

Published blogs on Leiden Law Blog, from 2012-2019

Wim Bonis

Contents

1	A peaceful rebellion against extinction.....	4
2	‘The end of all our exploring will be to arrive where we started...’7	
3	The courage to choose the right direction.....	10
4	The call for more external order and control	13
5	Extending rights and growing responsibilities.....	16
6	Indigenous injustice and the power of the land	19
7	Healing the planet by changing the underlying story	22
8	Why science needs spirituality	25
9	The relevance of experiencing awe	28
10	Why feminism is good for men as well	31
11	Traffic jams and smoking bans.....	34
12	Money money money... in a rich man’s world	37
13	An exploration into uncharted legal territory.....	40
14	The natural process of mutual integration	43
15	Male privilege and the abuse of power.....	46

16	The ethical dimension of ancient laws.....	49
17	In need of the wisdom of de-escalation	52
18	Inspired by wilderness	55
19	A new approach to democracy – with old roots.....	58
20	World Wide Waste	61
21	The reality of climate change.....	64
22	Who to vote for in these challenging times?.....	67
23	An old, dying empire versus a rising Earth Community.....	70
24	Will the real you please stand up!.....	73
25	When words get in the way... ..	76
26	The power of Diversity & Inclusion	79
27	How to stop exploiting and destroying landscapes.....	82
28	The ongoing search for the Promised Land.....	85
29	There is light at the end of the economic tunnel.....	88
30	Reaching beyond patriarchal boundaries.....	91
31	Making space for animals and their rights.....	94
32	Living in a world of give and take.....	97
33	Respecting the rights of Mother Earth.....	100
34	The rule of law and the world of myth	103
35	Freedom – finding a home for us all.....	105
36	The amoral mentality of bankers	108
37	Crime and (lack of) empathy in a changing world.....	110
38	An embedded freedom of speech.....	113
39	How to feel more secure with less police	115
40	No man is an island, entire of itself	117
41	Watching quarrelling neighbours.....	119

42	Every crime tells a story	121
43	The law that everyone should know	123
44	What we can learn from fruit flies	125
45	The feminine face of justice	127
46	Exploiting shale gas: a risky gamble	129
47	Crime as a short-cut to get what you want.....	131
48	Who owns the land?	133
49	From quantity back to quality.....	135
50	The abandoned Christmas trees	137
51	The power of the (false) image	139
52	Space travel and crime reduction.....	141

1 A peaceful rebellion against extinction

November 2019

The world-wide protests in October organized by [Extinction Rebellion](#), a movement that was first launched in the UK in 2018, will have escaped few. However rebellious it might present itself, its intentions are *peaceful*, focused on inspiring politicians to take climate change seriously and to take the necessary measures to ensure a human future for the younger generation. They were inspired by the Scottish ‘earth lawyer’ Polly Higgins, who from 2010 on put all her efforts in getting ‘ecocide’ recognized as a criminal offence, but sadly [died in April](#) this year (I just found out) only 50 years old. All the more reason to pay some extra attention to the valuable work of this movement. In this blog I will try to put it into context.

Private landownership

The resistance against and criticism of protests like Extinction Rebellion is perhaps understandable when we realize how deeply the concept of private landownership still is ingrained in the Western mind. When we, as modern Western people, think of landownership, we tend to think in economic terms of *private property*: pieces of land that we can buy and sell. It is of course not new to criticize the concept of private landownership. In the 19th century it was already questioned and criticized by the communists, inspired by the ideas of Marx, Engels and others. In the decades after the collapse of state-organized communism this criticism and the interest in alternatives to private landownership moved to the background for a while. But now it is becoming clearer every day that capitalism, and the way corporations ‘rule the world’, are going to lead us towards an ecological disaster, the human mind seems to be opening once again to alternatives. This is what, I believe, has also attracted, and is still attracting, people to a movement like Extinction Rebellion.

Primal landownership

This movement fits well into the relatively new plea to extend human rights not only to animal rights but to nature or earth rights, which are given a legal basis in more and more countries across the planet. As I have pointed out in previous blogs (*Extending rights and growing responsibilities*, *Respecting the rights of Mother Earth*), these rights are not something new, but reconnect us to the worldview of indigenous cultures. An integral part of this is their different conception of landownership. To them the land is a living, animated being to which the inhabitants feel an intimate sense of connection and belonging: this much larger being, that always embeds us fully, can only be owned by herself and continually provides us with gifts of food – not only physical food, but spiritual food as well. It is good to realize that private landownership was preceded by what we may call *primal landownership*.

Animated land, inclusiveness and care

The wonderful thing about this primal landownership is that it is *inclusive*: the animated land, in which we are included like in a larger body, can be shared simultaneously by anyone. The land is sovereign and the way she supplies us with her gifts generates a deep sense of *gratefulness*, and a deep *care* for the land. In the Western world it survived in the conception of *the commons* – land that was not owned by anyone in particular and was considered communal property.

Reciprocal perception

The land as a large living being is a *subject* that we as human beings not only communicate with, but that communicates with us as well. That reciprocal quality is a very important element. The American philosopher and ecologist David Abram argued in his very interesting book [*The Spell of the Sensuous*](#) that all perception is reciprocal in nature, and that in indigenous, oral cultures this was basic to the interaction between people and the land. Only after the rise of the written word – a few thousand years ago – the Western world gradually lost touch with it, and this reciprocal perception was transferred to the interaction between the mind and the written word. According to Abram, during this process we increasingly lost

the power to *listen* to, to *read* and understand the language of the landscape – the language of animals, plants, mountains, rivers, winds, etc.

Objects, exclusiveness and exploitation

Due to the loss of this reciprocal interaction between us and the land, the living land was gradually reduced to *a collection of objects* (in the words of [Thomas Berry](#)), which are considered passive and dead, unable to communicate with human beings. In other words, it became suitable for private landownership – for being turned into *exclusive* possessions. It legitimizes private owners to not tolerate ‘trespassers’ on their property, or a police force to block streets or other areas to protesters. It should not surprise anyone that this idea generates conflicts, between people and on a larger scale between governments. As these possessions are governed *from without* – by abstract entities like ‘the state’, ‘the province’, ‘the city’, or even ‘the private owner’ –, there is also no good reason left to stop exploiting them for resources, to dump our waste in them, or even to destruct them completely through warfare.

Legal ownership

If we realize that primal landownership, expressing our deeply rooted sense of being embedded in the land, is also linked to our sense of peace, then we may wonder why it was never recognised or protected by law. As I have argued in a previous blog (*Indigenous Injustice and the Power of the Land*), the Native American tribes and indigenous people on other continents have experienced firsthand again and again that the Western legal system only recognized the concept of private landownership of the European colonists. But now that more and more countries recognize nature rights and movements like Extinction Rebellion are growing, we might also come to see the relevance of recognizing the ancestral and indigenous concept of primal landownership.

In a nutshell the message of the protesters comes down to the question that we should all ask ourselves: in what direction do we want go? I’m sure the work initiated by Polly Higgins and others has only begun.

2 ‘The end of all our exploring will be to arrive where we started...’

August 2019

It can hardly have escaped anyone’s attention that recently it was the **50th Anniversary** of the Apollo 11 landing on the moon: news bulletins reported it extensively and many articles were written on this subject. My very first blog, *Space travel and crime reduction*, for this blog site in 2012 was related to this theme. Rereading it, I can still fully subscribe to its content and I realise that it laid the foundation for the various themes I have written about in my subsequent blogs.

A major shift in vision

In the first blog I referred to the fact that looking at our planet from outer space had not only had a transforming effect on the minds of the astronauts, but in a wider sense this image of planet earth has generally made us more aware of what being part of life on a planetary scale is really like. Many other writers have been captivated as well by this major and hopeful shift in vision, and in time its significance has only increased. It reopened our minds to life’s mystery. I believe that through this shift we are reconnecting back to the original way of seeing and belonging that we all are born with, but somehow have lost sight of while growing up.

Ongoing competition

I was – and still am – convinced, that this renewed kind of awareness can also open up and heal the egocentric minds of criminals, by making them feel included in the human community again (and, in a larger context, even in the Earth Community. See in this regard my blog *An old dying empire versus a rising Earth Community*). Although I acknowledge the great achievement of space travel and landing on the moon, I was quite disappointed that for the 50 year celebrations the media barely paid attention to this shift in focus on our own planet. Instead I heard enthusiastic reports about the ongoing competition between several countries (which now do not include just the US and Russia, but also countries like China, India and

Israel) to be the first one to put a woman on the moon or about possibility of sending people to Mars.

A new civilisation?

It reflects the still dominant view among some politicians and materialist scientists who believe that space travel will sooner or later result in a new civilisation on some other planet. They dream about making a brandnew start, not unlike what the European colonists had in mind when they sailed to the ‘New World’ a few hundred years ago... Although it is argued that it is historically and scientifically relevant to keep on exploring the cosmos, it really is a continuation of our deeply ingrained imperialistic urge to exploit everything for our own benefit – which coincidentally is also responsible for the current crisis we are now facing on a global scale.

Defensive thinking

It is not hard to see that the importance of further space travel and competition between countries is in line with the return to nationalism and increased border control that we can witness in many countries today. Although space travel has always been placed in the progressive light of exploration and scientific progress, it is also fed by conservative and defensive thinking. The conventional attitude towards extra-terrestrial life has always been a mixture of fascination and fear. We long to discover life on distant planets, but if their (highly intelligent) inhabitants manage to visit us first, somehow we expect them to have violent intensions. This is why defense departments and armies have always played a prominent role in checking the reports of extra-terrestrial visits to our planet.

The first woman on the moon?

To continue pursuing this road will not bring us in touch with ‘a close encounter of the third kind’, and – placed within realistic contexts i.e., the widening gap between the rich and poor, climate change and growing conflicts between countries – must rather be qualified as escapism of the worst kind. When it comes down to putting the first woman on the moon: this idea has probably been born in the same (white) masculine minds that once created the rocket from their own images, and is fed more by the international competition between the countries mentioned earlier than it is truly serving gender equality.

Earthrise

I hope the picture I have painted here is not too bleak. For I believe that we

are dealing at the moment with just a temporary setback, and that underneath the surface planetary awareness born from the beautiful images of our blue planet is still spreading. It is quite obvious that since we have been confronted with the iconic images like ‘Earthrise’, something has fundamentally changed in us, psychologically and spiritually. The famous, prophetic words from the American/English poet and playwright **T.S. Eliot** are appropriate here:

‘We shall not cease from exploration
And the end of all our exploring
Will be to arrive where we started
And know the place for the first time.’

Cherishing diversity

When we compare the potential planetary options, isn’t it logical that we must choose the one planet that is already bursting with an enormous diversity of life? That is what the images of earth from outer space are reminding us of every day. A painful reminder perhaps, when seen in the light of history. To observe and acknowledge what we have overlooked in our direct vicinity or what we have consciously excluded, is to become truly adventurous and explorative. The only way forward is to finally start learning to cherish the abundant diversity of our own planet – in all senses of the word. I’m sure that this will have a beneficial, even transformative effect on anyone – criminals included. We just have to have a little more patience.

3 The courage to choose the right direction

May 2019

I have written in previous blogs about the multi-faceted crisis that the world is suffering today, that continuously manifests itself in different forms: a financial crisis, a refugee crisis, a gender crisis, an identity crisis, a spiritual crisis, and, of course, an ecological crisis. I think the majority of people would acknowledge that we are facing serious unprecedented situations and that we must question a lot of the things that have been taken for granted for too long. But, challenging as this is, perhaps we should also not be too surprised then by the widespread rise of populist movements, that prefer to react with a collective fight-or-flight response – fighting the people who truly want to deal with the crisis; and fleeing into an imagined glorified national past, into keeping their national culture free from foreign influence and into building (psychological and physical) walls to keep their neighbourhoods free from migrants, ethnic minorities, potential criminals, people with different (religious) beliefs.

Culture

First, it is important to acknowledge that populists have a completely false idea about *culture*. Wanting to defend a precious national culture against foreign influences assumes that culture was once created in a kind of vacuum. But in reality it is always born – literally every moment! – in an atmosphere of openness, interaction and fusion, and can only survive in this same way. If we focus on typical Dutch culture, we can see that many elements have a foreign background. Windmills were first created in China. Cheese was first made in Poland. Potatoes, part of many traditional Dutch dishes, originally came from South America, and tulips originally came from Kazakhstan. Even the colour orange goes back to the French town Orange. (See the book *Een verzonnen koninkrijk* by Flip van Doorn for more on this.) Populists, however, do not like things to be open, they prefer to keep things closed. By doing so, they are actually killing the very thing they want to protect: culture.

The right direction

When it comes to populism I have to think about Robert Frost's famous

poem about **the two roads** diverging in a wood. But times have changed since the poem was written a century ago. Choosing the right direction, away from populism, is not a question of taking the road less travelled, but daring to enter a largely untrodden field that is stretching out before us. All we need for this is the courage to explore the unknown without preconceived ideas, with an open mind – as is done, for example, by **Charles Eisenstein**, who argues that we are in between stories and are moving to ‘**a new and ancient story**’ of *Interbeing*. There’s a good chance, though, that it’s not only the populists who have forgotten that we were all born with this open, courageous mind. In this respect, we all need to continually ask ourselves whether we are still heading in the right direction.

Vulnerability and mindfulness

The popular American researcher and storyteller Brené Brown has pointed out in her **many talks** and **books** that *vulnerability* – and not toughness as one would perhaps expect – is essential to being courageous. In her view, one implies the other and they cannot exist separately. This means that to find the right direction we have to first rediscover our own vulnerability, something that we all – like open mindedness – have known when we were small children. In this respect, I think it is a source of hope that practices like meditation and mindfulness have become so popular today and have largely lost their label of being ‘alternative’ or ‘escapist’. Regularly allowing time for silence and patience in our noisy, hurried world, will trigger our mind to revive its original open nature and inspire us to act from that position.

Cell membrane

Fortunately, the latest discoveries in science are helping us as well. Biologist Bruce Lipton argues in his book *The Biology of Belief* that knowledge about cells can tell us a lot about ourselves. He shows that cells can only grow when their membrane is open to environmental influences, and that their growth stops when their membrane closes. And you can’t have it both ways: it is one or the other. Lipton believes this idea is very important because it also helps us to better understand ourselves, and the way we deal with our environment. After all, we are a community of trillions of specialised cells that organise themselves in cooperation with one another. We can only grow – biologically, psychologically, and spiritually – when we are open to the world around us, and we stop growing when we close ourselves off.

A permanent fight-or-flight response

Lipton emphasises that having our fight-or-flight response continually on,

means that we must spend all our energy on our defence mechanisms and simply stop growing. As pointed out earlier, this kind of response to life is particularly strong among populists. For instance, it turns them into persistent climate change deniers. We should not forget, however, that in nature, being open is *the rule* and the fight-or-flight response should be *the exception*. We are all born to keep growing. When our innate impulse to grow is blocked for longer periods, this unavoidably has serious consequences: it will search for a way out, in a destructive way. The increasing polarisation in many countries can be seen as the result of fearfully keeping our minds closed, of blocking our natural growth process. William Blake pointed this out more than two hundred years ago, when he stated in his *Proverbs of Hell*: ‘Expect poison from the standing water.’

Populist politicians claim to represent the neglected voice of ‘the people’. When I think back to John Lennon singing **power to the people** half a century ago, I try to imagine what kind of people he wanted to give power to. I believe he wasn’t thinking about people who allow themselves to be tricked into a collective fight-or-flight response, but about *true, mature individuals* who manage to keep their minds open; and who, by remaining vulnerable and courageous, are heading in the right direction.

*Few readers will probably realise that this is my 50th blog post on Leiden Law Blog! An opportunity perhaps to **read some more** that might have escaped your attention?*

4 The call for more external order and control

April 2019

Since the ongoing debate on Brexit, the British Parliament has been in the news a lot. Few can have escaped noticing **John Bercow** in his role of Speaker in the House of Commons, repeatedly shouting ‘OOORRRDDDEEERRR’ in an attempt to quieten down the noise of the House. Obviously it is a tradition that is not taken too seriously. But all the same, it expresses something very important about the prevailing Western notion of order: something that must be imposed from the outside to reduce or end conflict. As I will show below, in our time we are (re)discovering another kind of order, the natural order that manifests itself as the self-organized wholes of all living beings and systems.

Imperial thinking and ruling

This idea of imposing order has a long history. For millennia it has inspired people to build empires which one after the other primarily aimed at expanding the domination over as wide an area as possible, in which all colonized people were forced to bow to the imperial rules. We all know about the Greek Empire, the Roman Empire and about much later empires like the Dutch and the British ones. Brexit and the Dutch discussions about the colonial slave trade show that we are not yet free from imperial influence.

Power over

What all imperial thinking has in common, is the firm belief that order is all about imposing order externally, often with the use of propaganda. Usually empires are headed by ‘strong men’, who secure their position by surrounding themselves by a circle of privileged and loyal followers. Understandably they need soldiers and weaponry to protect their power structure, and to keep control of life around them, which to them appears disorderly, chaotic and threatening. Empires are the result of ruling societies exclusively by the masculine principle of *power over* – of which women and the natural world have always been the prime victims.

Renewed nationalism

Although the imperial dreams of Hitler and Mussolini should have made everyone aware of the unavoidable destructive shadow side of empires, imperial thinking has never fully disappeared from the human scene. The current nationalistic movements that want to make the weakened nation states ‘great again’, might on the surface appear to be just protecting imagined national identities, expressed by legal measures to keep unwanted foreigners out. But I am afraid that an imperialistic urge to expand, and to dominate the countries where they came from, is never far from their minds.

Wake-up calls

It is no coincidence that today both #MeToo and climate change have become global issues. Not only have women and the natural world suffered mostly from imperial thinking, they are in fact **interrelated issues** as, for instance, was already pointed out in 1980 by Carolyn Merchant in her book *The Death of Nature*, and more recently by researchers like **Sharon Blackie** or **Mirabai Starr**. But more importantly, they are **wake-up calls**. In this respect, the **much quoted saying** attributed to Einstein comes to my mind: ‘No problem can be solved from the same level of consciousness that created it.’ Unfortunately conservative, imperial-oriented minds do not recognize it yet as a challenge.

The Earth Community

But a fast-growing number of people do actually recognize the challenge and also the urgency. In a grass-roots way they are organizing themselves into a powerful global network, an **Earth Community**. In a previous blog (*An old dying empire versus a rising Earth Community*) I referred to the important ideas of **David Korten** on this theme. He has pointed out that the rise of the Earth Community is linked directly to the end of the imperial ways of organization and thinking. Seen from an Earth Community perspective, in retrospect the impulses to create empires through the principle of imposing order externally have been clumsy, immature attempts to unify humanity across the globe, lacking the necessary level of consciousness to turn them into a sustainable reality.

Inhabiting larger and smaller bodies

One of the ways to join the Earth Community is to reconnect with *the natural order*, which powers and **self-organizes** all living beings and systems – like ourselves, landscapes, the earth, and so on – from within. For instance, you can try to open your heart and mind to the borderless landscapes that

surround you everywhere with their diversity of trees, plants, perhaps mountains, hills, a lake or a river, but also including the sky above with its clouds or stars at night. When you fully immerse yourself in it, become an inextricable part of it, you can see that even though all the different details are spread out unevenly, with all the spaces in between they somehow create a harmonious whole that has a calming and healing effect on your being. Likewise you can learn to fully inhabit your own body again, descend into it, realize how all the trillions of different cells and many different organs spontaneously cooperate with each other in a self-organized harmonious whole.

Transformation and reconnection

Truly inhabiting the landscape and our own body also has a transformative, expanding effect on our consciousness. I believe it triggers the necessary (spiritual) change in thinking that Einstein was talking about. It also reconnects us to ‘primitive’ cultures that have been suppressed by imperial thinking: after all, this ‘new’ reality was already recognized and valued by many indigenous people all over the world, as expressed – for instance – in their notion that **the land owns its inhabitants** (and not the other way around), or that the human body is one of the many gifts of life to be cherished. Importantly, the natural order is always *open* and *alive*, ever changing and communicating with its larger environment. It reflects the essence of who we are and feel comfortable with.

To conclude, I think we can deduce one important rule from this: *the more internal natural order we experience, the less external order needs to be imposed*. And this is relevant everywhere, not just in politics, but also in contexts like at home or at work. John Bercow’s public performances have made me realize that in our time, imposing external order can sometimes become quite absurd and hopeless...

5 Extending rights and growing responsibilities

February 2019

More than three years ago I wrote a blog (*Respecting the rights of Mother Earth*) in which I paid attention to the Universal Declaration of the Rights of Mother Earth, the ideas of Cormac Cullinan, and the Urgenda case in the Netherlands. I was pleasantly surprised that in 2017 another important book was published in this field that somehow escaped my attention in 2018. That's why I'm writing about it now. The book, entitled *The Rights of Nature*, is written by David Boyd, an environmental lawyer and associate professor at the University of British Columbia.

Ideas preventing the rights of nature

He states at the beginning that there are three entrenched ideas that keep the use and misuse of animals and the natural world going: 'The first is anthropocentrism – the widespread belief that we are separate from, and superior to, the rest of the natural world (...). The second is that everything in nature, animate and inanimate, constitutes our property, which we have the right to use as we see fit. The third idea is that we can and should pursue limitless economic growth as the paramount objective of modern society.' Boyd is convinced that we can only establish the rights of nature when we leave these three ideas behind us.

The inclusion of animal rights

In the first half of the book Boyd pays attention to rights of animals and, more in particular, to rights of endangered species – a topic about which I have also written before (*Making space for animals and their rights*). He considers these animal rights an integral part of the more encompassing rights of nature, and acknowledges that they are truly revolutionary within the context of Western civilization: 'The idea that species have intrinsic value regardless of their utility to human beings is a radical departure of modern legal systems'.

A development with a history

The basis for the rights of nature started to enter Western consciousness during the 19th century. In the US there were ecological pioneers like **John Muir** (1838-1914) and **Aldo Leopold** (1887-1948). Leopold, for instance, wrote about a *Land Ethic*, about the fact that we abuse land when we consider it a commodity belonging to us. In this respect Boyd points out that it is unfair that human beings possess 85 percent of the land on our planet, leaving only 15 percent to other species.

