



Verona - 14-15-16 November, 2013

AIDEL Conference “Power of Voices - Voices of Power”

Giving voice to people so that they can tell their story and be heard is a basic requirement of law and justice. Its success depends not only on the availability of a forum and an individual voice. Voice also needs a vocabulary (legal as well as personal, including those of gender, race and ethnicity) for, as Wittgenstein pointed out, all we know is what we have words for. What then if no forum is available, when the human is voiceless or words fail us? Sometimes the human voice remains marginalised because a person cannot make sense of her own experience and fails to express it adequately before the law. Sometimes the argumentative culture of law favours one voice over the other. Sometimes the voice of power (be it institutional including law’s violent effects, ideological, social or political) is so oppressive that legal and narrative self-determination become impossible as voices and narratives are lost. The language of law provides opportunities but at the same time it can reduce the brute facts of what happened in people’s lives to a language of concepts and in doing so it runs the risk of reducing the passions and emotions it is also supposed to give voice to. Law and literature, articulated as they both are in words, find their common ground in questions of voice and plot. On this premise that law and literature are related language games, contrasting and combining the voices of law and literature, then, can provide alternative voices, highlight linguistic ambiguities, for example where the realm of law tends to speak with the monovocal voice of authority, and can help show the disruptions that result from the conflict of voices.