

Preface



THIS BOOK DERIVES from a long-standing interest in what is at stake—intellectually, ethically, politically—when the human mind meets and tries to use the languages that surround it, in the law and elsewhere: languages that are made by others, that are full of commitments to particular ways of imagining the world—describing it, judging it—and that carry deep within them the habits of mind, the values, of the world in which they are made.

What I think is at stake at such moments of expression is practically everything, including both the integrity of the individual person and the quality of our larger culture and polity. In our struggles with our languages we define and reveal the nature of our own processes of thought and imagination; we establish characters for ourselves and relations with others; we act upon the materials of meaning that define our culture, sometimes replicating them, sometimes transforming them, for good or ill. The activity of expression is the heart of intellectual and ethical life. It has an inherent public and political dimension too, for there is always the question whether we shall find ways to insist upon our own freedom and responsibility in a world of constraint, to respect the humanity and reality of other people and their experience, and to contribute to the formation of a culture and a polity that will enhance human dignity—or whether we shall instead lead lives imprisoned in dead modes of thought and expression that deny the value of ourselves and other people, and the activities of life we share.

In the introduction I try to show how it is that whenever we speak or write, in any context whatever, we reveal, in the terms suggested by the epigraph from Simone Weil, that we understand (or do not understand) and respect (or do not respect) what she calls “the empire of force.” Succeeding chapters will deal with various aspects of what happens, in the law and ordinary life alike, when we work to free our minds from the control of the dead or sentimental forms of speech through which that empire works and try to achieve possibilities for living speech that will resist the empire of force, in the various guises in which it is at work in our minds and hearts.