Non-human entities

Opponents to the rights of nature have argued that animals and natural entities like rivers cannot be given rights because they can't talk and defend themselves. Boyd points out that in the 1970s **Christopher Stone** argued **in an article** – still discussed in law schools – ‘that there is no legal barrier to granting legal rights to nature, given the fact that other non-human entities such as ships and corporations have legal rights conferred upon them.’ Boyd adds to this, that these can't talk and defend themselves either. With regard to a case against Pennsylvania General Energy he points out: ‘It is remarkable that PGE's lawyers could describe watersheds as “artificial constructs”, while simultaneously believing that corporations are real persons to whom rights naturally belong.’

A gradually expanding process

In his book Boyd shows that the recognition of the rights of nature is gradually spreading across the planet. **The Indian constitution**, for instance, ‘casts a duty on every citizen of India to protect and improve the natural environment including forests, lakes, rivers and wildlife, and to have compassion for living creatures.’ Since 2006 over a dozen local communities across the US have passed local laws that recognize the rights of nature, thereby assuming that these have priority over corporate and property rights. This has, however, provoked a massive legal response from businesses, and courts are striking these laws down because they are (still) inconsistent with federal/state law. So there are backlashes as well.

New Zealand and its Maori heritage

Boyd pays attention to two interesting cases in New Zealand (or Aotearoa, its Maori name) in which the rights of nature have been acknowledged: the **Whanganui river**, the National Park of **Te Urewera**. The stories that Boyd tells about them are moving, and he is amazed by the fact that there has been no opposition against the acts that give rights to this river and to the national

park. He argues that this ‘legal revolution underway in New Zealand’ shows ‘the path toward re-establishing a healthy, sustainable relationship between humans and the eco-systems of which we are part.’

Indigenous inspiration

These cases and others mentioned by Boyd show that all over the world the recognition of the rights of nature has been inspired primarily by the age-old indigenous traditions – whose views have managed to survive despite the centuries of (colonial) struggle against them. And importantly, they show it is not a case of giving back the land that has once been taken from them. Indigenous people simply want the rivers and other natural environments to *own themselves*, to be intrinsically valuable, as had always been the case in their culture. In fact, if we dig deep enough in the roots of Western culture, we may find that this conception once existed everywhere on the planet – long before the entrenched ideas of anthropocentrism, private property and economic growth became dominant. We must thank the indigenous people for reminding us.

Moving from rights to responsibilities

The stories in Boyd’s book make it clear that we can see a quite slow but persistent process of moving from an exclusive focus on human rights toward acknowledging the rights of other species, natural environments and eco-systems. Seen from a human perspective this is a movement from the struggle for rights towards feeling deeply *responsible* for the well-being of the natural world, which (for most of us modern people at least) cannot talk and definitely cannot defend itself in court – but which has been, and still is, the very basis on which our lives depend.

6 Indigenous injustice and the power of the land

December 2018

Recently I have been reading a very interesting book by theoretical physicist **David Peat**, entitled *Blackfoot Physics*, in which he compares the Western worldview with the worldview that he had come across among the Native American tribes that are still in existence. According to him, due to this profound difference, the confrontation between the two cultures has been a clash between different paradigms from the very beginning. At the heart of this difference lies the place assigned to the landscape.

Different conceptions of justice

Peat argues that indigenous ideas about law and justice differ profoundly from the Western approach and reveal the different conceptions of how the universe works. In the Western approach 'a court can reconstruct [that] a certain sequence of events in the past is based upon assumptions about linear time, causality, objective reality and the power of language to capture the world.' Traditional Native American justice, on the other hand, 'is rooted in the notions of relationship and dialogue rather than adversarial justice; harmony and balance rather than proof and guilt; and renewal rather than punishment.' Although Peat does not state this, Native Americans appear to have already practised a kind of restorative justice.

Different claims to land ownership

In the court cases about land ownership we can see how these different paradigms have clashed, to the disadvantage of Native Americans. When they went to court, they were usually confronted with arguments from governments or companies, whose claim would be supported by expert witnesses: scientists whose conclusions were based on an impartial, scientific examination of historical evidence. When they wanted to bring in their own expert witnesses, the Elders and tribal historians who wanted to present 'the stories they have preserved for untold generations', the courts often refused to hear them, because in their view they were not experts and everything they said was based on mere hearsay. So according to the courts the Native Americans really had no way of proving that they actually owned the land using legal documents. We know the outcome.

The indigenous conception of the land

Peat shows that at the basis of this lies a completely different conception of the land. For Native Americans, and actually for many other indigenous peoples all over the world, the land was inextricably connected to their identity, to their sense of meaning. Not only did they experience the land as a living being when they walked on it, they also carried the memory of this landscape, with its trees, rocks, animals and plants – all imbued with energies, powers and spirits – with them.

It is true that the ancestors of the Western world did once have similar ways of experiencing the landscape – like the Celtic concept of the *Goddess of the land* or the Roman concept of the *genius loci*, the spirit of the place. Peat doesn't refer to these concepts, but they do fit in with his argument that from our modern Western perspective, shaped by objective science, we have lost this intimate connection to the landscape. Sadly, this objective scientific approach has also served to justify the European conquest. Before the Native Americans could be conquered they first had to be objectified, and this was backed up by the history of Western science; one of exploitation and the objectification of nature.

The power of the landscape

Interestingly, Peat points out that the power of the landscape has not really disappeared and even today exerts an enormous power over people. In relation to this he refers to a book by René Dubos, *A God Within*. This author argues that the landscape 'can be so powerful that it molds, shapes, influences, and ultimately transforms the people who come to occupy it'. He believes that when new people enter a particular landscape, in time they gradually become similar to the people already living there. This is very good news when we think about all the migrants and children born from migrants who in our current society are considered a problem from an integration perspective. If Dubos is right, in the end the migrant problem will solve itself!

Reconnecting to the landscape

Importantly, Peat believes 'that this deep connection to the landscape and its origin is present within us all' and that we can all do a simple exercise to actually feel what this deep, indigenous connection to the landscape feels like. It is worth quoting him in his own words: 'Close your eyes and remember the bedroom you had as a small child. In your mind move around the room, go to the door, and walk about the house. Now go out of the house and look around you. Think of the school you went to, or a nearby friend or

relative. Leave your house and take a journey to that other location, remembering when to turn left or right, when to cross the street. As you will go you will remember familiar sights, a corner store, a park, a neighbor's dog.'

When you practise this for a few hours (yes!), according to Peat, you will be amazed how very much alive the landscape of your early youth is still within you. He argues further that if you can imagine that this inner landscape has been the same for many generations, you will get an idea what the connection to the landscape must have been like for indigenous peoples.

The end of injustice?

The fact that for a long time Western people have not been able to understand the indigenous way of experiencing the land, either religiously or scientifically, has not only done injustice to indigenous peoples, but also to the whole of humanity. After all, if we had not objectified the land, turning it into a collection of many separate properties, we would probably have prevented the current environmental crisis! So if we want to really solve this crisis (see [my previous blog](#) on the topic), it is important to leave our objective distance to the land behind us and acknowledge that the indigenous peoples were right after all.

7 Healing the planet by changing the underlying story

November 2018

The [Climate Report of the United Nations](#) presented at the start of October 2018 says urgent action must be taken if we want to prevent global warming having devastating effects. In previous reports a rise in temperature of 2 percent was the limit and now it has been lowered to 1.5 percent. This is going to be discussed at the [climate conference in Poland](#) in December. In October [Urgenda also won an appeal case](#) against the Dutch state. The court agreed that the state wasn't doing enough to cut down the CO² level by 25% in 2020. All these activities should be welcomed, but there are some important alternative views on climate change to be considered that reach beyond the usual emphasis on numbers, statistics, money and state responsibility. Let's have a look at some of these.

Scientific reductionism

One alternative is expressed by Charles Eisenstein in his new book *Climate. A New Story*, published in September 2018. Although he agrees that climate change is a serious threat, he believes that bringing down the level of CO² is not enough: 'Carbon reductionism sits comfortably within a broader scientific reductionism' and this 'rests on a more fundamental reductionism: that of the world into number.' According to him, these reductionist approaches have been proven not to work and these 'failures of carbon-motivated policies have something in common – they emphasize the global over the local, the distant over the immediate and the measurable over the qualitative. This oversight is part of a more general mentality that sacrifices what is precious, sacred and immediate for a distant end.'

The Story of Separation

Eisenstein is not advocating that we stop with the conventional ways of dealing with climate change, but he considers them still expressions of what he calls *the story of Separation* in which 'the dominant culture on earth has long imagined itself to be apart from nature and destined one day to transcend it.' Within this story the policies to deal with climate change, like so many other policies, abound in control-driven 'war narratives, war metaphors and war strategies.' And according to him, this has a long history:

it is 'a symptom of economic degradation, a process that goes back at least five thousand years and has reached its peak intensity today.'

The Story of Interbeing

Eisenstein believes that climate change is inviting us to create a different relationship between civilization and nature, 'one that holds the planet and all of its places, ecosystems and species sacred.' To realise this we need a new story, which he also calls *the Story of Interbeing* (a term he borrowed from **Thich Nhat Hanh**). This is actually an ancient story as well that has been kept alive by indigenous people all over the world. It awakens a humility in us that is necessary to 'open us to receive the teachings of indigenous people' in which 'humanity returns to being an extension of, and not an exception to, ecology.' This story not only makes us participate in nature, reconnect with our living earth through *love*, but it also transforms our social relationships. In Eisenstein's view all these – unquantifiable – elements are equally important to properly deal with climate change.

Belonging to the land

Another alternative view is expressed by Sharon Blackie, in her book *If Women Rose Rooted* from 2016. Inspired by Celtic tradition she focuses on the significance of our sense of belonging to the land and on the central role that women have always played in this. According to her, we are currently living in a Wasteland: 'We have lost touch with the seasons which our ancestors had of being part of the natural world, of living in our bodies, embracing the cycles of the seasons, fully present in time.' To heal this Wasteland we have to find out, like the wounded Fisher King in the Arthurian stories, what ails us: 'What ails us is the dominance of the dry, wounded, merciless, over-extended masculine. What ails us is the loss and violation of the feminine. The quest for the Grail, then, is the quest to restore the feminine to the world. (...) The next stage is to bring ourselves into balance and harmonise the masculine and feminine qualities we all possess.'

The inner dimension

Blackie differs from Eisenstein in her emphasis on the important role that women have to play in this process of change. According to her, their contribution is essential to make the healing of the Wasteland possible in our time. They are more prone to hearing and answering 'the Call to Life', to start living an authentic life. But she emphasises that the contribution of men is important and necessary in this process as well.

When this inner change is realised, this will profoundly change the way we

relate to the land around us. It will regain its sacred quality, become a living entity again that communicates directly with us. Then we will rediscover our sense of belonging to the land, of feeling rooted in the very place we are living, even if that is in a city.

Change

Actually, in a **Dutch book** about sustainability from 2015 the contributing authors also argued that climate change has an important inner dimension and that creating sustainability is not just a technological matter, but must be driven by a profound change of consciousness. In a similar sense, both Blackie and Eisenstein show that environmental waste and climate change are merely the outer manifestations of an age-old disbalance in our own being. And of course, when it comes down to it, in this the inner and the outer world cannot be separated. Eisenstein argues in this regard that ‘the environment’ does not exist – and has never existed – separately from us. Anyway, I sincerely hope that the growing number of ‘alternative’ voices that qualify climate change as an unquantifiable phenomenon are heard more often –and also get some attention, for instance, from the participants at the upcoming climate conference in Poland in December.

8 Why science needs spirituality

October 2018

In previous blogs (*Crime and lack of empathy in a changing world*, *The relevance of experiencing awe*). I have referred to the research of **Steve Taylor**, a senior lecturer in psychology at Leeds Beckett University who has published a number of very interesting and popular books. In his most recently published book, *Spiritual Science*, he points out – as indicated by the subtitle – that ‘science needs spirituality to make sense of the world’.

A non-religious spirituality

Being an academic, Taylor is very aware that many secular scientists today (and many people in general as well) cannot take the theme of spirituality very seriously. They often automatically connect it with religion and consider it something that they – modern, rational people – fortunately have left behind for good. For Taylor, however, spirituality is not necessarily connected to religion. He considers himself an atheist and a scientist who wholeheartedly subscribes to the scientific idea of evolution, but has also come to realise that we need spirituality to make our lives meaningful. As all academic researchers – including legal scholars and criminologists – are engaged in the scientific approach to life, I think there is a good reason to pay special attention here to his new book.

Harmful consequences

Taylor considers the materialist worldview, which many people still consider their normal worldview, very limited in scope, because it makes us look at the world as separate entities – with us ‘in here’ looking at the world ‘out there’ – creating an uncomfortable sense of isolation and lack. And to compensate for feeling incomplete, a mere fragment of the whole, we are driven to accumulate possessions, wealth, status and power. In this worldview, all things, including living things, are just chemical machines and natural phenomena are just objects with a utilitarian value, entitling us to conquer and colonise the natural world. So, despite all the comfort modern life has given us, it has caused and is still causing a lot of serious harm – to ourselves, to others and to the natural world.

The failure of materialist science

And it is not only harmful. It also fails to make sense of phenomena

like **near-death experiences**, **awakening experiences** (Taylor's term for intense experiences which wake us up from the 'sleep' of our ordinary awareness), and **extra-sensory experiences**. Materialist science often tries to explain these experiences (away) as mere hallucinations or sometimes even attempts to ignore them completely. Yet they have proven to be genuine and meaningful to the people experiencing them. Near-death experiences and awakening experiences frequently have a life-changing effect. The mind opens up to an awareness of interconnectedness, in which a kind of force is experienced that pervades everything. Taylor calls this force *spirit-force*, which is central in his notion of spirituality: 'Spirituality wakes us up, opens us to the aliveness and sacredness of nature, and reconnects us to the world.'

From an indigenous worldview to quantum physics

He considers the defensive position of materialist science understandable, however, because these experiences turn its central idea upside down: the assumption that consciousness is produced by the brain. But he found out that they only make sense when consciousness is considered *primal to matter* and expressed through the brain. This is the position that is voiced by the 'spiritual alternative', which has been around for a very long time: 'The idea that the essence of reality is a non-material spiritual quality is one of the most-common cross-cultural concepts in the history of the world.' 'Almost every indigenous group in the world has a term that describes a spiritual force or power that pervades all things, and constitutes the essence of all things.' In Western philosophy it was also still acknowledged; for instance, in Plato's concept of the *anima mundi*. In a separate chapter he shows that this 'ancient' spiritual concept of reality is even confirmed by the findings of quantum physics: researchers from Max Planck to David Bohm have provided scientific evidence that matter is not primal and basically all forms of life are interconnected.

Intensified awareness

Spiritual science also makes it clear that *evolution* has not just been a physical development: it has been a development in awareness as well. And this insight radically changes the notion of who we actually are, as individual beings and collectively as a species. Individually we are rediscovering that our true nature is really much more cooperative and empathic than competitive and warlike. Taylor illustrates this, for instance, with the terrorist attack at the Ariana Grande concert in 2017 in Manchester, his hometown, which killed 22 people and injured more than 500: it also led to a huge wave of empathic behaviour, with many people spontaneously offering help. He

offers more hope: he believes that as a species we are developing in the direction of a more intense form of awareness, in which awakening experiences and the like are becoming much more common. In this process ‘self-evolution’ is significant: the more we manage to evolve ourselves – through various spiritual practices – the more we help others to evolve as well.

Legal implications

Although Taylor doesn’t focus on the legal world in his book, there are some important links. In a previous blog (*Crime as a short-cut to what you want*) I have shown that crime can be considered ‘a short-cut to get what you want’. In other words, crime subscribes to the accumulation of possessions, wealth, status and power, mentioned earlier. This is the materialist practice of many law-abiding people – but criminals do it only with a lot less patience and with no regard for others. Coincidentally, Colin Wilson, a researcher whom Steve Taylor has known personally and **still admires a lot**, inspired me to write that blog. Another link is that the development of human rights and particularly the call for the extension of these **rights to animals** and even to **the entire natural world** – to turn them from objects into subjects – shows that our innate sense of interconnectedness is being taken more seriously in the legal world as well.

Of course, this brief sketch cannot do justice to the rich content of Taylor’s book. Reading it can really broaden one’s horizon!

9 The relevance of experiencing awe

August 2018

Most of us are familiar with powerful experiences that for a brief moment completely dissolve our sense of separation. They could be triggered by various events, for instance by listening to a wonderful piece of music or looking at an impressive painting. But for me, in this respect, nothing compares to being confronted (unexpectedly) with majestic natural scenery – with overwhelming landscapes. The English language has a beautiful word for the kinds of experiences I am referring to: *awe*. This short word very aptly expresses the fact that they leave us quite speechless. We are only beginning to realise the relevance of these experiences.

More regard for the needs of others

The American psychologist Dacher Keltner and some of his colleagues have done **some very interesting, groundbreaking research** into the **experience of awe**. Their research has made it clear that ‘awe imbues people with a different sense of themselves, one that is smaller, more humble and part of something larger. Our research finds that even brief experiences of awe, such as being amid beautiful tall trees, lead people to feel less narcissistic and entitled and more attuned to the common humanity people share with one another. In the great balancing act of our social lives, between the gratification of self-interest and a concern for others, fleeting experiences of awe redefine the self in terms of the collective, and orient our actions toward the needs of those around us’.

Crime and empathy

Experiences of awe often appear to make people more friendly and empathic. Since there is a relationship between lack of empathy and crime (See my previous blog *Crime and lack of empathy in a changing world*), we may wonder whether criminals who regularly experience awe would become less criminal. Could these kinds of experiences transform them into ‘better’, more law-abiding citizens? Interestingly, **it has been argued** that ‘nature-deficit’, a lack of confrontation with nature, might stimulate criminal behaviour. So might – on the other hand – decreasing this ‘nature-deficit’ then help to reduce crime? If this is true, it could have great significance for the legal authorities.

Being awe-deprived

Unfortunately, however, our modern society doesn't really help us to experience awe. According to Dacher Keltner and his colleagues, most people in Western countries are *awe-deprived*. They point out that nowadays both adults and children spend less time outdoors, or going to art events. There might indeed be a recent downfall in this regard, due to the rise of comfortable homes and digital communication. But if we go back in history – say a few thousand years – for the majority of our distant ancestors there was much less indoor comfort and definitely a lot more time spent outdoors. Being regularly triggered by experiences of awe might have been quite common to them, and have given them an expanded sense of self, an intimate connection to their natural environment. Because of this, they might have been more empathic towards their fellow human beings than we modern, awe-deprived humans.

Reconnecting to our roots

So if collectively we have had more direct and widespread access to this expanded sense of self in the distant past, we can imagine that it was gradually driven to the background when the ego started to dominate the human world from about 6000 years ago – as has been described so well by Steve Taylor in his book *The Fall*. Thinking a little further along this line, we might wonder whether experiences of awe in fact reawaken this very ancient awareness in us – an awareness which existed before language evolved, and can still leave us speechless in 2018! They can make us realise how thin the surface of our sense of separation actually is when it can be dissolved that easily. Who knows, Mother Nature herself offers us these experiences of awe every now and then to help us heal our sense of alienation and to reconnect to our roots – to help us remember who we actually are!

The ego and awareness knob

Although all experiences of awe are of course temporary and always fade away, they tend to leave residues in our minds, strong reminders that we are not just separated selves, mere egos, but at a deeper level interconnected beings – that essentially we have a dual nature. In this respect, Anita Moorjani has suggested (in her book *What if this is Heaven?*) that we all possess two remote control knobs, an ego and an awareness knob, which are both at level 10 when we are born. I'd say that the ego knob only evolves after a few years, but this doesn't take away the power of her imagery. According to her, through our awareness we know 'that we are far more expansive, more powerful, and more magnificent than we have ever been led

to believe.’ She further argues: ‘If someone has a high ego volume, making them appear to be overly egotistical, they just need to be encouraged to turn up the volume of their awareness and allow them to feel connected with everyone else again.’

Turning up the awareness knob

Interestingly, Moorjani points out that no one is excluded from having both knobs, however much the volume of the awareness knob might have been turned down to almost zero – as for instance might be the case with criminals. In their case, it is particularly important not to focus on trying to turn down the ego knob, but on trying to create opportunities that will turn up the awareness knob. This is where the experiences of awe come in. If we believe in their healing power, we can see that projects to take prisoners out of their cells and **confront them with wild scenery**, preferably even for longer periods, make a lot of sense. When Mother Nature provides them with experiences of awe – thereby turning up the volume of their awareness knob – the results can only be beneficial.

The general message is, of course, that we can all contribute to making the modern world a nicer place to live in by spending a little more time outdoors in natural environments – and in the process exposing ourselves to potentially transformative experiences of awe.

10 Why feminism is good for men as well

June 2018

Some people today believe that feminism **is not necessary anymore**, or that it is time for an anti-feminist movement to reevaluate **masculine values**. The Dutch author Jens van Tricht contributes to this discussion by arguing instead (in his recently published book entitled *Waarom feminisme goed is voor mannen*) that feminism is also relevant for men. Like the female feminists **Chimamanda Ngozi Adichie** or **Malala Yousafsai**, he believes that feminism is not just about improving the position of women, but about correcting the patriarchal imbalance between the sexes, so that we all (women *and* men) can grow into balanced, mature human beings. In his book, he also deals with the concept of violence, and therefore it might also be of interest to legal scholars and criminologists.

Patriarchy

Central to van Tricht's argument is that we still live in a patriarchal society, in which masculinity and femininity are not only strictly distinguished from one another, but are also hierarchically ordered. The qualities associated with masculinity – like being tough, active, strong, independent, rational and competitive – are considered more important than the qualities associated with femininity – like being gentle, weak, passive, dependent, sensitive, cooperative and caring. In this system, people tend to consider themselves first and foremost as independent and competitive beings and only secondly as interconnected, cooperative beings. The masculine perspective is always the starting point, and considered an unchangeable reality. But in fact, as feminist research has revealed, it is only a partial view – a view open to criticism and change.

Violence

One of the ways in which this view has manifested itself is through the use of violence. Van Tricht shows that it is not only states that have been legally permitted to use it, due to their 'monopoly on violence', violence is also considered a legitimate means for dealing with conflict in general. And statistics have revealed that most violence is used by men. He notes that researchers investigating the causes of current global problems in which men play a prominent role – including violence, but also, for instance, radicalisation and warfare – have paid a lot of attention to diverse fields like 'education, upbringing, religion, culture, media and ethnicity'. But why, he

wonders, have they hardly ever investigated the role that masculinity might have played?

