

"Alienation" in Postmodernist Perspective

-- Analysis of Anchors Aweigh

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Abstract

This paper analyzes the rich connotation of Dylan Matter's novel *Anchor* from the perspective of postmodernism, and focuses on the three themes of "discursive power", "language ideology" and "civil society", and discusses the process of "alienation of law" under the rigid implementation of the state power system in *Anchor*. The novel takes the legal issues highlighted in the novel as its theme, discusses the process of "legal alienation" under the rigid implementation of the state power system, and points out that the "legal alienation" in *Anchor* emasculates and disciplines the general public, thus causing the "legal alienation" and the "legal alienation" of the general public. It points out that the "alienation of law" in the novel "*Anchor*" emasculates and disciplines the general public, thus causing the "alienation of human beings", and criticizes the closed nature of law, while seeking a solution path from the perspective of postmodernist theory, calling for the decentralization of discourse and the plurality of interpretations.

Keywords

Postmodernism, Discursive power, Civil society, Language, Ideology.

1. "Alienation" in "*Anchors Aweigh*"

The Breakdown[1] This novel is about Trapps, a textile salesman, who accidentally suffers a broken down car, borrows the home of a judge for one night, and participates in a mock court game between the judge and his best friends, the prosecutor, the lawyer, and the executioner. The prosecutor begins with the facts of Trapps's promotion, his adultery with his boss's wife, and his boss's death from a heart attack, and connects the three using a logical relationship to outline that Trapps orchestrated a not-so-easily-known murder, an accusation that Trapps is surprisingly happy to accept at the end of the novel, hanging himself in the middle of the night at the end of the simulated game.

The *Anchor* is a postmodernist novel produced by Swiss writer Dylan Matter in 1955, the birth of the novel has a specific social background[2], in the mid-twentieth century in the western society, in the face of the human tragedy of the Second World War, including Germany, Switzerland, and other countries have not yet made a painful reflection. The value system is still in a state of collapse, the value judgment is covered by a set of state power system, under the complete operation of the system mechanization, the subjectivity of human being has been cut down, and human being is gradually reduced to the object of the system operation, and the alienation of human being in turn also deepens the collapse of the value system. History in the "infallible" modern system gradually advances, the stability of the political situation brought about by the dictatorship is so hidden, under the system of self-proclaimed justice, democracy, numb the nerves of the ordinary people, the system of reflection and reconstruction is regarded as a threat to the regime, the people have only the right to passive reception of information, the right to interpretation and discourse in the hands of a very few rulers. The power of interpretation and discourse is in the hands of a very few rulers.

This paper attempts to discuss the issue of "alienation" under the rigid implementation of the legal system in the novel *Anchors Aweigh*, including the alienation of man and the alienation of law. The accidental behavior of human beings is given a legal guilt, human beings lose their autonomy under the power of discourse, ideological discourse deprives human beings of the right to know the truth, the fact itself is at risk of being misinterpreted under the seemingly complete legal narrative, and the exclusion of the legal system from the civil society makes the law become a social ornament that is above the law and speaks for itself. By what less visible means, then, is the law alienated? And how does the "alienation of law" lead to the "alienation of man"? In the face of this "alienation", how can we be vigilant in modern society and find a way out?

2. Plot Analysis of Human Alienation in *Anchors Aweigh*

2.1. The oppression of discursive power

Foucault, as the formal proposer of the theory of "discursive power"[3], proposed that knowledge and power are inextricably linked, arguing that knowledge is not purely separate from power, but that power determines the composition of knowledge in accordance with its existential needs, and thus knowledge proclaims the legitimacy of power, so that power is able to achieve a better exercise of the effect. Power, in turn, stabilizes the social status of knowledge, and power and knowledge are mutually reinforcing and cannot be divorced. So what is the relationship between discourse, power and knowledge? Discourse is the carrier, knowledge is the appearance, power is the substance, without the production of discourse there is no implementation of power. [4]Foucault points out that "discourse must be seen as a series of events, as political events; through these political events it carries power and the power in turn controls the discourse itself." [5]

According to Foucault, discourse is always ideological, and the retelling of history is in fact a selective reconstruction of history, an objective and impartial position (or the non-existence of man). The ideological nature of discourse is reflected in two aspects: firstly, it "disciplines" people in a subtle way, and secondly, it builds a high wall that belongs to the understanding of those in power and excludes the understanding of the general public.

