AGAINST GLOBALIZATION

The body between intimacy and globalization

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Abstract
All humans share the condition of being bodily beings. This fact does not entail that all humans are identical across the globe, but that we share a global human condition for shaping a local and individual life, based on different conceptions of bodily based local and individual identities. But our bodies do not specify identities or offer a fixed number of options to choose between or to combine like morphological patterns in a language. The meaning of any identity is constantly challenged and will have to be reconfirmed, modified, or reshaped through a reconsideration of the role of the body. Our individual bodily experiences form a crossroads between what is universal, cultural, and individual in our lives. Today the body is the site of the concrete, individual experience of the tension between a local cultural life and its global conditions. In an analysis of Athol Fugard’s South African novel Tsotsi (1980), the literary articulation of this complex life condition is examined with theoretical and historical perspectives.

Keywords: body images; individualization; control; pain; honor and shame; habeas corpus; Athol Fugard; Paul Valéry

The body may be regarded as the most individual and intimate aspect of human existence. It is inseparable from our individual identity to the extent that we can hardly distinguish between having a body and being our body. Hence, the body is the site of the most acute sense of threat to our identity and also of the most spontaneous experience of strength or vulnerability. On the other hand, there are hunger, sleep, sex, and language wherever there are human bodies. But the way that we eat and feel full, sleep and define a relaxing position of rest, enjoy the playfulness of sex, or talk or keep silent—all that is different from culture to culture. It does not follow from the fact that we share the status of bodily beings that all humans are identical across the globe but that we share a global human condition for shaping a local and individual life, based on different conceptions of bodily based local and individual identities. Without such meanings, no invididual

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or cultural identity exists. But the body in itself neither specifies identities nor offers a fixed number of options to choose between or to combine like morphological patterns in a language. The meaning of any identity is constantly challenged and will have to be reconfirmed, modified, or reshaped through a reconsideration of the role of the body. Our individual bodily experiences form a crossroads between what is universal, cultural, and individual in our lives.

In many parts of the world today, the body is the site of the concrete, individual experience of the tension between a local cultural life and its global conditions. In the westernized world, the body is not only part of my individuality in the same way as in other cultures. In our markedly individualistic culture, it is also my individual responsibility and my individual project with regard to health, illness, nutrition, fashion, wellness, desires, and so on. However, this bodily project of individual formation is increasingly realized on the basis of globalized conditions. The medical industry, sports empires, health care, and wellness tourism are international enterprises like fashion, makeup, or tattooing. Legal or illegal, porn tourism, trafficking, and net-based child pornography are international, and plastic surgery is often called scalpel tourism. Ships offering abortions operate in international waters, inseminated surrogate mothers live in third world countries, and, together with the import and export of organs, adoption is a global reality. Today, the individual body as an individual responsibility is a globalized product with an impact on basic cultural values and identities.

Whether globalization is taken in its more narrow political and economic sense or in its broader cultural sense, two essential features will transpire. First, interrelated networks of a global reach on all levels of human life and experience are being intensified and complexified. Second, this complexity is manifested ubiquitously, although in different ways, in all localities of the world, from larger regions to smaller social units and also in individual lives. Every place becomes a global meeting place, a prism for the global conditions of individual lives. The changing values and attitudes that this development generates comprise the cultural dimension of globalization, adding personal experience and local history to the larger and most often indirectly accessible and invisible global structure of economics and politics that suddenly may break into our private lives through our bodily experience. This is the center of gravity when literature takes issue with globalization.1

Hence, globalization becomes real only by passing through the body. Otherwise, it will not acquire any local or personal reality, which is the only cultural reality it has. The body is not simply a resistance to globalization. But it indicates a local and existential boundary for the velocity and the particular form of the homogenizing processes of globalization. The destruction of bodies after the nuclear blast in Chernobyl, mass-produced poisonous cucumbers from Spain, and the destruction of individual lives after the oil spill in the Mexican Gulf travel the world as body images in the media and disturb the smoothness of globalization, making us aware that we are living in what has been called “an overheated world.”2

To understand what a body means today is to attach a new meaning to the relation between the individual body and global cultural conditions. I will explore this meaning construction in an analysis with historical perspectives of the South African writer Athol Fugard’s novel Tsotsi (1980).

