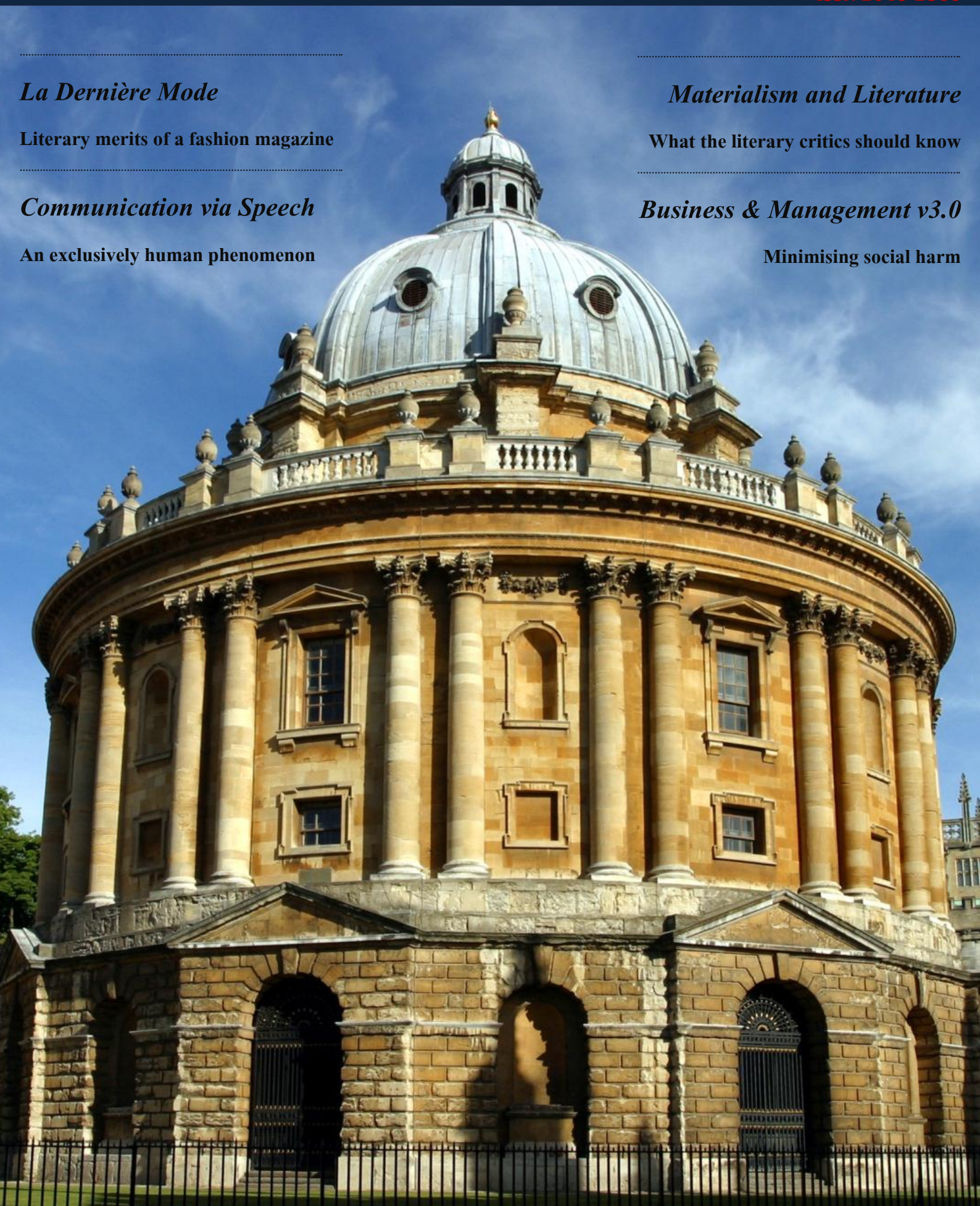
STAAR St Anne's Academic Review

Volume 4 Winter 2012

ISSN 2048-2566



La Dernière Mode

Literary merits of a fashion magazine

Communication via Speech

An exclusively human phenomenon

Materialism and Literature

What the literary critics should know

Business & Management v3.0

Minimising social harm

ISSN 2048-2566

Information / Contact:
Web: www.st-annes.ox.ac.uk/study/graduate/staar-st-annes-academic-review.html
Email: staar@st-annes-mcr.org.uk

About the Contributors

Samantha Akomeah holds a Bachelor's Degree in Mechanical Engineering and has just completed her Masters in Major Programme Management. She started her career within the field of Information Technology as a computer programmer and has now spent many years managing the implementation of large computer systems. In order to manage large programmes more effectively she undertook the Masters course at St Anne's College. Her objective was to identify and minimize the problems common to the management of large programmes across industries. Following completion of her Masters she aims to continue studies into the performance and management of large, temporary organisations.

Caroline Ardrey is a second year D.Phil. student working in the field of nineteenth century poetry. Having graduated from St Anne's with a degree in French in 2009, she immediately returned to do an M.St. in Modern French. Her Master's thesis considered literary attitudes to the politics of dress under the July Monarchy. Caroline's current work focuses specifically on the eight issues of La Dernière Mode, a fashion magazine written by the poet Stéphane Mallarmé during the course of 1874. Basing her research on links between La Dernière Mode and other texts by Mallarmé, Caroline's doctoral thesis aims to situate the magazine within the poet's oeuvre and establish the importance of this much overlooked work as part of Mallarmé's poetic project.

Rory Barker graduated from St Anne's College in 2012 with an M.Eng. in Materials Science and is currently employed as a Metallurgist at Bradken in Scunthorpe. In his final year, his undergraduate research focused on the fabrication of topological insulators. Rory was also a part of research teams that looked into *tuneable phosphors* at University of California, Santa Barbara, and *solid oxide fuel cells* at the Tokyo Institute of Technology. During his time at St Anne's, Rory spent three years on the OUGC committee, including one year as their President. In his spare time Rory is an amateur glider.

Mike Barnett is Professor in the Management and Global Business Department and Vice Dean for Academic Programs at Rutgers Business School – Newark & New Brunswick. Mike's research focuses on the firm-stakeholder interface. In particular, he studies how firms individually and collectively manage their relationships with stakeholders, and how their efforts at stakeholder management, through acts of corporate social responsibility and via communal institutions such as industry trade associations, influence their reputations and financial performance. Mike's scholarship has won numerous honours, to include the Academy of Management Journal Best Paper Prize, the Best Article Award from the International Association for Business & Society, and Finalist for the Aspen Institute Faculty Pioneer Award.

Octavia Cox read English and Philosophy in her undergraduate degree at the University of St Andrews, before completing her Masters in Romantic and Victorian Literary Studies at Durham University. She is now at St Anne's College undertaking her D.Phil., and is looking at Romantic writers' interactions with Alexander Pope's poetry. She is also co-teaching St Anne's undergraduate students.

Sebastian Haug is fascinated by the various facets of transnational social interaction. After studying political science and international relations in Berlin, St Andrews and Paris he graduated from Oxford in 2012 with an M.Sc. in Global Governance & Diplomacy. Sebastian focused on corruption with Transparency International in Uganda and is currently working on domestic and transnational governance as Mercator fellow at the United Nations Development Programme (UNDP) in China.

Molly Joyce graduated from the BCL with distinction in 2012, having completed her undergraduate studies at Trinity College Dublin. She is a scholar of Trinity College and has also studied for a year at Washington & Lee University School of Law in Virginia, USA, as part of an exchange programme. She is currently working as a teacher for a non-profit organisation in Hong Kong.

April Pierce is a second year D.Phil. student, studying connections between T. S. Eliot and early twentieth century philosophy. She holds an interdisciplinary MA from New York University.

Kate Watkins is the Tutorial Fellow in Experimental Psychology at St Anne's College. She is also a University Lecturer in the Experimental Psychology department where her research group, the *Speech & Brain Research group*, is based. Kate graduated from Christ's College, Cambridge, with a degree in Natural Sciences. She worked at Great Ormond Street Hospital for Children and the Institute of Child Health for many years as a neuropsychologist. Her research in Oxford uses brain imaging and brain stimulation to understand speech production and perception in the normal brain and in people with speech and language disorders.

The Editorial Board

Editor-in-Chief: Himanshu Kaul

Himanshu is a final year D.Phil. candidate in Engineering Science. His research lies at the intersection of *Regenerative Medicine*, *Tissue Engineering* and *Computational Biology*. Himanshu is working on validating a software platform he developed during his D.Phil. that can be used to simulate biological phenomena. Himanshu is currently working as a Lecturer and Tutor of Engineering Science at Wadham College. In his spare time Himanshu is an amateur Archer, Cricketer and Thespian.

Science Editor: Olga Kciuk

Olga came to St Anne's College after receiving her Hon. B.Sc. from the University of Toronto. She completed an M.Sc. in Neuroscience and was the Academic Affairs Officer for the St Anne's MCR in 2010-2011. She is currently based at the John Radcliffe Hospital, researching the development of chronic post-operative pain.

Humanities Editor: Rosie Lavan

After graduating from St Anne's in 2005, **Rosie** took the Newspaper Journalism M.A. at City University and worked at The Times for two years. She has also worked as media assistant to a London MEP and a reporter for Hansard in the House of Lords. She returned to Oxford for an M.St. in English in 2010 and she is now in the second year of her D.Phil., on Seamus Heaney.

Science Editor: Gregory Ross

Greg is in the final year of his D.Phil. and is currently interested in applying interdisciplinary techniques to structure-based drug design. He graduated from the University of Warwick with a Masters in physics and is based in the Structural Bioinformatics and Computational Biochemistry Unit in the Department of Biochemistry. After his D.Phil., he hopes to remain in academia and continue to work at the interface between the physical and biological sciences.

Humanities Editor: Helena Taylor

Helena is currently in the final year of her D.Phil. in French at St Anne's College. She read Classics and French at Worcester College (2003-2007), and completed an M.St. in European Literature (French) the following year.

Guest Editor: Annette LaRocco

Annette read for the M.Sc. in African Studies (awarded with Distinction) in 2010-2011. While at St Anne's she was a Clarendon Scholar. Annette is continuing the research, focused on environmental governance in southern Africa, which she started during her masters. She is now a first year Ph.D. student in the Department of Politics and International Studies at Cambridge University, where she is a member of Trinity College.

Contents

Editor's Letter

Radcliffe Camera, the unmistakable symbol of Oxford, celebrated its 275th anniversary in 2012. The brainchild of Dr John Radcliffe, the *Radder or Rad Cam* was chosen to house the Radcliffe Science Library and operated independently of the Bodleian until 1860 (when it acquired its current name). The library space that was formerly occupied by medical and scientific books now boasts collections on humanities and the social sciences. As a site that has catalogued multi-disciplinary texts and literature, the *Rad Cam* was aptly chosen as the cover image for St Anne's Academic Review's fourth volume (2012) that includes a rich selection of articles across a multitude of subjects. From *Prof Michael Barnett's* ideas on a fresher version of *Business & Society* and *Samantha Akomeah's* perspective on tackling management issues related to *Major Programmes,* to *Caroline Ardrey's* article on exploring the literary status of a former French fashion magazine, and poetry by *Octavia Cox,* to *Sebastian Haug's* research on the role of *translocal* structures on corruption and *Molly Joyce's* arguments in favour of the *right to health,* to *Dr Kate Watkins'* investigation on the perception of speech by the human brain and, finally, *Rory Barker's* summary of his undergraduate research on topological insulators; STAAR's fourth volume covers a wide spectrum of disciplines across the JCR, MCR, and SCR at St. Anne's College. I sincerely hope you enjoy the high quality of articles catalogued in the current volume and join me in congratulating the contributors for the extraordinary work they have done in writing the articles and making the fourth STAAR a reality. Acknowledgements are also due to the Editorial board (Olga Kciuk, Rosie Lavan, Greg Ross, Helena Taylor and Annette LaRocco) for their tireless efforts, and John Vardakis (D.Phil. Candidate, Engineering Science) for his creative insight on cover images.

Himanshu Kaul
Editor-in-Chief, St Anne's Academic Review

St Anne's Academic Events

Welcome to the St Anne's Discussion Groups and Subject Family Events!

The Discussion Groups are run by the MCR, which invites speakers to talk about current issues in the Arts, Humanities, Social Sciences, and Life, Physical and Mathematical Sciences.

The Subject Family Events, held twice a term, feature presentations from doctoral students, Junior Research Fellows and members of the SCR and promote interdisciplinary exchange among all members of the College.

The following articles offer a taste of what can be found there.

The Management of Major Programmes: The Problems and Their Causes

Samantha Akomeah

Abstract: *This article is based on a talk that was given at the social sciences subject family event in February 2011. It explains the concept of major programmes and why they are not just big projects, but large temporary organisations that require specific management capabilities. The paper focuses on popular programmes, their problems and the common causes of these.*

Introduction

A desire for notoriety and monumentality has led to a growth in projects that are technologically and physically challenging. There is a long seated desire to continually push the boundaries and advance on previous achievements. Globalisation has created a much larger stage on which to show case talent and innovators and financiers seeking new ways to leave lasting legacies. These legacies tend to be of a transformational nature and require involvement from both the public and private sectors at large. The transformations that major programmes are created to enact focus on altering the daily practices of the public for some perceived benefit and the private sector is involved as its capabilities are required to realise these benefits. Examples of infamous public-private endeavours from around the world are: the Channel Tunnel, Crossrail, China High Speed Rail Link (HSR), the Brooklyn Bridge and the Empire State Building. Flyvbjerg (2012) makes reference to four drivers on which initiators seek notoriety and calls them the four sublimes; the political sublime – a driver that will achieve political advantage, the technological sublime - a driver that pushes the boundaries of known science, the economic sublime – a driver that improves the financial benefits of the wider environment and the aesthetic sublime – a driver that creates a global landmark (the Brooklyn bridge or Guggenheim museum for example). Major programmes tend to incorporate more than one of these sublimes and their implementation leaves behind not only a lasting physical impression but also a financial one; these impressions are not always positive.

What are Major Programmes?

Major programmes can be distinguished from projects by an examination of their composition. If the vision being implemented requires a new organisation to be formed for the purposes of delivery, is expected to last more than five years, costs approximately £1 billion, somehow transforms the usual practices of the users and does not have clear units on which to measure the expected benefits at completion, then it's a major programme; some examples would be: the Channel Tunnel, the Olympics or the National Programme for IT. Un-quantifiable benefits are a common reason for less than favourable reports, but this is only one factor and there are more fundamental reasons underlying programme failure.

As major programmes encompass many projects and run across industries, they can require collaboration between

different sectors, industrial competitors and even countries. This forced collaboration introduces social and legal complexity into an already ambitious programme and creates a disquiet that is the most obvious indicator of an organisations harmony or disharmony. This indicator however provides a further cloaking of shaky foundations, which is where the problems really begin.

Causes of Programme Failure

Flyvbjerg (2008) uses the terms strategic misrepresentation and optimism bias to identify the traits common in programme start-ups that are responsible for programme failure. Strategic misrepresentation is used to refer to situations where project promoters; politicians, financiers or engineers oversell the benefits and understate the costs in order to influence the decision to proceed. Optimism bias is the term used to represent the characteristic of seeing the world through rose tinted glasses and intentionally or unintentionally underestimating the task to be delivered. These both play a role in the cost and time over runs of programmes widely reported in the media.

Figure 1. The Sydney Opera House [wikipedia].

A popular programme that had significant negative media coverage was the Sydney Opera House (see figure 1). The Opera House was the ambitious design of architect Jorn Utzon in the 1950's. Joe Cahill, the Prime minister of New South Wales, championed its construction. (Myers 1998) To ensure a lasting legacy was created, Cahill strategically misrepresented the overall cost to obtain approval. The cost of the structure rose as the ambitious design was erected and the designer Utzon bore the brunt of the public's anger over the spiralling costs. When it was finally opened, it was six years behind schedule and cost ten times the original budget. (Murray, 2004, p. xii) The cost overrun of the Sydney Opera House is one of the highest reported increases, coming in at a staggering 1,400%. (Flyvbjerg 2003)

Another more recent programme that has varying reports of success is the Channel Tunnel. The objective of this programme was to create a high-speed rail link between France and the UK. The Channel tunnel was delivered at a cost 80% above that expected at £4,650 million. (Flyvbjerg, 2003, p. 12) This huge cost overrun however is not surprising and a review of overrunning costs in transport infrastructure uncovers that nine out of ten infrastructure programmes experience this. (Flyvbjerg et al. 2004, p. 3)

Addressing Programme Failure

The collection and availability of data from previous programmes allows comparisons and predictions to be made of the likely outcome of new programmes, thereby reducing optimism bias and reducing the scope for strategically misrepresented proposals. Flyvbjerg (2008) terms these groups of specific industry data, 'Reference Class Forecasts' and has created a formula that can be used to uplift the cost of the programme dependent on a number of programme factors. This formula for uplift has been applied in the Crossrail programme, currently the largest infrastructure programme in Europe which is now being implemented across Greater London and is scheduled to be completed in 2018. The success of this is not yet known, however

judging by the outcome of previous programmes, without this cost uplift, the programme would have been expected to overshoot the original budget by a considerable sum. The use of previous example programmes on which to base the expected performance can only happen however if data is consistently and continually captured and those tasked with running major programmes the practitioners, approvers and financiers, especially those tasked with spending public funds, are equipped with the skills to instantiate and seek out this information.

