
63. Cheah, *What Is a World? On Postcolonial Literature as World Literature*, 3.
64. *Ibid.*, 3.
65. Farah, *Gifts: A Novel*, 5.

66. Mauss, *The Gift: The Form and Reason for Exchange in Archaic Societies*, 10–23.
67. *Ibid.*, 83–107.
68. Cheah, “Resisting Humanitarianization,” 290.
69. *Ibid.*, 290.
70. *Ibid.*, 291–292.
71. Farah, *Gifts: A Novel*, 48.
72. *Ibid.*, 196.
73. *Ibid.*, 49.
74. *Ibid.*, 22.
75. Immanuel Kant, “Groundwork of the Metaphysics of Morals (1785),” in *Practical Philosophy* (Cambridge: Cambridge University Press, 1996), 84–5.
76. Immanuel Kant, “Toward Perpetual Peace (1795),” in *Practical Philosophy*, ed. Paul Guyer and Allen W. Wood, trans. Mary J. Gregor (Cambridge: Cambridge University Press, 1996), 315–51. See especially the Third Article on the cosmopolitan right of universal hospitality. See also Immanuel Kant, “The Metaphysics of Morals (1797),” in *Practical Philosophy*, ed. Paul Guyer and Allen W. Wood, trans. Mary J. Gregor (Cambridge: Cambridge University Press, 1996), 489–90.
77. For an account that tracks this shift in Kant’s thinking about colonialism, see Pauline Kleingeld, “Kant’s Second Thoughts on Colonialism,” in *Kant and Colonialism: Historical and Critical Perspectives*, ed. Katrin Flikschuh and Lea Ypi (Oxford: Oxford University Press, 2014), 43–67.
78. Consider, for instance, Duniya’s selection of an Italian restaurant for her family dinner with Abshir, where they were served by “a waiter of the older generation, who had worked in Croce del Sud when the Italians were still the master race of Mogadiscio”: see Farah, *Gifts: A Novel*, 244.
79. See Raphael Chijioke Njoku, *The History of Somalia* (Santa Barbara, CA: Greenwood, 2013).
80. Kant, “Idea for a Universal History with a Cosmopolitan Aim,” 11.
81. *Ibid.*, 11.
82. *Ibid.*, 11–12.
83. This translation is by James Schmidt: Immanuel Kant, “An Answer to the Question: What Is Enlightenment?,” in *What Is Enlightenment? Eighteenth-Century Answers and Twentieth-Century Questions*, ed. James Schmidt (Berkeley and Los Angeles, CA and London, England: University of California Press, 1996), 58. Kant’s philosophical history was published in the November 1784 issue.
84. Kant, “Idea for a Universal History with a Cosmopolitan Aim,” 13.
85. *Ibid.*, 14–15.
86. *Ibid.*, 16–17.
87. *Ibid.*, 20.
88. *Ibid.*, 21.
89. *Ibid.*
90. Derrida, “The Right to Philosophy from the Cosmopolitical Point of View (The Example of an International Institution),” 6.
91. See Pauline Kleingeld, *Kant and Cosmopolitanism: The Philosophical Ideal of World Citizenship* (Cambridge: Cambridge University Press, 2012), 92–123.
92. See also Edward Said’s related critique of cultural forms as legitimating imperial violence: Edward W. Said, *Culture and Imperialism* (New York: Vintage Books, 1994).
93. See Cheah, “Resisting Humanitarianization,” 299–300.
94. Farah, *Gifts: A Novel*, 130.
95. *Ibid.*, 64.
96. *Ibid.*, 73.
97. *Ibid.*, 129.
98. *Ibid.*, 129.
99. Other than the Somali stories discussed in this article, consider for instance Mataan’s story of the reproductive brass cauldron and other Arab folk tales featuring the wise fool Juxaa.
100. See, for instance, Tim Woods, “Giving and Receiving: Nuruddin Farah’s *Gifts*, or, the Postcolonial Logic of Third World Aid,” *Journal of Commonwealth Literature* 38, no. 1 (2003): 91–112; Francis Ngaboh-Smart, “Dimensions of Gift Giving in Nuruddin Farah’s *Gifts*,” *Research in African Literatures* 27, no. 4 (1996): 144–56.
101. Farah, *Gifts: A Novel*, 9.
102. *Ibid.*, 33.
103. *Ibid.*
104. *Ibid.*
105. See Makau wa Mutua, “Savages, Victims, and Saviors: The Metaphor of Human Rights,” *Harvard International Law Journal* 42, no. 1 (2001): 202–45.
106. Farah, *Gifts: A Novel*, 47.
107. *Ibid.*, 48.
108. *Ibid.*, 195.