IN A SOUTH AFRICAN Ghetto

Tsotsi is about the world seen through the body. Four guys are sitting in a bar in a township close to a big South African city around 1980, when the apartheid regime is still in full control. Although we do not hear much about the great national and international world, it is present nevertheless. The distant city is luring somewhere on the horizon. Someone asks a white man how long it takes to go there. Only a couple of hours, he replies. By car. And continues out into the wide world. But the bulldozers are getting closer and closer to the ghetto to clean up and build new houses. For the whites. Trucks carry black people to unspecified new dwellings or to prison. And they move fast: “The white township had grown impatient.”3

So, the great world has a presence of its own. The local continuation of the colonial empire and the commodities and social dreams of the industrialized consumer society follow the events as a necessary shadow, never entirely explicit, but only visible as a distant threat and as the skewed discount versions of dreams, norms, and goods in
the ghetto. There is no cultural or black self-consciousness, just a tough micro-universe mirroring the norms and conflicts of the greater world.

The four black guys are aware that there is a world out there. They behave like violent urban youngsters from any metropolitan culture around the world, only shaped locally. But they do not know the world they are copying, nor do they know that they are one of its products. In fact, most of them are illiterate. But they are certain that it exists out there, distant, unpredictable, and obscure, as ready as ever to hit hard anytime and anywhere on their township reality with faceless power and cruelty.

Tsotsi has been living with small gangs since his home was destroyed during a police raid and his mother deported. His father now works in a distant place. The ghetto boys are reacting to the world in the same way as the terrorizing police, just at a smaller scale. The more they lose their overall grip on things, the more their world is reduced to their own bodies. They react instantly, strike hard, and kill without asking questions. Knife and fist are not the continuation of thought. They are all the thought they have. The main thing is to keep their own body and the bodies of the others under control.

Their communal bond is a gang led by Tsotsi, the guy who can beat the others. Which he does. His name means “thug.” Their names are only nicknames—Butcher and Die Aap (Monkey)—that reflect their bodies. Boston is a former teacher who has ended up in the gutter. Violence, cold-blooded assaults, and extreme egotism make up the logic of their daily lives.

Under such conditions, the relation between the local ghetto and the world at large has the body as its medium. The world is simply what the body can reach with its senses and with a karate chop, but the body is also a protective shield against the unknown world. The gang members’ bodies carry the traces of the world they do not know, but they are shaped by the form in which it appears to them: threats, power, and violence.

However, as the world is always more comprehensive than the body alone can grasp, the body also contains an often unrecognized vulnerability. To see the world through the body, even when the world is reduced to swift and immediate reactions, does not mean that the world is identical with the body. The world at large has an independent existence. Therefore, it is more precise to say that the body is a dynamic boundary between the human self and the surrounding world to which we, willingly or unwillingly, are bound. The body always exercises this boundary function, and also when the world we are part of is located beyond the reach of our perception and knowledge. This function marks the main road through the cultural and literary history of the body.4

The four young thugs do not care about that history. Nevertheless, they take part in it. When we meet them in the bar, each of them is enclosed in his bodily cocoon, but on his guard:

... they sat silent a long time until the youngest of the four, the one they called Tsotsi, until suddenly his hands were together and the other three looking at him and waiting. Boston smiled, Butcher twisted in another spasm of impatience and hate for the silent man, Die Aap waited impassively. Tsotsi saw it all. The smile that hid fear, the eyes that hid hate, the face that hid nothing. You, I can trust, he said to himself, looking at Die Aap. You, I must never turn my back on, and it was Butcher he looked at. And you, Boston. You smile at me and your smile hides fear.5

The body is an individual hideout, protecting their thoughts, feelings, and desires. It is shaped as a sign of supreme individual self-control. But the body takes command. A smile or a light shiver, as here, is enough, that is to say, enough for the others to read the body, spot its frailty, and dominate it. Hence, bodily control is not just an individual project but also an identity project played out between the characters as an individual power play that results in a hierarchy with Tsotsi as the sovereign leader. Nobody can read him, but he is able to read everybody else.