Male offenders and female victims

Not only is violence most often used by men, women often become the victims (as shown by the **#MeToo phenomenon**). Van Tricht points out that the different masculine and feminine identities are very much interwoven in this. Due to the dominating ‘masculinity codes’ – which suppose that men are basically active, aggressive and competitive –, men sooner become offenders than women. And due to the existing ‘femininity codes’ – which suppose that women are basically passive, peaceful, caring and understanding –, women are more likely become victims. He also argues that ‘real men’ need constant confirmation of their identity: they must keep on showing other men and the rest of the world that they definitely have no feminine characteristics – which are simultaneously feared and despised. Of course this affects their relationship with women in a negative way as well.

Preventing violence

Van Tricht adds, however, that men have also become victims and that the majority of men are not violent at all. Therefore we should not blame them, but acknowledge instead that the real cause must be sought in the very limiting masculine role that men have been taught to play. He believes that we need the so-called ‘feminine’ qualities of care, vulnerability, empathy and compassion to prevent violence or reduce it. (See my previous blog on this theme: *Crime and lack of empathy in a changing world*). That’s why it is so important that men start realising that they possess these as well. According to him, men were also familiar with these qualities long ago, when they were still vulnerable little children.

Becoming mature human beings

Van Tricht thinks that the distinction between masculinity and femininity, and the way these are associated with men and women, has always been quite artificial. Research has made it clear that there are far more differences among individual men and among individual women than between those two groups. Yet this artificial distinction still seems to persist. He considers it very important that men outgrow the ‘masculinity codes’, as they have prevented them from accessing their authentic selves and have blocked their opportunity to grow into mature human beings.

Men's emancipation

The same, of course, goes for the 'femininity codes'. But women have already been involved with their own emancipation since the 19th century and have gradually managed to develop their 'masculine side' on a large scale. Among men, there has not yet been a comparable development. And because 'real men' have consciously kept away from everything considered 'feminine' (referred to earlier), they have also left the 'feminine' practice of self-reflection to women. Yet, according to van Tricht, this is the very practice men badly need these days, to trigger their own emancipation. He has set an example for this himself, by regularly giving workshops to groups of men over the past few decades. With the same practical goal in mind, he has run the organisation **Emancipator** since 2014.

Beneficial effects

Van Tricht is convinced that men's emancipation would not only help us to better deal with violence, it would also generally improve the relationship of men with themselves, with other men and with women. It would even be beneficial to Western civilisation as a whole. He believes that we must first individually work on ourselves and find an inner balance, before we can properly deal with the larger crises that humanity is facing today – such as 'climate change, exhaustion of the earth, increasing poverty, the threat of war and other violent conflicts'.

Of course, **one could criticise** van Tricht for not including evidence of the existence of **pre-patriarchal societies** to support his message. But even without it, his book is still a very interesting read.

*Note for Dutch readers: Jens van Tricht was interviewed about his book in the television programme **VPRO boeken**.*

11 Traffic jams and smoking bans

May 2018

In April this year two issues were reported in the Dutch news. The first was about the increase in the number and length of traffic jams: once again something has to be done about this recurring problem. The second issue was about new measures concerning smoking bans. We live in a world in which we are used to dealing with each individual problem separately. But it's interesting to sometimes consider certain issues together, in relation to each other. As I will argue in this blog, in these particular cases our underlying insincerity when it comes to dealing with ecological matters is revealed.

Traffic jams

Research has shown that **the number and length of traffic jams** has increased yet again – an issue that keeps appearing **on the agenda** of urban areas. This time traffic accidents and the bad weather have apparently influenced the figures, but on top of that quite a grim picture is painted with regard to the increase in traffic jams in the near future. We are warned that if we want to prevent this, we have to take action now. Improving the existing roads and spreading the flow of traffic over more hours is seriously being considered these days. However, it should not come as a surprise that in the end we seem to be able to deal with this issue in one particular way only: by creating more roads and more lanes to make way for more traffic.

A decade ago

Dutch comedian Dolf Jansen touched on this topic nearly ten years ago, in 2009 (in his collection of columns *AfvalLEN door seks*, p. 20-22): 'I really and sincerely don't understand it. When for already twenty, thirty years it has become obvious that creating more tarmac only causes traffic to increase. When solving a bottleneck only results in a new bottleneck five or ten kilometres down the road, when the only thing that demonstrably disappears are not the traffic jams, but beautiful places and views and areas of irreplaceable nature, to not even mention the health of anyone who lives somewhere near the new and widened roads. How is it possible that we, now with united forces and urgency, continue on this unwholesome way?' He fears that in the end the entire country will be transformed into a 'gleaming black tarmac surface' (*my translation*).

It is quite obvious that better roads with more lanes have inspired people, and probably will continue to inspire people, to buy their houses further away

from their work – indeed, in quiet country areas where the air is a lot cleaner. And by doing so, they keep contributing to the rising level of pollution; and by continuously having to commute between two places and two communities, they no longer fully belong to either of them.

Smoking bans

The other issue in the news recently concerned extending the smoking bans to the designated spaces created by bar owners for their smoking clientele. It has been decided that within two years these **must all be closed**. We all know that smoking is bad for our health and it is reasonable to take measures to protect the health of other non-smoking people. But what is the problem when addicted smokers are happily smoking together in a separate room and consciously polluting one another? There are no innocent victims involved here. Some people even call for extending the smoking bans to **the open air spaces** outside the restaurants and bars. OK, in this case an occasional gust of wind might blow the smoke towards an innocent, non-smoking person (like me...) sitting at the next table...

Allowing or preventing pollution?

This is a good starting point to bring back the other issue: dealing with traffic (jams). The city councils of the major cities in the Netherlands are aware that car and motorcycle fumes polluting the city centres are far worse than the smoke of some cigarettes. Therefore, more and more measures are being taken to ban the most polluting vehicles from so-called *environmental zones* in these city centres (and to **promote cycling** instead). Here we can see that the two issues overlap a bit, but still two conflicting approaches to the environmental problems become visible: on the one hand, we facilitate car drivers by creating more roads between cities and towns, allowing for more pollution and to the detriment of our health; and on the other hand, we extend smoking bans and ban cars from city centres to decrease the level of pollution and improve our health. Our attention is diverted to individual smokers and individual car drivers, to a scale we can handle quite easily, while we are not dealing properly with the major issue at hand: the rise in traffic jams between the cities and towns – which involves the even larger issue of global climate change.

Public transport and the lack of environmental awareness

I subscribe to the critical observations by Dolf Jansen above. Like me, he is one of the few men left who do not possess a driving license, and – whenever possible – travel by public transport (or by bike or on foot). Although the

Netherlands – compared to many other countries – has a fantastic network of public transport, somehow the car has managed to maintain its high status, its mythical appeal as the vehicle which grants us the freedom to individually explore the world (cleverly promoted by powerful adverts).

I think this mythical worship of the car, and the fragmented and contradictory ways in which we continue to deal with environmental issues, can occur because we do not yet realise what it means to be truly environmentally aware. As I argued in a previous blog (*The reality of climate change*), this means putting the environment first and our human lives second – acknowledging the power of the larger natural world in which our much smaller lives are always embedded. Until we have realised this, I expect we will continue to take these kinds of contradictory measures.

12 Money money money... in a rich man's world

March 2018

In 2013 I wrote a [blog](#) on this site about the excessive salaries of managers and television celebrities (in the public sector). Recently the Dutch bank ING announced that Ralph Hamers, Chairman of its Executive Board, would receive a 50% increase of his annual salary – to thank him for what he has achieved. His salary was 2 million Euros and now it would become 3 million Euros. That is, if the shareholders would agree with this proposal in April. To modest earners like myself, these kinds of amounts of money are pretty unreal. What could it add to one's life quality?

Disbelief and disgust

In the aftermath of the financial crisis of 2008 there was some hope that things were going to change, and this hope became even stronger when researchers like the Dutch anthropologist and journalist [Joris Luyendijk](#) painfully exposed the ways of the bankers. ING's proposal to raise the chairman's salary so dramatically – and even considering this quite normal – was a clear indication, however, that in this respect the bankers' outlook had not changed at all. It should not have surprised them that it did not take long before widespread feelings of disbelief and disgust were expressed through the media.

The private and public sector

Because the banks are considered part of the private sector, the existing laws dealing with salaries in the public sector had not been able to successfully limit the salary increases in the banks. On March 11 Jesse Klaver, leader of the Dutch green party GroenLinks, announced in the television programme [Buitenhof](#) that he had found a way to prevent these kinds of salary increases: by creating an *emergency law*, which would make the so-called *system banks* – big banks like ING that cannot be allowed to fail and therefore have a public function – part of the public sector. On March 13, ING gave in to public pressure and the proposal to raise Hamers' salary [was withdrawn](#). Klaver was not convinced that it would not happen again and

continues with the creation of this new law. Indeed, there is no sign yet of any real change.

Look who's talking

It is really ironic that Jan Peter Balkenende, a former Dutch Prime Minister who since 2017 is a member of ING's **Supervisory Board**, has been involved directly with the proposal to raise Hamers' salary. He had once fought for the acceptance of the *Balkenende norm*, a rule which limited the annual salary of 'big earners' in the public sector to 130 percent of the salary of a minister (which in 2017 was 228,559 Euros). OK, perhaps he voted against it, but still... There was also some irony in the fact that the salary increase was discussed and criticised extensively in talk shows on television whose presenters themselves earn excessive salaries... And what about the fact that the news of the ING proposal was broadcast on March 8, **International Women's Day**? On this day it was stressed once again that women all over the world still earn less than men for the same kind of work. But then, of course, one could argue that Hamers' job is simply incomparable to any other job.

From quantity back to quality

To put the discussion about excessive salary increases in perspective, in my blog of 2013 I reflected on the meaning of *value*, and on the difference between quality and quantity. What I said then about the public sector also makes sense for the private sector:

Originally 'value' was a qualitative, immaterial concept, but we have become used to quantifying quality. Often this works out fine. In schools and universities we rate quality through quantitative figures. And we give presents to others to express our gratitude. But it becomes problematic when we focus too exclusively on quantity. Attaching a positive value to a constant increase in the amount of money one earns, shows there's something fundamentally wrong. If we really want the 'big earners' in the public sector to be satisfied with a lower salary, we first have to find other ways to express our values: we have to go back to the source.

The fact that even these 'big earners' still aim for a salary increase reveals something important: the expected salary increase is really an exterior substitute for our innate longing for inner development. Or perhaps more accurately: a substitute for our lack of inner development. But a substitute, of course, can never fully replace the original. If we (collectively) manage to

rediscover that the real value of life lies in inner development – in making our lives gradually richer in an immaterial way, increasing our enjoyment of 'little things', opening up to others, pursuing a personal interest, going for a good walk, etc. – rather than focus on the importance of earning an extravagant salary, then the need to exceed the salary of other people might become less.

Quality in the real world

Rereading these words and knowing that the proposal for Hamers' salary increase has been withdrawn, I still wonder whether we have made any progress since 2013. This ING case has made it clear once more that the greed-is-good mentality is far from gone. The only lesson that bankers will probably learn from this is to avoid media attention in future. But despite this, I'm sure that in the longer run things are going to improve. Joris Luyendijk's observation (in his book '[Among the Bankers](#)') that the bankers' world is completely out of touch with reality, is important here. Eventually it will all come down to who is (or isn't) in touch with the *real world*, with the quality of life in its diverse manifestations – indeed, who can enjoy the 'little things' which cost nothing at all. The value of these 'priceless' experiences can never be beaten by a million Euros – which, after all, in comparison is just a huge stack of coloured paper, or a one with six zeros shining on a screen.

Note: Thanks of course to [ABBA](#) for giving me inspiration for the title.

13 An exploration into uncharted legal territory

February 2018

I was pleased to find a book recently in which a fascinating relationship is revealed between the scientific worlds of law and physics. The book, entitled *The Ecology of Law*, was already published in 2015 and is the result of a collaboration between physicist **Fritjof Capra**, well known of course for the bestsellers *The Tao of Physics* and *The Web of Life*, and lawyer and activist **Ugo Mattei**. They believe that it is high time for the legal world to update its underlying, but very outdated, scientific view, which was created by people like Descartes, Bacon, Newton, Locke and Hobbes hundreds of years ago. To help us to deal with the crises facing us today, they argue that the legal world must adopt the holistic approach to science, as for instance expressed in *systems thinking*. According to them, this new approach involves a thorough reevaluation of our ideas about private property and the commons; but also letting go of top-down ways of legislation and handing back law to the communities where it originally belonged.

The humanist interpretation of Roman law

I am aware that their vision is way too comprehensive to be captured fully in this blog. But by pointing to some of its important elements, I hope you still get a good idea of what the book is about. They start by reviewing the legacy of the Roman legal system which laid the basis for the mechanistic approach. In this system private property and ownership, which at that time was exclusively limited to an urban elite, was a central element. Much later, during the period of the ‘Scientific Revolution’, Roman law helped the humanists to legally justify fencing off the commons and turning them into private property. The commons had existed everywhere in the countryside, in a system of long-term relationships and mutual duties between the individual and the community. From that period on the unwritten laws, on which these commons were based, were no longer considered ‘real law’. Although Roman law had made a distinction between ‘things which belong to no one’ (*res nullius*), ‘things which belong to everybody’ (*res communis omnium*), and ‘things of the city’ (*res publicae*), 16th century humanist interpreters

exclusively focused on *res nullius*, which provided the legal basis for turning the commons into private properties.

The legacy of Hugo de Groot and John Locke

Capra and Mattei go on to argue that through the work of (legal) scholars like Hugo de Groot and John Locke the spirit of the Scientific Revolution, in particular Cartesian rationalism, has also deeply influenced the shaping of legal theory and of the framework of the legal institutions. Interesting in this respect is that, according to them, De Groot used ‘objective, universal principles based on reason’ to serve the powerful VOC clients, and Locke – in line with new physical ideas about movements of separate atoms and molecules – attempted to reduce the observed phenomena in society to behaviour of individual beings. In the ‘New World’ the Western rational legal system continued to develop its ‘extractive potential’: the idea that the land on which the indigenous people lived was not so much belonging to everyone but belonging to no one – in other words, qualified as *res nullius* – justified the widespread acquisition of land and natural sources. This way – the authors observe – rationally based natural law became the instrument of exploitation and robbery.

Top-down legislation

They state that a fundamental legacy of early modernism is the top-down realisation of human legislation, which is still very much alive today: by making the transmission of legal knowledge from one generation to another an exclusive university affair, bottom-up legal customs established by the community are systematically marginalised; the limitation of the choice between the interest of private property and state sovereignty prevents the development of other viewpoints; and this professionalisation process has taken law away from the communities, where it originally belonged.

Capra and Mattei believe that the communities should be given back the control of their own legal order. They think that this is especially important now, as for the first time since the birth of the modern state the private sector has become more powerful than the government: the financial crisis of 2008 has made this very clear. In this respect, the book also shows to what extent the economic and legal worlds have always been inextricably interwoven.

Towards a bottom-up, holistic legal view

Capra and Mattei suggest we should come to realise again that together we are the law and see through the ideological veil of the current legal system, which in their view is abstract and mechanical, the ‘property’ of the state,

artificially being kept far away from individual people. Instead of this, a holistic legal vision must be developed in which law – in line with current *systems thinking* in science – is considered a continuous process of negotiation to make cultural connections. Because the commons – translated as ‘communal property’ but in fact the very opposite of property – have always worked according to the bottom-up method, they have the potential to become the heart of a new legal system in the shape of a large network which can spread over the world through cooperation and partnership. This ecological community – which includes beside humans also animals and the rest of nature on which our lives depend – must become the basis of a new form of eco legislation. I can see a link here to current ideas about [the rising Earth Community](#).

Of course, these ideas are open to criticism. For instance, Matt Ridley has argued (in *The Evolution of Everything*, p. 33-36) that only the civil law tradition of continental Europe has been created top-down, and that common law has always been created bottom-up. And Capra and Mattei do not mention other adventurous legal scholars like Cormac Cullinan and Polly Higgins, whose ecologically inspired ideas point in the same direction (see my previous blogs: *Respecting the rights of Mother Earth, Inspired by Wilderness*). But this doesn’t alter the fact that they have written a very important book, which deserves to be read by many.

Note: The book has also been translated into Dutch (in 2016): ‘Ecologie en wet. Naar een nieuwe balans tussen recht, ecologie en samenleving.’

14 The natural process of mutual integration

January 2018

Integration is high on the agenda everywhere in the world today. Although it is obvious that immigrants must accept the laws of their new country, to what extent should they also adapt to the unwritten ways of that country? In December last year the Iraqi writer Rodaan Al Galidi, who has lived in the Netherlands since 1998, offered a few interesting (and amusing) insights into the phenomenon of integration **in a book programme** on Dutch TV in which he was interviewed about his latest book of short stories. After having done some historical research into integration, he had come to realise that in his relatively short period in the Netherlands he had changed much more than the Dutch had ever done when they migrated to countries like Canada and Australia. He discovered that they had simply continued their old ways in their new habitat. More generally speaking, it is true of course that right from the beginning of Western imperialism it never crossed the minds of European colonists to adapt to the culture of the inhabitants of the countries they settled in. So how can Western countries today rightfully demand that immigrants adapt to their ways?

Land transforming people

Valery Andrews offered some interesting insights into the phenomenon of integration in her wonderful book *A Passion for This Earth*. Right at the start she refers to ‘an intriguing story’ she found in one of Laurence Durrell’s books, ‘about a group of Chinese immigrants who came to San Francisco in the 1940s. Within the space of two generations, this group had ceased to look like “homegrown” Chinese. He is quick to point out that the people did not intermarry. Instead, they were transformed by the land, which exerts its own magnetic pull upon the body and the spirit. This story reminds us that there is a profound relationship between the human and the earth and that we are transformed by a continual exchange of energies.’ (p. 5) A little further on in the book she says: ‘The land is truly the larger body that contains us; it is our second skin.’ (p. 18) Unfortunately the settling European colonists did not have that kind of wisdom: ‘Part of the problem is that America became a nation before it had the chance to know itself as *a land*. When the French,

the English and the Dutch came to this continent, they brought their customs and cultural traditions, ignoring the Native Americans who had a deeper understanding of this earth.’ (p. 20).

Historical precedents

This process of largely ignoring the cultural roots of the native population, or even consciously trying to eradicate them, actually has a long history. It was already the mentality of the invading Indo-Europeans tribes who entered ‘Old Europe’ and settled there from about 4000-2000 BC. Later it was continued by the Romans when they spread their Empire across Europe and further, and much later still by the Christian rulers who tried to destroy the age-old pagan, earthbound traditions. Finally, the colonists sailing off to the ‘New World’ took this mentality of one-sided dominance with them. But despite its persistent nature the native cultural roots often managed to survive anyway.

Mixing cultural elements

In this respect Robert Pirsig suggested in his novel *Lila. An Inquiry into Morals* that American culture has adopted more elements from the culture of the American Indians (as he still called them) than we usually have assumed: they were the originators of American English, of the typical American personality characteristics, and – perhaps most importantly – of the idea that ‘all men are created equal’, which became the foundation of the US Declaration of Independence (p. 39-48). So Pirsig believed that the native population and the settling colonists have mutually influenced one another: together they gave shape to the newly arising culture. It is an interesting idea that the powerful presence of the land itself – which Valerie Andrews so meaningfully called *our second skin* – might have contributed independently to the survival of the native tradition. By the way, the American example shows that mutual integration is often a very slow process. Even after many centuries, the US has not yet reached the cultural balance of ‘all men are created equal’ within its own borders...

No more fear of ‘foreign’ cultures!

This doesn’t alter the fact that integration has always been – and will always be – a mutual process: both traditions will be transformed into a new one. The legal authorities need only create laws to facilitate this natural process. And native people today – anywhere in the world – need not worry too much that their culture will get wiped away by waves of incoming migrants. When a native culture is deeply rooted in the land, it will simply be stronger than

the uprooted culture of the migrants. But of course new settling people will introduce changes anyway, in the sense that life cannot be anything but a process of perpetual change. They might bring new technologies, new food products, new customs, new rituals, new music, and so on. They might even help to make the native inhabitants aware again of the beauty of the country they had come to take for granted!

Living culture

When new cultural elements and native ones are allowed to fuse naturally, the result is a *living culture* – a culture which continues to be receptive of changes and is characterised by **including diversity**. The results of these kinds of fusions are shown in many diverse fields. Without the **wild tomato** from the Andes and the noodles that **Marco Polo** is supposed to have brought from China there would be no Italian Spaghetti Bolognese. Nearly all the instruments used in **traditional Irish music** today at some stage were imported into Ireland. There is no Christmas without the age-old pagan celebration of the **winter-solstice**. And so on.

However slow the process of mutual integration might be, we can be sure that we are always moving towards it. There is no other way – if we want our culture to remain open and alive.

15 Male privilege and the abuse of power

November 2017

No one had foreseen that the #MeToo reports would spread so quickly all over the planet. We still believed until quite recently that sexual abuse was something exceptional, limited primarily to the Catholic clergy. Now, the truth about many powerful people in various secular institutions has been fully exposed. It is becoming very clear that we are dealing with something major here that must have been building up under the surface for a long time.

The masculine norm

In a reaction to these reports [Renée Römken](#)s argued on November 18 in the [Dutch newspaper Trouw](#) that although intervention by criminal law is necessary as a last resort, in cases involving sexual harassment it is not always the best route for restoring justice. She also emphasised that the problem of sexual intimidation is not new, as the Women's Movement had already acknowledged it much earlier. It reflects 'traditions in which masculinity is the norm and femininity by definition is subordinate to it'. She thinks that sexual intimidation has been made possible by the power differences in organisations where men are in charge and that #MeToo is only just the beginning: once the media attention dies down, we should keep on talking about masculinity, sex and power.

A historical powershift

If this is only the beginning, we may also start to wonder about the past: how long have these power differences existed and when did they start? In this respect a book comes to mind that is well known in feminist circles and has placed the history of power in a new, comprehensive perspective: *The Chalice and the Blade* by Riane Eisler. In this book Eisler made the distinction between a feminine oriented 'partnership culture', symbolised by the chalice, and a masculine inspired 'dominator culture', symbolised by the blade. According to her, a major powershift occurred about four thousand years ago when a dominator culture emerged and started to suppress an age-old partnership culture in which women and men were equally valued. That's the bad news. The good news, though, is that she sees a lot of evidence that in our lifetime the tables are turning again towards a partnership culture – a theme she worked out in [her later books](#).