109. Ibid., 196.
110. Ibid., 56.
111. Ibid., 122.
112. Ibid., 122.
113. Ibid., 127.
114. Ibid., 129.
115. Ibid., 129.
116. Ibid., 64.
117. Ibid., 63.
118. Ibid., 83.
119. Ibid., 115.
120. Kant, "Idea for a Universal History with a Cosmopolitan Aim," 14.
121. Ibid., 19.
122. On the critical term *pharmakon*, see Jacques Derrida, *Dissemination*, trans. Barbara Johnson (London: The Athlone Press, 1981).
123. Kant, "An Answer to the Question: What Is Enlightenment? (1784)," 17.
124. See Kant, "An Answer to the Question: What Is Enlightenment? (1784)," 21: "I have put the main point of enlightenment, of people's emergence from their self-incurred minority, chiefly in *matters of religion*."
125. See Elizabeth L. Eisenstein, *The Printing Press as an Agent of Change: Communications and Cultural Transformations in Early-Modern Europe, Volumes I and II* (Cambridge: Cambridge University Press, 1979), 303–450.
126. Johann Hoche, *Vertraute Briefe über die jetzige abentheuerliche Lesesucht und über den Einfluß derselben auf die Verminderung des häuslichen und öffentlichen Glücks* (Hanover: Ritscher, 1794). For my earlier discussion of the surfeit of print in eighteenth-century Germany, see Benjamin Goh, "From Paratexts to Print Machinery," *Law and Critique* (2023).
127. Johann Georg Heinzmann, *Appell an meine Nation: über die Pest der deutschen Literatur* (Bern, 1795).
128. Kant, "An Answer to the Question: What Is Enlightenment? (1784)," 18.
129. Ibid., 18.
130. John Christian Laursen, "The Subversive Kant: The Vocabulary of 'Public' and 'Publicity,'" in *What Is Enlightenment? Eighteenth-Century Answers and Twentieth-Century Questions*, ed. James Schmidt (Berkeley and Los Angeles, CA: University of California Press, 1996), 253–69.
131. See also the original preface to Immanuel Kant, *Critique of Pure Reason*, ed. and trans. Paul Guyer and Allen W. Wood (Cambridge: Cambridge University Press, 1998), 99–105.
132. Exceptionally, see Alain Pottage, "Literary Materiality," in *Routledge Handbook of Law and Theory*, ed. Andreas Philippopoulos-Mihalopoulos (London and New York: Routledge, 2019), 409–29.
133. See Anne Barron, "Kant, Copyright and Communicative Freedom," *Law and Philosophy* 31, no. 1 (2012): 1–48.
134. See, in particular, "Fichte: Proof of the Unlawfulness of Reprinting, Berlin (1793)," Primary Sources on Copyright (1450–1900), eds. L. Bently and M. Kretschmer, accessed May 23, 2023, http://www.copyrighthistory.org/cam/tools/request/showRecord.php?id=record_d_1793. For two related, and opposing, commentaries on the significance of Fichte's concept of form to modern and contemporary copyright law, see Martha Woodmansee, "The Genius and the Copyright: Economic and Legal Conditions of the Emergence of the 'Author,'" *Eighteenth-Century Studies* 17, no. 4 (1984): 425–48; Mario Biagioli, "Genius against Copyright: Revisiting Fichte's Proof of the Illegality of Reprinting," *Notre Dame Law Review* 86, no. 5 (2011): 1847–68.
135. Other than Barron's work, other key Kantian copyright studies that have stressed Kant's account of the book as speech act are Abraham Drassinower, *What's Wrong with Copying?* (Cambridge, MA: Harvard University Press, 2015); Maurizio Borghi, "Copyright and Truth," *Theoretical Inquiries in Law* 12, no. 1 (2011): 1–27. I review these in Benjamin Goh, "Two Ways of Looking at a Printed Book," *Modern Law Review* 85, no. 3 (2022): 697–725.
136. Kant, "On the Wrongfulness of Unauthorized Publication of Books (1785)," 30.
137. Kant, "The Metaphysics of Morals (1797)," 437.
138. Immanuel Kant, *The Conflict of the Faculties*, trans. Mary J. Gregor (New York: Abaris Books, Inc., 1979), 211.
139. Marshall McLuhan, *The Gutenberg Galaxy* (University of Toronto Press, 2017).
140. Friedrich Kittler, *Optical Media: Berlin Lectures 1999*, trans. Anthony Enns (Cambridge: Polity Press, 2010).

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| <p>141. Farah, <i>Gifts: A Novel</i>, 99.</p> <p>142. <i>Ibid.</i>, 172.</p> <p>143. <i>Ibid.</i>, 172.</p> <p>144. <i>Ibid.</i>, 178.</p> <p>145. Robert Darnton, "What Is the History of Books?," <i>Daedalus</i> 111, no. 3 (1982): 67.</p> <p>146. Farah, <i>Gifts: A Novel</i>, 33.</p> <p>147. <i>Ibid.</i>, 167.</p> <p>148. <i>Ibid.</i>, 167.</p> <p>149. <i>Ibid.</i>, 71.</p> <p>150. <i>Ibid.</i>, 229.</p> <p>151. <i>Ibid.</i>, 229.</p> <p>152. <i>Ibid.</i>, 233.</p> <p>153. <i>Ibid.</i>, 246.</p> <p>154. <i>Ibid.</i>, 96.</p> | <p>155. Cheah, <i>What Is a World? On Postcolonial Literature as World Literature</i>, 309.</p> <p>156. Farah, <i>Gifts: A Novel</i>, 246.</p> <p>157. Spivak's key example here is Richard Dawkins, <i>The Blind Watchmaker</i> (New York: Norton, 1986).</p> <p>158. Spivak, "'Planetarity' (Box 4, WELT)," 291.</p> <p>159. <i>Ibid.</i></p> <p>160. Nuruddin Farah, "Of Tamarind & Cosmopolitanism" in <i>African Cities Reader</i>, ed. Ntone Edjabe and Edgar Pieterse (African Centre for Cities and Chimurenga, 2010), 9-12. I am grateful to the reviewer for this reference.</p> <p>161. Farah, "Of Tamarind & Cosmopolitanism," 10.</p> <p>162. <i>Ibid.</i>, 12.</p> <p>163. <i>Ibid.</i></p> |
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