Instantiating programmes based on misrepresentation and optimism bias are common causes of the programme issues that manifest in later programme life, but these are not the only issues. Another factor is the lack of stakeholder engagement. The level to which stakeholders have been engaged and are able to voice their requirements and concerns plays a large part in perceived programme success, regardless of the performance metrics used. The task of stakeholder engagement is an ongoing one that is essentially a balancing act between the wishes of the financiers, the executers and the end users. One defining criterion of major programmes is that their requirements are not defined at the outset, this means that changes occurring due to later clarification can increase or decrease any stakeholders groups identified and this fluidity in recognising interest happens over the lifetime of the programme. The monitoring of affected or interested parties is a continual process and requires sustained communication using language appropriate to the target audience. Ongoing engagement is crucial to obtain the buy-in required to keep the programme feasible, the benefits relevant and reasoning accepted. Stakeholder scrutiny and the late gathering of user requirements can damage and sometimes significantly change the proposed developments of a programme as in the case of the F-35 Joint Strike Fighter (a new defence aircraft). Following a number of requirement changes and delays between 2002 and 2009, the F-35 had a budgetary increase of $100 billion. (Gertler, 2010, p. 9)

Benefits of Studying Major Programme Management

Due to the reputations involved and the huge sums of money at stake the study into the management of major programmes by practitioners is imperative if lessons from prior programmes across industry sectors are to be utilised positively. Major programme organisations require different industries, specialism's and cultures be brought together to achieve something unprecedented. The artificially created environment of the major programme is one which requires a multitude of management skills; law, engineering, political strategising, organisational design and performance and risk mitigation amongst others and only by becoming familiar with the problems of previous programmes and their causes can practitioners hope to implement methodologies to alleviate or minimise their impact.

References

Daily Images, n.d. Sydney Opera House. [image online] Available at: <http://en.wikipedia.org/wiki/File:Sydney_opera_house_side_view.jpg> [Accessed 2st February 2013]

Flyvbjerg, B. 2003, Megaprojects and Risk: An Anatomy of Ambition, Cambridge University Press

Flyvbjerg, B., Holm, M. K. S., & Buhl, S. L. 2004, What Causes Cost Overrun in Transport Infrastructure Projects?, Transport Reviews, vol. 24, no. 1, pp. 3-18

Flyvbjerg, B. 2008, Curbing Optimism Bias and Strategic Misrepresentation in Planning: Reference Class Forecasting in Practice, European Planning Studies, vol 16, no. 1, pp. 3-21

Flyvbjerg, B. 2012, Why Mass Media Matter and How to Work With Them: Phronesis and mega projects, In: B. Flyvbjerg, T. Landman & S. Schram e.d. 2012, Real Social Science: Applied Phronesis, United Kingdom, Cambridge University Press, Chapter 6

Gertler, J. 2010, F-35 Joint Strike Fighter Program: Background Issues for Congress, Congressional Research Service
Murray, P. 2004, The Saga of The Sydney Opera House, Spon Press
Myers, P. 1998, Joern Utzon, The Journal of Architecture, vol. 3, no. 4, pp. 301-309

The Poetics and Aesthetics of Fashion: Exploring the literary status of Stéphane Mallarmé's fashion magazine, *La Dernière Mode*

Caroline Ardrey

Abstract: *During the latter half of 1874 the symbolist poet Stéphane Mallarmé turned his attention to the world of fashion, taking on the authorship and editorship of a fortnightly fashion magazine,* La Dernière Mode*, [The Last/Latest Fashion]. The fashion magazine ran for just eight issues, covering a variety of topics from clothes to cookery, from interior design to theatre. This article will examine the literary and artistic value of the magazine, highlighting the periodical's revolutionary status at a crossroads between literature and the mass-media. The article begins with a brief introduction to this little-known periodical, situating the magazine within the context of Mallarmé's poetic project. It will then go on to consider Mallarmé's engagement with journalism from a literary perspective. The third and final section will consider the use of symbolism in* La Dernière Mode*, characterizing the magazine as an important stage in the development of Mallarmé's literary aesthetic.*

Born in 1842, the poet Stéphane Mallarmé is one of the key figures in French symbolism. Mallarmé is well-known for both his verse and his prose writings which have shaped the landscape of modern French poetry; the influence of Mallarmé can also be seen in the literature of other European languages including English. Roughly contemporary with Charles Baudelaire, whose famous collection *Les Fleurs du Mal* was published in 1857, Mallarme's oeuvre heralded a new trajectory in French poetry. While, like Baudelaire, he produced a great deal of prose poetry as well as tightly structured sonnets, Mallarmé tested the boundaries of poetry in unique and pioneering ways, often breaking with conventions of form, meter and genre. Both in prose and verse, Mallarmé's poetry is notoriously complex, with an abundance of internal rhyme and wordplay which both astounds and confounds its readers. As well as verse and prose poetry, Mallarmé's vast and diverse oeuvre also includes journalistic writings, translations and several pedagogical works on language and mythology. Major works by Mallarmé include the 1887 verse collection, *Poésies*, and *Divagations,* a collected volume of articles and prose poetry spanning his entire writing career.

Mallarmé devoted his life and career as a poet to the pursuit of "le Livre" [The Book]. "Le Livre" would be the work of art *par excellence*, combining elements of fiction, music, drama and the visual arts. Mallarme's prose writings give some insight into the nature of this supreme literary work and he makes frequent references to the project of the "le Livre" in his personal correspondence. In the so-called "Autobiographical Letter" to Paul Verlaine, written in 1885, Mallarmé described this ideal book as "the Orphic explanation of the earth, which is the poet's sole duty and the

literary game *par excellence.*"[1] Unsurprisingly, Mallarmé never reached this lofty goal, though his published notes, including calculations for the dimensions, structure and circulation of the work, suggest a borderline obsession with the aesthetic project of "le Livre."

Mallarmé's influence crosses the boundaries of genre and has served as a fertile source of inspiration for subsequent artists working in a variety of media. Mallarmé will be known to many as the author of *L'Apres-midi d'un faune [The Afternoon of a Faun]* which inspired Debussy's composition of the same name. Perhaps less famous in the Anglophone world, but no less important within the scope of French studies, is his experimental poem *Un Coup de dés* [*A Throw of the Dice],* first published in 1897, the year preceding the poet's death. This poem dispenses almost entirely with form and syntactical coherence and can be read in a variety of different configurations; some scholars have deemed *Un Coup de dés* to be the closest Mallarmé ever came to reaching the ideal "Livre."

The Last / Latest Fashion

While Mallarmé's poetry is relatively famous within the landscape of French literature, it is a little-known fact that in 1874 the poet distanced himself from the pursuit of "le Livre" and turned his attention to the popular press, producing a fortnightly magazine entitled *La Dernière Mode.* The title can be translated into English as either "the last fashion" or "the latest fashion", no doubt a deliberate ambiguity which reveals Mallarmé's passion for wordplay and demonstrates his continual desire to exploit the multifaceted nature of language. Bearing the subtitle, "gazette du monde et de la famille," [gazette of high society and of the family] the magazine covers an impressive variety of subjects pertaining to fashion, social engagements and domestic matters. Regular features included two columns on fashion, a review of literature and drama, and advice on educating children. The magazine also included guest contributions such as menus and recipes, how-to guides on DIY and interior décor, and recommended home remedies for common ailments such as chilblains.

La Dernière Mode is unique amongst nineteenth-century French fashion magazines, in that the multiplicity of voices in the periodical is an illusion. Mallarmé wrote almost all of the copy singlehandedly, under a variety of outlandish pseudonyms. The magazine purports to be a collaborative effort; Mallarmé, under the soubriquet of Marasquin, plays the role of editor with regular contributors Miss Satin and Madame de Ponty writing on fashion. The mysteriously named character Ix, one of the few male columnists amongst the magazine's cast, provides a review of the fortnight's theatrical and literary goings-on. Behind these many masks lurks the inimitable presence of the Master, Stéphane Mallarmé. Literary contributions such as poems and short stories which featured in every issue are the only part of the periodical not penned by Mallarmé himself. These were offered instead by a select band of authors who were well-known on the Parisian literary circuit, some of whom would later become "mardistes", members of Mallarmé's weekly Tuesday salon.

La Dernière Mode appealed to readers in terms of both form and content. An exquisite looking publication, the magazine bore a distinctive cover design,[2] painted by Edmond Morin. Morin was a well-known illustrator in the field of Parisian journalism,

[1] *Selected Letters of Stéphane Mallarmé* (ed. and trans. by Rosemary Lloyd), (Chicago: University of Chicago Press, 1988) p. 143

[2] See appendix.

having produced the artwork for a number of popular nineteenth-century fashion and society magazines. The magazine was owned and, for the most part, financed by Charles Wendelin, a neighbour of Mallarmé on the Rue du Moscou, and had been published the previous year, without text as a series of lithographs. The various forms in which *La Dernière Mode* appeared make it difficult to pin down exact details as to the circulation of the magazine, although Jean-Pierre Lecercle's 1989 book *Mallarmé et la Mode* [*Mallarmé and Fashion*] contains valuable information relating to the financial and commercial circumstances of the magazine.

My research is principally concerned with the eight text editions of 1874, and analyses the language of *La Dernière Mode* in the context of Mallarmé's poetry and his *Divagations*. Focussing in particular on ideas of process in the magazine, my doctoral thesis seeks to establish the status of *La Dernière Mode* as a central part of Mallarmé's oeuvre, rather than as a mere distraction from the oppressive quest for the ideal "Livre." In this short article, I would like to introduce you to the Mallarmé of *La Dernière Mode*—not the distant figure of sonnets such as "Le Cygne" ["The Swan"] —but rather a poet actively engaged with everyday life and culture, an artist for whom even the most banal everyday objects could serve as a starting point for poetry. I shall begin by examining Mallarmé's involvement in the world of journalism, before going on to explore the ways in which he used the magazine format and the language of fashion to produce a vibrant publication which challenges the boundaries of form and genre.

Mallarmé and journalism

Mallarmé was no stranger to the world of journalism. In addition to his day job as an English teacher and his career as a poet, he started contributing to publications such as the *Revue indépendante* in his late teens and was to continue writing for various major French newspapers and literary journals until his death in 1898.

Mallarmé had already been involved with journalism relating to the decorative arts for some years when he embarked upon the project of *La Dernière Mode.* In 1871-2 he was commissioned to review the French stand at the International Exhibition in London for *La Revue indépendante.* These articles were written under the pseudonym L.S. Price—a mildly humorous reference to English currency, showcasing the poet's penchant for wordplay and name games. Also in 1872 Mallarmé wrote a letter to the Parnasse poet José Maria de Hérédia in which he declared that "I am now collecting in the various corners of Paris the subscription required to begin a beautiful and luxurious review, which obsesses my mind: *L'Art décoratif, Gazette mensuelle* [*Decorative Art: a Monthly Journal*]".[3] While this particular project never materialised, *La Dernière Mode* evidently went some way to satisfying Mallarme's interest in the decorative arts. Given both his frequent struggles to make ends meet and his continual preoccupation with the ideal book, "le Livre", it is perhaps no surprise that Mallarmé sought refuge in the contemplation of everyday objects, indulging his passion for language through the creation of an extraordinary and exquisite fashion magazine.

The press was an important vehicle for promoting literature in nineteenth-century France. Literary journals such as *La Revue fantaisiste*, launched by Catulle Mendès, had a profound impact on the landscape of literature and the arts, while

[3] 7 April 1872 to José Maria de Heredia translated in the "Introduction" to *Mallarmé on Fashion: A Translation of the Fashion Magazine La Dernière Mode with Commentary* (ed. and trans. by P.N. Furbank and Alex Cain). (Oxford: Berg, 2004), p. 6.

magazines targeted at female audiences usually incorporated short stories, poems and serialised fiction and were instrumental in making the names of many literary figures. The front cover of *La Dernière Mode* promises regular subscribers literary submissions by major figures including well-known poets such as Théodore de Banville and Emmanuel Des Essarts, as well as contributions from the renowned novelist Emile Zola. However, none of the eight published issues of *La Dernière Mode* contains work by Zola, suggesting that the magazine fell into financial difficulty before this particular issue was published. In terms of form and content, the magazine is not dissimilar to other women's magazines of the period. French fashion magazines of the mid to late 1800s typically followed a similar format, with features on fashion, the arts and domestic life, as well as short stories to entertain the lady of leisure. What sets *La Dernière Mode* apart from its contemporary counterparts is, on the one hand, the cast of fictitious columnist characters and, on the other, Mallarme's unique exploitation of the format and lexis of the fashion magazine, which blurs the boundaries between journalistic and literary language.

Name games

Mallarme's choice of pseudonyms for his regular columnist characters is just one of the ways in which language is used to create puzzles for the readers *La Dernière Mode*. The name of Ix—a transcription of the French pronunciation of the letter "X"—is a typically Mallarméan pun which can be read in a variety of ways, and serves to link the work to other works in the Mallarméan corpus. On 3 May 1868, Mallarmé wrote a letter to his friend Henri Lefebure in which the poet revealed that he was working on the sonnet which begins "Ses purs ongles…" ["Her pure nails…"], often known as the "sonnet en –yx" on account of the recurrent rhyming of the suffix "yx". The poem is described by Mallarmé scholar Wallace Fowlie as being "perhaps the first of his really difficult poems."[4] In his letter to Lefebure, Mallarmé discusses the rhyme on "yx", and wonders if he dare use the invented word, "*ptyx*". The sound and its literary application was evidently still on the poet's mind some six years later, surfacing in the name of *La Dernière Mode*'s most mysterious character. Aside from the relation to Mallarme's verse poetry, the significance of the name of Ix can be interpreted in a number of ways. The magazine is primarily concerned with novelty, wanting to offer readers up-to-the minute information on fashion, lifestyle and culture. As Roger Pearson points out, the name of Ix could be read in Roman numerals as the number nine—in French "neuf".[5] Of course, the word "neuf" can also be translated as new, perhaps alluding to the novelty of both magazine's form and its content.

The use of pseudonyms, the playful prose and the eclectic range of topics covered in *La Dernière Mode* all combine to reveal a very different Mallarmé from the image of the serious creator of meticulously crafted sonnets, the "ivory tower poet" who dramatized the plight of the eponymous virgin heroine of *Hérodiade* in verse. Mallarmé evidently delighted in the creation of this sparkling magazine; in a famous letter of 1885, often referred to as the "Autobiographical letter", written to his much-admired contemporary Paul Verlaine, Mallarmé declares that *La Dernière Mode* provided him with a welcome distraction from the pursuit of "le Livre".

> *In moments of hardship […] I've been obliged to write things of which the*

[4] Wallace Fowlie, *Mallarmé*, (Chicago: University of Chicago Press, 1962).

[5] Roger Pearson, "Mallarmé's Interior Designs, *Romance Studies*, 22 (2004), 6.

> *most that can be said is that they are honest, and of which is not fitting to speak… But apart from that, I've not often yielded either to necessity or to pleasure. Except that at a certain moment, however, despairing of the despotic book abandoned by Myself, I have, after a few articles hawked about here and there, tried to write completely on my own, including advice on outfits, jewelry, furniture, even theater reviews and dinner menus, a journal entitled La Dernière Mode, the eight or ten numbers of which still serve, when I blow the dust off them, to make me dream at length.*[6]

This letter, written some 15 years after the publication of the final issue of the magazine, emphasises the poet's fondness for *La Dernière Mode*. While Mallarmé concedes that, like many of his other journalistic endeavours, producing the magazine was intended to provide a welcome injection of cash, this statement affirms the aesthetic value of the magazine which still manages to inspire lengthy "*rêveries"* with each new reading. Mallarmé's admission of the continued personal importance of the fashion magazine and the pleasure derived from reading it alludes to the poet's ability to use language to transform everyday objects into the stuff of dreams.