Two forms of power

There are other thinkers who have something important to say about this issue, like **Scilla Elworthy**. In her book *Power & Sex* she distinguishes two kinds of power: on the one hand a feminine *power to*, which she calls ‘**hara power**’ and is internal, located in the belly and focused on being open to and cooperative with others; and on the other hand a masculine *power over*, which she calls ‘domination power’ and is external, focused on forcing others to do what you want them to do. Although Elworthy keeps on repeating throughout her book that both women and men have access to these two forms of power, like Eisler she acknowledges that historically the widespread emergence of domination power happened primarily through men. This also resulted in women being devaluated to male property, which enabled men to exercise constant control over the lives of women and in particular over their sexuality. According to Elworthy this reign of domination power could only be realised at the expense of **hara power**. Yet, she believes that this is the kind of **inner, bottom-up power** we badly need today, and fortunately we are currently rediscovering it, individually and collectively.

Gaining and losing power

Dacher Keltner, an American psychologist, provided me with some surprising, additional insights into the world of power. In his book *The Power Paradox* he shows that the Machiavellian idea of power – the idea that power is something you always exert externally over others – is a very outdated and limited view on power, which might have suited the violent ways of the Renaissance world in which Machiavelli lived, but not our modern world. He argues that real power is something else altogether and has everything to do with – as he calls it – ‘making a difference in the world’ – which can only be realised when our attention is focused on other people, when we fully empathise with them. He stresses that real power must always be given, and can never be taken from others or be forced on them. The title of the book refers to the fact that once we possess power it is very difficult to continue on the path of maintaining it, to realise ‘enduring power’. There is always the looming danger of a complete reversal, of a shift towards force and abuse. Keltner believes that this shift to using force to maintain our power, is actually a sign of losing power – which would mean that sexual abuse is really evidence of being powerless! (You can also watch him **talk about power** on YouTube.)

The beginning of a beneficial transformation

The message of all these people is quite similar and touches directly on the theme of #MeToo: when we manage to reconnect with our inner power and start living again in a partnership way, there will be little chance of sexual harassment. Of course, the power of attraction will still be there in full force, but it will be a mutual, equal exchange – an expression of power in balance. Although the presence of some very masculine leaders in the world today might give us the wrong impression that dominator power is still on the rise, research reveals that the reverse is true: a long era of unquestioned male privilege – which for a few thousand years has been the ‘tradition’ – is coming to an end. As Renée Römken said, we are now only witnessing a beginning. And I believe – with Eisler, Elworthy, Keltner and others – that we are on the verge of a major transformation in the way we experience power in our culture. This will not just result in more sexual equality, but will bring positive changes in many other fields as well. In fact, it will be beneficial to all life on our precious planet.

16 The ethical dimension of ancient laws

November 2017

Recently I came across an interesting book: *Ancient Laws & Modern Problems* by John Sassoon, published in 2001, which I read with great pleasure. Although Sassoon considers himself ‘the textbook outsider: outside the community that studies ancient Mesopotamia, outside any community that studies law’, he thinks this might be the very reason why he could write this kind of book that ‘does not seem to have been written before’. While reading it, I was happy to realise that his findings agree with the viewpoint that I had expressed in my blog about *The law that everyone should know*. But more importantly, they also help to give meaning to some major events in our society which happened after he wrote his book. To connect his ideas to these, I will highlight some essential elements from his book (hopefully without doing too much harm to the whole of his comprehensive message.)

Correcting wrong assumptions

Sassoon thinks that a few wrong assumptions with regard to the historical development of law have seriously blocked our understanding of it (and must be done away with): too often we still tend to look at ancient laws from a modern perspective; we also tend to limit our conception of law to the written laws and exclude the unwritten laws from the law field by (dis)qualifying them as mere ‘customs’; and we still tend to think that the law field has developed from simple laws to the complex legal system of the modern world. According to Sassoon, however, the Sumerian legal system was also complex, but in a different way: it expressed a conception of law that included and expressed an oral law tradition which had existed since the Stone Age.

From restoring a balance to cruel penalties

Sassoon believes that since the Stone Age there have been laws that were transmitted by word of mouth and memorized from an early age: ‘We have no direct evidence for laws in the Stone Age, but laws there must have been because Stone Age society endured.’ (p. 24-26) He also believes that a continuance existed between these oral laws and the first Sumerian written laws, which attempted to restore a balance and ‘were often surprisingly liberal, but by the time of Hammurabi, while the laws were much the same, many of the penalties had become almost inexplicably cruel.’(p. 38). The principle of Talion (‘an eye for an eye’) was part of these new harsher

penalties which, according to Sassoon, originated ‘among the people of the desert whose life-style suits a justice that comes swiftly and cheap.’(p. 143) He is convinced that it was introduced into Sumerian culture from the outside, by the nomadic tribes that lived in the surrounding deserts and managed to take control of the town of Babylon. Hammurabi himself was part of this new elite.

The paradox of freedom and individual justice

According to Sassoon the original Sumerian legal system was very flexible: judges were not bound by written laws and could freely consult individual circumstances. Although it was a very social world with strong family ties and much less freedom than our modern world, there was an ethical dimension included in its legal system which nevertheless enabled judges to achieve individual justice. In our modern society, which of course is on a much larger scale, individual freedom has gained enormous importance. Yet due to the extensive body of written laws which tries to cover all possible circumstances, the laws have become very abstract and generalized. Particular cases have to fit into the general descriptions of laws, thereby leaving little space for individual justice. And because of the exclusive focus on written law, the ethical dimension has gradually withered. It has given people a conviction that they can do anything as long as it is not forbidden by law.

Banks and other modern institutions

We have seen how this conviction - anything is allowed when no law forbids it - led to the financial crisis of 2008, only seven years after Sassoon published his book. The Dutch anthropologist and journalist Joris Luyendijk has argued that bankers might live a moral life at home, but they generally don't apply this morality at work. (See my previous blog on this theme: *The amoral mentality of bankers*.) Then the existing written laws completely determine their behaviour, and they do not care about the resulting social and environmental damage. The financial crisis has shown how much damage the absence of the ethical dimension can do. In his talks, and also in a **little book** published in 2017, Luyendijk has argued that this attitude is not limited to the financial world and also exists in many other sectors. It affirms Sassoon's view on the withering of the ethical dimension due to the nature of the modern legal system.

More ‘ethical injustice’

Recently I came across more examples of how we often assume that we are

allowed to do anything as long it is not legally forbidden. In one news item, a Dutch builder argued that he was allowed to plan and build houses in the countryside simply because there were no laws or regulations preventing it. The further reduction and destruction of the – already sparse – countryside in the densely populated western half of the Netherlands apparently did not bother him at all. Another news item reported that a Dutch woman, who fled from her violent Australian husband with an 18-month-old child, will probably be forced by a Dutch court decision to hand over her child to him, even though it was clear he had been mistreating her regularly and had also been convicted for violence in Australia. Another, ongoing item: many food producers have no problem spraying their vegetables with dangerous toxins just because they are not (yet) forbidden by law. Or what about the recent revelations of the Paradise Papers...?

Perhaps it is high time to acknowledge the value of the ethical dimension once again, and in this respect to restore our trust in human nature. Who

17 In need of the wisdom of de-escalation

October 2017

In the recent **political conflict** between the US and North Korea we are witnessing once again that the ingredients for escalation are very simple: just react to threatening words with a more powerful counter threat, to which the other party subsequently reacts with an even bigger threat, and so on. When ‘world leaders’ allow themselves to be dictated by whatever their anger tells them, I (and many people with me I’m sure) wonder what kind of example are they to the millions of inhabitants of their country? And have they really no idea what is at stake here?

No glorious victories anymore

It’s a well-known psychological fact that anger and broadminded viewpoints do not go well together. It is truly amazing that some ‘world leaders’ today can still believe that war can result in a glorious victory. The reality is of course that warfare usually results (particularly in ‘modern times’) in countless innocent victims, in massive destruction of houses and of the whole infrastructure, and in immense suffering, which will continue for decades after the war has ended. And this also tends to happen to the very people the leaders are supposed to have represented and served. On top of that, the use of nuclear weapons will unavoidably result in an ecological disaster of an as yet unknown scope, but definitely affecting all life on the planet. Where is the glory in all of this? Enough reason, I think – and truly in the interest of everyone! – to give de-escalation of these kinds of conflicts an absolute priority. But what can we do?2

Small-scale conflicts

To get an idea about the actual difficulty of de-escalation, it is best to start close to home, for instance with understanding and trying to stop a small-scale conflict with our neighbours. In a **previous blog** (*Watching quarrelling neighbours*) I wrote about these kinds of conflicts, which usually begin with something quite insignificant like overhanging branches, but often need legal intervention or mediation by a third party to bring both opponents to their senses again. They might start realizing how in time they unwarily have let the imaginary wall between them become ever bigger and harder to break down. If it is already so difficult to deal with conflicts on a small scale, how can we expect to be able to deal effectively with conflicts between countries?

An attempt to understand (de-)escalation

Interesting in this regard is the research of anthropologist Gregory Bateson (in *Steps to an Ecology of Mind*). He argued that escalation of the kind of conflict we are talking about is caused by the fact that it is an exclusive *symmetrical relationship* – a relationship in which two parties are equal competitors and always respond with similar behaviour. To avoid this escalation an additional *complementary relationship* is needed – a relationship characterized by dominance-submission, by yielding to or supporting the other. A referee in a soccer game is a good example of this additional complementary relationship. Bateson believed a relationship was only balanced when it contained both symmetrical and complementary elements. Of course, on a small scale law offers important means to make complementary intervention by a third party possible (e.g. police, lawyers or judges), but it has limited means to stop escalation in international conflicts.

Unconventional mediation

More hope is coming from the field of mediation, but for this complementary intervention to work well I think we must go beyond the conventional kind of diplomacy. In this respect I was inspired by a Dutch television programme called ‘The family dinner’ (*Het familiediner*), which deals with solving long-lasting family conflicts in an original way. Initiated by one particular family member the presenter of the programme, in his role as a mediator, pays a separate visit to both conflict-ridden parties and starts off by offering them some little present which touches on the essence of the conflict and opens up their closed-off mind. After some additional talk he invites them to a family dinner later that night – often with wonderful results.

I wondered: would this kind of approach – in a slightly adapted version – not also work well between conflict-driven ‘world leaders’? I imagine that the best person for the role of the mediator would be an astronaut – someone who during his voyages has actually experienced earth as one beautiful whole. As a surprise present he could bring some pictures of our blue planet, and ask both ‘world leaders’ (separately of course) how they can fit their international conflict into the much larger planetary scale. Then he invites both to a dinner for two (somewhere on ‘neutral terrain’, without cameras), and hopefully their planetary awareness will have been raised enough to discover the benefits of cooperation...

Poetical wisdom

Of course I did not seriously think this was going to happen... Although I also doubt that poetry can transform the minds of politicians in a significant

way, I am going to finish this blog by quoting a poem, by the Irish poet **Patrick Kavanagh**. Primarily because at different times in my own life it has helped me – and still helps me – to stop an arising conflict from escalating:

Leave them alone

There is nothing happening that you hate
That's really worthwhile slamming;
Be patient. If you only wait
You'll see time gently damning

Newspaper bedlamites who raised
Each day the devil's howl,
Versifiers who had seized
The poet's begging bowl.

The whole hysterical passing show
The hour apotheosized
Into a cul-de-sac will go
And be not even despised.

Although probably nobody manages to realize this on a permanent basis and will keep on failing, we have to keep on trying: to try to understand and transcend our own inner conflicts and also avoid involvement in others' conflicts the best we can. And at the same time, have full trust in the fact that in time all destructive intentions, whether manifesting on an international scale or in our own mind, will naturally evaporate of their own accord. This is the kind of wisdom of de-escalation that we badly need today.

18 Inspired by wilderness

August 2017

Recently during my holiday I paid a short visit to **Dartmoor** – a large, sparsely populated area in Devon which in some places is nearly untouched by human hands. Besides a few villages, scattered houses, some prehistorical stone circles and stone rows, the only sign of human presence in the region that stands out is **Dartmoor prison**, a 19th century prison that is still operational today. It's not a coincidence that it was built here: the builders were inspired by the landscape, albeit in a negative sense. In those days *wilderness* was still considered the complete opposite to *civilisation*, an ideal place to lock up some prisoners. This negative idea about wilderness has also inspired authorities to ship off criminals to other 'wild places' like Australia – as far away from civilisation as possible.

Taming wilderness

It's a fact that Western society has been able to expand across the planet because it focused intensely on taming the wilderness and believed that the creation of a civilised world required ongoing cultivation of the land and urbanisation. Through the centuries we have proved to be quite good at this business of taming, and consequently, of diminishing the value of the surrounding, living land to a pleasant *background decor* to our human society, a decor divided by borders. And in the process many animals and plants were reduced to mere producers of our food. As is well-known – but worth repeating here – this approach has also led to the decimation of the people living in the 'wild places', the indigenous populations.

Wisdom of the web

We know now that these indigenous people valued the wilderness very differently from the European colonists, representing the common Western view. Native American Chief Seattle warned the 'white men' in his famous speech in 1851 that 'Man did not weave the web of life, he is merely a strand in it. Whatever he does to the web, he does to himself.' As Native Americans naturally considered themselves part of the living land, in their view it could never be turned into an object of possession. Apparently they, and indigenous people all over the planet, did not need any scientific evidence to arrive at these kinds of insights. Not all 'white men' were insensitive to the Native American view of the wilderness – as evidenced by

Thoreau's *Walden* which was published in 1854 –, but its message only reached a wider audience from the 1960s onwards.

Trusting science

Although indigenous people arrived at their insights without any scientific evidence, with regard to dealing with climate change we prefer to keep consulting scientists, as we generally believe they are the experts in this field. They usually quantify data and put it in illustrative charts for us, like in **the recent report** published in the *Lancet*. In this article the researchers have predicted how many people will die due to climate change in the years to come. With this prediction they indirectly say to us: 'Trust science, we are still in full control.' But do we sincerely believe that the results of scientific research – rational knowledge – can put a stop to our wasteful behaviour? There is, for instance, as yet no decrease in the number and length of the traffic jams on our roads.

The growing appreciation of the wilderness

Today more writers than ever, with very different backgrounds, have become aware that we urgently need to reacquaint ourselves with the remaining indigenous people in the peripheries of the Western world and learn from the way they value wilderness for its own sake. Consult, for instance:

- **Thomas Berry**, who famously said that 'the universe is not a collection of objects, but a communion of subjects'.
- Or **Jay Griffiths**, who lived for longer periods among remaining indigenous people in different places. In her book *Wild* she wrote about their lives and about their intimate relationship with the wilderness on which they depended.
- Or the Irish philosopher and 'modern mystic' **John Moriarty**, who chose to live in a remote area in the west of Ireland, an area where – in his words – he did not see human intention and purpose; where he could think and dream *with* the mountains instead of thinking *about* them.
- Or **Arita Baaijens**, the Dutch biologist and explorer who travelled for many years through African deserts and more recently through the Altai mountain range. Her long search for 'paradise' was eventually rewarded when her experience of the power of **the sacred landscape** transformed her outlook completely. In 2017 she **started a project** to integrate her newly gained insights into a Dutch context.

The legal contribution

There are also important legal contributions arising from this context of the growing appreciation of the wilderness. In this respect Cormac Cullinan should be mentioned, who has been struggling for many years to get the Rights of Mother Earth recognised globally (see my blog *Respecting the rights of Mother Earth*). Another famous ‘earth lawyer’ is Polly Higgins who has dedicated her career to campaigning for the recognition of ecocide as a major crime and to get it eradicated. Higgins believes that if we do not change our wasteful behaviour soon, countries will start global wars over scarce resources. In her view *eradicating ecocide* is an absolute necessity if we want to maintain peace on a planetary scale, and law can make an important contribution to this.

A borderless territory

But to succeed it is not sufficient to limit ourselves to reading books (or watching episodes of Planet Earth!). We also need to regularly experience the wilderness, to trigger some feeling in us that we are part of a larger, untamed world – a mere strand in the web. It can make us realise that dividing lines and borders are all human made, fictional, just like possessing pieces of land. As **Alfred Korzybsky** said: ‘The map is not the territory’. The real country we inhabit is a borderless territory. This realisation can help us to deal better with some of our current problems, including **crime** and climate change.

19 A new approach to democracy – with old roots

June 2017

In the Netherlands a majority of seats in parliament can usually only be reached when several parties join together to form a government. At the moment four parties are involved in this process. When they succeed, this government will have to make a lot of decisions based on compromise. In the UK half the population did not want a Brexit. In the US Trump won the election although more than half the population did not vote for him. To what extent do these governments still represent their citizens? In a sense, representing only half the population is still true to the original Athenian conception of democracy, which – as is well-known – excluded all women and slaves!

Earth Democracy

Do we actually dare to question the system of representative democracy as a whole? The Indian activist and physicist **Vandana Shiva** has been doing this for decades now, and even offers an alternative that should be taken seriously. In her book *Earth Democracy* she points out that ‘representative democracy is increasingly inadequate at defending our fundamental freedoms’ and that ‘no matter which party holds office (...) in reality, corporations rule’. To deal with the resulting crisis ‘we must broaden democracy to include the excluded – disfranchised communities, children, prisoners, the elderly, and the diverse species of earth. (...) We need Earth Democracy to protect our freedoms, to maintain the earth’s life support system, to ensure justice and sustainability, to end conflict and bring peace.’ The kind of freedom that she is talking about is very different from the prevalent notion of freedom based on Cartesian ‘separation and independence’, in which our dependence on ‘women, farmers, workers and other cultures and species’ is ignored. She is convinced that in a genuine sense of freedom *diversity* plays a central role, which entails, ‘above all, a commitment to let alternatives flourish in society and nature, in economic systems, and in knowledge systems.’

The three economies

For Shiva the rule of corporations must be seen in the light of our ideas about the economy. In a representative democracy the market economy is

considered to be the only economy, which has paved the way for the rule of corporations. She points out that in Earth Democracy, however, not one but three economies must be distinguished. The first one is nature's economy, which 'consists of the production of goods and services by nature – the water recycled and distributed through the hydrologic cycle, the soil fertility produced by micro-organisms, the plants fertilized by pollinators.' Second is the sustenance economy, which 'is the economy of two-thirds of humanity engaged in craft production, peasant agriculture, artisanal fishing, and indigenous forest economies.' And the last one is the market economy, which depends entirely on the first two. The practice of *including the excluded*, of conserving diversity in Earth Democracy, means that the economy should not just include all people, but also the non-human species and the living land in which they are all embedded. It means considerably enlarging the context. You could even say that the living land *is* the context.

The historical dimension

Shiva emphasises that with the concept of Earth Democracy she is not introducing a new idea, but reviving a very old one: indigenous people all over the world have been aware of this larger context, of our dependence on the earth, its cycles and on other species. Additionally, she shows that there is an important historical dimension to our ideas about the economy as well. According to her, the market economy could grow to today's dominant position, because of the 'closure of the commons' – a colonisation process which started in Europe and later spread to the other continents, displacing and uprooting the lives of the original inhabitants. First the commons were turned into private properties, then the corporations gradually increased and spread their power, and were given legal rights, culminating eventually in corporate globalisation. So in fact there has been a process of narrowing the original context to our modern conception. We are to bring it back to its original proportions.

Terra nullius or terra mater

An important factor in this process has been the different ways in which the earth was viewed and dealt with. Shiva points out that 'most sustainable cultures, in all their diversity, view the earth as *terra mater* (mother earth). They gratefully receive nature's gifts and return the debt through ecologically sustainable life styles and earth-centered cosmologies.' The colonial view was one of earth as '*terra nullius*, of an empty land, a passive earth, which denied the existence and prior rights of the original inhabitants and (...) obscured the regenerative capacity and processes of the earth.' The

dominant view today in our representative democracy is still one of *terra nullius*, but more and more people today are rediscovering *terra mater*.

Fundamentalism

Interestingly, Shiva also relates the rise of fundamentalism and terrorism to the dominance of the market economy and subsequent corporate globalisation: fundamentalists have been pushed in that direction by ‘the indignity of being treated as disposable’ and are basically driven to ‘retrieve a sense of self, of meaning, of significance.’ This is very different from the widespread (and populist) notion that fundamentalism is a phenomenon that is confronting the Western world from the outside. By showing that we must (also) acknowledge the Western contribution to it (as **Karen Armstrong** has also done), she brings it very close to us, perhaps even uncomfortably close.

Of course, in this blog I can’t do full justice to the wealth of Vandana Shiva’s ideas. It’s important to know that they are very much founded in **her practical life as an activist**. I can’t help thinking that the struggle to create a new government in the Netherlands would be eased a lot if the politicians involved could find some time to take in the larger context as well. Perhaps the break for the summer holidays would be a perfect time for this kind of reflection. I’m sure in the end this will also be beneficial to the people they represent.

20 World Wide Waste

May 2017

On 11 May 2017 the young Dutch scientist Boyan Slat presented a new version of his revolutionary programme *Ocean Clean Up*, to structurally deal with the ‘plastic soup’ that is drifting in oceans all over the world. It will start in 2018 and promises to get rid of the plastic within five years. There is no doubt that this is a great initiative, which is widely appreciated and has already helped a lot to make us aware of the existence and the extent of the problem. Yet by just focusing on the technical side of it, we might get the impression that waste problems are mere technical issues.

A plastic ocean

In the impressive documentary *A Plastic Ocean* (which can be seen on Netflix) we can see that in some places on our planet garbage, including plastic, is never collected and people literally live on top of it. Apparently the bottom of the Mediterranean in many places is littered with plastic. I didn’t know that. It also shows that some plastics break down into microplastics, spreading throughout all our oceans and being swallowed by fish and seabirds, thus entering our food chain. I didn’t know that either. You might say that from the animals’ point of view some kind of reciprocal justice is being done here. We get back what we have given...

Land- and ocean-based litter

To bring this terrible situation to a halt, we must get a clear idea about the underlying cause. Do we know where the plastic is coming from? **Femke Koekkoek** has pointed out that ‘researchers divide marine litter into two categories; land- or ocean-based. Land-based debris is litter that is blown or washed into waterways and transported to the ocean. Ocean-based litter comes from people on the coasts or from sea vessels. Scientists calculated that up to 80% of the marine debris is land-based litter.’

Wasteland beaches

So sunbathers and other visitors to beaches contribute to the remaining 20%. We all know that the fast food businesses on popular beaches still use a lot of plastic and people also bring a lot of potential waste like plastic bottles with them. But this need not result in beaches being littered with garbage, as unfortunately is still often the case.