Although they all share a bodily experience, their world is a lonesome world dominated by power, not communality. They are alone together. However, the narrator crosses the defense line and makes Tsotsi’s thoughts and feelings accessible to readers in spite of his impenetrable body. The narrator is careful that the reader is always aware that the life world is conditioned by the individual body, but also that it is culturally embedded, not a private, individual body.

However, because it is attached to individual and social body control, this identity is permanently
at risk. It is easily lost in a moment’s lack of attention. The four guys kill a man, Gumboot, and take the few valuables he had on him. The only reason for doing so is that his body is different—a smile, a tie, a visible purse with his latest salary. In other words: lack of control. He does not deserve anything better. Only Boston throws up. Shame on him! But, being alone after the killing, even Tsotsi feels uneasy.

Tsotsi feared nothingness. He feared it because he believed in it. ... The problem of his life was to maintain himself, to affirm his existence in the face of his nullity. He achieved this through pain and fear, and through death. He knew no other way. When Gumboot died, and in those last few seconds before death had looked hard with hate and then fear at the young man who had chosen him, that moment Tsotsi had known he was alive. It was as simple as that.6

Tsotsi is only alive when he senses the body as simultaneous pain and control.

But one day Tsotsi meets the boundary between the local world of the gang in the township and a larger world. Unexpectedly, a swift routine assault pushes him over the edge. He tries to rob a black woman carrying a shoebox, but he loosens his grip in a moment of distraction. She hands him the box and escapes. But it contains neither money nor valuables. It has a sound: a baby. Later, Tsotsi admits to himself: “It had broken into his life with shattering improbability.”7 In a way, this experience of the unexpected reminds him of his childhood escape from the destroyed home, only then he had the possibility of surviving on his talent for keen observation and brutal force. But no two instances of the unexpected are identical. Now his individual bodily control gradually dissolves, and he is exposed to an embodied context of hidden memories: empathy, insecurity, and other overwhelming feelings that cannot be mastered by an instantaneous self-affirmation through force and pain.

THE FOUR BODIES

In some simple reflexions on the body, as he says, the French writer and poet Paul Valéry suggests a model that can be used to describe Tsotsi’s life so far: “Réflexions simples sur le corps” (1943).8 Valéry lists four aspects of the body. They not only cover four separate types of bodies exemplified by Tsotsi, but also indicate four aspects of one experience of a bodily totality bound to the fact that we live through the body. The emergent sense of bodily totality in Tsotsi’s mind sheds light on the entire story of his life in a way that transcends his individual ghetto life.

The first body, as Valéry calls it, is the body as my body, not just any body. In every moment of our conscious life, this body affirms that each of us exists and is present as one independent being in a concrete world of human experience. When I say “I,” I know that a whole bodily human being is speaking, and that it is me regardless of my name and the presence and meanings of other people. But this self-affirmation that I exist as me because I am a body does not establish itself once and for all. We have to repeat it when we wake up and re-enter the world, unless we are prevented from doing so by fever, dementia, or schizophrenia. Tsotsi has to rely on violence to get this affirmation in an ongoing series of repetitions.

The second body is the body as a showcase, as it were. This body is looked upon and recognized by others as a sign of our existence and identity, and it is also the body with which we scan the world and the others around us. The four young guys in the bar constantly check each other out through a mutual perception of each other’s bodily expressions. They share a tacit knowledge of how to establish a sense of community in the gang based on fear and power. This body is not just an “I,” but also receives or takes a name, for example Tsotsi. If we are turned into anonymous numbers, ignored, or treated like animals, our dignity and social status are lost.

Torture and bodily humiliation, psychological or physical, like what occurs in prisons or detention camps, destroy Valéry’s two primary and constitutive cultural aspects of the body. This strategy is used by Tsotsi to gain control over the other members of the gang.9

The first and the second body are, according to Valéry’s terminology, both windows to the world in spite of the manifest individual body control they imply. We know that we are beings with one body and also that we have a name and a social visibility. But we cannot circumvent our own body, nor are we able to perceive with our own senses that it is a totality and as such the foundation of existence and identity. Only other
human beings can do so. But, on the other hand, I can transfer or project my experience of others’ bodies to my own bodily reality to ensure that my body and I myself constitute a totality. We cannot confront ourselves with others and make ourselves known, that is, Valéry’s second body, without an experience of our own totality as a bodily being, that is, Valéry’s first body. Without this interdependence, the body cracks open in uneasy smiles and gestures, revealing a fragile identity and social position.