The "legal terminology" is a discourse power with distinctive ideology, on the one hand, it distinguishes between "guilt and innocence", "right and wrong", and turns the evaluation of behavior into an opportunity for indoctrination. On the one hand, it distinguishes between "guilt and innocence", "right and wrong", and turns the evaluation of an act into an opportunity for indoctrination; on the other hand, it defines the act in the evaluation, and limits the interpretation of the act; the "legal terminology" is confined to the scope of understanding of the legal person, and the conventional way of acquiring understanding is to go to the place recognized by the State as authoritative, i.e., to study in the law schools, and this determines that the code of the legal terminology and the right to interpret it is in the hands of the particular legal person.

In his book *Law and Literature: Unfolding in China's Grassroots Justice*, Liu Xing also mentions that "any professional language, while enabling professional insiders to solve professional problems quickly, succinctly, skillfully, and accurately, also very obviously burdens the layman with increased comprehension. For, as we all know, language costs money to understand. In general, the more specialized the language, the higher the cost of comprehension to the layperson, sometimes to the extent of making comprehension impossible or causing the comprehender to abandon it in frustration."

In the novel, Trapps similarly faces the oppression of discursive power. "He had a mental premonition of the esoteric discussion that was about to take place. This highly educated man knew nothing of what was known in reality, and some of the law he had learned later. What

worried him more was that he might make a fool of himself if art or similar topics were discussed."First, when he first landed at the judge's house, he saw that all the books in the judge's house were law books, and he was sure that he might make a fool of himself if he was about to engage in some esoteric discussion, and therefore felt pressured to attend the upcoming party in the evening. This suggests that the legal profession, represented by prosecutors, judges and lawyers, has formed a unique "information cocoon" to a certain extent. This "information cocoon" ensures that while the legal profession monopolizes the interpretation of legal matters, it also allows the general public, i.e. Trapps, to flee the legal field in fear.

Trapps, as a common bourgeois, was socially instinctively alienated and at a loss to understand a field of law with which he was unfamiliar. "Thus began a long war of words between the defense and the prosecutor, a back-and-forth of half-truths and half-truths, and Trapps could not understand the debate. The debate centered around the word 'deception,' which the plenipotentiary did not know the meaning of. The debate became more and more heated and louder and harder to understand." [6] (Trapps is the agent of the company) While the prosecutor and the defense are engaged in the debate that belongs to the legal man, Trapps, who is the person directly interested in the lawsuit, is invisible at this point, Trapps is also unconsciously stepping into the litigation traps that the prosecutor has set up in the trial game at the party, not even realizing how his own words have led to his own guilt, and Trapps thinks that he is all over the place at the shopping mall. Trapps thinks of himself as a "man of the world" in the shopping mall, but he is "simple" in the trial game.

But what it all boils down to is the barriers posed by knowledge in the legal field, where the power of discourse in public affairs monopolizes the right of the public to interpret the law and the possibility of understanding it.

This also happens to be the cause of Trapps' alienation in the novel, where at the beginning of the novel, in the face of the defense's theory of guilt, "the textile salesman found it amusing and shrugged his shoulders, regretting that he could not participate in such a game. He claimed that he could not recall its own illegal behavior." [7] Trapps tried his best to oppose the crime charged by the prosecutor, but as the story progresses and the prosecutor elevates his criminal intelligence, Trapps fails to resist the temptation to accept the prosecutor's accusation, "He did not look unhappy, on the contrary he was in a good mood, he felt that it was the most successful evening, that a murder had been foisted upon him by the people, and he, though somewhat shocked, was in a state of contemplation, a state which he found soothing." Even gaining a sense of dignity from the prosecutor's charges, "he felt he was honored and understood, and he became more and more convinced that he had rolled over the Ezekiel murder charge, a thought that stirred his heart and changed his life. Life would become more complex, more heroic," and "In short, Alfredo was now as equal to them, as dignified, and he was accepted as a master player in their collective cloud." [8]

In Trapps's eyes, this is a kind of enlightened appreciation of the intellect, even if it is charged with a crime, personally certified by the prosecutor, who is the exerciser of judicial power in the society, so he willingly accepts the prosecutor's accusation of "orchestrated murder" in order to gain the approval of the prosecutor and others, and goes to great lengths to prove it by his death. In order to fit into this so-called judicial system, Trapps concedes the truth that his boss's death was a result of a number of contingent events, and that what he did was essentially an unintentional act, but under the power of the judiciary, his actions are given a new meaning, and the contingent events are given a legal logic [9], and in order to gain the recognition of the power of the judicial discourse, he chooses to accept the prosecutor's discourse, which transforms Trapps from a passive recipient of the discourse to a more active recipient of the discourse. This transforms Trapps from a passive recipient of discourse to an active one, thus

revealing the process of his "disciplining" by the power of judicial discourse, whereby he falls victim to the ideological power of discourse.