I remember once visiting a beautiful deserted bay in the West of Ireland, which was littered with abandoned plastic bottles. These bottles had transformed this marvellous spot into a true wasteland. In the film *A Plastic Ocean* we can see that these kinds of wastelands, and some that are much worse, exist all over the planet.

Abandoned waste

When I think about land-based litter, the image of littered areas after outdoor (music) festivals comes to mind. As this kind of mess is expected by the organizers, clean-up services have usually been arranged in advance. But in a way this approach legitimises careless and wasteful behaviour: the conviction is strengthened that other people will take care of our waste.

I have just taken a walk through my hometown Leiden and noticed quite a lot of plastic waste lying on the pavements. Of course this is incomparable with some of the horrific places filmed in *A Plastic Ocean*, but it shows all the same that the problem is really on everyone's doorstep.

Reduction of plastic and separate collection

Since we have become aware of the existence of the plastic soup, international and national authorities have been triggered to take legal action. The EU has been developing a strategy against 'Plastic Pollution'. For a few years there has been a ban on plastic bags in the Netherlands: free plastic bags may no longer be given to customers in Dutch shops. On top of that, separate containers to collect plastic bags have been installed everywhere. It's a fact that these measures help to reduce the waste. But, like the initiative by *Ocean Clean Up*, I fear that they do not go beyond the material side of the problem; they only deal with the symptoms, not the cause.

The way we deal with plastic

We should realise that the problem is not so much about the plastic products themselves but about the way we – from individuals to entire societies – deal with them. Even if we throw our garbage into the designated containers at home, do we know where it will end up? Do we know what happens to the waste that is produced by the organizations or companies that we are working for? And what happens to waste that is shipped abroad? Do we keep track of it, or is it out of sight, out of mind – not our responsibility anymore?

Environmental awareness

In a larger, more general sense, it all has to do with the way we relate to the environment, with our level of awareness, with actually knowing where we

live. We can consider the environment a kind of pleasant background to our life – even a very large, nearly immeasurable background in which a little bit of plastic waste disappearing under the water level can be ignored as quite irrelevant to our personal health. Or we can realise that the environment is the very basis to which we owe our life, providing us with everything we need to live on.

To be where we are

The environment can even help to expand our sense of self. The central idea that Duane Elgin put forward in this book *The Living Universe* is appropriate here: ‘*Who* we are depends directly upon *where* we are’. It stresses the interconnected nature of our being. In fact all that is needed, to prevent the plastic soup being followed by an even more extensive plastic main course, is an open, receptive mind – a mind open to change. In this respect the concluding message in the film *A Plastic Ocean* makes a lot of sense: ‘From knowing comes caring and from caring comes change.’

21 The reality of climate change

April 2017

After the Dutch elections, the politicians involved suddenly realised that during the campaign there had never been a major debate about climate change – although it was central in some of the party programmes. Apparently the majority of them assumed that voters could only be drawn to vote by short-term issues like the economy, security, healthcare, the migrant crisis, and the threat of terrorism. Climate change was considered a long-term issue, unlikely to draw any voters. I don't know whether they have realised that by defining the issue as one that is primarily about caring for our future generations, for our children and our children's children, they have automatically turned it into a long-term issue.

Not a long-term issue

I think it's quite amazing, but sad at the same time, that people can still believe that climate change is a long-term issue. As can be witnessed by the increasing number of hurricanes, the worldwide changing patterns of rainfall and severe drought (like what is **happening in Africa** at this very moment, creating large numbers of refugees), it is threatening our lives here and now. Recently scientists announced that the melting of **the icecaps in Greenland** is irreversible.

Not a mechanical devise

Like our own body, the nature that surrounds us is not a mechanical device with a simple on/off button. It is alive, always reacting very slowly to human activities, whether this be in a positive or negative way. Any action taken now will probably only take effect in a few decades. In a Dutch context this means: if we wait until the dykes cannot hold back the water anymore and the flooding has started, it really is much too late to start doing anything at all. We should not let ourselves be lead astray any longer by the army of rational sceptics, who keep on arguing that we still need more scientific research and evidence. I suspect that they just don't want to give up the luxury of their own privileged lifestyles.

Putting the environment first

It can be argued that climate change, or the deterioration of the natural environment, is not even an issue. *It is a reality that is beyond issues.* A

reality that unfortunately is consciously denied by many people, including US President Trump. Perhaps this is because somehow they realise what becoming ecologically minded really entails. It means that we have to reverse the relationship between ourselves and the natural environment: putting the environment first and us, together with our often-cherished national identity, second. And this is inconceivable for people who are under the spell of the size and uniqueness of the human brain and the rational thought it produces.

Outdoor and indoor life

Additionally, the fact that much of our modern life (perhaps with the exception of our holidays and weekends) is spent indoors – in homes, in offices, in cars, in shops, in planes –, does not help much either. It has helped to create the belief that there actually exists a kind of life without seasons or other cycles – like the 24 hour economy – and that essentially we are different from the rest of nature. But of course outdoor life has always penetrated our indoor artificial world in many ways: through air, water, food, light and gravity. Even natural cycles are never wholly absent indoors. It is easy to see which is the most powerful of the two. In a similar sense, each city feeds on its surrounding countryside.

A changing attitude

Although it would be great if the newly-formed Dutch government manages to put climate change high on the agenda (which is still doubtful) and the Paris Agreement remains important, we should not wait for politicians with their unavoidable top-down approach. Even when we start recognising ecocide internationally as a major crime and give rights to Mother Earth – as I have pleaded for in previous blogs (*Respecting the rights of Mother Earth, An old dying empire versus a rising Earth Community*)– I'm afraid this might still leave our basic attitude towards nature largely unaffected. Genuinely dealing with climate change can only be realised when individual people start changing their attitude profoundly, in a grass roots, bottom-up way. As pointed out above, this means putting the environment first and ourselves second. I am sure Lady Justice would not object to this harmless, gentle version of 'taking the law into our own hands'!

Acceptance and respect

It is becoming clear that in our efforts to understand the natural world and our place in it, we have missed something essential: that we are always fully embedded in it and can never step outside, to study, control or improve it. In

fact, all we need to do is humbly accept our place *in* nature, respect its overarching and overwhelming presence and try to learn from this experience. It offers us wise lessons – for free.

*Note: Just as I finished writing this blog, Dutch comedian Arjen Lubach also paid extensive attention to climate change in **his weekly news show**.*

22 Who to vote for in these challenging times?

February 2017

This year there will be elections in several European countries and on 15 March it will be the Netherlands' turn. The number of parties to choose from here is historically high, no less than 28. But even with such a huge choice many people have said they do not yet know which party they are going to vote for. Apparently, choosing the right political party in these times is far from easy. And how do you know you have made the right choice? After only one month of Trump's presidency in the US, I'm sure many protest voters are already **very much regretting** their choice. They had listened to his many promises but had not taken account of his personality.

Focus on individuals

Therefore it makes sense to be more aware *in advance* what the likely consequences will be of a particular vote. I think the prime question for the coming elections (in whatever country they take place) is: do you want to contribute to an escalation of conflicts (on different levels) or do you genuinely want to contribute to a reversal of the process? Considering the current developments in world politics and the presence of a survival instinct in all of us, I bet not many people would seriously opt for an escalation. To realize the reversal process, a decline in conflicts, I think it is more important than ever that – before we blindly accept the beautiful promises of the party programmes – we must first take a closer look at the individuals *within* the parties, starting of course with the party leaders. The current situation in the US, which is affecting the whole world, shows that it is essential to get individuals with reasonably mature, balanced minds on the influential positions. The party banner they operate under is not insignificant, but it takes second place.

Transcending dualism

For me, the central criterion is to vote for someone who personally knows the limits and dangers of a dualistic world view, and is also *able to transcend it* – thereby creating a mental space for building bridges. In a nutshell we can say that dualism is an expression of our ego consciousness, which is rooted *in our heads*, whereas transcending it means that *our heart* gets involved as well and is even allowed to take over. When this happens, we are

bound to remember that in fact we have always been interconnected beings – connected to others, to the country, and to the world.

Reciprocity

That this deeper, connected side of ours is not just some fanciful idea we can witness in the fact that no one can live without breathing the air, drinking the water, and eating the food, which the natural environment keeps on offering us continually without asking anything in return. And the incredible amount of cultural wealth, created by people of previous generations and freely given to us, must also not be taken for granted. Transcending dualism means becoming aware of the importance of *reciprocity*: of being deeply grateful and considering it natural to offer something in return for all that has been given. This is essential wisdom for politicians who genuinely want to serve the inhabitants of their country and the natural world. It is my firm belief that only politicians who know at heart that we are interconnected beings can be trusted with making good decisions and creating good laws.

Avoiding bad laws and bad examples

I think we should avoid voting for politicians who are still largely missing this kind of wisdom. Observing today's political developments we can see that **ego-driven politicians** are primarily identifying themselves with the Absolute Good and are recognising anything negative only in an absolute sense in other easily identifiable groups. Jungians would say they are projecting **their inner shadow** onto others. It should be clear to voters that politicians with this kind of dualistic mindset cannot serve anyone but themselves and should not be trusted with anything either – least of all with taking decisions and making laws that deal structurally with the problems in our society. And we should not forget that they are simply setting a bad example to all of us, by saying that it is OK to be like them – to be angry all the time, to be proud to exclude people, to project fear onto others – and that this is all there is to being human.

Balance and challenge

But of course there is a lot more to being human, and fortunately many people are aware of this. We should not underestimate the fact that a growing number of people on this planet have discovered the wealth of their inner potential, and know that the meaning of their life depends on developing this potential. They are continually working on transcending their own dualistic tendencies, on balancing their ego and their deeper interconnected side. They know that it is an exciting project that is never finished, and that there is also a real challenge in being involved in this. Because of this they have begun to

feel more part of a rising Earth Community than of any particular country. (See my previous blog on this theme: *An old dying empire versus a rising Earth Community*.) Naturally there are politicians who have picked up this ‘spirit’ as well and try to include it in their policies.

Finding the right candidate

How can we recognise these kinds of politicians? Simply by their sense of being genuinely grateful and compassionate, by their honesty and openness, by their peaceful intentions, by their cooperative nature, by the absence of any smart media strategies to trick us into voting for them, by the absence of hidden agendas. And, perhaps most importantly, by the fact that they only speak after they have listened! Personally I have spotted a few Dutch politicians who express these qualities to a reasonable degree. And, after having weighed the content of their party programmes as well, one of them will get my vote in March.

23 An old, dying empire versus a rising Earth Community

January 2017

If there was one line of Trump's *inauguration speech* on 20 January, that kept echoing in many minds – and in mine too –, it was 'From this day forward it is going to be only America first'. I heard someone comment that this entire speech could have been held a year ago, because it still sounded as if he was campaigning for presidency. Indeed the tone of anger, opposition and struggle had not yet disappeared, and I'm sure it will persist, because the complete outlook of Trump is founded on it.

The old Empire song

Somehow this week the song *Old England* by the Waterboys from the 1980s quite often came to my mind. It emphasises that although 'old England is dying', 'still he sings an empire song, still he keeps his navy strong, and he sticks his flag where it ill belongs'. Of course imperialism, which has always mixed well with patriotism, has been the driving force behind much of Western history and has also existed in America with its *Manifest Destiny*. And now that Trump has claimed America for the Americans first and wants to make it 'great' again, the empire turns out to be not fully dead yet.

Opposition and denial

It is no coincidence that this new manifestation of patriotism has emerged also in several other Western countries: Wilders who wants the Netherlands for the Dutch first, a Brexit Britain for the British first, and so on. Populist politicians answer the call of a lot of Western people who apparently feel confronted with a threatening development they must collectively oppose. Although the 'new patriots' passionately put their fellow countrymen and women on a pedestal, and want to protect them badly from anything that comes from abroad, I think this is only a surface projection of a much deeper sense of inner denial: the denial of the ongoing development towards global interconnectedness and of a growing awareness of our embeddedness in the surrounding natural world. In this sense the new patriotism differs from its predecessors.

Moving towards an interconnected world

To put this in perspective the ideas of David Korten are interesting. In his book *The Great Turning* (from 2006) he has argued that ‘the way of Empire’, which has been around for 5000 years, is leading to environmental and social collapse, and therefore unavoidably we are moving towards an Earth Community. According to him, this process entails an entire transformation of our culture: ‘The turning from Empire to Earth Community has two primary elements. First is a turning from money to life as our defining value. Second is a turning from relations of domination to relations of partnership based on organizing principles discerned from the study of healthy living systems.’ (p. 295) It can hardly have escaped anyone’s attention that through the centuries there has been an ongoing movement towards globalisation, and that especially in our time the world is becoming increasingly interconnected.

A cultural synthesis and planetary awareness

Although with regard to globalisation the focus has often been exclusively on the economy, this process is even more significant in a cultural and spiritual sense: increasingly we have become familiar with the rich diversity of cultures on our planet, which have existed and still exist all over the world. In retrospect the Western world has even started to reevaluate the various indigenous cultures that it had struggled against so persistently for centuries.

This development has triggered human awareness in an unprecedented way: there is the promise of a global cultural synthesis in which the best from all cultures can be integrated – to become a true melting pot. And this happens in a context of an even larger planetary awareness, which has gradually spread since the pictures of earth made by the Apollo astronauts at the end of the 1960s have become transformative icons.

Fearful, defensive minds

But although the old Empire is definitely dying, it does not easily give way to the rising Earth Community, as the popularity of the populist movement clearly shows. The old collective identities, which have been handed down to us through the centuries, no longer fit and are even showing serious cracks. Yet it turns out that a large number of people seem unable to open their minds to the presence of these worldwide changes. Fearfully, they react by clinging even tighter to their secure collective identities, enlarging them, defending them at all cost. With the sad result that new walls are being erected and border controls are being reinstalled everywhere.

The damage done and the role of law

I think the increasing number of people who feel they belong to an Earth Community are aware of the tremendous damage that the Empire has caused and will continue to be causing under the rule of the populist movement. In particular, on a macro level the natural environment will continue to suffer badly. As is well known, Trump has denied that climate change exists. In this he is a real spokesman for the entire the populist movement: climate change is absent on any populist agenda. But now that it has become clear that in 2016 the global temperature has risen one full degree, who can seriously keep on denying the reality of climate change? That's why it is high time to get **ecocide recognised** as a major crime, as suggested by Polly Higgins, and to get the **rights of Nature** or **of Mother Earth** recognised by all countries, as advocated by Cormac Cullinan.

Patience and hope

I have good faith that eventually the movement towards an Earth Community will be the stronger development which will prevail. We just have to be patient. In this respect **the large-scale protests** on the day after Trump's inauguration – whose very diverse participants are representatives of the Earth Community – are quite hopeful. Surprisingly, he did not react, as though it hadn't happened at all. But, as the saying goes, sometimes silence speaks louder than words...

24 Will the real you please stand up!

December 2016

When a good few years ago Maxima, before she became Queen of the Netherlands, **stated publicly** that she had searched for, but not found, the ‘Dutch identity’, it caused a lot of heated discussion. Since then this discussion has continued and it has turned out that it is not limited to the Netherlands: nowadays it hits a sensitive nerve with people all over the world. With the election of Trump in the US, the rising popularity of populism and protective nationalism in almost every country, we can see how we are struggling on a global scale with our sense of identity. Calls are now being made to protect it, to distinguish it from other identities. And what happens if we lose our identity? Can we then search for it and reclaim it? To deal properly with this issue, we must first get a clear picture of what we are actually talking about.

A dualistic identity

I think the sort of identity that Maxima was talking about and which is also central to the debates in the media, is what I would like to call *a dualistic identity*. It is collective and exclusive in nature: it tells people which group of similar thinking people they belong to and which easily identifiable groups they definitely do not want to belong to. It even owes its very existence to a constant confrontation with the other identities and refutation of their ideas. Today we witness all around us how people with a dualistic identity see enemies everywhere and welcome polarisation.

A personal identity

There is also good news: fortunately a dualistic identity does not express something very deep. It is only ego-driven. People clinging to it are often unaware of the fact that in them there has always existed and still exists a completely different kind of identity, a very individual, authentic and ever-evolving one. An identity that everyone is born with it, potentially, and no one but ourselves can transform into an actuality.

The American archetypal psychologist James Hillman has written interesting books about this kind of identity growth: *The Soul's Code* and *The Force of Character*. In them he shows that the core of our character, the ‘acorn’, is present from the day we are born, but often takes a lifetime to develop and reveal itself fully to the outside world. It is an individual challenge that is offered to everyone and expresses something far deeper than ego.

Open, cooperative and connected

Hans Andersen's story of **the Ugly Duckling** beautifully illustrates the development of the personal identity. As the story shows, this development is not always easy, but gradually reveals who we actually are, the authentic person living inside, the unique individual who is unlike anybody else. A personal identity is inclusive and cooperative, open to others and the world. However individual in nature this identity might be, paradoxically it does not feel separated from the world: it feels very much connected to the larger whole – the nonhuman realm which stretches out beyond all human groups.

Recognised as a human right

It is telling that **the Declaration of Human Rights** (Art. 22 and 29) only mentions the right to develop a personality – a personal identity. It is an important recognition of the fact that we all have unique individual qualities that must be treasured and given the freedom to develop. There is a lot of wisdom in this protection: unique beings by definition deserve our respect. It also makes sense in relation to other human rights, like the **freedom of expression (or speech)**. We can only trust people with well-developed personal identities with the freedom of expression.

In this respect it is understandable that the dualistic identity is *not* recognised as a human right. People clinging to this kind of identity, focused on a struggle with others whom they have reduced to a mere category, do not have the mental space to simultaneously respect other people's rights or freedom.

(Getting rid of) substitute identities

When we inspect the two types of identity a bit closer, we can see that the dualistic identity really is a substitute identity. When we have lost touch with our authentic, evolving personal identity, however, we still are vaguely aware that there is something important lacking in our life. That is when collectives, from soccer teams to (populist) political parties to even whole nations, can easily step in to fill the gap with their dualistic identities – which are always static blueprints, resisting any change.

And once again there is some good news: people today are increasingly becoming aware that in the present political 'climate' – where attention has shifted again to tightening border security and potential enemies instead of to the far more comprehensive issue of 'climate change' – this clinging to static, collective identities is not only giving people a false sense of security, but can even become destructive on a global scale. The sheer worldwide

sense of shame and fierce protests surrounding the election of Trump must be seen in this light.

In a sense, we should be glad that Queen Maxima was unable to find the Dutch identity. This can truly be seen as a message of hope. The real antidote to the crises facing us today is that we collectively start cherishing the development of our diverse personal identities.

25 When words get in the way...

November 2016

In the Netherlands until recently the terms ‘autochtoon’ and ‘allochtoon’ were widely used to distinguish between native and non-native inhabitants. They were first suggested in 1971 by the sociologist Hilda Verwey-Jonker, and from 1989 on they were used widely in reports of governmental organisations. At the beginning of November this year, however, it was announced in **Dutch media** that two of these organisations – the Wetenschappelijke Raad voor het Regeringsbeleid (the Scientific Council for Government Policy, WRR) and the Centraal Bureau voor Statistiek (the Central Bureau for Statistics, CBS) – have decided to stop using them, because their meaning was no longer clear and they were stigmatising people. From now on they will only be speaking about ‘inhabitants with a Dutch or a migration background’.

Defining non-natives

An ‘allochthonous’ (non-native) inhabitant of the Netherlands was defined by the WRR in 1989 as someone of whom at least one of the parents had been born abroad. This rule might not have had the status of law, but it has had a big impact all the same. And the trouble started with this definition. To qualify inhabitants who have one foreign parent as non-natives doesn’t make much sense. It has unnecessarily created a large group of non-natives, who themselves probably feel very Dutch – including for instance my own daughter, who has an Irish mother. The terms ‘autochtoon’ and ‘allochtoon’ became even more problematic, when ‘white’ inhabitants of Dutch descent started using them primarily to distinguish themselves from and feel superior to the ‘coloured’ inhabitants with foreign roots.

A new and very limited meaning

Now that the words seemed to have increasingly got in the way, perhaps it is quite understandable that people in governmental organisations decided to radically end this continuing confusion. But we should realise that at least the concept of ‘autochthony’ is not new. Although it was not widely used, it did already exist – and with a meaning that makes much more sense to me, and also feels closer to its real meaning, than the new and very limited meaning given to it by the WRR.

Belonging to a place

The historian of religion and mythologist **Mircea Eliade** has said some interesting things about the meaning of ‘autochthony’. In his book *Myths, Dreams and Mysteries* he explains that ‘autochthony’ expresses ‘the profound feeling of having come from the soil, of having been born of the Earth in the same way that the Earth, with her inexhaustible fecundity, gives birth to the rocks, rivers, trees and flowers. It is in this sense that autochthony should be understood: men feel that they *are people of the place*, and this is a feeling of cosmic relatedness deeper than that of familial or ancestral solidarity.’ In another book, *The Sacred and the Profane*, he expresses it in a slightly different way and links autochthony to ‘the feeling (...) of *belonging to a place*.’

In other words, autochthony has nothing to do with rules, reason and objectivity, and everything to do with the personal, subjective realm of *feeling* and more specifically with the feeling of *belonging to a place*.

The realm of the chthonic

The second part of the concept, ‘chthony’, is interesting as well. It is related to the word ‘**chthonic**’, which refers to what is underneath the earthly surface, to the subterranean world, to (in Eliade’s words) the inexhaustible fecundity of earth, which gives birth to rocks, rivers, trees and flowers – and of course also to humans. In this sense autochthonous people consider themselves first and foremost earth beings, and are very much aware of the sacred quality of the ground beneath their feet. This earthly connection is so essential to human life that the people who have lost it cannot stop longing and searching for it– which explains the fact that people sometimes return to their place of birth to find it. (In this respect, see **my previous blog** on the sacred landscape.)

Beyond familial or ancestral solidarity

When Eliade says that autochthony goes ‘deeper than familial or ancestral solidarity’, he means that it is related to our sense of embeddedness in the natural environment. This sense expresses itself on the one hand locally in a connection to the natural environment, but on the other hand in a ‘cosmic relatedness’ which reaches beyond man-made borders between national states (inspired by ancestral solidarity). Autochthony is all about our relationship with the earth, with Mother Earth, and not with an abstract conception of a nation or a state. Historically we may have shifted our focus primarily to our human activities, but we should not forget that without our embeddedness in nature, our life is bound to lose its deeper meaning.