Both aspects add something to the naked bodily presence that it does not possess in itself. Having been supplemented with individual and cultural meanings, it is no longer simply a lump of flesh. With the first body, we establish a basis for an experience of ourselves as total and independent worldly beings, that is to say, as subjects. With the second body, we expand this experience with a social bodily dimension, which can only be sustained in a confrontation with others, body to body. We use the body to situate ourselves in a social and cultural space. This situation also implies that we are permanently and unavoidably exposed to the unpredictability of other bodies. This is precisely the experience that overwhelms Tsotsi when he secretly takes care of the baby in his dilapidated room. Such instances of bodily unpredictability and their consequences are essential to literary representations of the body. Before we introduce the third and fourth of Valéry’s bodily aspects, we will follow Tsotsi into his room with the baby.

BETWEEN VIOLENCE AND CARE

Being together with the baby makes Tsotsi soon realize that this creature in its vulnerability confronts him with demands he cannot escape. He has to enlarge his bodily presence and understanding in ways he has not previously imagined. Not through power and violence, but through the empathy and the compassion he has tried to avoid as threats to his control. In its helplessness, the baby scares him. He now has to discover the body of another being as a physical object in a new way, an autonomous biological organism. He opens the lid of the shoebox “to examine its contents”:

... he was again awed by what he saw. This was man. This small, almost ancient, very useless and abandoned thing was the beginning of a man. ... The head was misshapen.

It looked more like an egg. The body was covered with patches of fuzzy hair. When his first surprise was passed, Tsotsi noticed the smell ... the smell was coming from the baby. He examined it. The smell was coming from its clothes, the rags in which it was wrapped. ... [H]e didn’t know what to do, and was forced to pause and formulate each new phase of action. The next phase had to do with the bad smell and dirty rags. ... He stopped what he was doing and looked down in amazement. The baby was a boy! The tiny penis rested like a thin finger on the testicles and these together were the size of a small walnut. The navel stood out prominently as a convoluted button of flesh. Tsotsi lifted up the baby and the origin of the smell was obvious.11

Tsotsi now rediscovers long forgotten or repressed bodily experiences. This is a human being, a boy. Those are the most elemental features, established before anybody becomes a self-conscious human being with a social identity. Tsotsi is brought back to basics, also in his own self-understanding. But first he does not reach beyond a sense of wonder and surprise, preoccupied as he is with elementary bodily functions. Valéry calls this aspect of the body, as a purely biological phenomenon of nature, the third body.

In a sense, the baby is a collection of bodily spare parts. This body is the body of biology, medicine, and physiotherapy, in a positive light the object of cure, in a negative light the object of torture, violence, and warfare. But also to this material aspect of the body, we inevitably add something to provide it with personal and cultural meaning. We may regard it as one object with separate components, but not as a chaotic mass. From this point of view, either the body becomes a physical object to be controlled, as in Tsotsi’s life up until now, or, as with the baby, it presents itself as an organism in its own right as a part of nature beyond our individual life.

The encounter with the baby, entirely uncontrollable and uncontrollable, changes Tsotsi’s view of the world. The body delimited on purely individual grounds, which has made his survival possible in the township, is no longer sufficient. A new type of body has entered his life with human dignity, an irresistible need of care, and a status as a human being in its own right. Slowly, it dawns on him that this meaning might also embrace his
own bodily existence and that of the people around him, whom he has regularly beaten up or even killed. Only rarely are we fully aware of a substantial part of our bodily knowledge: to bike, to type on a computer keyboard. We just perform. Also, the change in attitude and awareness is registered by Tsotsi as something irresistible, which he cannot identify in precise terms but which forces him to look at himself and his world with new eyes.