In the role of the trial game, Trapps, who is a member of the general public, is also very different from the legal professionals, the prosecutor and the lawyer, in that he doesn't know when the trial game will start. He does not know when the trial game is going to start, he does not pay attention to his own words in the belief that he is not guilty, he does not pay attention to his own words in the repeated reminders of the defense, he does not know anything about litigation tactics and the rules of the law, and he is both "green" and gullible to the law.[10] In contrast to Trapps, the defender, before his client Trapps had even addressed the legal facts, used his legal experience to caution him that "to try to come before our court innocent - to put it mildly - is reckless. is reckless." While this has the author Dylan Matter's mockery of some of the incriminating thoughts of judges, prosecutors, etc. in the legal system, it can also be seen as a difference in the legal litigation paths chosen by the mutual parties and advocates, which is essentially a difference in the knowledge and experience of the two, with retired veteran judges and advocates, etc., infesting the legal field for many years, accumulating a wealth of litigation experience and knowledge of litigation, and with some of the taken-for-granted thoughts that would be considered unbelievable in the eyes of the general public. Unfortunately, this is a practice that is well known to the legal profession (the decision of the judge in the latter part of the article fulfills the warning of the advocate), and the client is unaware of it, so the information gap between the two puts Trapps in a disadvantaged position in the litigation.

2.2. The ideological nature of language

The French deconstructionist writer Roland Barthes put forward the doctrine of "zero degree writing", suggesting that literary texts are subjected to meanings imposed by authors, so that readers are unconsciously forced to accept the author's way of looking at the world when they read them, and that literature is tainted with power and ideology, so that it is characterized by didacticism and a monopoly on interpretation, excluding the reader's personal consciousness. The reader's personal consciousness is excluded. The monolithic narrative excludes multiple interpretations and creates an ideological "closure".[11] Therefore, Barthes advocates the "absence" of the author in literature, the reader should complete the construction of the meaning of the text under his own consciousness, and the interpretation of the text should not be monopolized by the traditional mainstream point of view, and the pluralistic interpretation of the text should be allowed.

The same situation plays out in modern political life, where the law pushes for normative and authoritative interpretations, where codes are promulgated and courts issue guiding cases, and where inaugural training for judges takes place, where official interpretations gain higher authority when a social event occurs, and where the masses are often exhorted to "be too radical!" and "wait and see what the court decides". From the point of view of maintaining a stable social order, this argument is very powerful, but from the point of view of institutional justice, should the legal experience of the legal profession be more valid than the social life experience of the masses? In legal practice the mouths of the masses are muffled, but it is the real people who apply the legal system, while the right to speak is firmly in the hands of the authorities, and the singularity of the subject of interpretation makes it difficult to face the diversity of the group.

In *Anchors Aweigh*, there is a discrepancy between Trapps' beginning narrative and the prosecutor's narrative. In response to the adultery with his boss's wife, Trapps replies that "the inference can only be confined to a certain extent, and that if something improper has happened between me and a woman, it was purely accidental and without ill intent"; although Trapps commits adultery with his boss's wife, he does so more out of greed than out of lust, and his boss's sudden heart attack and death was due to accidental exposure to a dry hot wind, and the

promotion was due to his hard work and the lucky addition of coinciding with the accidental death of his supervisor.

In the prosecutor's narrative, Trapps is due to want to be promoted to approach the boss's wife, and in the boss's wife accidentally learned that the boss suffers from heart disease, and finally Trapps will be his and the boss's wife of adultery intentionally informed the boss's best friend, resulting in the boss to hear a sudden heart attack and death, Trapps therefore also be able to successfully promoted.

In Trapps' narrative form, the death of his boss, the adultery with his boss's wife, and his promotion are three events that are not logically connected and are full of coincidences, just as this time, when the car breaks down and he is in transit, his narrative is free of ideological stances, and what is narrated is not closure, and the events are full of contingencies.[14] But the prosecutor clearly does not see it that way, and in the prosecutor's allegations he was extremely calculating to get promoted. The prosecutor tries to give legal significance to the events as Trapps brings them to life, the three contingent events are closely related, the events are logically connected, and the prosecutor's narrative is politically charged and tries to encapsulate the narrative. The prosecutor has a distinctive "incriminating" mindset, he seizes the relevant details that can prove Trapps' guilt, combines them to form a perfect chain of logical closure, and then monopolizes Trapps' power of interpretation, talking to himself in the face of Trapps' grievances, but of course the prosecutor enjoys the right to accuse, so that his interpretation obtains the validity of the state, and is authenticated by the mainstream. authenticated by the mainstream. [12] Thus the prosecutor is able to complete the closure of the narrative, and the ideology attached to the narrative is imposed on Trapps, creating an ideological monopoly.