Poetry and the everyday

Although the quest for "le Livre" was a serious and often oppressive matter, Mallarmé saw language as both a game and a gift. No subject was deemed too banal to be transformed through poetry. The poet frequently used everyday objects as a means of playing with language, often sending gifts such as boxes of glacé fruits, teapots and Easter eggs inscribed with short poems to his friends. Mallarmé exploited all possible resources for their poetic potential. His *Recréations postales* [*Postal Recreations*], short poems derived from the addresses of friends and correspondents, similarly, reveal a Mallarmé who delighted in language. These clever little verses provided a literary challenge for postal workers—but apparently reached their addressees without too much difficulty. Ix's exuberant prose and Madame de Ponty's indulgent flights of fantasy similarly showcase Mallarmé's passion for the nuances of the French language. Just as simple addresses could be given an aesthetic dimension when transformed into poetry, so Mallarmé's exploitation of the aesthetically fertile language of fashion serves to revolutionise the journalistic medium, revealing its aesthetic potentiality.

Perhaps Mallarme's most famous fusion of poetry and decorative objects are the three poems written on fans, dedicated to his daughter, his wife, and his mistress. Images of fans crop up repeatedly in Mallarmé's verse poetry with many different connotations: sometimes they are presented as wings with which to take off towards an aesthetic ideal; in other instances fans represent the passage of the sun as they are opened out. Fans are also associated with dressing up and theatricality and are often vaunted by Madame de Ponty as a must-have accessory for the fashionable lady. In this world of masks and shifting identities, fans provide a convenient means of hiding one's face, and are reminiscent of the dramatic fan dances in Oriental and Latin American cultures. Indeed, in the eighteenth century, fans were frequently used for communication; the "language of the fan" was a kind of secret code which allowed ladies to display their feelings to potential suitors across the ballroom in a discreet yet coquettish manner. The fan is thus one of a

[6] 6 November 1885 to Paul Verlaine, translated in *Selected Letters*, p. 144

number of overlapping themes which emphasise the close relationship between *La Dernière Mode* and Mallarmé's verse poetry.

Mallarmé described a poem as "a mystery for which the reader must find the key". Such mysteries are abundant in his poetry, and are also to be found in *La Dernière Mode.* Although it has, in the past, been dismissed as a frivolous undertaking, a mere game designed to bring in much-needed income, the magazine is a landmark work with significant implications for our understanding of Mallarmé's wider *oeuvre.* In the magazine, the shifting identities, the varied subject matter and the manipulation of the journalistic form combine to create a unique work which destabilises the boundaries between journalism and literature, art and life, fact and fiction. As such, the magazine offers an alternative perspective on Mallarmé's life and work, revealing a poet actively engaged with the mass media and with the world of objects. An amusing and eminently readable work, *La Dernière Mode* contains much to inspire the same long "*rêveries*" in contemporary readers as it provoked in its creator over 100 years ago.

References

Stéphane Mallarmé, *Oeuvres complètes* (Vols I & II), (Paris: Gallimard, 1998/2003)

Stéphane Mallarmé, *La Dernière Mode,* (Paris : Editions Ramsay, 1978)

Mallarmé on Fashion: A Translation of the Fashion Magazine La Dernière Mode with Commentary (ed. and trans. by P.N. Furbank and Alex Cain). (Oxford: Berg, 2004)

How does the Human Brain perceive Speech?

Kate Watkins

Abstract: *Many animals can communicate but communication by speech is an exclusively human activity. Even computers struggle to recognise limited spoken instructions, making errors that young children do not make. Understanding speech is an obviously difficult task for a machine yet it is something we all do effortlessly. In this article, I describe some of the research being done to understand how the human brain accomplishes this impressive feat.*

To understand how our brains perceive speech, we need first to consider how speech is created. When we speak, we produce a stream of air from the lungs that causes noise by vibration, much like the air released from the stretched neck of a balloon. The air squeezes through the glottis – a pair of muscles in the throat commonly known as the vocal cords, causing them to vibrate. This creates the buzz, which in turn forms the "voice". Simple changes in the tension and position of your vocal cords allow you to alter the pitch of the voice by altering the frequency of the vibration. Above the vocal cords, the buzzing stream of air passes through the throat, mouth, lips and nasal cavity. Movements of the tongue, lips and palate alter the shape of these cavities, which changes the resonant frequencies in the sound wave, just like when you blow across the mouth of a bottle and produce different sounds depending on the level of liquid. The differences in size and shape of the chambers in the vocal tract results in the production of speech sounds that we call vowels and consonants. Vowels are produced when air travels through the vocal tract unimpeded – try saying "ahhh" - whereas rapidly stopping and releasing air or squeezing it past the tongue and teeth produces consonants. Think of where you block the vocal tract when you say "patty-cake", for example.

The human vocal tract is specially adapted for speech. Our tongues are proportionally shorter and rounder than those of other primates and our larynx is lower in the throat. This has resulted in some costs – crowding of teeth in the shorter jaw (which we can thank for impacted wisdom teeth!) and a greater risk of choking by inhaling food. Other animals are capable of sophisticated vocalisations - for example, parrots and large sea mammals, such as whales[1] – but both species produce sound very differently to the way human speech is produced. There is one group of mammals with a vocal tract similar to ours – the pinnipeds (seals, sea lions and walruses). Anecdotal accounts of an orphaned harbour seal called "Hoover" describe how he produced speech-like imitations of humans[2]. But simply owning a vocal tract that resembles that of a human does not allow animals to produce sophisticated speech like humans; to do this, it appears that you require a human brain.

So how do we perceive speech? The continuous sound waves produced by the vocal tract during speech are highly variable yet remain understandable as speech. We can represent these sound waves in terms of changes in frequency and amplitude over time. Even so, these abstract representations show very few commonalities across speaker or even for words spoken by the same

speaker in different contexts. One cannot simply look at a waveform and identify a particular speech token with any degree of certainty. Speech recognition appears to be a hard problem, therefore, due to the lack of consistency in the acoustic signal, yet the brain can robustly perceive speech sounds regardless of the inconsistency.

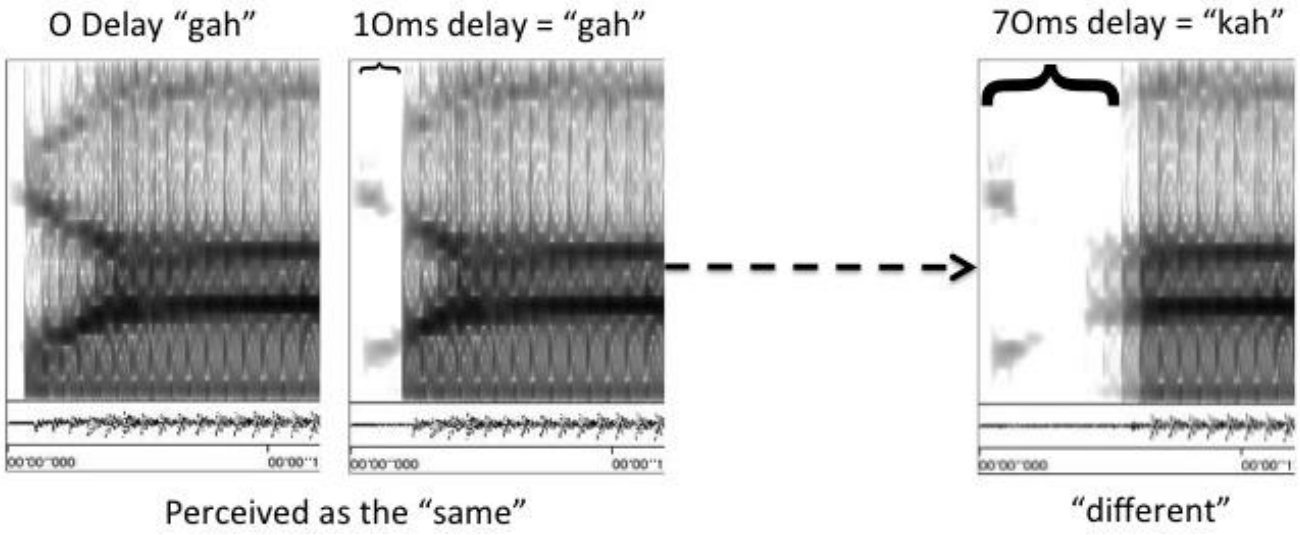


Figure 1. Picture of categorical perception: A spectrogram of the speech sound "gah" is shown on the left with the vocal tract release and the vocal cord vibration simultaneous. When we delay the vocal cord vibration by 10 ms, we still perceive the "gah" sound but when the delay exceeds about 40 ms, we start to hear a different sound "kah".

In the laboratory, we can demonstrate that the human brain perceives a whole range of acoustic signals as the ***same*** speech sound using computer-generated speech with software that morphs one speech sound into another. Take the "buh" sound at the beginning of a word like "bat", for example. This sound is produced by closing the lips briefly, allowing air pressure to build up behind the lips and then releasing the air through the lips while simultaneously vibrating the vocal cords. We can change the word "bat" into the word "pat" by simply increasing the delay between the release of air at the lips and the onset of the vibration of the vocal cords. Once this delay reaches about 40 milliseconds, most people's perception of the word will have changed from "bat" to "pat". What is interesting, however, is that perception of "bat" is unaffected as long as the delay remains under 40 milliseconds. If we ask people to say whether a version of "bat" with no delay or another version with a 30-millisecond delay sounds the same or different, they will confidently say they sound the same. Yet if we ask them whether one sound with a 30-millisecond delay and another with a 50-millisecond delay are the same or different, they will confidently say they sound different! It is as if there is a boundary at 40-milliseconds and everything on one side of the boundary is perceived as a "buh" sound and everything on the other side of the boundary is perceived as a "puh" sound. In psychology, we call this kind of perception, categorical perception – because the perceived element lies in one category of another. We perceive speech categorically but we perceive small differences in other non-speech sounds, such as a scale of piano tones, as continuous changes.

The categorical nature of speech perception led some scientists to conclude, "speech is special". If the same speech sound can be perceived from such a variety of

different acoustic representations, what could the brain use as its template to map these different sounds onto? One possibility is that speech perception is achieved by referencing it to speech production. This is the "motor theory of speech perception" and is one of the most controversial theories in psychology. Not least because it would predict that animals do not perceive speech sounds categorically and that people incapable of speaking (including infants) could not understand speech. Both of these predictions are incorrect. Nevertheless, the idea that the brain analyses speech by reference to the way it is produced has some appeal. It means that the same system is used for articulation and perception and it sidesteps the problem of needing an infinite number of representations of speech sounds to account for the massive variability in the acoustic signal.

A simple experiment demonstrates that our knowledge of the way speech is produced can affect the way it is perceived through a very robust illusion called the "McGurk effect". In this illusion, an audio recording of a speaker saying "bah" is played simultaneously with a video showing the speaker saying "gah".[3] What we perceive when watching this video is the sound "dah", which is actually neither seen nor heard. The brain appears to have integrated the conflicting information it has received through the ears (of a sound produced with lips closed) and through the eyes (of lips clearly open) and generated an illusory percept of a speech sound that lies somewhere in between these two. People usually only perceive just "bah" if they listen with their eyes closed or guess that "gah" is being spoken if the audio is muted. The McGurk illusion shows us that our brain makes use of its knowledge of how speech is produced in speech perception.

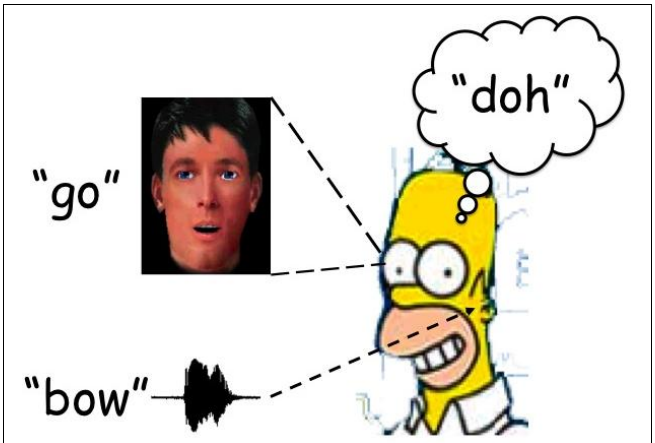


Figure 2: Picture on McGurk effect: Homer hears the word "bow" but sees the talking head saying the word "go", so he gets an illusory percept of the word "doh". It may not be in your vocabulary but I think Homer knows it!

In my laboratory, we are interested in understanding how far the system that produces speech – the motor system – contributes to speech perception. We use painless non-invasive brain stimulation techniques to temporarily interfere with the parts of the brain involved in speech production and see how this interference affects speech perception. The technique used is called transcranial magnetic stimulation or TMS. To stimulate the brain, we use a small coil, through which we briefly pass an electric current. The current generates a large but brief magnetic field around the coil. This change in the magnetic field induces current in anything capable of conducting electricity. Therefore, if we place the coil on the scalp, we can induce currents in the neurons near the surface of the brain. When we stimulate neurons in the motor cortex of the brain like this, we can elicit twitches in different muscles depending on where we stimulate. When we see a muscle twitch in the lips, we know we have found one part of the brain involved in speech production. We target this area with magnetic pulses to temporarily interfere with its function. The research volunteer is unaware of this impairment in function – if

we asked them to speak for example, they would still be able to speak. But with experimental tasks, we can show that this mild temporary interference of the speech motor cortex slightly impairs the volunteer's perception of speech sounds. They no longer hear the differences between similar sounds such as "bah" and "dah" as clearly as they did before the stimulation of the speech motor cortex. This very small effect lasts for about 20 minutes (and then their speech perception abilities return to normal). This experiment and others we are doing indicate that the parts of the brain involved in speech production are contributing directly to speech perception.

Neuroscience research continues to address questions about the remarkable ability of the human brain to communicate using speech. Improving knowledge in this area may further our understanding of speech impairment in children with developmental disorders and adults who acquire speech impairment through brain injury.

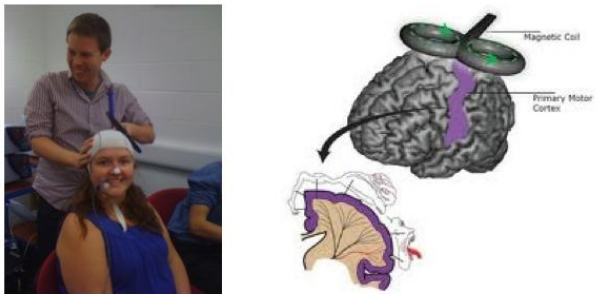


Figure 3: Picture of magnetic stimulation: Emily Connally (St. Anne's graduate student) is being stimulated using a magnetic coil by Dr. Jack Rogers (see how much they both enjoy this). The brain cartoon shows in purple the motor cortex, which when stimulated causes a muscle to twitch.
Photo Courtesy: Kate Watkins

References

[1]Ridgway S, Carder D, Jeffries M and Todd M (2012) Spontaneous human speech mimicry by a cetacean. Current Biology 22(20) R860-R861
[2]http://www.neaq.org/animals_and_exhibits/exhibits/individual_exhibits/harbor_seals_exhibit/hoover.php
[3]http://www.youtube.com/watch?v=aFPtc8BVdJk

Business & Society Version 3.0: Attending to what stakeholders attend to

Professor Mike Barnett

Economic prosperity underpins social and ecological prosperity: money makes the world go round. However, the pursuit of economic prosperity can undermine social and ecological prosperity: greed can make the world go flat. It is a tricky path to traverse, wherein the system that best facilitates economic, and with it, social and ecological advance can also encourage social and ecological degradation. How do we get the mix right so that we have a prosperous economy and a sustainable society? In short, how do we get business to be both profitable and humane?

Management and organisation scholars have long recognised this bind. Scholars started the business and society subfield (ghetto, rather than subfield, is perhaps a more accurate description of the early years) to try to find ways to minimise social and ecological harm caused by business activity. They primarily turned to moral philosophy to make an ethical case to business leaders. They pointed out that business is granted a license to operate by society, and so business has an obligation to help society. But moral suasion had, and I think still has, limited effect. In fact, Milton Friedman was (in)famously able to flip the ethical case to argue that (mis)using businesses as social enterprises caused harm to society by damaging market fundamentals that drive economic prosperity.

Enter what I'll call "Business & Society Version 2": The Business Case. Scholars embraced Friedman's basic principle that businesses exist to pursue profit, but through a neat bit of academic judo, used the power of Friedman's basic principle against him. They identified the visible hands at work in the free market. They pointed out that firms are open systems, reliant on a variety of stakeholders to provide inputs and purchase outputs. Through socially responsible actions, firms can grease transactions with these stakeholders, leading to lower operating costs and/or higher revenues, and so more profit overall. In a nutshell, firms can do well by doing good, and so the case is made that it is not just socially and ecologically damaging, but also economically damaging to be "bad."