This conceptual turn is determined by the body and includes Valéry’s fourth body, which supplements the first three bodies and which we for short might call the body as existence, as culture, and as nature. The narrator is needed to give us some insight into Tsotsi’s emerging and only hesitantly recognized experience. He does so in a concrete scene where Tsotsi meets a cripple, Morris Tshabalala, whom Tsotsi no longer just beats up as a reaction to his weakness:

What is sympathy? If you had asked Tsotsi this, telling him that it was his new experience, he would have answered: like light, meaning that it revealed. Pressed further, he might have thought of darkness and lighting a candle and holding it up to find Morris Tshabalala within the halo of its radiance. He was seeing him for the first time, in a way that he hadn’t seen him before, or with a second sort of sight, or maybe just more clearly. The subtleties did not matter. … The same light fell on the baby. … And beyond that still, what? A sense of space, of an infinity stretching away so vast that the whole world, the crooked trees, the township streets, the crowded, wheezing rooms, might have been waiting there for a brighter, intense revelation.12

Here, Tsotsi uses his senses to acknowledge that his world has broadened its horizons. He does not just register a vague and abstract compassion, but also has a concrete experience of light understood as a perception of the world as a whole beyond the limits of his own body, his ghetto, and everything he is familiar with.

This is an instance of Valéry’s fourth body echoing phenomenological conceptions of the body.13 Because we are bodily individuals, we also have an idea of the world at large as my world, even if we have not seen most places, not even on television, let alone been there in the flesh. To the unified experience of existence, culture, and nature is added an idea of the world as a totality, also in relation to places and phenomena beyond our concrete experience. It is, however, a world that may be turned into concrete experience because we might be out there under shared human conditions as bodily human beings; it is thus a potential field for human unfolding. This type of concrete idea is precisely what is needed for globalization to be a cultural process performed and developed by human agents.

This imaginative capacity is as much part of our bodily existence as spontaneous reactions to hunger, cold, or pain and as embodied, culturally shaped bodily movements.14 Through this bodily based imaginative capability, we extend the cohesion between the first three bodily aspects back in time through memory about other life ages, experiences, and possibilities and forward to new possibilities and limitations. We know the aging of the body, that we have to die, and that we have to relate to such bodily facts. We know what death is, also the death of others, although we have never experienced it. As for Tsotsi, such imagined states of life enlarge our life world through the body far beyond immediate perception, but nevertheless as concrete aspects of our life as bodily beings.

From this point of departure, Tsotsi for the first time envisions the whole world as a possible human life world. Gradually, he is able to access childhood memories that he has firmly repressed in order to maintain control by his fists. His name, David, emerges slowly and makes him recall an alternative, bodily based social life. In the end, Tsotsi, now David, rushes back to his room to the hidden baby, clearly anticipating that the bulldozer clearing the terrain for white housing will destroy his dwelling and kill the baby. He knows he cannot prevent it, but nevertheless he must run. He can do nothing and is crushed under the falling wall: “Then it was too late for anything; and the wall came down on top of him, flattening him into the dust.”15 Shortly after he is dug out, and to the amazement of the spectators, his smashed skull has a smile on its face.

The novel tells a story about the human capacity to reach out and embrace the world in its complexities—as personal space, as culture, and as nature. This capacity is not impeded by the fact that we live locally, but is made possible by that fact. Our existence as bodily beings enables us to charge our idea of a whole life and a world
beyond our local frame of life with a concrete meaning. But the story also tells that this totality cannot be contained in one body and one mind alone, only in shared attempts and experiments. Such is Tsotsi’s story.

In order to exist, he needs both the violence and the empathy, but he cannot cope with both at the same time. That is why the narrator discretely, but consistently, accompanies the reader as the complementary consciousness of Tsotsi while he is imprisoned by his isolated body. He shows the compassion that Tsotsi has no concept of but wants to practice, and the knowledge he is not able to establish. The fixed image of this deadlock is the smiling face on the crushed skull.