To get down to earth

I like the idea that autochthony, the way it is described above, is something which some people do not automatically possess as a birthright and might even lose along the way. It implies that we actually have to do something – to get down to earth – to stay in touch with it. It could inspire us to take another good look at the place we have been living all our lives, and perhaps even to discover things in it that have somehow always escaped our attention. And when we really feel that we belong to a place, I am sure we welcome ‘inhabitants with a migration background’ in it as well.

So the overall moral of the story is: before we get rid of certain confusing words, we would do well to first get to know what they actually mean.

26 The power of Diversity & Inclusion

September 2016

Nowadays organisations pay a lot of attention to the principle of Diversity & Inclusion and how to stimulate it. Leiden University is **one of those organisations**: in 2014 and 2015 **symposia** were organised on this theme. I think this beautiful, powerful principle is very valuable outside the context of organisations as well. It can help us to focus clearly on what is important in life and what is not. There is also an interesting connection to the field of law, as it expresses in a nutshell what all human rights are about.

Imposing unity

For too long now we have widely believed in the opposite principle, which we could call ‘Similarity & Exclusion’. From the 16th century on, European rulers – including the Dutch – dealt with the tensions and conflicts of their ‘subjects’ by politically imposing unity on them. In the Netherlands, like in other European countries, these tensions and conflicts have existed since the dawn of history: between the indigenous Celtic/Germanic tribes and the Roman invaders, and much later between Protestants and Catholics. Of course they have always existed on a smaller scale as well: between town or city dwellers and people from the country, between people from the north side and the south side of a town, between men and women.

Collective projection

When the European states were (gradually) formed, these tensions and conflicts did not magically disappear but were only hidden behind the veil of a national identity, represented by a national flag – and of course a sentimental national anthem to artificially glue it all together. They were simply shifted to a higher level and projected across the border. This process has a long history. In the distant past this collective projection was made famous by the ancient Greeks, who labelled their non-Greek speaking neighbours simply ‘barbarians’ – people to be distrusted and to be kept at a safe distance. Josep Fontana has shown, in his very interesting book *The Distorted Past*, how this Greek idea about ‘barbarians’ continued throughout the centuries to play an important role in Western societies, constantly reappearing in different guises. Because of this long ‘tradition’ we might forget that originally (and necessarily) life has always been diverse – everywhere and on all levels. Thus we might wonder to what extent the very

act of sticking negative collective labels on groups of people has actually contributed to the emergence of the tensions and conflicts...

The roots of culture

Although some politicians nowadays seem to think that ‘national’ culture can be protected by defending it against unwanted ‘foreign’ influences – under the guidance of Similarity & Exclusion – in reality culture has always been born from Diversity & Inclusion. It cannot be imposed but is always the result of a bottom-up development. Central to cultural flourishing is getting respect for and cultivating a genuine interest in people with completely different outlooks on life. This can only be achieved by practising empathy, which has the power to transform distant strangers into friends, competitors into co-operators (see in this respect my [previous blogs](#) (*How to feel more secure with less police*, *Crime and lack of empathy in a changing world*) on the relationship between crime and empathy). The great cultural developments have always manifested in areas where diverse outlooks on life existed side by side, did not threaten each other and somehow managed to fuse and grow to become something new.

The natural way

It is interesting that there is scientific evidence that the principle of Diversity & Inclusion is something very *natural* as well. Research by geneticists, biologists and ecologists has confirmed that every life form badly needs diversity to be able to grow. Without **biodiversity** evolution would have stagnated a long time ago. That is why it is not so strange that this principle also works well for us, for our social relationships and our culture. Perhaps these scientific insights could also help us to realise that the opposite principle, Similarity & Exclusion, is in fact something very artificial – and very dangerous as well at this point in history.

Human rights

I already mentioned above there is an important connection to law as well. All human rights – freedom of speech, religion, and prohibiting discrimination according to race, sex, etc. – have always given expression to Diversity & Inclusion. They try to remind us of something very deep within ourselves, of our urge to connect with and get to know other people – people who initially appear very different from ourselves. When we violate human rights, we not only activate lawyers to fight for justice but also directly damage our own self, our potential to grow. Although legally they exist on a

higher level than the national laws, in a wonderful way paradoxically they are much more intimately related to our individual lives.

Welcoming diversity

The reality of diversity is all around us, more obvious than ever, whether we like it or not. Daniel Fairbanks aptly describes in his book *Everyone is African* his experience of the diverse human world while travelling on a New York train: ‘The people I saw coming in and out of the train were diverse, with ancestries from many places. Not only did they appear diverse, many were speaking different languages. I recognized Portuguese and Spanish, languages I speak fluently, and those speaking them had accents typical of the Azores, Puerto Rico, Mexico and Peru. I also heard other languages I did not understand, as well as a wide range of accents in English. The people on this train were probably a mix of local residents, tourists, business people and students. This sort of vibrant human diversity is now commonplace in major cities throughout the world’

So in our time, when deliberate polarisation of ‘ethnic’ groups and even whole countries seems to be on the increase everywhere, there is an important lesson to be learned. The time of imposing false unities is behind us. But unfortunately some of us haven’t realised this yet.

27 How to stop exploiting and destroying landscapes

June 2016

In June this year the **Dutch newspaper Trouw** announced that Henk Kamp, the Dutch minister of economic affairs, had decided to allow drilling for gas fields near the island of Schiermonnikoog off the north coast of Holland. He claimed that *he had to*, that he could not refuse, implying that there were no other options available. This is not the first time Kamp has defended gas exploitation activities in the Netherlands: in 2013, for instance, he declared himself to be in favour of shale gas exploitation (see my blog on this: *Exploiting shale gas is a risky gamble*). Although he was already fiercely criticised in 2013 and by now must be fully aware of the rise of new, more sustainable sources of energy, apparently his (economic) thinking has not been affected much by this. We have to seriously ask ourselves how we can stop this political drive to keep on exploiting and destroying our landscapes (or seascapes).

Climate change

Another item, closely related to this, that has been given much attention in the news recently is the unprecedented rising water level and floods, which occurred this year **in many European countries** due to heavy rainfall. This is the visible result of centuries of disrespect for the landscape. The news reports focused on quantifying the scope of the damage in the areas that were badly hit, on preparing ourselves for heavier rainfall in the near future and how to deal with that. It is as if they do not dare to ask the central but unsettling question: what can we *really* do to prevent future disasters? It is a fact that the **alarming scientific reports** which paint a very bleak future for us and **the various legal activities** which have come about as a result, have not inspired us yet to radically change our lifestyle on a collective scale. Apparently human reason and law have very limited power in this regard. If we are serious about protecting the landscapes (on which, after all, our society and even our mental health still fully depends!), we have to look elsewhere. But where?

Sacred landscapes

Recently I heard someone formulate a very interesting answer to this question. This person was **Arita Baaijens** – an internationally acclaimed

Dutch ‘discoverer’, biologist and writer – who has just published a new book about her ‘**Search for Paradise**’. In Amsterdam, at a talk about **animated landscapes**, she explained how she had become fascinated by the shamanic view on the sacred landscape of the people living in the **Altai mountain range**, and had spent many years travelling through these majestic and remote areas in search of it. Then one day, when she had nearly given up hope, it revealed itself to her unexpectedly.

The world beyond reason

Baaijens said this experience had completely transformed her outlook on life. According to her, a sacred landscape is something much more than what we take in through our senses, and is accompanied by the overwhelming realisation that everything around us is really alive. It had also made her aware how difficult it is for Western people – who, like herself, have been firmly schooled in science and reason – to actually experience the sacred landscape. She is convinced now that only by opening up to its power might we finally learn to respect life again and stop our exploitative behaviour. And she emphasised that we don’t have to travel to faraway mountain ranges to discover the sacred landscape for ourselves. We are always surrounded by potentially sacred landscapes wherever we go. They are right on our own doorstep, even in the Netherlands.

New scientific insights

The power of landscapes or the environment has also been (re)discovered by science, in particular through the discovery of all kinds of fields, like the electro-magnetic fields which surround us everywhere. Their impact on our lives might even make us wonder whether we are in control of our environment or whether the environment is in control of us. This is what James Beal has to say about this: ‘By and large, our democratic institutions are based on the faith that we control our destiny through human-made political, scientific, technological, religious and other institutions. The hard evidence, however, shows that we are products of the environment – sustained, nourished and influenced by the electromagnetic gravitational-tidal system of the earth-sun-moon group’. (‘Earth’s Environmental Fields and Human Health’, in: *The Power of Place*).

Towards a sustainable future

Although many environmental campaigners might already have been inspired by the sacred quality of landscapes, perhaps even unknowingly, this ‘news’ might still sound irrelevant to most Western people. It must be

particularly difficult to digest for the Dutch, who have a long history of shaping and reshaping the landscape, and obviously consider themselves to be in control of it. Minister Kamp is of course also an exponent of this tradition, so we need not blame him fully for this. But it is becoming ever more important that for a sustainable future we *do* have to find a broad base for the protection of landscapes against human exploitation. The creation of legal rules and legal action to limit exploitation will not help us very much when there is no basic widespread conviction that the landscape is a powerful, living entity in itself.

Perhaps the heavy rains that descended on us recently must be seen as one of the ways Mother Earth is calling us, reminding us of who is really in control here, telling us to take another good look at the land- and seascapes around us...

28 The ongoing search for the Promised Land

May 2016

With regard to the European migrant and refugee crisis **a distinction is made** between *real refugees* and *economic migrants*. In this blog I want to invalidate some negative thinking about the economic migrants. Before we fall into the trap of degrading them to mere ‘fortune seekers’ (*gelukszoekers*, as the Dutch politician Geert Wilders has called them) and even possibly criminalising them in this way, we should realise that Western culture itself has been responsible for spreading the idea of fortune seeking across the globe.

Searching for a better world

Myth has played a central role in inspiring this fortune seeking. Within Western culture there has always been a restless element, a quite widespread sense that there was something essential missing in life – a vague awareness of **a lost Golden Age** which according to myth once existed or of **a Paradise Lost**, perhaps containing ancestral memories of our distant past as **relatively egalitarian** and **affluent hunter-gatherers**. Yet there has also been the conviction that this Earthly Paradise was not fully lost at all and still continued to exist somewhere on the planet, in the west, beyond the horizon.

Celtic and Christian tales

In the Middle Ages many variations of tales about adventurous and magical sea journeys circulated in all Western European countries. Famous in this respect is the story of **the voyage of Saint Brendan**, who on a journey across the Atlantic (with his fellow monks) discovered all kinds of wonderful islands, representatives of the Land of Youth or the Land of Promise. In this medieval Irish tale a tradition of pre-Christian Celtic origin, of the so-called *immrama*, was continued. Of course the Biblical story of Moses’ journey to the Promised Land was also well-known at the time.

Discoverers and dreamers

These tales about wonderful sea journeys have been a big inspiration to European adventurers like Columbus and subsequent ‘discoverers’. Of course they and the colonists who came after them didn’t find their Promised Land in the ‘New World’ among the Native American tribes – because, after

all, it was an imaginary place – and had to travel further west on a ‘**manifest destiny**’. Later still, when the ultimate west of America had been reached, the search was gradually transformed vertically into **the American Dream** – the dream of a life of unlimited opportunities open to everyone, which could be realised by climbing a ladder and joining the financial rich at the top.

The urge to leave everything behind

The search for the Promised Land has never stopped holding Western people in its spell, and even lives on today. On Dutch television, for instance, there is a series called *Ik vertrek* (‘I’m Leaving’), that has been popular for many years. It focuses on people who are dissatisfied with their life in the Netherlands, and want to start a new life abroad. Usually they are quite well off, with good secure jobs, living in a **nice house and nice area**. Yet they still feel they are missing something and are dreaming of a better, happier existence elsewhere.

Welcome back to the real world

This ‘elsewhere’ is usually a place they have spent one or more successful holidays. Like Saint Brendan centuries earlier, on these holidays they have seen glimpses of a more meaningful and connected life, and understandably want to enjoy it permanently by settling there. But their dream of a peaceful, enjoyable time without the burden of stress usually fades quickly when it turns out that the long working hours to build their new business, learning the foreign language and adapting to the foreign ways give them even more stress. Often it becomes a rather disappointing experience.

Journeys towards disappointment

I am aware that the Dutch searching for a better life elsewhere in one important aspect is very different from the economic migrants fleeing to Europe: the restless Dutch are financially well off and the migrants who make the often dangerous journey across the Mediterranean have next to nothing. Yet, there is also an important similarity. Even with all the information they have received – through the Internet, social media, etc. – about the country they want to settle in, both are still searching for an imaginary land, a place that does not really exist anywhere on this planet. So it is not so strange that the confrontation with the real world can easily turn into a big disappointment, with all kinds of consequences that cannot be foreseen.

We are all in the same boat

I am not saying that people should not travel to other countries to start a new life. But I think we should not forget there is always a powerful imaginary dimension behind our longing for a better, more fortunate life elsewhere. The fact that both Western people and the economic migrants share this longing is an important message. It tells us that we are, as they say, all in the same boat – which makes the us-versus-them thinking quite pointless. But it also tells us that the Promised Land will remain forever hidden beyond the horizon. Perhaps we have all been fooling ourselves by searching in the wrong place...

29 There is light at the end of the economic tunnel

April 2016

I was pleasantly surprised by a **recent episode** of the Dutch TV programme *VPRO Tegenlicht*, which was devoted to the so-called **purpose economy**. This name is given (by Aaron Hurst) to a new form of economy which radically differs from the market economy and is taking root in a *bottom-up* way all over the planet, especially after the financial crisis of 2008. Under this heading, corporations and companies practice a completely new way of doing business. Their first focus is not so much on financial profit but on the increase of well-being: of people, of the community and in a larger context also of planet earth. They start with a problem and create their business to try and solve it, from a deep sense of responsibility. The connection to the community and to the wider environment is the only reason for these companies to exist. The importance of financial benefit has not disappeared completely, but has been reduced to one relatively small factor among others.

The power of openness, trust and care

In the documentary **Kees Klomp**, a Dutch business advisor, calls it a new paradigm of doing business. The examples that are shown or mentioned – **The Mobile Factory**, **Tony's Chocolonely**, **Landlife**, **Greyston Bakery**, and a good few others – beautifully illustrate that businesses can actually operate very successfully on a basis of openness, trust and care. The passion of the people running these businesses is a real pleasure to watch, and also very encouraging. It is just a big relief to know that you don't have to be self-interested and continually focused on squeezing a maximum financial benefit out of every activity – in other words, that you don't have to be a nasty, distrustful person – to be economically successful.

Healing criminal behaviour

At some point in the documentary there is an interesting issue related to criminal law. An ex-delinquent is interviewed who had been given a job at a company called **Greyston Bakery** which makes brownies (for Ben & Jerry's). For new employees the company has a policy of 'open hiring', which means that the people who want to work there just have to put their name on a list,

and are given jobs purely on that basis. The fact that there are no background checks made it possible for this ex-delinquent to get a job there. More importantly, the continual practice of mutual care among the workers in this company had transformed him from a tough but lonely criminal – who for many years had sold drugs on the streets – into a happy, caring and connected person. He thoroughly enjoyed the atmosphere where everybody was always helping one another – so radically different from his former disconnected life of crime, which he never wanted to go back to.

The thin dividing line

I think the relevance for criminal law goes even much further than this. If a mentality of openness, trust and care can heal the wounds of crime, then we may wonder whether it can help to *prevent* crime as well. For this, we first have to get a clear view of the opposite, of the relationship between the market mentality and crime. As I have argued in a [previous blog](#) (*Living in a world of give and take*), and in [a \(Dutch\) article](#)), the world view of homo economicus can be linked to the world view of the criminal – both being focused primarily on taking as much as possible from others, maximizing individual profits in the process. The criminal is only practising it in a more extreme form, completely ignoring the needs of the other, their victim. In this respect we have seen what happens when [bankers](#) collectively practise this homo economicus mentality on a global scale: the financial crisis has shown repeatedly how thin the dividing line between legality and crime really is. The recent revelations in [the Panama papers](#) – of the large scale tax evasions among the financially rich, including some politicians – demonstrate something similar. Although it seems that most of the exposed tax evasion activities were legally permitted, I think the mentality of the people responsible for this – who like the bankers are continually bent on carefully weighing what is still legally allowed and what is not – can no longer be clearly distinguished from the criminal mentality.

Building a new society

It is clear that the people who believe in creating a purpose economy do not have that mentality. It conflicts directly with their sense of connection to the community and the planet. And they cherish this sense so much because they know our troubled society needs it more than ever at this point in history. The people in their companies will also take their feelings of trust and care back home with them after work, spreading it even further in their community. This is where the element of crime prevention comes into the story. In a society with an increased sense of connection, of stronger mutual

bonds – with more openness, trust and care – people are simply less likely to commit crimes.

Are these mere utopian dreams? Well, the people running these new businesses are convinced that they are not just building a successful company, but that they are also helping to create meaningful lives and to build a sustainable society – the kind of world we all want to live in, if we look deep into our hearts.

30 Reaching beyond patriarchal boundaries

March 2016

In a previous blog (*The rule of law and the world of myth*) I paid attention to Peter Fitzpatrick's insight that – contrary to the still widespread belief that we have left the 'primitive' world of myth behind us for good – the power of myth hasn't disappeared at all from the world of law. It is interesting that in the 19th century there were already legal scholars who seriously studied the world of myth. In this respect **Johann Jacob Bachofen** (1815-1887) in particular comes to mind, a Swiss jurist and historian of law who wrote some significant books in which myth played an important part.

Matriarchal roots

I suspect that not too many legal scholars today will be familiar with his writings. Perhaps they have vaguely heard of his study about 'mother right' (*Das Mutterrecht*), in which he argued that preceding the patriarchal world we live in there once universally existed a matriarchy. They might also have heard that his ideas have caused a lot of controversy and debate, which finally resulted in them being rejected by most academic researchers. It is not often stressed that it was his background in law which inspired him to do his mythological research.

Between rejection and reception

The reasons to reject his ideas have not always been purely scientific. The fact that a Marxist like Friedrich Engels had treasured them and included them in his book *The Origin of the Family, Private Property and the State* at the end of the 19th century, put Bachofen permanently in a very negative light in the capitalist West. This might be the most important reason why we had to wait until 1967 before a collection of his work was translated and published in English, in a book entitled *Myth, Religion and Mother Right*. This book primarily caught the attention of some **feminist researchers and artists**, who in their fight against patriarchal powers understandably found new inspiration in the ideas of Bachofen. But unfortunately this has not helped to give him the academic credit he deserved. Actually, there have also been male scholars who admired his work: for instance, Robert Briffault, who early in the 20th century wrote *The Mothers*, and more recently the American mythologist **Joseph Campbell**, who wrote an extensive introduction to 'Myth, Religion and Mother Right'.

***The Oresteia* by Aeschylus**

Interestingly, Bachofen discussed the Greek theatre trilogy *The Oresteia* by Aeschylus – which is still considered an important source of inspiration for our modern idea of justice – to prove his point. In these well-known plays the story is told about Agamemnon who is killed by his wife Clytemnestra, and about Orestes who avenges the murder of his father by killing his mother, Clytemnestra.

These are some of Bachofen's insights drawn from it: 'Celestial and Olympian is the right of the father, proclaimed by Zeus (...); and chthonian, subterranean, is the right of the mother; like its advocates, the Erinyes, it springs from the depths of the earth.' When father right finally is established: 'The child's predominant connection to his mother is relinquished. Man is raised above woman. The maternal principle is subordinated to the spiritual principle.' Bachofen acknowledged that there is a universal and positive law at work behind this development: 'One great law governs the juridical development of man. It advances from the material to the immaterial, from the physical to the metaphysical, from tellurism to spirituality.'

Opening unknown doors

These few sentences make it clear that Bachofen's worldview was not a feminist one. Unlike his 20th and 21st century feminist 'followers', Bachofen was very much on the side of patriarchy, which he considered a higher form of civilization. In this sense he was very much a 19th century man. Like his contemporary Darwin, he paradoxically considered 'the descent of man' an 'ascent' towards civilization, a linear development from low to high. We should also not forget that in his time there was still a general consensus that cultural development had always been patriarchal in nature, and that in our 'natural state' we had been warlike creatures in the Hobbesian sense. Through his ideas about the existence of a completely different pre-patriarchal world, Bachofen opened – probably unknowingly – doors that people did not even know were there: a door to a new awareness of the roots of our humanity and also a door to hope for a better, more peaceful world. (After all, if we had always been patriarchal and warlike at heart, there would be no such hope.)

Indebtedness to an adventurous scholar

I am not pleading here to accept the ideas of Bachofen. **The matriarchy as he conceived it** has probably never existed. But all thinkers who acknowledge a dramatic historical event which caused a complete change-over or turnaround in the development of human culture are indebted to him. To

name but a few: Joseph Campbell (the Great Reversal), Riane Eisler (the change from a partnership to a dominator culture), Carol Lee Flinders (from values of Belonging to values of Enterprise), Leonard Shlain (the advent of the written word), Steve Taylor (the ego-explosion causing the Fall), and Karen Armstrong (the Great Transformation).

What I think is most interesting about Bachofen for legal scholars is that he, of his own accord, had become involved in interdisciplinary scientific research *avant la lettre* - at a time when the scientific disciplines were only starting to get established. People may consider the insights he gained from his mythological research very dated or even plainly wrong. But his open minded approach to the matter at hand, the way he allowed space for his innate passion to investigate unknown fields and dare to cross boundaries, would still be rare among scholars today. Therefore his adventurous mentality should be praised.

31 Making space for animals and their rights

February 2016

On this blog site Janneke Vink argued recently in an interesting blog that legal scholars, like most people, unconsciously are speciesists: they have a species bias, which means they believe that ‘humans are *categorically* more important than all other animals’. I would like to add a few ideas to what she wrote. There are several significant developments and new insights with regard to our relationship with animals which have brought us closer to them and to the animal inside of us, inviting us to become a little less species bias. Since some legal scholars might not be aware of these developments and insights – which can help to put animal rights into a proper context – I will provide a brief overview of these.