This "win-win" perspective won the day. Today, I can think of no firm that openly speaks against the business case. Rather, businesses, including even long-time stalwarts like Wal-Mart, spend considerable time, effort, and money to publicly flaunt their social and environmental initiatives and to tie these initiatives to improvements in their near and long-term economic performance.

But have we really won-won? Despite the logic of the business case, there are still plenty of firms doing bad things. How can that be? I attribute it to a flaw in Business & Society Version 2, and argue for pursuit of Version 3: The Cognitive Case, wherein we account for the limited capacity of stakeholders to police firms. Think about it: if the business case is premised on stakeholders rewarding firms for good behaviours, and punishing firms for bad behaviours, what happens if stakeholders are sometimes asleep at the wheel?

Most of us, most of the time, have no idea what's going on at most firms. Yet in the business case, stakeholders are sovereign;

they determine through their actions what is and is not acceptable firm behaviour. If the sovereign are sleepy, firms may learn the wrong lessons. Rather than extinguish bad behaviours and habituate good behaviours, inconsistent and errant stakeholder responses (and the lack thereof) might lead firms to the opposite.

In pursuit of Version 3, I am investigating limits to stakeholder capacity to reward and punish firms. In particular, in several ongoing theoretical and empirical projects I am investigating contextual influences on stakeholder attention, sense-making, and action. Though it is all very much a work in progress, it is clear that stakeholders have many blind spots and are swayed by information that may have limited relationship to the true characteristics of a focal firm.

Whereas past research has acknowledged the problems of limited firm disclosure of sustainability practices, I am focusing on the problem of information overload. In the face of immense amounts of data, stakeholders use simplifying heuristics, such as "a chemical firm is a chemical firm", leading to outcomes such as what I have termed "reputation commons problems" wherein a firm is tarred with the same brush as its rivals. Industries can sometimes self-regulate to help stakeholders to see past the reputation commons problem. But there remains a more fundamental need, in Version 3, for formal regulation.

Business and society scholars, in their quest to influence business practice, have successfully sold the idea that stakeholders exert influence over firms and so must be accounted for. However, stakeholder influence alone is inadequate to keep business in check. Scholars now need to move beyond the business case's focus on stakeholder policing by more explicitly bringing in the third leg of this societal stool—government. The task of the researcher then is to sort out when stakeholder policing is and is not effective; where not effective, formal regulation may well be the answer. Of course, this not a new answer, and it has its own problems, but it is essential to first recognise that the business case is not a panacea for bad business conduct. It has limits, because stakeholders have limits.

St Anne's Research

In this section we have a selection of the research interests and academic achievements of St Anne's members across the JCR, MCR and SCR.

The articles collected here are based on research conducted by the JCR and MCR members during the academic year 2011-12.

Processing of Novel Topological Insulators in Thin Film Form

Rory Barker

Topological insulators are materials that have only been discovered recently. These materials are electrical insulators with exotic metallic surface states with applications in spintronics and quantum computers. This research focussed on optimising the fabrication process for thin films of a particular topological insulator - Bi_2Se_3 – by using the physical deposition technique called sputtering. The objective of the project was to obtain as smooth a topology as possible by varying deposition temperature on two different substrates. We discovered that deposition at 320°C on Magnesium Oxide (MgO) gave the best results.

Topological insulators are an exciting, recently discovered form of condensed matter. These materials are electrical insulators in the bulk of the material, with exotic metallic energy states across the surface. Growth of thin films of these materials was the topic of my fourth year Materials Science research project. The surface states of these materials show promise in novel applications such as spintronics and robust quantum computing. The reason for producing topological insulators in thin film form is that patterning devices onto a thin film is a fairly practical approach to producing spintronic devices, which could be widely adopted.

Spintronics is an interesting field that has potential for developing future generations of electronic devices. Whereas electronic devices typically rely on the transfer of electronic charge in an electrical current, spintronics would rely on the transfer of the electronic property called *spin* in a 'spin current'. Spin does not refer to electrons literally spinning, but it is an intrinsic property of an electron, like mass or charge. A topological insulator could be used as a spin generator in a spintronic device because electrical transport along the surface states causes electrons to adopt a particular spin orientation that is dependent on the direction of the current.

Topological insulators were not discovered experimentally, but were discovered through theoretical research[1]. The first topological insulators to be discovered, known as '2D topological insulators', only exhibited topological insulator behaviour in very thin 'quantum wells' where the metallic surface states only existed in one dimension around the edge of the well. More recently, '3D topological insulators' made of the compounds Bi_2Se_3, Bi_2Te_2, and Sb_2Te_3 that exhibit metallic surface states across the surface were predicted to exist in 2009[2], and shown to exist experimentally in 2010[3].

This project focused on growing thin films of the 3D topological insulator Bi_2Se_3 because the large 'energy band gap' in the bulk of the material makes it the most interesting for possible technological applications. With Bi2Se3, it may to be easier to create a material with a high resistivity in the bulk of the material that does not 'short circuit' the surface energy states.

The particular method for growing thin films of Bi_2Se_3 (composed of the elements bismuth and selenium) is a physical deposition method called sputtering. Sputtering works by forming a piece of material, called a target, made up of

the elements that make up the desired film. The chamber in which deposition occurs is pumped down to form a vacuum, and then a small amount of argon gas is passed into the deposition chamber. An electric field is used to form argon plasma, and argon ions are accelerated on to the target. As the argon ions bombard the target, atoms of bismuth and selenium are ejected into the plasma. These bismuth and selenium ions can then land on a substrate, and a film can grow. The ratio of bismuth to selenium ions that end up in the film is not necessarily the same as the target, so getting the correct composition of the film takes some trial and error.

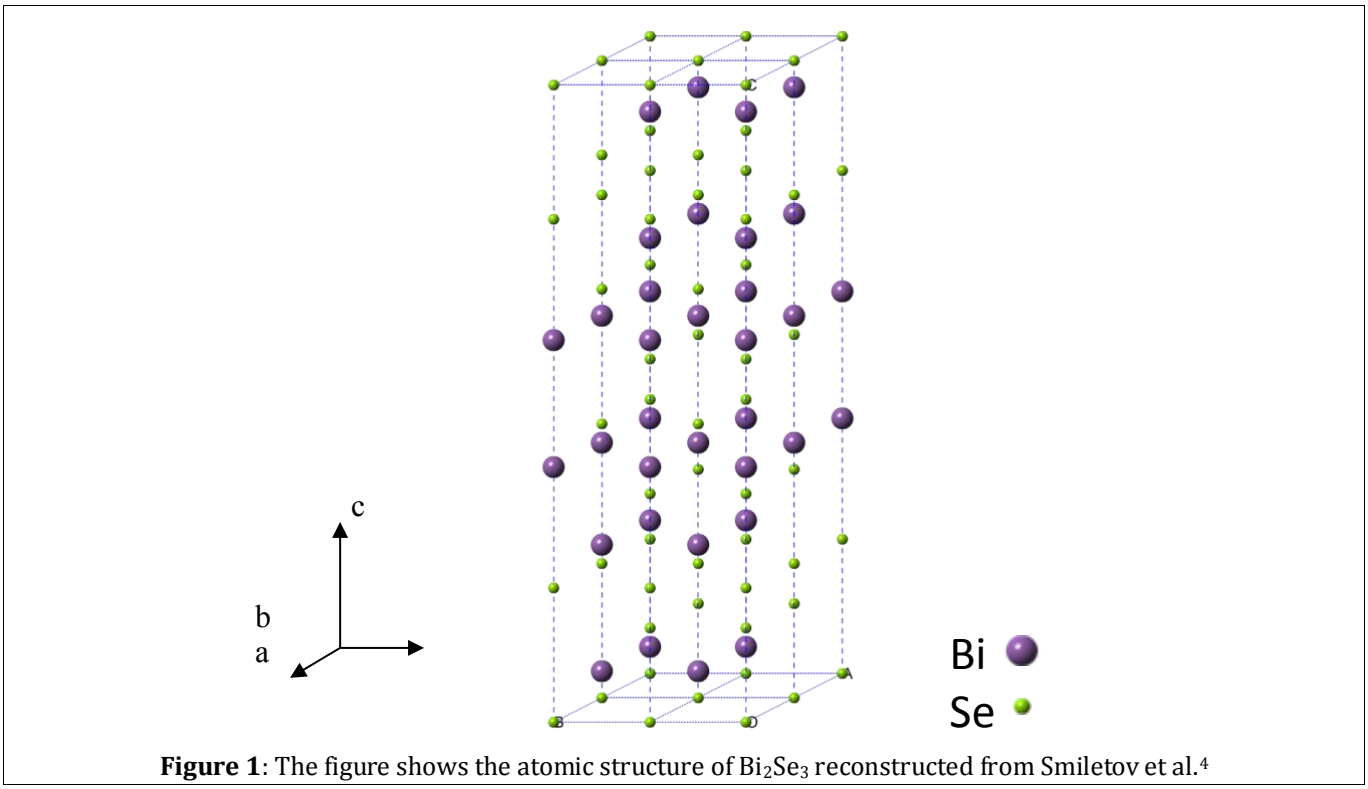


Figure 1: The figure shows the atomic structure of Bi_2Se_3 reconstructed from Smiletov et al.[4]

The first task of the project was to grow films of Bi_2Se_3 with the right phase and stoichiometry. The equilibrium phase Bi_2Se_3 has hexagonal crystal symmetry and the atomic structure, depicted in Figure 1, needs to be reasonably phase pure. Stoichiometry across the film needs to be well controlled as even other phases with similar compositions to Bi2Se3 are not topological insulators.

Films were initially grown on scrap silicon to find the right stoichiometry. They were then grown on single crystal silicon with hexagonal surface atomic structure in order to try to encourage 'epitaxial growth', where crystals grow layer by layer to obtain a smooth surface morphology.

The films were characterised using X-ray diffractometry (XRD), and with a scanning electron microscope (SEM). Within the microscope, the ratio of selenium atoms to bismuth atoms on each film was measured using energy dispersive X-ray (EDX) analysis.

The XRD technique used to characterise the phase of bismuth selenide used θ-2θ geometry. A schematic of x-ray diffraction in this geometry is shown in Figure 2. This technique works by finding the angles of θ through which an x-ray beam can be diffracted so that constructive interference can occur. The diffraction pattern can then be used to figure out the atomic structure of the material.

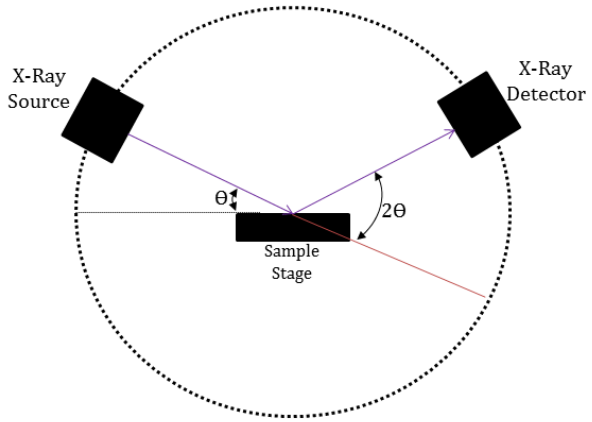


Figure 2: X-ray diffraction set up.

EDX works in an electron microscope on the principle that the electron beam in the microscope knocks off electrons from the inner electron shells of atoms, so that an electron at a higher energy level can drop down to refill the lower shell and in the process emitting an X-ray with an energy characteristic of that particular atom. This technique, if calibrated correctly can then determine the atomic composition of a sample.

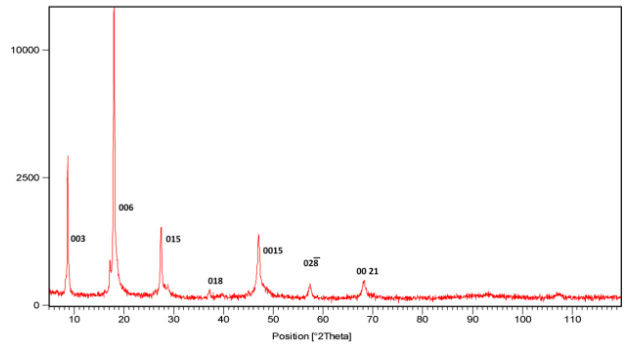


Figure 3: The figure shows an XRD scan from a film made of Bi_2Se_3.

After some experimentation, a target composition was found that gave the right phase of Bi_2Se_3. Figure 3 shows the x-ray diffraction pattern for the first sample found made of the right phase. Once it became apparent that the right phase was formed the effect of temperature on the films was investigated. The films were grown on both MgO and silicon. By varying the temperature, different film morphologies on both MgO and silicon were obtained as shown in Figure 4.

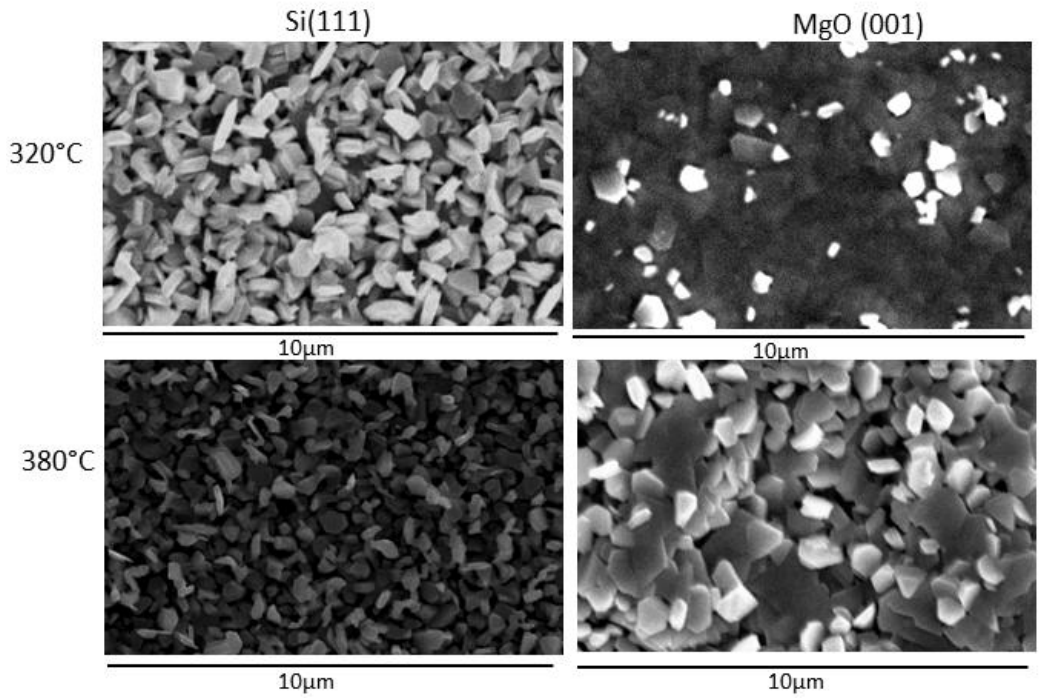


Figure 4: Scanning electron microscope images of films grown on Si and MgO. The films exhibit grains in the shape of hexagonal platelets. The films with the smoothest surfaces are grown on MgO at 320 ^{O}C.

After growing films using the sputtering technique over the temperature range 280-410^{0}C, it was apparent that films grown on MgO at 320^{0}C have smoother, flatter surfaces than the others, and may prove to be useful for electronic devices with further processing. After characterising the material for the films using both XRD, and EDX, it was clear that the films yielded the right compositions in the right range for most conditions, while the most crystalline films were formed at 320^{0}C.

Another interesting feature that came out of the XRD scans was that the crystals appeared to be orientated in the direction of the c-axis (see Figure 1). This was interesting since films with grains that are aligned could yield smoother morphologies, implying conduction paths along the surface met fewer grain boundaries, which can affect electrical properties of a sample. This needed to be tested by an X-ray 'texturing' technique which would identify the direction in which the crystals were aligned. By rotating the sample through 360 degrees under an X-ray beam, and varying the incident angle of the x-rays, figures could be drawn to identify the direction of the crystal alignments. Figure 5 shows the 'pole figures'.