Tsotsi has a bodily invested idea of the world that he cannot maintain: the isolated individual body. He knows nothing of its background in the world that, with bulldozers, industrial society, colonial powers, and metropoles, is invading his territory, and he hardly realizes why he has such an idea of his body, himself, and the world. He just wants to survive without having to reflect on memory or tradition. Also, the alternative vision that hits him out of the blue with the baby is beyond his comprehension. His immediate reaction is that it is dangerous, but also that it contains a collective solidarity that leaves him speechless, untranslatable to any bodily experience he can relate to. He is squeezed between such sensations and a host of vague ideas that transgress his small universe but nevertheless have invaded his sense of the body. At last, this tension reduces him to a smile and a fractured skull. Valéry’s simple reflexions unfold such expanding visions and their contradictions based on our existence as bodily beings. Through the body, they create the individual and cultural differences on the boundary of our consciousness, which literature feeds on and articulates, in particular through the narrator and the complex use of body images.

FROM COSMIC ANALOGY TO GLOBAL DIALECTICS

The life of the gang in the township is built on the opposition between honor and shame. Loss of bodily control changes honor to shame, as what happened to Boston when he vomited after the murder of Gumboot. A universe shaped on the basis of honor and shame presupposes a direct link between the individual body and the world at large. Such a universe is very different from the world that was awakened but never envisioned by Tsotsi’s imagination after he stumbled over the baby in the shoebox. But both are versions of Valéry’s fourth body—bodily based, comprehensive cultural universes with a long cross-cultural history.

Before modern individualism and modern legislation based on individual rights, the norm systems of most stories and myths across the globe evolved around notions of honor and shame as a matter of life and death. Like extreme individualism, its counterpart, honor and shame, are now an active part of the cultural encounters and conflicts of the cultural process of globalization, shaping its often contradictory processes of collective and individual identity formation.

Honor and shame are the building blocks of static and strictly hierarchical societies, essential for their stabilization of power. Changes are dangerous because somebody will inevitably lose property and status and thereby honor. Change does not mean possible progress, but is a sure sign of tough conflicts. Moreover, in most cases, honor and shame contain an invitation to self-help and therefore posit a challenge to any centralized power that also has an honor to defend. The delicate balance is to promote changes that do not make anybody lose face and, if necessary, to punish perpetrators, but in a way that may not shake a given power balance by opening new conflicts. This plot can be found in most classic epic literature in which social norms constitute the core of the plot. Finally, codes of honor and shame define the collective social structure as stronger than its individual members, who are precisely members, not individuals. Violence may be rapacious when honor and shame are at stake, but never arbitrary. It serves the purpose of stabilizing the collective structure.

In a norm system like that, the body is the pivotal point, both concretely and symbolically. Concretely because marriage and sexuality are related to the continuation of the family, the core of any system of honor and shame. Symbolically, bodies are intimately linked to the conception of social entities as organisms of elements organized into a harmonious whole. The community is like a large body. This image has traveled from antiquity and across cultures all over the globe.
princes were particularly important in this context. Their individual bodies were symbols of the cohesion and power of a society, manifested in marriages, numbers of mistresses and children, and warfare, as well as in the anointment and spectacular paintings, sculptures, and ceremonies of the court. Louis XIV led the way, and others followed to the best of their capacities.

Also, the individual body, the king’s included, was seen as part of a greater totality, the cosmos, whether it was created by the Christian God or his equivalents. By being an individualized body, each human being was in an unmediated contact with the entire universe. Honor and shame constitute the active form by which this universal connection is transformed into social relations with the king as the head of society. Early medicine contains the knowledge of how this connection is translated to the individual body.

The vital parts of the body are directly linked to the stars, to the elements of nature, and to constitutive mental moods such as melancholy or anger. This philosophy is known in various forms across the globe. In Europe, the theory was that nature is built from four elements, air, water, earth, and fire. They corresponded to the bodily fluids, called the _humors_: blood, lymph, black bile, and yellow bile, which in turn were linked to different moods and with the temperature of the body, its dryness or humidity, and its appearance. The body system as a whole was connected to the constellations of stars in a correspondance that generated astrological charts in a comprehensive analogy between the microcosm of the body and divine macrocosmos of the universe.