Prosecutor made the legal interpretation of the monopoly of ideology is postmodernism against the monism, it is formed at the same time the exclusion of other interpretations, but this is in fact also the characteristics of the law under the system of state power, the interpretation of the law is divided into authoritative and non-authoritative, mainstream and orthodox interpretations of the power to occupy the high point, the civil debate with the incumbent legal professionals seems to be an otherworldly, marginalized groups of people do not have the voice of the Marginalized people have no way of raising their voices. As for events beyond the provisions of the law, and social affairs that cannot be determined by law, if we force the adoption of a unitary interpretation, isolating the voice of the outside world on legal events, then such a law can only be said to be very fragile, and in the practice of the law will appear to be "anchored", and the fairness of the law can not be argued.

2.3. The law of "lack of life experience"

"Civil society" and "the state"[13]are Hegel's arguments for the legitimacy of the formation of the state, which is a constituent part centered on political activity, while civil society consists of a "system of labor and needs", a social security system, and the institutions necessary for the functioning of the market. Civil society is composed of a "system of labor and needs," a social security system, and the institutions needed to keep the market functioning. Civil society is the coexistence of "particularity" and "contingency", meaning that each person has his or her own needs and individuality, and in order to overcome and transcend this particularity, the State aims to form the universality of the human being, and universality means the part of the human being that is constructed by the system in order to form order and stability. parts constructed by the system. Civil society is full of uncertainty, and the state can only regulate things that have a high probability of occurrence from the highest level, for civil society beyond the provisions of the law, or beyond the understanding of the legal system, as law enforcers, judicial staff, etc., under the legal system, there is often a system forced by the pressure to either carry out the

provisions of the law, or to seek to meet the results of the law enforcement of the people's expectations.

The prosecutor in *Anchors Aweigh*, on the other hand, clearly chooses the former approach, leaving behind the peculiarities and contingencies of civil society; in his inherent system of logical legal thinking and his rich legal career, the prosecutor believes that his judgments are infallible and that the facts could not possibly be beyond the bounds of logical choreography. [14] In addition, Trapps, as a member of an ever-changing civil society, had to make constant judgments and choices, many of which were not malicious in the moment and could not have been expected to change as they did later on. [15] However, from the prosecutor's point of view, and based on the standpoint of upholding justice for the "state," a case is based on the facts, and the facts are as good as hard evidence, and the majority of people who claim to be wronged are often wronged. The parties to the grievance is the norm, most of the time in order to reduce the crime, and Trapps even if the statement is the truth, as long as the prosecutor's allegations are not criticized in the field of law, understood as the profession of unavoidable mistakes, this in fact also achieved a consensus. This also reflects the fact that legal professionals are in an "information cocoon", and that the education and profession of legal professionals have led them to form stable views over the years, making it difficult for them to put themselves in the shoes of civil society's diversity, suddenness, and contingency, or even if they do understand them, they are forced to do so by the pressure of the law, and as a member of the "national" system, they have no choice but to take a position as a member of the legal profession. Even if they do understand, due to the pressure of the law, as a member of the maintenance of the "state" system, they tend to choose a conservative way - to follow the law. In short, in the passive or active choice, the implementation of the law is best in the national system can be tolerated within the scope of the maintenance of personal political career, as for the public's sense of justice, is ranked at the bottom of the list, can achieve the best, but can not be achieved is not a big problem. In civil society, human beings have instead become the object of the operation of the law, and human beings are not the purpose of the operation of the law, but the means of the operation of the law.

Therefore, we can also learn that the "information cocoon" formed by legal professionals, on the one hand, enables them to monopolize the right of interpretation, enjoy the power of discourse, but also formed a professional habit - it is difficult to accept other interpretations outside the legal discourse, and they are actually "outsiders" of secular life when they occupy the mainstream and marginalize the voices of the general public. When they dominate the mainstream and marginalize the voices of the public, they are in fact "outsiders" of secular life.