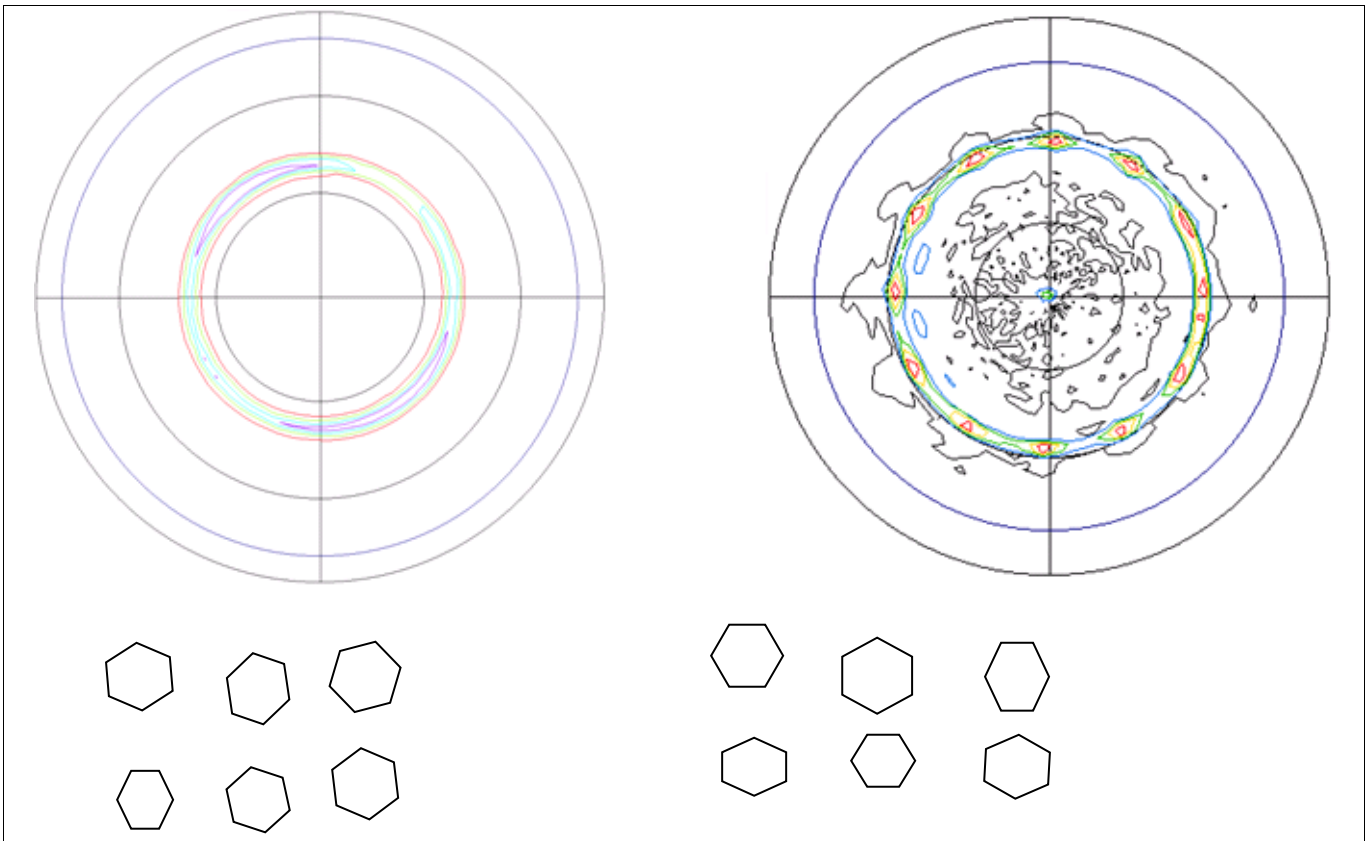


Figure 5: films grown on silicon (left) reveal that the hexagonal grains are roughly in the same plane, but in random orientations within that plane. Films grown on MgO (right) reveal that the grains are also in the same plane, but the 12-fold symmetry shows that the hexagonal grains must be in two major orientations.

We found that the crystals on MgO were aligned in two main orientations along the c-axis, while the films on silicon were aligned in the c-axis, but with no favoured orientations in the plane of the film. Electrical resistivities of the bulk material were also tested against temperature in a cryostat. The results are shown in Figure 6. These resistivities are relatively low when compared to other published work such as

Hong et al.[5] who grew Bi_2Se_3 nanoribbons with very low charge carrier densities. This is likely to be a result of defects in the crystals that allow electrons to move freely. The resistivities shown here may be higher than the material resistivity since the test current will have moved through the path of least resistance through the grains, so they do not reveal anything fundamental about the film material. The resistivity can be increased by removing these defects, or by doping the material with the metal antimony.

Ultimately, this research was simply a way of learning how best to process this material. While some progress has been made to start making films with the right compositions and smooth microstructures, additional work is needed for further processing of these materials, such as annealing, and doping with antimony. It may even be the case that a different fabrication process is necessary for making topological insulator devices.

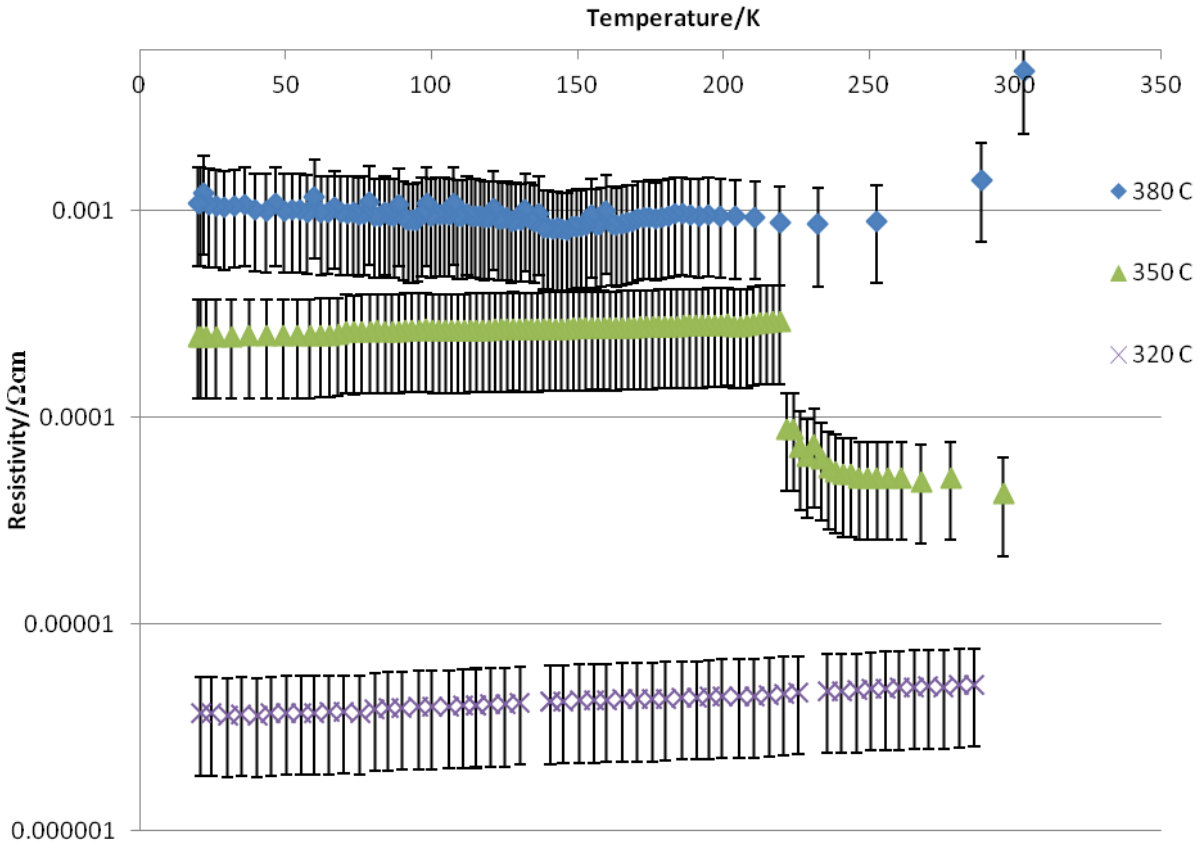


Figure 6: The figure shows a logarithmic plot of resistivity against temperature for films grown on MgO.

References

1. Moore JE, 2010. The birth of topological insulators. Nature, 464(7286), pp. 194-198.

2. Zhang H, Liu C, Xiao-Liang Q, Dai X, Fang Z and Zhang S, 2009. Topological insulators in Bi2Se3, Bi2Te3 and Sb2Te3 with a single Dirac cone on the surface. Nature Physics, 5(6), pp. 438-442.

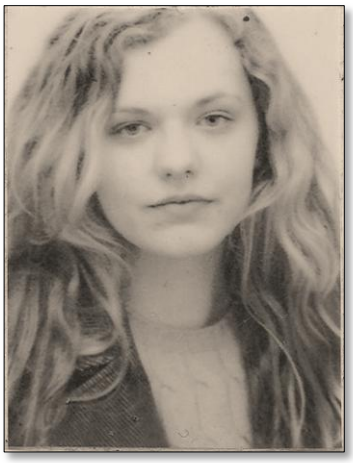
3. Zhang Y, He K, Chang C, Song C, Wang L, Chen X et al, 2010. Crossover of the three-dimensional topological insulator Bi2Se3 to the two dimensional limit. Nature Physics Letter, 6, pp. 548--588.

4. Semiletov SA and Pinsker ZG, 1955. The electron diffraction analysis of the system of alloys Bi-Se. Doklady Akademii Nauk SSSR, 100, pp. 1079-1082.

5. Hong SS, Cha JJ, Kong D and Cui Y, 2012. Ultra-low carrier concentration and surface-dominant transport in antimony-doped Bi2Se3 topological insulator nanoribbons. Nature Communications, 3(757).

The Commodification of Literature and the Critic

Octavia Cox



This article explores the impact of the publishing trade's commodification of Victorian literature. It looks at the trade's prescriptions on authors, and how this affected their work. It considers how an understanding of the effects of literature's commoditisation can help literary critics to analyse texts better. In order to examine this, the article uses particular examples of publishers' demands on authors—such as, censorship, novelistic, periodical, and editorial pressures—and the specific effects this had on individual authors. Assessing the impact of literature's commodification is important in enhancing literary critics' understanding of texts, which is imperative for analysing literature effectively.

Mid-nineteenth-century parliamentary reforms introduced the "cheap fiction" of a mass-market penny press (Springhall 568). These reforms included, for example, the removal of advertisement duty in 1853, stamp duty on newspapers in 1855, and paper excise duty in 1861 (Springhall 567). The 1870 Education Act, moreover, made primary education mandatory, making literacy widespread. These governmental ameliorations had a profound effect on the nature of literary production, and raised questions about literature's status as commodity versus art. In what ways did authors struggle to create literature which gratified publishers whilst remaining artistically satisfied? Furthermore, why does this matter? Why should literary critics consider the involvement of the publishing trade when analysing texts?

The commoditisation of the publishing trade meant authors had less, whilst publishers had more, control over texts and their production. Previously authors created texts and then sought a publisher, as literature became more commoditised publishers sought any writer willing to create what they thought would sell (Darlow 334). Indeed, frequently publishers "endeavoured to persuade, even dictate, what an author should write" (Waller 668). Few authors, one lamented, were "able to write exactly what they like[d]" because "to descend to trade phraseology, they must follow the market" (Kemp 102). George Gissing, for example, ascribed the "fault" of his work's "superfluities" to "their having been written when English Fiction was subjected to the three volume system" (Gettman 253). The convention for three-volume novels "caused publishers to pad material by technical means or authors to work up copy to fill out the third volume" (Terry 46), often contrary to artistic judgement. Gissing hoped, "If ever I get the opportunity, I shall give all my books a vigorous revision, and cut them down" (Gettman 253).

Thomas Hardy particularly objected to Victorian literary culture's prescriptions. He deemed texts, for example, "much retarded by the necessities of periodical publication," as "Artistic effort always pays heavily for finding its tragedies in the forced adaptation of human instincts to rusty and irksome moulds that do not fit them" (*Jude* xliii, xlv). For Hardy, the Victorian "dispensation of fiction" degraded literature by enforcing arbitrary episodic structures

which rendered texts unnatural and, hence, insincere ("Candour" 15-21).[1] Prior to the first edition, *Tess of the D'Urbervilles* had appeared as "episodic sketches" in various magazines (*Tess* 3). Upon *Tess of the D'Urbervilles*' publication in novel form, Hardy was pleased "to piece the trunk and limbs of the novel together, and print it complete, as originally written two years ago," as if periodical publication were akin to a dismembered body (*Tess* 3). There were other contemporary authors, however, who purposefully manipulated publishing forms for their own material ends, disregarding artistic integrity. Charles Lever, for example, considered "what characters & incidents *tell* best with readers" before embarking on subsequent instalments (Gettman 163).

Hardy was irritated by publishers' panjandrumry: his first manuscript, *The Poor Man and the Lady* (1868), was rejected by Macmillan, however, their reader, George Meredith, encouraged Hardy to embark upon another text, *Desperate Remedies*, which was also later spurned (Sutherland 217). Hardy complained that *Desperate Remedies*, which "owed its existence to Meredith," and was "quite foreign to my own instincts," was still unacceptable (Ellis 244). Despite his evident dislike of tailoring texts to suit others' desires, Hardy continued to attempt to produce texts that gratified public tastes. Of *The Woodlanders*, for example, Hardy wrote to Macmillan:

> *I cannot give you any idea as to the probable demand. I am expecting a good sale—on the other hand my last story did not sell so largely as it might have done—owing, I was told, to the plot not being romantic, nor the accessories rural. As the reverse is the case with the present one we may anticipate better things. (Letters I:161)*

He was subsequently "unable to understand," therefore, its "debt" of "nearly £200" (*Letters* II:14).

Publishing was a perilous business. Publishers generally liked periodical publication as it provided "a fairly reliable guide to the print run for the next issue" enabling them "to forecast sales with some assurance," thereby maximising profit (Springhall 570). Unlike books, moreover, periodicals could be revised as they went along. Anything readers found unfavourable, therefore, could be eliminated or explained away in later episodes. Even so, "any violation of decency would inevitably lead to such a falling off of circulation as would practically amount to ruin of the paper guilty of it" (Waller 652), which led to publications being "often…as innocent as sugared milk" (Thompson 84). Robert Louis Stevenson rightly observed, however, that even "the most imbecile production of any literary age gives us sometimes the very clue to comprehension we have sought long and vainly in contemporary masterpieces" (Waller 635). All literature, whether considered to be art or pulp, sprang from identical contemporary pressures. For literary critics, therefore, consideration of all texts, even those produced only for mercenary gain, is important, as it elucidates ways in which authors pandered to or thwarted literary expectations of their age; thus, giving an insight into their intentions. Jerome McGann states, the literary critic's "object" is "to establish" what "most nearly represents the author's original (or final) intentions" (15). It is imperative, therefore, for literary critics to be aware of contortions enforced upon authors, especially those which contradict artistic aesthetics, if they

[1] Hardy contributed "Candour in English Fiction" to a symposium, which was printed in the *New Review*, January 1890, pp. 15-21. Reprinted in Harold Orel, ed., *Thomas Hardy's Personal Writings* (London: Macmillan, 1966) 125-33. All references to this symposium hereafter will be to "Candour" 15-21.

are to understand authors' intentions.

Resenting publishers' tendency to "exalt numbers above quality" (*Letters* III:233), Hardy contended that publishers, by "acting under the censorship of prudery," excluded subjects which formed "the bases of the finest imaginative compositions since literature rose to the dignity of an art" ("Candour" 15-21). Such censorship is evident, for example, in publisher George Bentley being dissuaded from publishing Rhoda Broughton's *Not Wisely But Too Well* in 1865, because "It will not do you any credit—indeed people will wonder at a House like yours bringing out a work so *ill* calculated for the reading of decent people" (Gettman 195). The Victorian author, therefore, was faced with the perpetual dilemma:

> *he must either whip and scourge…characters into doing something contrary to their natures, to produce the spurious effect of their being in harmony with social forms and ordinances, or, by leaving them alone to act as they will, he must bring down the thunders of respectability upon his head, not to say ruin his editor, his publisher, and himself. ("Candour" 15-21)*

This "struggle with the literary conscience" presented itself in the American serialisation of *Jude the Obscure* ("Candour" 15-21). Although its original conception "would not bring a blush to a school-girl's cheek," upon the text's creation "the characters had taken things into their own hands" (Harper 164, 165). After only a few instalments, therefore, Hardy offered to withdraw it from publication (*Letters* II:103). His publishers refused, but insisted on numerous alterations:

> *we fully appreciate the annoyance you must feel at being called upon to modify work conscientiously done, and which is best as it left your hands, from an artist's point of view….It is a pity that you should touch a word of the story, but you have been very good to lend yourself so kindly and promptly to our need, when the task is in itself so ungraceful. (Purdy 90)*

Putting aside flattering obsequiousness, it is clear Hardy's publisher was concerned with material rather than artistic considerations. Despite, therefore, being "not aware" of "anything…to which exception can be taken" (Preface *Jude* xliii), for the sake of "the Grundyist and subscriber" ("Candour" 15-21), "the magazine version was…an abridged and modified one" (Preface *Jude* xliii). Hardy commented in his diary, furthermore, "On account of the labour of altering *Jude the Obscure* to suit the magazine, and then having to alter it back, I have lost energy for revising and improving the original as I meant to do" (Purdy 90). It may never be possible, therefore, to determine what Hardy's final intentions were, which might be said to limit our ability of ever understanding *Jude the Obscure* as a finalised work of art.