The individual notion of honor and shame attached to the individual control of the individual body has gradually developed until it stops in Tsotsi’s cul-de-sac. This trajectory begins with the Renaissance books on the codex of honor, for example Baldassare Castiglione’s _Il cortigione_ (1527) on the courtier and the noble woman. It continues in the many writings during the following centuries that expose the tragic ambiguity of collective duty and individual passion, and it still exercises an effect in the 19th century with the last duels. With the increasing tendency to exclude the more uncontrollable and basic bodily functions related to sex, sleep, and eating from the public sphere, these functions were reshaped as intimate and hidden bodily dimensions. Hence, honor and shame become more related to the unwilling revelation of such functions than to the quality of their public manifestations, which in earlier times could shake the sun, moon, and stars. Now the universal cosmic analogy has been replaced by a conflict between the transindividual nature of the body and its individually controlled intimacy.

### THE INDIVIDUAL DIGNITY OF THE BODY

In the modern world of individual human rights, a judicial notion that has been handed down from the European Middle Ages has acquired a new meaning. International law often uses the expression _habeas corpus_: “you must have the body.” It dates back to legal ideas from the Middle Ages, but its codification in the British Habeas Corpus Act from 1679 is the basic point of reference. The basic principle is that everyone has the right to meet a judge _in vivo_ to test the legality of an accusation before being brought to trial. The accused must, in flesh and blood, hear the accusation. This basic principle entails that nobody can be detained arbitrarily, just to be exhausted and then confess, nor can he or she...
be secretly eliminated or tortured. Of course, in the beginning, such principles only concerned free citizens. The background was the need for the nobility to protect themselves against the power of the king and thereby defend their honor and social position more than to secure their individual safety.

However, with the formulation of universal human rights, from the American and French revolutions to the United Nations and the various international courts, habeas corpus has become a universal principle. Nobody can be accused retrospectively because this would prevent them from being confronted with the accusation at the time when the alleged crime was committed. Likewise, nobody can be imprisoned indefinitely without knowing the accusation, the time limits for the trial, and the possible punishment. Arbitrary violence carried out by the state, like what happened to Tsotsi’s family in the township, is not admissible.

Habeas corpus has the individual body as its basis and thereby presupposes human dignity as an undeniable, universally recognized fact following from our individual existence as human beings, not from our social position. This fact lays the foundation for global legal principles (not yet used globally) and marks a limit to the immanent homogenizing push of the processes of globalization. In July 2006, the US Supreme Court declared the proposed legal practice of prosecution at the USA’s Guantánamo Bay prison unconstitutional precisely with reference to habeas corpus. As a bodily being, everyone is entitled to enjoy human rights and human dignity no matter who, where, and when.

The different international tribunals with the task of investigating possible crimes against humanity cannot begin to work until Slobodan Milosevic, Ratko Mladic, and others are physically present in the courtroom, in front of a judge, and confronted with the accusation. Only then may the trial begin, and it lasts the time necessary to finish the deliberations with the bodily presence of the accused, or his or her proxy, as a necessary condition for the procedure. The time frame and the procedure are defined irrespective of the global interests of superpowers or public pressure. But through their bodies, the accused also show the conflicts that may arise from habeas corpus for the relation between individual dignity and global processes. Today, this dignity is the closest we get to a global notion of honor. It is no longer shaped according to a cosmic analogy, but to a global conflict between the local and individual bodily existence and its global conditions—between Tsotsi’s individual smile and his head crushed by a life on global conditions. Which cannot remove the smile.

Notes

1. See John Tomlinson, Globalization and Culture (London: Polity Press, 1999); and Liam Connell and Nicky Marsh, eds., Literature and Globalization: A Reader (London: Routledge, 2011).
2. Thomas Hylland Eriksen, “Living in an Overheated World: Otherness as a Universal Condition”, in Otherness: A Multilateral Perspective, ed. Susan Scencindiver, Maria Beville, and Marie Lauritzen (Frankfurt: Peter Lang, 2011), 239–60.
3. Athol Fugard, Tsotsi (1980; reprint, Johannesburg: Donker, 1989), 166; the novel was turned into the film Tsotsi (2005).
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