Shifting barriers

Let’s start with our changing views of the animal species. Raymond Corbey argued (in *The Metaphysics of Apes*) that after the ‘Age of Discovery’, when Europeans for the first time were confronted with real apes – who were brought over to be exposed in Europe – a change was initiated in the relationships between humans and animals. In the 19th century Darwin’s theory of evolution brought about further changes in this respect. But it is in the last decades that research into animal behaviour has finally caused the barriers between humans and animals to really start shifting. From the 1960s onwards, primatologist **Jane Goodall** has shown – with much conviction – that intimate, compassionate and long-lasting relationships between humans and chimpanzees are possible, inspiring us to become better human beings, and needn’t conflict at all with our ideas of scientific research. Another primatologist, Frans de Waal, has discovered through many years of research that animals are not just ‘brute beasts’ exclusively bent on a struggle to survive and on competition (which we once believed they were), but also have a large capacity for empathy and moral behaviour like humans. As it has turned out that this animal empathy and morality is rooted very deeply, probably even deeper than their more aggressive survival impulses, this fact has also helped us to fully acknowledge the animal forces within ourselves. Several researchers have already explored this interesting subject with a lot of passion: for instance, David Abram has written about *Becoming Animal* and Frans de Waal about *Our Inner Ape* in *The Age of Empathy*.

Have we discovered something new?

We may ask ourselves whether the realisation that we are ‘just’ animals among other animals also means we have acquired a new human capacity. The deliberate and constant low regard for animals through the centuries should have made us a little wary: the Bible stating that God had given humankind the reign over all animals and that only humans (and not animals) were created in His image; the negative role of the snake in the Garden of Eden; animal-like depictions of the Devil, with horns, hoofs and a tail; Descartes much later confirming this human feeling of superiority philosophically and scientifically by declaring that animals were mere machines without any feeling. And what is most revealing in this respect is the widespread and persistent imagery of the dragon – a frightening mythical creature who (in Christian times) was slain by heroes like **Saint George** or **Saint Michael** and who seemed to include all existing sea, land and air creatures. For centuries, and even millennia, this imagery has kept on fascinating people. Why this ongoing effort to lower the reputation of animals?

The 'pagan' past

Because there was a powerful cultural heritage the Christian authorities wanted to get rid of! We might have forgotten that human beings once – in the pre-Christian past, when people still practised their so-called ‘pagan’ religions, more accurately called *nature religions* – had a high regard for the animals. In those religions, in particular those centred on **the worship of a Goddess**, animals played an important role, and were even considered sacred, very much part of the religious or spiritual experience. We know that through the centuries Christian institutions always kept on struggling fiercely against these nature religions, and thereby also against their worshippers who identified strongly with the animal world (and the whole of the natural environment). But fortunately they never got rid of them all! There are **indigenous tribes** still living today all over the planet who haven’t lost this high regard for animals.

Although these people never put their customs and laws down in writing, it is among them we can find the roots of animal rights! It makes a big difference whether we think of animal rights as something completely new or as a reconnection to something valuable that we have lost.

Animal rights as an expression of feminine values

It is interesting that in her blog Janneke Vink links our species bias to racism and sexism, in which ‘the interests of the specific others are systematically

and categorically regarded as inferior...'. This made me think of **Riane Eisler's groundbreaking ideas** about dominator and partnership societies (which she wrote about in her book *The Chalice and the Blade* and others). Hierarchical relationships – with one party always superior to another; the top excluding the bottom; the focus on control and separation; and life as a continuous, all-pervading struggle – are part of a dominator society, which is ruled by masculine, patriarchal values and has been with us for a long time. Our strife to value animals on the same level as humans, however, is part of a partnership society, the sort of society (with very old roots!) we can see manifesting around us. It is inspired primarily by feminine, more inclusive and egalitarian values: like cooperation, empathy and trust. Our longing to extend our conception of rights beyond the human world to include animals is very much an expression of those feminine values.

To cut a long story short: I think there are enough reasons for legal scholars to take animal rights seriously and to put them high on their agendas.

*If you want to know more about the ideas and the life of Jane Goodall: recently she has been interviewed in the (Dutch) television programme **College Tour**.*

32 Living in a world of give and take

December 2015

The **terrorist attacks in Paris** and the Western response to them have made me realise once again to what extent we tend to focus on taking something away from others. Terrorists take lives and undermine feelings of security, and we have seen that the response consists largely of taking more lives. We can see a similar pattern in our approach to crime in general. Criminals also take away something from others (like money, property, sexual integrity, health, or a life), and criminal law can initially only respond to this by taking something back (like freedom, through a prison sentence; or money, through a fine), in an attempt to restore the balance. (I have written **elsewhere** more extensively about this.) All this is understandable and perhaps also necessary, but it is largely negative action, focused on *what we do not want* in our world: no terrorists, no criminals.

The things we (do not) want

The popular Dutch researcher Marja de Vries has said something interesting about this focus on what we do not want. In her book *The Whole Elephant Revealed* (in Dutch *De hele olifant in beeld*) she discusses ‘the existence and operation of Universal Laws’ in our life. When she comes to the Law of Attention, she argues that by focusing on what we do not want, unconsciously we give it energy anyway and help to manifest it. Therefore this is not the way to get rid of unwanted behaviour, and it is crucial instead to focus on what we actually *do* want. An important message, I think, when it comes to dealing with terrorism and crime.

The larger perspective

If we dive a bit deeper into this behaviour of taking from others, we quickly discover that it is certainly not limited to just terrorists and criminals. In fact, it is symptomatic for what is deeply ingrained in our culture as an accepted way of life. Ever since the rise of the ego some 6000 years ago (see my previous blog on this, *Crime and lack of empathy in a changing world*) we have regularly engaged in taking from others on a large scale. For instance, when the European colonists settled in the New World, it did not take them long to take possession of the land. They considered it legally permitted to do this, because there was no law in existence which stated that this land belonged to the Native Americans. And in a way they were right: the Native Americans did not consider it possible to own land, because in

their view they were owned by the land. Although at the time the act of taking possession of land by the colonists could not legally be considered theft or a crime, now in retrospect we can see that it actually was.

The craziness of property rights

How crazy our ideas about property have become was demonstrated recently when the Turkish army shot down a Russian military aircraft on July 24 which on its way to Syria for a few seconds apparently passed through Turkish airspace. Globally we are used to the idea and think it's normal (and even legal) that a government owns the airspace above its country, and that anybody passing through this airspace without permission is committing a severe offence. We don't even consider it strange that a government can decide to close its airspace down completely for foreign travel! The craziness of our property ideas is also shown after parties at war have battled fiercely over the possession of a city. When the victorious party finally plants its flag on the buildings of the conquered city, only ruins are left, a destroyed infrastructure, a wasteland unfit for anybody to live in.

The gift of life

In our market economy, founded on the idea of taking possession of things, perhaps we find it hard to understand that beyond it there once existed and still exists a so-called *gift economy* which expresses a much more primal and deeper way to relate to life. It is responsible for creating powerful bonds between people, keeping families and societies together. In fact, it's an expression of life itself: for instance, our vegetables initially are nature's gift from the cooperative interplay between the sun, rain, earth and the changing seasons, and only later do we turn them into commodities, into property. Similarly we ourselves are also first and foremost a wonderful gift – a living open-minded being or subject, inclined to pass on our gift to others. Until of course some *enemy* (of life) manages to reduce our natural stature into an artificial *object*.

More and more thinkers (**Charles Eisenstein** and **Genevieve Vaughan** prominent among them) acknowledge that the process of gift giving must be allowed to play a central role once again in our lives, if we want to deal with today's problems in a structural way. I say *again*, because ideas about the gift definitely are not new: indigenous people all over the world, living much closer to nature than we modern people, have never forgotten its meaning and its power.

Be the change

Although brave attempts have been made to try to transform criminals and terrorists back into ‘giving’ people, we should be wary of this. By focusing too much on them, we necessarily focus on getting rid of behaviour we do not want, thereby – as Marja de Vries has argued – unconsciously strengthening their power. We must not stop punishing criminals and terrorists for their deeds, but fortunately more and more people have started to realise that this is definitely not enough. On top of that we must all focus on our own individual lives – find out where we are on the scale of give and take – and on all the good things that are happening around us, and keep on contributing to them as much as we can. When we learn to shift our focus to the life we actually want, we can be sure – if we hold on long enough and be patient – that we will see it gradually taking shape. It comes down to what Gandhi said so beautifully a long time ago: ‘You must be the change you wish to see in the world.’

33 Respecting the rights of Mother Earth

October 2015

Recently we have been confronted with various large-scale problems. There is a financial crisis, which started in 2008 but is not over yet; there is the situation in the Middle Eastern countries like Syria that is getting more complicated by the day; there is the rise in tension around the borders of Russia; there is the ongoing stream of refugees entering Europe from Africa and the Middle East, and so on.

Although the recent **Volkswagen emissions scandal** seems a rather small issue compared to these threatening problems, indirectly it points towards the largest problem facing us today: the environmental problem which is not limited to a certain region or country but is confronting us all on a planetary scale. Can law help us to deal with this in a structural way?

Financially profitable green issues

Of course the responsible people in the Volkswagen Company are to blame, but we should not forget that the problem goes much deeper. We live in a world dominated by economic thinking, and behaviour like this is bound to happen when economically minded people take up green issues. It's easy for them to create widely distributed 'green' ads, which extensively use the colour green and show overwhelming natural landscapes – thereby cleverly covering up the fact that they just want to sell more cars. And it is widely accepted that green issues are put into a context of individual profit. For instance, when we buy shares in **green investment companies**, we do so because we hope it's going to be financially beneficial. We are offered green energy by competing companies who all promise that it is also much cheaper. Is it logical that a cleaner environment should also be financially profitable to us? Well, it is logical in the mind of *homo economicus*.

Law and ecology

To inspire us to broaden our minds to a genuine ecological perspective I think law can play a larger role than it has done until now – notwithstanding the large amount of **international environmental agreements** and specific environmental laws that have been created. We can be sure that people with an economical mindset will always find the loopholes in them. To trigger a much broader, ecological awareness in people we need a larger, overarching body of law which includes the whole of the non-human world; or even

better: which states that human society has always been and still is part of a surrounding natural world.

A Universal Declaration

It's clear that this body of law must be created on a global level, on the level of Human Rights. Perhaps it might come as a surprise that a few years ago a document containing the Rights of Mother Earth was already created! In 2010 in Bolivia, at *The World People's Conference on Climate Change and the Rights of Mother Earth*, a big conference with more than 30.000 people taking part, the '**Universal Declaration of Rights of Mother Earth**' was presented. A few years earlier, in 2008, another South American country, Ecuador, had already incorporated the **Rights of Nature** in their Constitution. However hopeful these developments may have been, we should ask ourselves why after 2010 this Declaration has not yet been ratified by other countries and taken up in their Constitutions. Have the politicians not taken any notice, perhaps being too involved with other pressing problems, like those mentioned at the start?

Wild Law

In this respect there is something deeper blocking the way forward. The answer to these questions can be found in a very interesting book that was published on this theme (in 2002) by Cormac Cullinan – a South African environmental attorney –, called *Wild Law: A Manifesto for Earth Justice*. He shows how radical in fact it is to extend the concept of law to include the natural world, because it confronts us with the limitations of our legal systems: 'The dominant legal systems are all based on the assumption that we human beings exist only within our skin (i.e. that which is outside our skin is not us) and that we are the only beings or subjects in the universe.' (p. 48) Cullinan stresses the fact that within the legal world only *subjects* – which include people as well as corporations – can have rights, and unfortunately animals, trees, rivers, etc., are considered mere *objects* and so by definition can have no rights. That's why he thinks nothing less than a paradigm shift is necessary to bring the whole 'Earth Community' within the domain of law. The fact that in 2011 a second updated edition of this book was published, shows that there is a growing ecological awareness within the law field.

The 'Dutch climate case' and after

That this awareness is also growing in the Netherlands is shown by the recent '**Dutch climate case**', a court case started by Urgenda against the

Dutch State, because in its opinion the Dutch State was not doing enough to bring the CO₂ emissions down. In June 2015 the case was won by Urgenda, a landmark decision, forcing the State to take more measures against climate change. Because of this successful outcome, similar cases will be started in other European countries. This certainly is a hopeful development, but to generally raise the people's ecological awareness in a profound way, ratifying and taking up the 'Universal Declaration of Rights of Mother Earth' in all the national Constitutions will be a necessary and also a much more powerful measure.

34 The rule of law and the world of myth

August 2015

Recently, on my holidays, I came across a book in a secondhand bookshop with a title that immediately appealed to me: **The Mythology of Modern Law**, by Peter Fitzpatrick. It was the unusual connection between mythology and law that attracted my attention, and its content proved to be very interesting. From a Western perspective the world of law and the world of myth have been considered two totally different worlds. ‘Savages’ had a mythical worldview, and it was generally believed that through the use of reason Western people had managed to civilise themselves and in the process had left this mythical worldview of the ‘savages’ behind them.

Creating order

Fitzpatrick argues however that this is not the case at all: by including the contrast between civilisation and the uncivilised world of ‘savages’ in the concept of law, myth has continued to find expression. The creation of order out of chaos had always been a central theme in the mythical worldview. He shows how shaping an ordered society through the Rule of Law was in fact not any different to the mythical creation of an ordered world. It consisted in consciously keeping the Hobbesian natural state – in which people were basically driven to make war with one another, causing life to be ‘solitary, nasty, brutish and short’ – at a safe distance. It remained a continuous struggle, of course, because there was always the threat of falling back to this natural state.

Possessors and cultivators

Although the Rule of Law originated in the Western world and included Western ideas about property and progress, it was considered to be a universal principle which applied to all human beings. Fitzpatrick states in this regard: ‘Law becomes generally and integrally associated with the mythic settling of the world – its adequate occupation and its bestowal on the rightful holders, the Occidental ‘possessors and builders of the Earth’’. (p. 83) Through the ideas about property and progress, and later those of Darwinism, the Western people could believe themselves to be more advanced, more evolved in an evolutionary sense. The ‘savages’ were considered to be less evolved, people who somehow had remained stuck in

their natural state. And by labelling them as ‘others’, they were excluded – in an absolute sense – from taking part in civilised life.

In this way the concept of law has helped to legitimise the feelings of superiority that the European colonisers through the centuries have felt towards indigenous populations they came across in ‘the New World’. As these indigenous people had not considered themselves the possessors of their land and had left it ‘uncultivated’, the colonisers ‘naturally’ felt they had the right to take possession of this land in order to cultivate it.

The rehabilitation of mythology

Of course the West has stopped colonising countries, and has gradually moved away from thinking about indigenous people as ‘savages’. Yet the fact remains, as Fitzpatrick shows throughout his book, that through the centuries the tension between civilisation and ‘savagery’ has continued to find expression in the ideas of some important law philosophers – from Henry Maine to John Austin to L.A. Hart.

I don’t think we have to make an effort to start cleansing the concept of law of its mythological influences. It’s more fruitful to start on the other side: this could be the chance to rehabilitate the world of mythology. Unfortunately the ongoing rejection of the world of myth has given *myth* a very negative status, which we can experience on a daily basis: when calling something a myth most people mean that it is a lie, and to demythologise something is generally considered a good thing, a way to discover the truth. Yet since the 20th century there have been many thinkers – to name just a few: **James Frazer, Claude Levi-Strauss, Mircea Eliade, Joseph Campbell, Anne Baring and Jules Cashford** – who have already tried to show us that originally myth was something very positive, a powerful way to give meaning to life, and that even today our lives can still be greatly enriched by opening up to the power of myth.

The book of Peter Fitzpatrick makes such a welcome re-evaluation of myth possible within the law field.

35 Freedom – finding a home for us all

June 2015

In August 1969 at the **Woodstock festival** Richie Havens improvised a memorable song about freedom at the end of his performance: *'Freedom, freedom, freedom (...) Sometimes I feel like a motherless child, a long way from my home. (...) Sometimes I feel like I'm almost gone, a long way from my home.'* In these few lines he powerfully expressed a new sense of freedom, shared by many people of his generation: how we can be tormented by feeling separated from everything – not only from other people like our own mother, but also from the country we're born in and even from ourselves, our authentic being – and how much we yearn to be freed from this separation. Even after 45 years his plea hasn't lost its power and urgency.

A bulwark of freedom

Four centuries earlier, freedom was also an important element that inspired the founding of Leiden University in 1575. On the **logo of the university** we can still read the Latin words 'Academia Lugduno Batava Libertatis Praesidium', Leiden University as *a bulwark of freedom*. If we compare this concept of freedom with the 1960s sense of freedom, we can see how much has changed in 400 years. In 1575 the concept of (academic) freedom was inspired by the liberation of Leiden from Spanish occupation **in October 1574**, and basically referred to the absence of interference by outside authorities. In the 1960s the concept was expanded to include a new, inner dimension. It came to include the freedom to individually live an authentic life, connected to others and the world.

More freedom for some, less freedom for others

After the 16th century important steps were taken in the realisation of freedom, especially since the 19th century: Darwin published his evolution theory, slavery was abolished, women fought for equal rights. One after another the colonized countries became independent. And so on. In these developments the freedom concept was still largely limited to a freeing from interference by outside authorities. If we think about the relationship between this type of freedom and criminal law, it is interesting that all

through this period there was a mental climate in which *the prison sentence* kept making a lot of sense. To take someone's freedom away and put him or her under the permanent supervision of an outside authority, was considered a quite logical way to punish a crime.

The urge to live an authentic life

There are two different ways to understand 'freedom', according to the American psychologist Robert Sardello (in 'Freeing the Soul from Fear'): 'Freedom usually means to be free from external constraints, to be free to *do* something. This usual sense of the word, though, has nothing to do with the essence of human freedom, which lies in each of us being exactly who we are, not just in an external way but in soul and spirit as well.' In the 1960s people in the West became conscious of freedom in the second sense, the freedom to be who we are.

However simple it may have sounded in a 1960s song, we all know it has turned out not that simple to realize, also due to the fact that Western civilisation from the start has been built on the importance of our sense of ego-separateness (see [my previous blog](#)). It could be argued that the urge to live authentic, connected lives is still central to the various crises (financial, ecological, spiritual) confronting us today. I think it's not accidental that in this changing mental climate the prison sentence is questioned and criminals are now punished preferably in an alternative way, within society.

Other cultures, minorities & boat refugees

It's good to remind ourselves that the expanded sense of freedom in the 1960s also opened the Western mind collectively to **other cultures** and to marginalised minorities within society. That's why the fact that Richie Havens and the rest of his band members were black, gave his message even more meaning. Watching him sing his song after all these years, my mind turned to the many boat refugees who at the moment are trying to reach Europe from Africa and the Middle East, to escape from the terrible conditions they have been living in. They might be unaware that Europe – like the rest of the Western World – is still struggling to free itself from a deep sense of ego-separateness and is going through major changes.

Who is going to benefit?

Perhaps the Western authorities too easily assume that these refugees are only aiming to benefit themselves. Mightn't they have something important to offer as well? It's not too hard to imagine that *in time* some of them might

actually help – like Richie Havens and many others have done so marvelously before them – to steer these changes in the right direction.

Freedom, in the end, comes down to finding a home – for us all.

36 The amoral mentality of bankers

May 2015

Since the Dutch anthropologist and journalist Joris Luyendijk published his successful book 'Dit kan niet waar zijn. Onder bankiers' (English translation: 'Among the Bankers') he has been appearing regularly in the media to expand on his findings about the world of bankers. In an interview in the Dutch newspaper *Trouw* (28 April 2015) he says a few interesting things which caught my attention about the mentality of bankers with respect to the law. He states that bankers generally behave *amorally*. Their only concern, for example in the case of large bonuses, is whether they are acting according to the rules - whether their behaviour is permitted by law. In other words, the written law codes allow them to act amorally, to be totally unconcerned about the larger world around them.

Economic thinking

Luyendijk stresses that some bankers do actually have some morals, but that they just don't apply them to their work. He met people who are deeply religious, but leave the values of their church, synagogue or mosque behind them when acting in a professional capacity. Economic science has provided the bankers with a justification for such amoral behaviour in their work. They strictly follow the dogma they have learned during their study of economics: that life is essentially about gathering as many commodities as you can.

Traffic signs

Luyendijk makes the attitude of bankers visible by taking the example of a car driver. If a traffic sign says the maximum speed is 120 km per hour, and I am driving 180, I am committing an offence, I am criminal. I am amoral when I am driving 120 km per hour because the traffic sign says I can, and it turns out I am driving at this speed through an urban area. So in his view bankers are driving at 120 through an urban area. They have no concern for the world around them. They are not interested in the damage that is caused by their behaviour.

The broader perspective

Luyendijk found that this amoral attitude is not limited to bankers and is something that has pervaded our whole society. At the many talks he has

given, people have told him that the same attitude reigns in hospitals, schools and business in general. Because of this amoral attitude the value of work is no longer measured by the inherent quality of whatever is produced, but merely by the output in figures.

According to Luyendijk we can justify our amoral attitude because in our world *morality* has become very suspect: we have become sick of it after 2000 years of Christianity taking away the rights of women, homosexuals and others. Yet he acknowledges that we badly need some kind of morality after all – without wanting to go back to what we have fortunately left behind us. To activate this morality he thinks we could start (again) with the Golden Rule: do not do unto others, what you would not have them do to you.

The spirit of the law

This brings my previous blog about *The law that everyone should know* to mind. In this blog I made it clear that the spirit on which all law codes rest is this Golden Rule: without this basis the law codes don't work and are impossible to maintain through the power of legal authorities. All law codes assume a basic moral compass that exists within us. They assume that civilised society is characterised by people having respect for the other, giving him or her a prominent place in their lives.

So while the written law codes might leave room for the amoral behaviour of bankers, the whole of the law – that is, including its moral basis – definitely does not. When law codes are used by bankers for selfish gains, they might not violate any specific rule, but they *do* violate the deeper spirit of the law, which – for instance – assumes that civilised people naturally slow down when driving in an urban area, even when they are allowed to drive at 120 km per hour.

Welcome to the whole person!

When we consider the widespread amorality at work and the way people get cut off completely from their surrounding world, leading superficial lives in a separate world, I think there is only one way to get us out of the crisis. We have to unmask the *homo economicus* within us and become a whole person again, someone who is not split mentally in a private or professional person, and who genuinely feels connected to other people and the surrounding world. Then we do not need to check the written laws to see if our behaviour is permitted or not: we already know by looking deep within ourselves.

37 Crime and (lack of) empathy in a changing world

March 2015

In a previous blog (*How to feel more secure with less police*) I argued that developing our sense of empathy might help to make us feel more secure in the world. I want to extend those thoughts on empathy a little further here, by focusing on the relationship between empathy and crime, and how it fits in the development of Western consciousness.