3. Postmodernism Offers Ideas for Humanistic Adaptation

Since the Enlightenment, law has been put on the altar as a synonym of truth, freedom and equality, and through efforts, the society has reached a consensual understanding of law - that is, the state power institutions represented by judges and prosecutors are objective, neutral and intellectual, the history of legal terminology is inescapable and unquestionable, and the state power organs' judicial practices are unquestionable; whereas in the postmodernist perspective, [16] one rethinks the traditional sense of inevitability and logic, the system of state power is deconstructed, the exercise of judicial power in the name of democracy, equality, and justice is reinterpreted, justice under the means used to sustain domination is to be examined, and postmodernism rejects grand and elite narratives and calls for a localized and civilian focus. [17] Postmodernism rejects the ideological nature of official and historical narratives and advocates a focus on the social discourse of marginalized and disadvantaged groups, who are deprived of their right to speak because of their powerlessness, and therefore advocates the multiplicity of discourses and the plurality of political life in opposition to monism. [18]

3.1. Decentralization of discourse and interpretation

Whether it is Foucault's theory of "discursive power" or Barth's theory of "writing at zero", it is essentially an indictment of the pervasive penetration of the system of power to castrate and emasculate people's autonomy of thought and to make them become a "good citizen" who conforms to the judicial system. "good citizen". Postmodernism, with its radical reinterpretation of language, points out the ideological nature of discourse while showing a way to explore the light, namely the decentralization of discourse and the permission of polysemous interpretations.

In the interpretation of the law is also the same, the right to interpret the law is monopolized in the hands of a few legal professionals, the public has a different view is regarded as a flood. Therefore, the author calls for the public's view of the law to be taken seriously, and the right to interpret the law should not be monopolized in the hands of legal professionals, but should be put into the hands of the people, and advocate a two-way communication mode in which legal professionals and the public communicate and negotiate with each other. This model is different from the one-way output of legal interpretation by legal professionals to the public, but aims at legal professionals to listen to the public's view of the law, no longer a superior posture.

3.2. Breaking the blind worship of rationalism and logic

The concept of truthfulness and logical thinking are flogged by postmodernism, which holds that there is no such thing as truthful, stable, unchanging knowledge, or any kind of thinking that applies to any scenario, and that there is essentially no unchanging pursuit of values.

The operation of the legal system also fulfills the necessity of the value quest in the spirit of postmodernism mentioned above, as some members of the legal profession pursue the logical thinking of law - the koan of causality - and put the mechanism of the law to good use, like the prosecutor and others in *Anchors Aweigh*, who ignored the contingencies of civil society and forced the events to applying a causal relationship. But in fact, a perfect, theoretical chain of logic does not exist, and this logical thinking may not be a trap in essence many times, which makes people mistakenly think that they have the code of the world, that everything is understandable.

In the legal world is also the case, all controversial cases, in fact, not the law does not provide, but this provision and life experience appear contrary, as if China's "Civil Code" provides that parents are not free to dispose of the child's property, unless it is for the benefit of the child, but the real life of the parents shell out the money to the child to buy a house, and use the house to mortgage borrowing to do business, which is indeed a violation of the provisions of the law. Parents gifted the child's property is already the child's property, but in the Chinese people's life experience, business is also to increase wealth and improve the quality of life of future generations. This legal provision is derived from the provisions of the German Civil Code, but copied to our country need to consider our national conditions and then decide. This also shows that there is no such thing as a true law that can be applied to every situation, and that it is necessary to eliminate the blind worship of legal thinking.

4. Conclusion

Mr. Feng said, "The story does not merely present a legal metaphor (as Posner insists), but reveals the ethical issues, racial conflicts, and class oppression that pervade the law and that are otherwise banished by the ideologized discourse of the rule of law." [19] *Anchors Aweigh* is like a reflective mirror, which reflects the fact that under the operation of the state power system, if left unguarded, it is easy for the law to speak for itself, thus causing the alienation of the law, and the alienation of the law ignites the fuse of social unrest - the alienation of human

beings. Rousseau once said, "To stipulate that one party is absolutely authoritative and the other absolutely obedient is in itself an invalid and self-contradictory agreement." The legal system under the modern system of power is a historical choice, but history is always moving forward, there is no absolutely correct system, and the direct feelings of the public are the touchstone of the system. This is why we call for the decentralization of discourse, which is the only option to counter the alienation of law under the rigidity of the legal system. The state power system presupposes that the judge is objectively correct and the law is authoritative, but the objective correctness is doubtful, and the authority is colored with oppression and obedience. In the novel *Anchors Aweigh*, the discourse power conferred by the objective correctness also shows its shortcomings, and the people in the living society have more discourse power than the legal professionals who promote the rigid legal system.

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