According to McGann, literary critics must assess "the history of a text's transmission with the purpose of exposing and eliminating errors" (15). Not only must one consider influences upon authors' creative processes, therefore, but publishers' interferences made after authors have submitted manuscripts. Of *Jude the Obscure*'s publication as a novel in America, Hardy relented, "I sh[oul]d prefer that my version be adhered to, but I w[oul]d consent to a reasonable modification, if indispensible to its production" (*Letters* II:110). Even if an author was around for publication, therefore, this cannot guarantee a text's authority.

In some cases, moreover, changes were made without the author being aware of them. In *The Return of the Native*'s original serialisation, for example, Hardy

ensured "every provision was made" to "spare the sensibilities of the magazine reader," therefore, the nature of Eustacia and Wildeve's relationship "was never absolutely cleared up" (Beach 634-35). In Hardy's later revisions, however, their involvement becomes explicit. In the earlier serialisation, on Bonfire Night Eustacia chastises Wildeve by remarking "I have had no word with you since you—you chose her…as if I had never been yours" (Beach 637). Subsequently, however, Hardy intended Eustacia's outpouring to finish, "as if I had never been yours body and soul so irretrievably" (*Native* 72). Although this was published verbatim in Harper's 1902 New York edition, Macmillan's London edition discreetly replaced "body" with "life," seemingly to avoid any outcry at "the indelicacy of the word body in such a connection" (Beach 639). The confirmation that Eustacia and Wildeve were physically intimate, evident in Harper's but missing in Macmillan's edition, has a decided impact upon the reader's interpretation of events as they unfold. In assessing a text, therefore, it is important to determine any potential "intervention by a publisher or his agents between the author's manuscript and the published text" which bears on the text (McGann 20).

> As Hardy elucidated:
>
> *Even the imagination is the slave of stolid circumstance….It is conditioned by its surroundings like a river-stream. ("Candour" 15-21)*

Much as literary critics might like to imagine texts as art unbesmirched by physical considerations, it is essential to remember the material nature of publishing and the inescapable effect this has on texts; not only on emendations publishers deem necessary to enable their production, but on the creative process itself. Understanding these effects contribute to literary critics' perceptions of an author's intentions, which allows them to get closer to the envisaged text and thus enables them to analyse it more thoroughly.

References

Primary Sources

Hardy, Thomas. *Jude the Obscure*. Ed. Patricia Ingham. Oxford: Oxford UP, 2002.

---. *The Return of the Native*. New York: Harper, 1902.

---. "Explanatory Note to the First Edition." *Tess of the D'Urbervilles*. Ed. Juliet Grindle and Simon Gatrell. Oxford: Clarendon, 1983.

---. "Candour in English Fiction." *Thomas Hardy's Personal Writings*. Ed. Harold Orel. London: Macmillan, 1966. 125-33.

---. *The Collected Letters of Thomas Hardy*. Ed. Richard Little Purdy and Michael Millgate. 7 vols. Oxford: Clarendon, 1979-88.

Harper, J. Henry. *I Remember*. New York: Harper, 1934.

Secondary Sources

Beach, Joseph Warren. "Bowdlerized Versions of Hardy." *PLMA* 36.4 (1921). 632-43.

Darlow, T. H. *William Robertson Nicoll: Life and Letters*. London: Hodder and Stoughton, 1925.

Ellis, S. M. *George Meredith: His Life and Friends in Relation to his Work*. London: G. Richards, 1919.

Gettman, Royal A. *A Victorian Publisher: A Study of the Bentley Papers*. Cambridge: Cambridge UP, 1960.

Kemp, Sandra, Charlotte Mitchell, and David Trotter, eds. *Edwardian Fiction: An Oxford Companion*. Oxford: Oxford UP, 1997.

McGann, Jerome J. *A Critique of Modern Textual Criticism*. Chicago: U of Chicago P, 1983.

Purdy, Richard Little. *Thomas Hardy: A Biographical Study*. Oxford: Oxford UP, 1954.

Springhall, John. "Disseminating Impure Literature: The Penny Dreadful Publishing Business Since 1860." *The Economic History Review* 47:3 (1994). 567-84.

Sutherland, J. A. *Victorian Novelists and Publishers*. London: Athlone, 1976.

Terry, R. C. *Victorian Popular Fiction, 1860-80*. London: Macmillan, 1983.

Thompson, Flora. *Lark Rise to Candleford: A Trilogy*. London: Oxford UP, 1954.

Waller, Philip. *Writers, Readers, and Reputations: Literary Life in Britain 1870-1918*. Oxford: Oxford UP, 2006.

The Context of Corruption: Translocal Dimensions Insights from Uganda

Sebastian Haug

"On the African continent, [...] corruption is not just endemic but an integral part of the social fabric of life"
(Chabal/Daloz 1999: 99)

Corruption is widely believed to be one of the main plights of contemporary African societies. The concept of social logics (understood as patterns that structure and dominate social behaviour) is one particular approach to conceptualizing and understanding the context of corruption on the African continent. The Ugandan context provides evidence for the relevance of some of the social logics previously identified in the literature. However, the findings also point to additional logics that are linked to external actors and structures. The case of Uganda suggests that anti-corruption strategies need to not only account for the specificity of social context in different locales but also for the 'translocal' dimensions of social interaction.

The Aristotelian distinction between public and private spheres[1] is the foundation for the concept of politics – and thus the basis for the conceptualization of political corruption: what is corrupted is the 'public interest'[2] for the sake of some sort of private reward. In the context of a global order that relies on the Western distinction between public and private domains, politics (and political corruption as one aspect of it) claims some sort of de facto universality. In societies on the African continent this distinction, which is often alien to local traditions, challenges the understanding of the particular context in which corrupt practices are an integral part of social life.

In this paper I briefly lay out social logics – understood as patterns that structure and dominate social behaviour – as one particular approach to conceptualizing the context of corruption. Based on my empirical research I show that the Ugandan context provides evidence for the relevance of some of the social logics previously identified in the literature. However, the findings also point to additional social logics that are linked to external actors and structures and increasingly dominate social life in Uganda.

Investigating the social context of corruption

The vast majority of corruption researchers[3] follow Heidenheimer (1993: 159) who understands political corruption as "deeply rooted in more general social relationships and obligations". With regards to the context of corruption on the African continent, scholars have pointed to the coexistence of modern, rational-legal state structures and traditional, patrimonial networks (Médard 2002, Blundo 2006)[4]. The concept of neo-patrimonialism tries to account for the tension between these conflicting social patterns and, with regards to African societies, holds that "corruption is

[1] Aristotle distinguishes between personal and political rule, see Philp (1997: 450).

[2] For an often cited public-interest definition see Friedrich (cited in Heidenheimer et al. 1993: 10).

[3] See f. ex. scholars as different as Scott (1969), Leys (1965), Nye (1993), Bayart (1990).

[4] Mamdani (2004: 9), by contrast, points to the pitfalls of the concept of neo-patrimonialism as an over-simplified "history by analogy".

in reality a complex of behavioural patterns which are key ingredients of the continent's modernity" (Chabal/Daloz 1999: 101).

Situated within an anthropologically inspired tradition[5], Jean-Pierre Olivier de Sardan (OdS)'s contributions on corruption[6] argue for the existence of social logics[7] that are generally found within African societies[8]. As "normative configurations which influence actors' strategies" (OdS 1999: 44), these social logics are defined as part of the framework that allows for the "routinisation and banalisation" (26) of corruption in African societies.

Social logics and the Ugandan context of corruption

The particular experience of Uganda since independence from colonial rule has shown political corruption to be a seemingly indispensable part of Ugandan politics[9]. Ever since Western development policies started to endorse the concept of 'good governance', political corruption has been increasingly linked to the growing apparatus of anti-corruption that has itself become a dominant feature of politics in Uganda.

Based on the assumption that "understanding is the essential prerequisite for […] reform" (Blundo/Olivier de Sardan 2006: 14) I wanted to look at a case study in order to investigate the relevance of "African social logics" in a particular national context. In the framework of my research which started in July 2010 I have interviewed over twenty Ugandan anti-corruption professionals (people experienced in working in major state or non-state branches of the Ugandan anti-corruption scene) in order to find out whether "African social logics" are relevant in the Ugandan context – and whether there are relevant logics that are missing in OdS's account.

I found that, to differing extents, OdS's social logics of negotiation, solidarity networks and predatory authority (for an overview see OdS 1999) are indeed reflected in the Ugandan context of corruption. These social logics focus on locally grown patterns: competing legal and political standards have widened the margin of the negotiation of rules which, in turn, has widened the space for corrupt practices; solidarity with one's own family is judged as far more important than one's responsibility towards the wider community; and holding a public office has come to be regarded as a source of private resource extraction ("the right to extort") rather than a service to society.

However, at least one crucial social phenomenon dominating the Ugandan (anti-)corruption complex is missing in the conventional account on social logics: the impact of actors and structures that have emerged in the course of development cooperation between Uganda and (mostly) Western institutions. Based on the conducted interviews I have extrapolated two inter-related additional social logics that grasp the direct and indirect influence of external development actors: the "logic of per diem" and the "logic of donor superiority". In what follows I give a concise overview of what is behind these two additional social logics which, while mainly reflecting Ugandan

[5] For anthropological research on corruption see an overview in Hasty (2005), in more detail Haller/Shore (2005: 1-26); for the standard work within the US political science tradition of corruption research see Heidenheimer et al. 1993); for a general overview on corruption research see Blundo (2006).

[6] See Olivier de Sardan (1999, 2006); see also Blundo (2006).

[7] Social logics as central part of social context are also found in academic contributions not directly related to corruption research (see Schlichte/Veith 2010: 261-262).

[8] Olivier de Sardan builds on academic debates about the characteristic forms of corruption in developing countries; the relevant context is defined according to common or similar cultural foundations and historical experience. For early contributions see Leys (1965) or Scott (1969).

[9] See Tangri/Mwenda (2005, 2006, 2008); Ouma (1991).

realities, may give an idea of what is happening in a range of different corruption contexts all over Africa.

The logic of per diem

The first logic describes the 'per diem' mentality and its impact on the working context of public servants and NGO workers as well as on the implementation of anti-corruption programmes. The perverted use (Hakizimana 2007) of per diems – initially introduced as daily allowances paid for "approved employee expenditure" (Vian 2009: 1) – is a general phenomenon in Uganda. The interview accounts cite per diems as the epitome of a new culture that dominates day-to-day working relationships: people only attend workshops and go to conferences or 'in the field' once they are paid extra. The calculation of adequate per diems is different in each organisation and the object of competition between or within the public sector and civil society organizations. As one respondent put it: conference organizers "compete on who pays better" and cause the "arms race" (Vian 2009: 4) of per diems.

In agreement with the few existing academic contributions on the topic (Vian 2009, Ridde 2009, Chêne 2009), the interview accounts are mainly pointing to the influx of development aid as decisive force in creating the per diem mentality. Within the Ugandan anti-corruption scene, some actors (particularly donors) pay more than others and create a conspicuous atmosphere among anti-corruption professionals.

In addition to impacting anti-corruption work within and beyond state structures, the 'logic of per diem' has a direct effect on corrupt practices themselves. Paying yourself extra money for 'external consultancies'[10] becomes acceptable in an environment where people are used to getting (compared to their general income) enormous amounts of money for particular activities like workshops or conferences[11]. The 'logic of per diem' opens up a new dimension of how 'misuse of public office' can be accommodated with the help of social logics that emerge as the mix of external and internal processes.

The logic of donor superiority

The second logic focuses on the role of external actors that exceeds a simple broker position and influences the general structure of Ugandan politics and anti-corruption, including the way corrupt practices are performed. The term 'donor superiority' tries to grasp a phenomenon that has its starting point at what OdS (1999: 37) calls the position of "intermediaries": according to the interview accounts, donor institutions and individuals working for them are at the very core of a normative configuration that establishes a clear hierarchy with far-reaching implications for both Ugandan politics and the Ugandan anti-corruption world itself.

In Uganda as elsewhere in Africa "a considerable portion of development aid now takes the form of support for anti-corruption programmes" (Blundo 2006: 57)[12]. The World Bank, which after years of neglect is now most eager to show its fervent commitment to the global fight against corruption (Cramer 2008: 3), plays a prominent role within the interview accounts. One of the civil society activists remembers a conversation on anti-

[10] As has happened in the Ugandan Ministry of Finance (interviews).

[11] On the link between patronage and consultancies in development work see Cooksey (2002:47).

[12] On the role of donors in anti-corruption programmes see Michael (2004).

corruption funds with a World Bank official in Kampala: "And then this [World Bank] guy told me: 'The money will be eaten anyway – so eat it! Otherwise it's someone else who'll get it'". Cooksey (2002: 49) once argued that the World Bank is torn between the "approval culture" and the "disbursement culture": operations under way are not sufficiently evaluated, and the emerging gap in anti-corruption measures provides additional opportunities for the expansion of the corruption complex.

A range of Ugandan interview partners pointed to the vested interests of foreign development officials regarding the actual use of anti-corruption funds. Whereas Western governments and international organizations present committed rhetoric and action for transparency and accountability and link their financial support to a range of conditionalities[13], their officials penetrate the corruption complex abroad, in the "base camp" arena (Schlichte/Veit 2010: 262) of global development. Until recently, not even symbolic measures were taken on the donor side to react to this dimension of development cooperation in Uganda[14]. Concrete examples point to the role of Western officials in facilitating corrupt exchanges, e.g. by infringing Ugandan procurement law to secure Ugandan tenders for their industries (as in the case of the German ambassador to Uganda collaborating with a German company and the Ugandan government to secure the tender for new Ugandan IDs). The interviews also speak of overt nepotism in Western development agencies, where the recently graduated offspring of Western officials are put in senior positions supervising experienced Ugandans.

The World Bank, Western development agencies or Western governments provide most of the funding for Ugandan anti-corruption programmes and Ugandan anti-corruption NGOs; and these same institutions are the ones assessing the effectiveness of funded projects or programmes (which, in turn, provides the basis for further funding and hence for the existence of the major part of the Ugandan anti-corruption movement).

Translocal dimensions in the Ugandan context of corruption

Both additional logics point to the crucial role of certain development cooperation actors – particularly donors and donor-induced structures – for Ugandan politics and underline the need to include the "translocal" (Gupta 1995: 392) [15] aspect in the analysis of corruption. "[E]nclaves of intransparency" (Haller/Shore 2005: 14) – the recruitment standards at Western development agencies, the disbursement methods of World Bank officials or the role European ambassadors endorse behind closed doors – are part of emerging logics of social interaction that shape Ugandan realities.

As a "show case" of the World Bank (Dijkstra/Van Donge 1999: 841), Uganda figures prominently as one of several African countries where "massive [external] financial support […] has provided […] governments with the means of redynamizing the channels of patronage" (Blundo 2006: 57). Particularly Tangri and Mwenda (2005, 2006) show the perverted impact of development aid on politics in Uganda and

[13] On conditionalities in development aid see Moyo (2009: 38).

[14] On the recent donor aid cut see Habati (2010).

[15] 'Translocal' refers to the challenge of taking the different dimensions of corrupt practices in a certain locale into account, particularly those with direct and indirect links to the 'external' sphere, and points to important methodological questions (Gupta 1995: 392; Haller/Shore 2005: 15).

agree with one of the interview respondents who argued that donors "are part and parcel of political corruption in Uganda".

The 'logic of donor superiority' exposes a particular range of actors – those involved in bi- and multilateral development cooperation, mostly within Western entities based in Uganda – who are in a particularly powerful position of shaping the context of both political corruption and the institutionalized fight against it. And the 'logic of per diem' provides an example for how external influences may change local structures of interaction. As translocal dependencies and hierarchies have a long history in Uganda, an informed analysis of historical processes is an indispensable component for coming to terms with today's realities.

The 'logic of per diem' and the 'logic of donor superiority' are interrelated and urge us to look at a historical development including the legacy of (late) colonialism (Mamdani 2004). Following Bayart (1990:37), a historical approach can help to trace how the general social set-up (including social logics) has come about, as most of the "tools for the intensive practice of corruption" were effectively shaped under colonial rule. Here, the concentration on colonial experience is not used for excusing current grievances[16] but only a necessary step towards a critical analysis of patterns of development aid and donor dependency that often paralyse African societies[17]. The colonial encounter and the development it engendered are maybe not 'the' root but one root among several of the contemporary context of politics in Uganda.

