

## Neujahrsempfang 2023

### Voltaire Preis - Prof. Dr. Iwan-Michelangelo D'Aprile | Transkript

Voltaire could have used an attorney like Amy Lai, this year's winner of the Voltaire Prize. At the tender age of 24, Voltaire composed a humorous poem about the then-interim French regent, which earned him his first, nearly one-year sentence in the state prison, the Bastille. In a parody of dynastic legitimization strategies, Voltaire had suggested that the regent was having an incestuous relationship with his own daughter. More imprisonment for mocking the nobility followed. After Voltaire made fun of the queen's crude cardsharp tricks at the gaming tables of Versailles, he was expelled in 1747. It was the beginning of a lifelong diaspora. His subsequent exile in Potsdam did not last long either. He wrote a satire on the president of the Prussian Academy of Sciences and his royal patron, who wanted to solve scientific-mathematical questions by way of absolutist power; this text was publicly burned at Berlin's Gendarmenmarkt. Voltaire evaded arrest by going on the run. Last but not least, Voltaire's most famous novel, "Candide, or Optimism," is also a persiflage. Here, Voltaire mocks Leibniz's proposition that the best possible order of the world is guaranteed by God - a concept that royal courts misused for the purposes of self-adulation and -congratulation. After just a few chapters, we see the title character wringing his hands, covered in blood, and asking in despair, "If this is the best of all possible worlds, what might the others be like?" Needless to say, "Candide," like virtually all of Voltaire's works - including his "Treatise on Tolerance," which is programmatic for our prize - was immediately banned by the Catholic Church and placed on the Index for blasphemy.

"The Right to Parody" is the title of Amy Lai's law dissertation, which was published by Cambridge University Press in 2019. In her work, she transforms and updates questions about the relationship between the Enlightenment and the public sphere that also preoccupied Voltaire, with an eye to the challenges of our present day. Like Voltaire, Amy Lai knows that wit, irony, and satire can be important weapons in the struggle against the dogmas of infallibility and the absolutist claims of the ruling classes: What the court and the church were in Voltaire's time are today totalitarian and autocratic regimes and their high-tech repressive apparatuses, as well as the campaigns of targeted denunciation and disinformation by monopolistic global platform operators and media magnates who are incapable of accepting criticism. According to Amy Lai, the fact that parody, as a generic term for the creative rewriting and overwriting of well-known works and conventionalized certainties and ideologemes, is of particular importance for the processes of democratization and social change of our time, can already be seen in how sensitively those in power react to it.

Amy Lai consistently locates parody within the fundamental right to freedom of expression. She sees this as threatened not only by state repression, but also by legal claims to intellectual property (“copyright”) - that is, in the broader sense of the idea of property individualism, which has also emerged since the Western Enlightenment. She reconstructs this tension historically and systematically, using the example of the legal philosophical theories of John Locke, Immanuel Kant, and John Rawls, and then examines it comparatively on the basis of numerous legal processes in the United States, Canada, Great Britain, France, and Hong Kong.

Her impressive knowledge of literary history and the current cultural scene also stands her in good stead. Thus, the examples discussed in her book range from Alice Randall’s parody of the Southern epic “Gone With the Wind,” entitled “The Wind Done Gone,” which Randall tells from the perspective of an enslaved African American woman; to Harry Potter and the Beastie Boys, from Victor Hugo to Charlie Hebdo. Amy Lai discusses questions of intellectual authorship relevant to legal decisions on the current state of feminist theories of relational authorship and pop cultural copy-and-paste and remix practices. If Voltaire was a philosopher and man of letters who escaped from the legal career his father sought to impose upon him, Amy Lai is a comprehensively philosophical-literary educated lawyer. In fact, in addition to her juris doctorate with a thesis on Chinese women writers in the diaspora, she also earned a doctorate in literature from the University of Cambridge.

The central concern of Amy Lai’s forthcoming second book, “In Defence of Free Speech in Universities,” is a robust and far-reaching concept of freedom of opinion and speech. She analyzes legal debates about the so-called “cancel culture” in the academic field in Canada, the U.S., and Great Britain. Again, Amy Lai knows what she is talking about. Having grown up in the former British colony of Hong Kong, Amy Lai acquired her academic qualifications at the best addresses in the UK, the USA and Canada - in addition to Cambridge, at Harvard University in Boston, where she also worked in various law firms, and the University of British Columbia in Vancouver. Since 2014, when the Umbrella Revolution began in Hong Kong against intensified repression by the Chinese government, she has become increasingly involved in journalism to preserve freedom rights in her home city, calling for them in various local newspapers, many of which have since been banned.

Amy Lai thus brings her experiences from two worlds into the current debates about enlightenment and the public sphere. With her knowledge of the realities of totalitarian systems, she views the hasty abandonment of liberal traditions more critically than others. At the same time, as an immigrant, she shares the experiences of discrimination of marginalized groups. In doing so, she rejects narrow cultural views on both sides and consistently measures jurisprudence and academic discourse against the yardstick of social justice and the greatest possible freedom of speech on the basis of legal protection against discrimination.

The technological conditions and discourse rules of public communication will continue to be decided, increasingly and substantially so, in the competition between the two global hegemonic powers, the United States and China. Therefore, Amy Lai’s experiences and interventions are likely to become even more important in the future. We are therefore particularly pleased that she has taken such an

interest in our university's Voltaire Prize. In addition, Lai, who has already been on a teaching and research residency at Freie Universität Berlin since 2020, was simultaneously awarded a fellowship from the Einstein Foundation. This means that Amy Lai will be with us longer than Voltaire lasted in his time - and that was a stay that we are still living off of 270 years later, as we can see here today. We hope that our prize will help Amy Lai to continue her important research, and we hope that it encourages her commitment to the freedom of public speech and to not mincing words in the future. We can only learn from her.