A challenge to the global fight against corruption: the specificity of social context

The general impetus of corruption research is to contribute to tackling a phenomenon that perverts the underlying foundations of society. The strategies of globally active anti-corruption institutions are attractive because they provide 'universal' truths and thus correspond to the de facto universal definition of corruption. By contrast, Hasty (2005: 294) proposes "localised strategies" as a more effective way for fighting corruption. Following Hasty's proposition and the findings outlined above, a specifically Ugandan approach to anti-corruption has to take into account that translocal actors and structures influence the social context of corrupt exchanges (including the Ugandan anti-corruption scene itself). The development of concrete anti-corruption strategies can be a complex and often frustrating enterprise, notably once clear-cut global strategies are left behind in order to engage with particular social contexts.

Burr (2003: 168) argues that research can legitimize itself by throwing "new light on previous findings". The research at hand and its extrapolation of social patterns which have been overlooked in the literature on social logics joins contributions that emphasize the relevance of translocal forces in the context of corruption. Understanding corruption and its context in a specific locale requires an empirical analysis of both current patterns and their historical development – on the African continent and elsewhere.

[16] Even though their contributions are of value in other respects, Seitz (2009) and Moyo (2009) unfortunately dismiss the colonial legacy as integral part of the analysis in order to (supposedly) strengthen their argument.

[17] On the paralysing role of development aid see Moyo (2009); for a historical analysis and the role of development organizations in francophone West Africa see OdS (2004).

References

Bayart, Jean-François 1990: La Corruption en Afrique, Histoires de Développement, 9, 36-40.

Blundo, Giorgio 2006: Corruption in Africa and the

Social Sciences. A Review of the Literature, in: Blundo, Girogio and Olivier de Sardan, Jean-Pierre (eds.): Everyday Corruption and the State. Citizens and Public Officials in Africa, London: Zed Books, 15-68.
Blundo, Giorgio and Olivier de Sardan, Jean-Pierre 2006: Why Should We Study Everyday Corruption and How Should We Go About It?, in: Everyday Corruption and the State. Citizens and Public Officials in Africa, London: Zed Books, 3-14.
Burr, Vivian 2003: Social Constructivism, London: Routledge.
Chêne, Marie 2009: Low Salaries, the Culture of Per Diems and Corruption, Bergen: Anti-Corruption Research Centre, <http://www.u4.no/helpdesk/helpdesk/query.cfm?id=220> (12.08.2012).
Dijkstra, Geske and Van Donge, Jan Kees 2001: What Does the 'Show Case' Show? Evidence of and Lessons from Adjustment in Uganda, World Development, 29:5, 841-863.
Gupta, Akhil 1995: Blurred Boundaries: The Discourse of Corruption, the Culture of Politics and the Imagined State, American Ethnologist, 22:2, 375-402.
Haller, Dieter and Shore, Cris 2005: Introduction – Sharp Practice: Anthropology and the Study of Corruption, in: Haller, Dieter and Shore, Cris (eds.): Corruption: Anthropological Perspectives, London: Pluto Press, 1-26.
Hasty, Jennifer 2005: The Pleasures of Corruption: Desire and Discipline in Ghanaian Political Culture, Cultural Anthropology, 20: 2, 271-301.
Heidenheimer, Arnold/Johnston, Michael/LeVine, Victor (eds.) 1993: Introduction, in: Political Corruption. A Handbook, London: Transaction Publishers, 3-14.
Knaup, Horand 2010: Um Mitternacht im Palast, Der Spiegel, 26.07.2010, <http://www.spiegel.de/spiegel/print/d-72370246.html>(27.08.2012).
Leys, Colin 1965: What is the Problem About Corruption?, Journal of Modern African Studies, 3: 2, 215-230.
Mamdani, Mahmood 2004: Citizen and Subject. Contemporary Africa and the Legacy of Late Colonialism, Kampala: Fountain Publishers.
Nye, Joseph 1993: Corruption and Political Development. A Cost-Benefit Analysis, in: Heidenheimer, Arnold/Johnston, Michael/Le Vine, Victor: Political Corruption. A Handbook, 963-984.
Olivier de Sardan (OdS), Jean-Pierre 1999: A Moral Economy of Coruption?, Journal of Modern African Studies, 37: 1, 25-52.
Olivier de Sardan (OdS), Jean-Pierre 2004: État, Bureaucratie et Gouvernance en Afrique de l'Ouest Francophone. Un Diagnostic Empirique, une Perspective Historique, Politique Africaine, 96, 139-62.
Philp, Mark 1997: Defining Political Corruption, Political Studies, XLV: 3, 436-462.
Schlichte, Klaus and Veit, Alex 2010: Drei Arenen. Warum Staatsbildung von Außen so Schwierig ist, in: Bonacker, Thorsten/Daxner, Michael/Free, Jan/Zürcher, Christoph (eds.): Interventionskultur. Zur Soziologie von Interventionsgesellschaften, Wiesbaden: VS, 261-268.
Tangri, Roger and Mwenda, Andrew 2008: Elite Corruption and Politics in Uganda, Commonwealth and Comparative Politics, 46: 2, 177-194.
Tangri, Roger and Mwenda, Andrew 2006: Politics, Donors and the Ineffectiveness of Anti-Corruption Institutions in Uganda, Journal of Modern African Studies, 44: 1, 101-124.
Tangri, Roger and Mwenda, Andrew 2005: Patronage Politics, Donor Reforms, and Regime Consolidation in Uganda, African Affairs, 104: 416, 449-467.
Vian, Taryn 2009: Benefits and Drawbacks of Per Diems. Do Allowances distort Good Governance in the Health Sector?, Bergen: Anti-Corruption Research Centre, <http://ww w.cmi.no/ publications/file/3523-benefits-and-drawbacks-of-per-diems.pdf> (09.08.2012).

A Justiciable Right to Health?

Molly Joyce

Abstract: *This article explores the various ways of interpreting a so-called "right to health". In examining these alternative understandings of the right to health, the article seeks to show the right's potential for realistic and effective justiciability. This is done by examining first the arguments of various commentators in support of a justiciable right to health, and secondly the specific approaches of various jurisdictions to the recognition and enforceability of the right to health. Having analysed both these elements, the article concludes that there is, without doubt, potential for alternative notions of the "right to health" to be successfully implemented and enforced.*

I. Introduction

"The right to health is one of the most extensive and complex human rights in the international lexicon."[1] This statement by Paul Hunt, UN Special Rapporteur on the Right to Health, is undoubtedly true. The content, scope and potential for enforcement of the so-called "right to health" is not easily settled and is still hugely contested. Indeed, the very idea of including health as part of a general human rights framework is argued by many to be a fruitless, even dangerous, exercise.

One specific critique of a justiciable right to health is that made by Octavio Ferraz in reviewing the Brazilian model of the "right to health". He states:

The 'Brazilian model,' [...] is characterized by a prevalence of individualized claims demanding curative medical treatment (most often drugs) and an extremely high success rate for the litigant [...] In this interpretation, the right to health is an individual entitlement to the satisfaction of one's health needs with the most advanced treatment available, irrespective of costs [...] This interpretation of the right to health [...] and the model of litigation that it encourages is inadequate and potentially detrimental to health equity.[2]

This model specifically seems to have sprung from the expansive interpretation of the right to health given by the Brazilian Supreme Federal Tribunal in the context of lengthy HIV/AIDS proceedings,[3] and it is arguably this unrestrained interpretation that has caused a subsequent crisis in Brazilian healthcare litigation.

This article looks specifically at Ferraz's particular critique of the "right to health" and will argue that, while his description of Brazil's "epidemics of [health] litigation"[4] is undoubtedly alarming, it is just one example of one country's model of right-to-health litigation, based upon one interpretation of the "right to health". There are, however, other ways of interpreting this right. These alternative understandings of the meaning, scope and methods of enforcing

[1] Paul Hunt, *Report on progress and obstacles to the health and human rights movement, in addition to cases on the right to health and other health-related rights* (submitted to the Human Rights Council on 17 January 2007, A/HRC/4/28) [24].

[2] See Octavio Luiz Motta Ferraz, 'The Right to Health in the Courts of Brazil: Worsening Health Inequalities?" (2009) 11(2) *Health and Human Rights: An International Journal* 33.

[3] ibid 35.

[4] ibid.

the right may pave the way for a more lasting and equitable justiciable right to health, which avoids the pitfalls of the Brazilian approach. Ultimately, Ferraz's example of the "right to health" gone wrong is not a good reason for rejecting entirely the notion of a justiciable right to health.

The article will seek to show the alternative ways of understanding the right to health, and the potential for its realistic and effective justiciability, by examining first the arguments of various commentators in support of a justiciable right to health, and secondly the specific approaches of various jurisdictions to the recognition and enforceability of the right to health. This will show the potential of alternative notions of the "right to health" for successful implementation and enforcement.

II. The Case for a Justiciable Right to Health

Various commentators have argued in favour of adopting a human rights approach to health, creating a justiciable right to health that is equivalent in protections to those more traditional civil-political rights.

Paul Hunt describes the particular benefits of a human rights approach to health as including its ability to give "special attention […] to disadvantaged individuals and communities", its potential for achieving "active and informed participation of individuals and communities in policy decisions that affect them", and its requiring "effective, transparent and accessible monitoring and accountability mechanisms."[5] As regards to actually enforcing the right to health, a system of "indicators and benchmarks" has been recognised as necessary in order to measure the progressive realisation of the right.[6] Hunt also appreciates, however, the concept of accountability and discusses at length the potential of courts (despite their known limitations) to "clarify the meaning of health-related rights and also secure better health-related services for *individuals* and *communities*."[7] Courts can achieve this by using different concepts, such as progressive realisation or the duty to respect, protect and fulfil all rights.[8] Indeed, General Comment 14 of the UN Committee on Economic, Social and Cultural Rights has taken up these very concepts in its attempt to operationalise the right to health,[9] alongside its adoption of the notion of a "minimum core".[10]

Yamin makes the point that modern notions of human rights are inextricably tied up with the courts and judiciary.[11] She seems to think of litigation in this field of socio-economic rights, however, as being about institutional and structural change and she notes that care should be taken not to conflate such an approach with a more individualistic, traditional notion of legal proceedings.[12] Indeed, litigation can often be used as a political tool in the area of social rights, with lobbying and activism working alongside the court in achieving social transformation.[13] Yamin cites examples of

[5] Paul Hunt, *Report on health systems and human rights-based approach to health indicators* (submitted to the Commission on Human Rights on 3 March 2006, E/CN.4/2006/48) [25].

[6] Hunt (n 1) [27].

[7] ibid [58]. Emphasis added. Note that this refers to the courts' potential to generate health benefits for the wider community, as opposed to simply the individual litigant.

[8] ibid [59]–[67], [77]–[85].

[9] General Comment 14: The Right to the Highest Attainable Standard of Health (Article 12) (CESCR, 11 August 2000, E/C.12/2000/4) [30], [33].

[10] ibid [43]–[45].

[11] Alicia Ely Yamin, 'Beyond Compassion: The Central Role of Accountability in Applying a Human Rights Framework to Health' (2008) 10(2) *Health and Human Rights* 1, 5.

[12] ibid 3.

[13] ibid. The *Treatment Action Campaign* case (discussed below) is a good example of this.

how, in the last 15 years or so, courts all over the world have begun to engage with health-related rights, and she argues that "the mere possibility of judicial enforcement" can encourage political shifts and opportunities for negotiation with social movements.[14] This presents a more expansive understanding of the potential for the justiciability of social rights.

Fredman argues that the "right to security" imposes *positive* duties on the state, alongside the more obvious negative duties. These duties include a duty to provide for the basic needs of individuals, based on an understanding of "security" as entailing the right to be free from threats to one's bodily survival[15]—this would include the right to be free from ill-health.[16] She disagrees with the notion that courts should steer clear of adjudicating on those rights imposing positive duties, arguing that this skews the judicial approach in favour of merely *negative* duties whenever a clash arises between the two.[17] Rather, she believes the courts should deepen their understanding of the ways in which positive rights and obligations interact.[18] To this end, she suggests various principles the courts can use in adjudicating such positive duty claims. These include: values and principles enshrined in constitutions (e.g. directive principles contained in the Indian Constitution); the principle of reasonableness; and the notion of equality, when tied to a substantive concept such as the right to security.[19]

Considering specifically the conflict that arises between the right to life and limited public resources, Wicks acknowledges that there is "sound justification for judicial reluctance" to get involved in decisions regarding the allocation of resources.[20] She does not believe, however, that this should stop the courts recognising and enforcing the state's positive duties to protect life whenever an issue of funding also arises.[21] Wicks thus advocates a judicial approach based on "reasonableness" and "proportionality": in other words, an approach based on elements of procedural fairness.[22] This thus avoids the courts getting involved in substantive questions of policy and resource-allocation, but still allows them to review the governing body's decisions to see if it has done all that could "reasonably be expected of it under the right to life."[23] In respect of the right to health (a right arguably subsumed under the right to life) this approach would allow the court to adjudicate claims that the state has failed in its duties to vindicate the right to health, by enabling it to review the reasons underlying the state's policies and assess them as to their fairness.

These various commentaries all present alternative understandings to the Brazilian model as to how a justiciable right to health might operate in practice. The alternatives—to respectively greater and lesser extents—provide an insight into how the right to health can be understood in a more expansive and yet somewhat more nuanced way. These differing conceptions—again, to varying greater and lesser extents—avoid the more individualistic, traditionally legalistic approach of the Brazilian courts. The next section will briefly consider the specific ways in which different courts have

[14] ibid 5–7.
[15] Sandra Fredman, 'The Positive Right to Security' in Goold and Lazarus, *Security and Human Rights* (OUP, 2007).
[16] ibid.
[17] ibid.
[18] ibid.
[19] ibid.
[20] Elizabeth Wicks, *The Right to Life and Conflicting Interests* (OUP, 2010) 223.
[21] ibid.
[22] ibid 232–233.
[23] ibid 237.

dealt with the right to health and its enforceability.

III. A Justiciable Right to Health: Comparative Perspectives

a. South Africa

Section 27(1) of the South African Constitution declares that everyone has the right to have access to health care services. This is subject, however, to the s.27(2) requirement that the state merely take "reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of each of these rights." s.27(3) does not provide such a caveat and simply states: "No one may be refused emergency medical treatment."

In the case of *Soobramoney v Minister for Health*[24] the Constitutional Court interpreted s.27(3) as referring to a person suffering from a "sudden catastrophe which calls for immediate medical attention".[25] It therefore did not apply to the applicant in this case, who was denied dialysis treatment in a state-funded hospital. Moving on to consider the applicant's case under ss.27(1) and 27(2), Chaskalson P noted that the guidelines followed by the hospital as to whom should receive renal dialysis treatment were not suggested to be "unreasonable or […] not applied fairly and rationally".[26] Ultimately, he concluded that the government administrators hold the responsibility of making healthcare funding decisions: such choices "involve difficult decisions to be taken at the political level".[27] Given that this is a governmental function, he ruled that the court would be slow "to interfere with rational decisions taken in good faith by the political organs and medical authorities whose responsibility it is to deal with such matters."[28]

In *Minister of Health v Treatment Action Campaign [No.2]*[29] the Constitutional Court reached the opposite conclusion and found that the state *had* failed to comply with its constitutional duty to "act reasonably to provide access to […] socio-economic rights […] on a progressive basis."[30] The Court therefore ruled that s.27 required the government to "devise and implement within its available resources a comprehensive and co-ordinated programme to realise progressively the rights of pregnant women and their newborn children".[31] In addition to considering this issue of progressive realisation, the court discussed the notion of *accessibility* as regards the drug Nevirapine, ruling that its limited availability to mothers and children was unreasonable.[32]

As seen in these decisions, the Constitutional Court has rejected the idea of a freestanding "minimum core"[33] and has appeared to proceed on the basis of standards such as "reasonableness".[34] Bilchitz suggests that a "principled minimum core", together with his notion of "pragmatic minimum standards", could be used together to evaluate and improve government health programmes, with the ultimate aim of improving the basic standards of South African healthcare over time and

[24] [1998] 1 SALR 765.
[25] ibid [20].
[26] ibid [25].
[27] ibid [29].
[28] ibid.
[29] [2002] 5 SA 721. Hereinafter *TAC*.
[30] ibid [35].
[31] ibid [135].
[32] Hunt (n 1) [72].
[33] See *TAC* (n 29) [34], where the Court cited the decision of Yacoob J in *Republic of South Africa v Grootboom* 2000 (1) SA 46.
[34] Aarthi Belani, 'The South African Constitutional Court's Decision in TAC: A "Reasonable" Choice?' *Center for Human Rights and Global Justice Working Paper, Economic, Social and Cultural Rights Series Number 7* 36. Available at <http://www.chrgj.org/publications/docs/wp/Belani%20The%20South%20African%20Constitutional%20Court's%20Decisions%20in%20TAC.pdf>

progressively realising the right to health in South Africa.[35] While the South African health care system undoubtedly still faces challenges[36] and could possibly benefit from such an approach, the standards applied by the Constitutional Court have arguably been successful thus far in achieving a realistic and meaningful right to health.

b. India

Article 21 of the Indian Constitution states: "No person shall be deprived of his life or personal liberty except according to procedure established by law." This provision was given a rather narrow interpretation until the 1978 case of *Maneka Gandhi v Union of India*, where it was said to cover a variety of rights and thus laid the foundations for the future enlargement of this right to life and liberty.[37]

Throughout the 1980s and 1990s, a number of decisions specifically recognised health-related issues as falling within the Article 21 right to life.[38] It was not until the case of *Paschim Banga Khet Mazdoor Samity v State of West Bengal*[39] however that the right to health was recognised as independently justiciable,[40] inhering in the fundamental right to life under Article 21.[41] Specifically, the Supreme Court stated: "Article 21 imposes an obligation on the State to *safeguard* the right to life of every person […] The Government hospitals run by the State […] are duty bound to extend medical assistance for preserving human life."[42] While the Court acknowledged the potential financial constraints on the Government, it reiterated that it is "the constitutional obligation of the State to provide adequate medical services to the people […] [w]hatever is necessary for this purpose has to be done."[43]

Since then the Court has reaffirmed the right to health as being fundamental under the Constitution.[44] While the Court has engaged in discussions of international standards for adjudicating the right to health and its duties under the UDHR and ICESCR,[45] it has yet to formulate a comprehensive definition of the core content of the right.[46] Several aspects that have thus far been found necessary to guarantee at a minimum include the entitlement to adequate health care, including emergency healthcare, and adequate medical facilities.[47]

In respect of the remedies granted by the Indian courts for health claims, they are both specific and general in nature.[48] These general forms of relief have taken various different forms including: the passing of mandatory orders, delivering detailed directions to public and private respondents to develop requisite policy and regulatory practices, exercising supervising jurisdiction

[35] David Bilchitz, 'The Right to Health Care Services and the Minimum Core: Disentangling the Principled and Pragmatic Strands' (2006) 7(2) *ESR Review* 5–6. Bilchitz describes "pragmatic minimum standards" as being reached by considering the principled minimum core along with other theoretical considerations, as well as resources considerations.

[36] For example, see the Executive Summary of the South African Human Rights Commission, *Public Inquiry: Access to Health Services* (2009).

[37] *Naz Foundation v Delhi* 160 (2009) DLT 27 [25]. Hereinafter *Naz Foundation*.

[38] Sharanjeet Parmar and Namita Wahi, 'India: Citizens, Courts and the Right to Health: Between Promise and Progress?' in Alicia Ely Yamin and Siri Gloppen (eds) *Litigating Health Rights: Can Courts Bring More Justice to Health?* (Harvard Law School, 2011).

[39] (1996) 4 SCC 37. Hereinafter *Paschim Banga*.

[40] Parmar and Wahi (n 38).

[41] *Naz Foundation* (n 37) [61].

[42] *Paschim Banga* (n 39). Emphasis added.

[43] ibid.

[44] Parmar and Wahi (n 38).

[45] ibid. For example, in *Naz Foundation* the Court discussed General Comment 14 along with other UN instruments.

[46] ibid.

[47] ibid.

[48] ibid.

over the matter etc.[49] In assessing the actual success of the Indian courts' approach to health rights litigation, Parmar and Wahi conclude that its effect has been largely positive. While there are some problems with the system—for example, the significant difficulty in actually enforcing courts' orders—the right to health has been extremely useful to citizens in highlighting dire situations and opening up a discourse that forces the Government to justify and explain its policies. This is an especially important tool for those members of minority and vulnerable groups in society.[50]

Empirically, Parmar and Wahi admit it is hard to say conclusively that health rights litigation in India has improved the equitable provision of health care services. What they can say with a degree of certainty, however, is that it does not appear to be *deepening* health inequalities—in marked contrast to the Brazilian model presented by Ferraz.

III. Conclusion

There are many different ways to construe and understand the "right to health": this article has tried to present just some of these alternative interpretations. The highly individualised Brazilian system described by Ferraz arguably lacks nuance and suffers greatly for this. It fails to apply the right to health in a way that takes account of the particular complexities such a right inevitably gives rise to, and it fails to take the more creative and innovative approach explicated by the South African and Indian courts. The various commentaries on the right to health further give arguments that could help a court in developing a shrewder and more workable analysis of the right to health.

It is for these reasons that this article answers the question presented with a resounding no: the pitfalls of the Brazilian model described by Ferraz are not good reasons for rejecting the notion of a justiciable right to health. Rather than simply giving up on the idea of a right to health on the basis of the perceived problems with Brazilian healthcare litigation, inspiration should be taken from the various sources cited in this article. A renewed attempt to understand the right to health could be taken, one that understands the potentially community-orientated nature of the right and the need to move away from the more traditional method of rights enforcement. By doing so, a fairer and more effective right to health for all might just be possible.

[49] ibid.
[50] ibid.

References

Reports / Documents

Paul Hunt, *Report on progress and obstacles to the health and human rights movement, in addition to cases on the right to health and other health-related rights* (submitted to the Human Rights Council on 17 January 2007, A/HRC/4/28).

Paul Hunt, *Report on health systems and human rights-based approach to health indicators* (submitted to the Commission on Human Rights on 3 March 2006, E/CN.4/2006/48)

General Comment 14: The Right to the Highest Attainable Standard of Health (Article 12) (CESCR, 11 August 2000, E/C.12/2000/4)

Aarthi Belani, 'The South African Constitutional Court's Decision in TAC: A "Reasonable" Choice?' *Center for Human Rights and Global Justice Working Paper, Economic, Social and Cultural Rights Series Number 7* 36.

Executive Summary of the South African Human Rights Commission, *Public Inquiry: Access to Health Services* (2009).

Journal Articles

Octavio Luiz Motta Ferraz, 'The Right to Health in the Courts of Brazil: Worsening Health Inequalities?" (2009) 11(2) *Health and Human Rights: An International Journal* 33.

Alicia Ely Yamin, 'Beyond Compassion: The Central Role of Accountability in Applying a Human Rights Framework to Health' (2008) 10(2) *Health and Human Rights* 1.

David Bilchitz, 'The Right to Health Care Services and the Minimum Core: Disentangling the Principled and Pragmatic Strands' (2006) 7(2) *ESR Review* 5–6.

Books

Sandra Fredman, 'The Positive Right to Security' in Goold and Lazarus, *Security and Human Rights* (OUP, 2007).

Elizabeth Wicks, *The Right to Life and Conflicting Interests* (OUP, 2010).

Sharanjeet Parmar and Namita Wahi, 'India: Citizens, Courts and the Right to Health: Between Promise and Progress?' in Alicia Ely Yamin and Siri Gloppen (eds) *Litigating Health Rights: Can Courts Bring More Justice to Health?* (Harvard Law School, 2011).

Cases

Soobramoney v Minister for Health [1998] 1 SALR 765.

Minister of Health v Treatment Action Campaign [No 2] [2002] 5 SA 721. Hereinafter *TAC*.

Naz Foundation v Delhi 160 (2009) DLT 27 [25].

Paschim Banga Khet Mazdoor Samity v State of West Bengal (1996) 4 SCC 37.

Up from the Archives: Research at the Houghton Library

April Pierce

Nestled in an unassuming corner of the Harvard University campus in Cambridge, Massachusetts, the Houghton Library is full of surprises. After receiving a Maxwell and Meyerstein Award for research-related travel, as well as permissions from the T. S. Eliot Estate, I was granted access to the library's Eliot papers. The collection consists of a range of notes, unpublished essays, public addresses, and personal letters spanning the entirety of the poet's admirable career. Over the course of my research in the archives, I grew increasingly fond of the library and its staff.

With a specialisation in rare books and manuscripts, the Houghton Library boasts impressive holdings of major British and European authors, American historical figures, and Canadian writers, among other assets. Houghton is a major resource for researchers of Samuel Johnson, Emily Dickinson, John Keats, and Lewis Carroll, to mention only a few names. Each day of my visit, I arrived as the library was opening, and left as it closed. I looked forward to the peaceful daily routine of depositing my books and bags, walking into the library's research wing, and sitting in the same high-backed chair (underneath original portraits of Yeats and Roosevelt—unlikely wall partners) with a new box of manuscripts.

Although the library claims its stack space is currently maximally occupied, research is restricted to a single room. At any given point, the room hosts between one and twenty researchers, which made for an intimate and quiet study environment. Researchers are encouraged to speak to one another, however, so the library also fosters conversation. For example, whilst attempting to track down connections between Eliot and early phenomenology, the librarians encouraged me to speak with a fellow researcher who happened to be working on Eliot's early writings as well. A long lunch and fruitful discussion later, I was directed to an obscure article on Eliot and Husserl by the researcher's professor in Korea.

Figure 1. Harvard University Campus
Photo Courtesy: April Pierce

The librarians at the Houghton Library were exemplary in their careful attention to the needs of the research community at Harvard, as well as their warm welcome of international visitors. Another way the staff at Houghton foster dialogue is by providing a complimentary Friday coffee, tea, and cakes session. Invitations are passed out early in the day, and researchers leave the main research room to adjourn to another wing of the building.

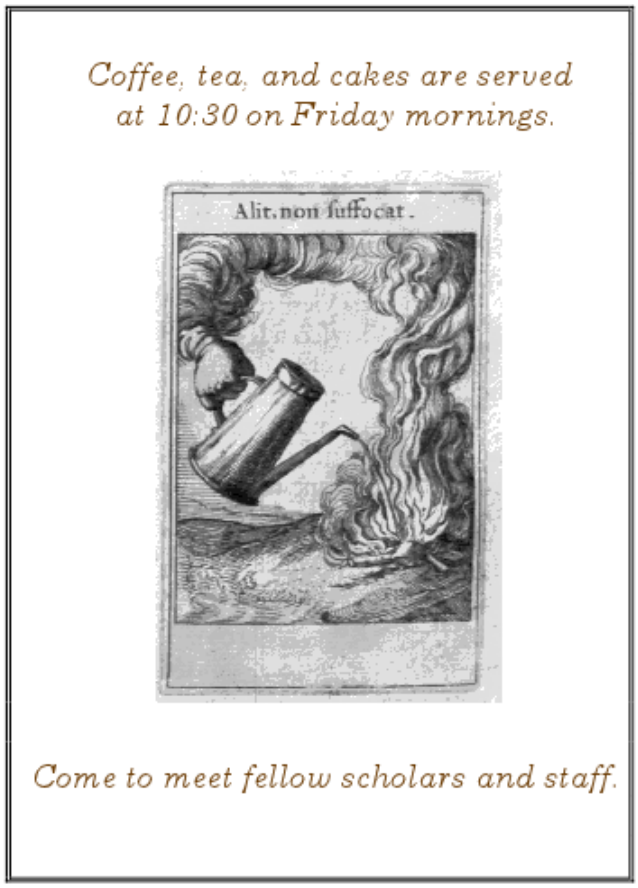
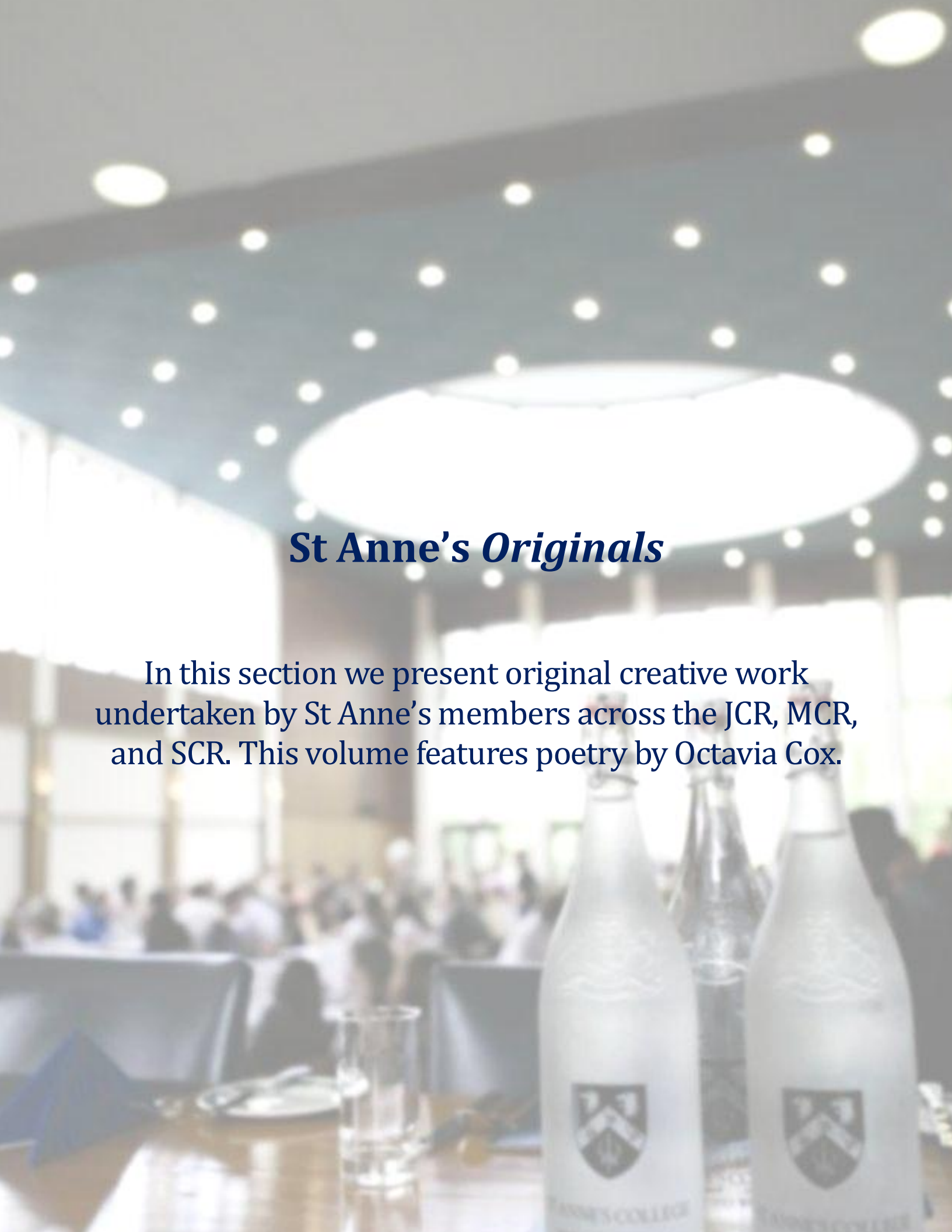


Figure 2. Houghton Library Invitation to Tea.
Photo Courtesy: Susan Halpert, Houghton Library, Harvard University.

Researching at the Houghton was one of the most rewarding work experiences I've had during the course of my DPhil. I returned to Oxford with a wealth of information, as well as the warm memories of conversations and discoveries made while at Harvard. Those personally tailored days of study have enhanced my understanding of what research can be, and what is achievable in just a short period of intensive study.



St Anne's *Originals*

In this section we present original creative work undertaken by St Anne's members across the JCR, MCR, and SCR. This volume features poetry by Octavia Cox.

View, The Battery, Lundy

It's like looking out at a concept.
As I stare, the more unreal it gets.
So much silent life within it kept.
Its innards a riddle of secrets.

Thick as tar. Present. Immovable.
Left and right. Existing on and on.
Oneness that is unimprovable.
The solid sea. The sole horizon.

All one hundred and eighty degrees.
Nothing but water. Still. Regardless.
So sure of its strength. Power at ease.
So heavy in relentless calmness.

Familiar,
yet strangely other.
Safe while distant,
this blue smotherer.

The Washing Machine

Around it swooshed, the swirling wash,
The muddy jeans and frilly bras,
The soapy mixture, like some mosh,
Tumbling with joyful hurrahs
And tender embraces
And giddy flashes of colour.

As the life's sweat streams out en masse,
It forms one Earth-enriched liquid,
Releasing warm and heady gas.
The senseless steel is quick to rid
Any human traces.
So each is blank as another.

These fabric conspirators who've shared your spaces,
Whose evidence of all your life fast erases.

STAAR: St Anne's Academic Review
Volume 4 – Winter 2012