The roots of empathy

Research, for instance from [Chad Posick et al.](#), confirms that this relationship exists: ‘Several researchers have established an empirical link between lack of empathy and criminal behaviour, and conclude that empathy is an important trait that is responsible for explaining a portion of poor behaviour by adolescents.’ It is interesting that in this article it is also acknowledged that empathy is not a purely human phenomenon, but – following the findings of the primatologist Frans de Waal – has its roots in the animal world.

History and consciousness

If empathy is already present in the animal world, then it’s likely early humans were also empathic. Although [some researchers](#) still hold on to the Victorian conviction that ‘primitive’ people were basically uncivilized, warlike savages, archeological and anthropological [evidence is growing](#) that hunter-gatherer societies were often (and still are) peaceful and egalitarian societies. To have those qualities the inhabitants must have been empathic. Interestingly, there are researchers who have tried to put empathy and crime in a historical perspective, in an attempt to understand both phenomena as part of the development of human consciousness. One of them is the English psychologist Steve Taylor and another is the American cultural philosopher Charles Eisenstein. Below I give a brief outline of their views, which add – I think – an interesting dimension to the theme.

The ego-explosion

In his book ‘[The Fall](#)’ Taylor also stresses the link between lack of empathy and crime. He shows that both are ways in which ‘ego-separateness’, that has come to dominate the Western world, expresses itself. This ego-separateness

has a long history, according to Taylor: its domination goes back all the way to a traumatic event which happened about 4000 BC, when a widespread and persistent period of extreme drought caused what he calls 'the ego explosion'. This probably triggered a dramatic change in Western consciousness which has lasted until present times. Taylor thinks ego-separateness still creates a permanent restlessness in us, keeping us continually engaged in (escape) activities, and a sense of incompleteness, through which we never feel whole, or at home in the world. Lack of empathy and crime are directly linked to this mental state.

The rise of the Separate Self

Charles Eisenstein also thinks that lack of empathy is deeply rooted in the mental state of Western people. In his book '**The Ascent of Humanity**' he describes the development of 'the Separate Self', the distinctive Western way to experience the world, all the way from the rise of agriculture to the present day. Identifying with the Separate Self means that we have learned to see ourselves as separate from others and from the surrounding natural world, and – as a result – are engaged in a permanent struggle with these others and with the environment.

It is through this identification with the Separate Self that we have lost contact with our deeper empathic side. As Separate Selves we consider empathic behaviour a dangerous exposure of our vulnerability to people who (we think) are only waiting to take advantage of us. That's why it's not strange that relatively few people in the Western world have been able to fully develop their empathic potential.

In a society where there is a general lack of empathy among all citizens, of course it is not realistic to expect criminals to rediscover their own empathy (through restorative justice programmes)!

Back to sanity

But there is good news too! Taylor shows (in his book '**Back to Sanity**') how ego-separateness has turned our life into an individual and collective madness, that we need to be healed from in order to survive as a species. This healing starts with evaluating our experiences of inner harmony and cultivating them to a more permanent state. The end result will be a saner world, which will naturally also be a more empathic and less criminal world. To realize this fully he thinks it is important we finally start taking the cultures of indigenous people around the world seriously. According to him their sense of identity is not yet spoiled by ego-separateness, and includes

nature, animals, and other people. They can help us to rediscover our inner state of harmony.

Towards the Age of Reunion

Eisenstein thinks this transformation process has also already started. In his terminology, the ‘Age of Separation’ is gradually transforming into the ‘Age of Reunion’, and on an individual level we are ‘in between stories’: between the story of the Separate Self and what he calls **‘Interbeing’** – a term borrowed from Thich Nhat Hanh which refers to our true being that is connected to others and the natural world. Although Eisenstein – like Taylor – considers this far from an easy transformation, he is convinced we are heading in the right direction, towards (as the title of his last book calls it) **‘the more beautiful world our hearts know is possible’**.

I think it is important that both Taylor and Eisenstein show us, that we can understand the relationship between crime and the lack of empathy much better if we look at it from the perspective of a dynamic world that has gone through and is still going through major changes.

38 An embedded freedom of speech

January 2015

Since the terrorist attack in Paris on Charlie Hebdo the concept of freedom of speech (or expression) is back in the spotlight. The attack made people in the Western world aware of how important this freedom really is and how much it is connected to our modern idea of democracy. We have seen how **millions of people in France** and all over the world took to the streets to stress its importance. Media sources often refer to the freedom of speech as though it is a virtually unlimited freedom: that, with the exception of the violation of other human rights, nothing is allowed to stand in its way and that any other restriction must be considered as bowing to the pressure of the terrorists.

Dualistic battles

Observing this worldwide plea made me think of the triumph felt in the West when the communist regime in Russia came to **an end** a few decades ago: all at once the **capitalist system seemed supreme**, nearly sacred, and in the subsequent period the West genuinely felt and acted that way. Until, of course, the financial crisis hit the world. Although the world of the Islamic terrorists has not yet come to an end, we are caught in a similar dualistic battle here (even though – admittedly – there have been some brave attempts to avoid the ‘us against them’ way of thinking.) Since the concept of freedom of speech is felt to be essential to the Western way of living, any outside threat to limit this only seems to strengthen the conviction of its importance.

An unlimited freedom?

But we have to become realistic about the freedom of speech. The way we consider it to be virtually unlimited is, I think, still a consequence of the long struggle within the Western world against the absolute powers of churches and despotic rulers that limited it for many centuries. Having broken free of those chains and opened up to democracy, it is understandable that we protest fiercely when anybody tries to turn back the clock: we simply won’t allow it. The idea of virtually unlimited freedom is also strongly connected to the – still dominant – **anthropocentric** (and often egocentric) way of Western thinking: of thinking we have successfully cut ourselves loose from the rest of nature, believing ourselves to be independent of it, yet thinking we can fully reign over it at the same time.

The cycles of life

Now that we are gradually rediscovering our place within nature, it won't be long before we start realizing that it is this same nature that limits our freedom in a profound way. Look around and look within, and we can see how we are fully embedded in many cyclical life patterns and can't exist without them. We cannot decide to stop breathing or eating and yet live on. We cannot decide to stop sleeping. We cannot change night into day, or winter into summer. We cannot make the economy grow endlessly without avoiding catastrophe. We are rediscovering that *at heart* we are one hundred percent earth beings, children of Mother Earth, embedded in her many different cycles and matrices, knowing that all living beings – humans, animals and plants – fully depend on one another.

An embedded freedom

We can only mature by going through these cycles, and the more we psychologically and spiritually mature, paradoxically the freer we start feeling. But this is another, more realistic kind of freedom, *an embedded freedom*. By erroneously thinking that freedom is a concept that allows for a life outside the natural world and yet with unlimited reign over this world, we have turned ourselves into rather small-minded competitive beings – beings who are blind to the fact that they need the embeddedness in life's encompassing cycles to be able to grow into more compassionate beings, and to open up to a more expanded sense of freedom. Seen from this perspective we may wonder how much (or little) *freedom* of speech we actually have when this is solely an **expression of our hatred**.

Including other people

It is good to realise that consciously living within cyclical patterns, within contexts, in the end does not limit the way we live, but expands it. When we feel embedded, part of a larger surrounding world, we also express our freedom of speech in an embedded way. And it is important to know that this more mature freedom of speech aims not to exclude other people – to speak out *against* people we don't (want to) understand, which is still often the case these days – but **to include them, to build bridges**. As far as I can see, this is the only way forward, not just for the Western world, but for everybody.

39 How to feel more secure with less police

November 2014

In September this year it was announced in the news that by 2017 **3000 jobs** will have to be shed in the Dutch national police force. This will mean that the plan – launched a few years ago – to bring more ‘blue on to the streets’ (referring to the navy blue colour of the Dutch police uniforms) to heighten the sense of security among the people cannot be achieved. But does this also mean that the general feeling of security in Dutch society is now endangered?

Clinging to a false sense of security

Research has shown that a visible presence of the police does not reduce the level of crime and so does not make society a more secure place. But the connection between *feelings* of security and the visible presence of the police has persisted. There is, however, a good reason to negate this connection as well: by shifting our responsibility to an outside authority – the state represented by the police – we allow ourselves to wait passively for our security to be handed down to us, in a top-down way; or to complain, when we think the state has not done enough to achieve this. It’s a clever way to turn the security problem into somebody else’s problem.

Opening up to a real sense of security

Yet deep down we *do* know that we can and must do something ourselves – in a bottom-up way – if we really want to feel more secure. To this end we can, for instance, start developing our innate sense of *empathy*, our capacity to reach out to other people and try to look at the world from their point of view. A lot has been written about empathy already, but I think the ideas of the cultural philosopher Roman Krznaric are particularly relevant here. In a **recently published book** he shows how empathy can help us to open our minds to people who are very different to us, people who up till now we have considered ‘strangers’ or even ‘enemies’. By simply having a good conversation with them we might be able to include them in our world. And I think in this way we can also gradually expand our sphere of security.

A revolutionary change

Krznaric acknowledges that our empathic sense does not correspond to the human self-image of being primarily selfish and driven by individual gain;

an image spread by influential thinkers from Hobbes to Freud that has dominated the Western world for the last 400 years. But according to him this self-image is quickly losing ground: new scientific insights – from **child psychology**, **primatology** and **brain research** – prove that empathy is also natural to us, at least as powerful as our selfish side. Importantly, Krznaric believes that empathy can become nothing short of a *revolutionary force* transforming our social environment for the better, if on a collective scale we regularly start practising and developing this neglected sense. It's likely that this transformed social environment will be a more secure environment as well.

Diversity and security

However, as long as most people still consider themselves to be largely driven by self-interest, they will not be inclined to make an effort to reach out to the 'strangers' in society. They will tend to hold on to their safe circle of family and friends, to their corresponding limited sphere of security, while feeling threatened by the large surrounding world of 'strangers'. That's why the new insights into our empathic sense are so important. By practising our empathic sense regularly outside this safe circle, we might not only transform our own limited self-image but also help others to undergo a similar transformation. It's not hard to understand that the bigger the diversity of people we can include in our world, in other words that we can include within our sphere of security, the more secure we will start feeling.

To come back to the issue of job losses in the Dutch police force: though not good for police officers and their families, these job losses need not endanger our general feeling of security, if we collectively start practising our empathic sense a little more.

40 No man is an island, entire of itself

October 2014

This summer I spent a few pleasant days (with my family and some friends) on Inisheer, the smallest of the Aran Islands off the west coast of Ireland. Our stay on this small island – that one can easily walk across in a few hours – has made me think about some law-related issues.

A small isolated community

The island is still permanently inhabited by a small community of less than 300 people, separated from other communities by a large body of water. It is blessed with bad phone reception, with limited access to the Internet and with hardly any cars. And, being completely surrounded by the Atlantic, nearly everywhere one gets drawn into **impressive, constantly changing views**. This all helps a lot to preserve an atmosphere of slowness, intimacy and peace.

Absence of law enforcement

One thing that struck me was that there is no police force on the island. The only police station on the Aran Islands appears to be on the biggest island, Inis Mor, and in case of trouble, it takes a half hour boat journey before the police can be present. Of course there have been incidents on the islands, even serious ones that hit the **national news** in Ireland. But in general the presence of the police is only needed here to check the **closing times of the three pubs**. When incidents occur, the people usually manage to deal with these themselves. This must have been the way things worked in small isolated communities all over the world.

Generous fishermen

One calm evening we sat down at the bay and watched some fishermen cleaning the fish they had caught earlier on. The cut-off fish heads drew many hungry seagulls near, squealing, circling the air, flying away with their catch. Even if the fishermen were doing this every evening, they were clearly enjoying it, taking their time and helping each other with the cleaning. Without hesitation they gave some of their cleaned fish away to islanders who were passing by. They offered us some as well, but we didn't take it.

Echoes of our natural state

It is well known how Thomas Hobbes considered our natural state to be a war of all against all in which life was ‘solitary, poor, nasty, brutish and short’. Watching the Inisheer fishermen, I realized again how outdated this view really is. Their lives might be hard enough at times, but as far as I could see, the fish were the only creatures here with short lives! It’s true that the islanders are not human beings living in their natural state, but they are much nearer to it than most inhabitants of cities or urban areas. Anyway, it was clear to me that the people here don’t need the power of a government to civilize their ‘brutish’ life, or the presence of the police to enforce the law in a top-down way. People in small communities like this one – living in a remote place, surrounded by the powerful elements of the ocean – are generally friendly and willing to help each other. The closer to nature we come, the friendlier we get.

Traces of a gift economy

The good-natured, generous attitude of the fishermen brings an even more telling experience to mind. Some years ago we went camping for a few nights on the coast in County Sligo. Nearby was a small community with just a few houses, and one of those houses had been turned into a tiny shop. It was open only a few hours in the afternoon, and consisted merely of a large counter and a few shelves with products. It was run by a woman. We ordered some messages for our dinner, and when we asked for milk, the woman looked at us in distress: unfortunately she had no milk. Yet she asked us to wait a minute. She rushed out of the shop, obviously trusting us completely, and came back with an opened carton of milk. She had got the milk in her own house and offered us some! When we wanted to pay for it, she refused to take our money. In this remote place apparently it was normal practice to help people in need, even strangers who were just passing by.

I experienced a similar empathy and generosity on Inisheer. It’s paradoxical that you have to go to an island to realize that (in John Donne’s famous words) ‘no man is an island, entire of itself’.

41 Watching quarrelling neighbours

August 2014

For many years in the Netherlands there has been a very successful television programme called '**de Rijdende Rechter**' (the Travelling Judge) in which a judge, Frank Visser, tries to solve painful, long-lasting quarrels between neighbours. It's not so much the judgment that I find interesting in this programme, but the road that leads to it and the aftermath. It shows how apparently small matters can be blown up to gigantic proportions, how people can get mentally stuck in their opinions and parties kept apart by a mere psychological barrier.

Quarrelling about a tree

The problem that gave rise to the quarrel is nearly always very minor. Recently I saw, for instance, an episode that centred on a quarrel about a tree that according to one neighbor was growing too close to his house. He thought its roots were creating cracks in the walls of his house and its overhanging branches were making the walls damp, etc. In an earlier episode, about a year ago, the Travelling Judge had already decided that the distance of the tree to the house was legally permitted, which meant that the owner was not forced to remove the tree. And so he had left it where it was. But a year later the quarrel had not yet stopped.

Communication breakdown

The owner of the tree appeared to have a large garden with many other trees in it. It would have been a small thing for him to just respect the concerns of his neighbour, and remove the tree anyway (and maybe plant a new one a little bit further from his neighbour's house). But he hadn't. The other neighbour had responded by regularly cutting off branches that were hanging over his house. This had annoyed the owner of the tree a lot, and a few other annoyances had developed on top of that, with the result that they tried to avoid contact as much as possible. It was clear that the legal decision to allow the tree to stand hadn't solved the problem.

The third party

In this case the Travelling Judge had become more like a mediator. He had to try to reopen the deteriorated communication between these neighbours. As always, this turned out to be nearly impossible. Not only is the Travelling

Judge the third party here in this programme, but also the people watching it. Both can see that it's pretty pointless for the two parties to blow up their quarrel to such gigantic proportions. They're witnessing people showing themselves to be quite small minded, struggling with psychological problems and stubbornly holding on to their own opinions. Seen from a third-party perspective, the solution to the quarrel seems quite easy to generate, even without applying the law. But obviously this had been impossible for the parties involved.

Respecting our neighbours

Small-scaled quarrels like this can make us more aware of the fact that we all have neighbours around us (even if they live a fair distance away) and have to avoid quarrels with them at all cost; that we have to make sure that little annoyances, if they arise, are recognized and dealt with immediately, before they can grow to an unmanageable, monstrous size. They might even make us realise that neighbourly quarrels on a larger scale – between countries or populations in a country, like in Syria, Gaza or the Ukraine – are not very different. In a similar way they might have started with something relatively futile – a different interpretation of a certain ancient custom, tradition or of a few sentences in a book.

As the episodes of the Travelling Judge have shown again and again, unfortunately we're not very good at dealing with problems when they arise, and have the tendency to avoid them. And we get blind to the fact that the resulting barriers exist only in our heads.

42 Every crime tells a story

June 2014

Recently, after I had watched an episode of **DCI Banks** on TV, I realised again to what extent criminal behaviour is related to the power of an impressive story. In our rational approach to life we have a preference for analysing criminal behaviour scientifically and trying to filter out fact from fiction as much as we can. Rationally we might think we can confront people directly with the ‘bare facts’ of life, but without the frame of an exciting story we cannot digest them very well. Crime keeps fascinating us and provides a seemingly endless amount of material for powerful – fictional and true – stories. This is shown by the immense popularity of detective series and crime investigation stories on television – and of fanciful movies like those of Batman. Even in court we cannot do without stories.

Story awareness

Archetypal psychologist **James Hillman** has stressed (in ‘**A note on story**’) the importance of developing a ‘story awareness’ in our lives. He considered this story awareness necessary for ‘deliteralizing consciousness and restoring its connection to mythic and metaphorical thought patterns’. According to him, stories are not there to be rationally explained by us, but are instead ‘containers and givers of vitality’.

Generally speaking we need the context of stories to make our life meaningful and allow us to experience its ongoing mystery. We all have listened to stories when we were small, and later continued to take in stories by reading myths and novels, by watching movies and television series. This has allowed us to picture life – and our own life – as an enveloping story with lots of exciting adventures and interesting characters.

Bringing back the sense of mystery

However varied crime stories might be, they are a particular type of story amongst many other genres. I wonder whether the general lack of broadly developed story awareness – a result of our emphasis on rationality – has helped crime stories to flourish in our time. In this respect it’s interesting that crime stories always contain a sense of mystery: the question of who has committed the crime and why has it has been committed. Usually we won’t have to wait too long before this mystery is solved for us, but it won’t be long either before we want another crime story with a new mystery to be solved. I think these short-term, small-scale mysteries are mere substitutes

for the never ending, unsolvable life mystery: the sense of mystery that the myths of old and the fairy stories have always tried to capture, a large-scale mythical reality that our rational minds have lost contact with.

Mythical battles

And yet there is a powerful myth coming to life in all crime stories too. They enact on a daily basis the dualistic battle between the forces of good and evil in our world: the good detective or police officer fighting on our behalf against the bad guys who threaten to disrupt our social order. Through this they reach back to the great mythical battles, like those of the Greek God Apollo against Python, of Saint George against the Dragon, and of course, of God against the Devil. The popularity of crime stories shows that after centuries of secularising our world view, of creating a society shaped by a rational Rule of Law, we still cannot do without continually reviving these mythical battles in a modern guise.

Solving crime through stories

I know that most stories on TV or in the cinema are made for entertainment, and that we shouldn't expect that they in any way help to reduce the crime rate in our society. Yet sometimes, like in the episode of DCI Banks I was watching, we are confronted with a more serious attempt to unravel the psychological reasons that have driven someone to commit a crime. Then for a moment we are taken beyond the mythical battle between good and evil and regain our belief in the existence of a better world, a world with less crime. Even if it fades away as quickly as it came, I like to think that all these small glorious moments will finally build up to something...

43 The law that everyone should know

April 2014

In the Netherlands an important, unwritten law principle exists which says that all Dutch people are expected to know the law. It's obvious that we cannot know the ever-expanding body of written laws that has been created to keep our society going. That's why some law experts have qualified this principle a bit by saying that people only have to know those parts of the law that apply to their own personal situation. But even then, can we expect lay people to constantly update their knowledge of these specific laws which might be constantly changing in content? I think there is a better way to make sense of the principle.

The Golden Rule

I think what is meant is that people must know the *spirit* on which the rule of law is founded. And that is the famous **Golden Rule**, which is much older than any of the written law codes (and is also shared by all the major religions, as Karen Armstrong so persuasively argued in her book *Twelve Steps to a Compassionate Life*). This Golden Rule can be formulated either positively or negatively: 'treat others the way you want to be treated' or 'do not treat others the way you do not want to be treated'. Knowing this rule means more than being able to intellectually remember the sentence: it means to act according to this principle in all situations that occur.

Respect for the other

According to the Golden Rule, all behaviour has a reciprocal quality. It focuses our attention on the other. Realizing the importance of the other in one's life is essential for the acceptance of the basic idea behind all written law codes. They all assume that respect for the other is of prime importance. For example, traffic laws are there primarily to ensure the safety and wellbeing of other people on the road. Criminal laws are there primarily to let us know that the lives of other people should not be damaged or intruded into. And environmental laws are there to protect that gigantic other on whose life we all depend: Mother Earth.

The birth of inner law

It's important to learn to respect others early in life. Any parent or carer knows that the only way to teach rules to children is by example. If children

are raised well, they acquire a body of unwritten *inner law* by minutely observing the behaviour of the adults around them. They learn that life is about adults cherishing and caring for children, that is: about strong, powerful persons being humble and caring for weak, powerless persons. When they learn to give to another human being, to be kind and helpful to others – in other words, learn to transcend their egocentric needs and desires –, the Golden Rule comes to life. And gradually virtues like trust, gratitude, attention, honesty and compassion are born from this well.

The foundation spirit

Of course a complex society like ours cannot be run by just collectively trusting the inner law of all people: we cannot do without written law codes, not for the moment anyway. But when a basic sense of inner law is not present – when the Golden Rule has not been learnt – we cannot expect these written laws to be effective. The absence can never be compensated for by an extra dose of *outer law* – like any criminal shows and any police force knows. And laws that go against the Golden Rule in the long run will not work either. So I think it makes sense that the principle that everyone is expected to know the law, basically refers to knowing the Golden Rule – being able to apply it in all situations, and being conscious that it is the foundation of all written law codes.

44 What we can learn from fruit flies

February 2014

Usually the study of crime prevention is limited to psychological and sociological research on humans. Sometimes, however, interesting discoveries are made in the non-human world that could contribute to our understanding of crime prevention. Like a recent discovery in the world of the fruit fly!

The magic of female pheromones

Last November the **Dutch newspaper Trouw** reported that scientists at the University of California had discovered that a female fruit fly can reduce aggression in the male fruit fly considerably. When only male fruit flies gather together they can behave pretty aggressively towards one another. But when a single male fruit fly had been kept in close bodily contact with a single female for 24 hours, it turned out to be much less aggressive when it later joined the male group. The calming effect appears to have a molecular basis in the form of female pheromones, which are picked up by the hind legs of the male and then passed on as a signal to their brains. The effect lasts a couple of days.

A new manner for crime prevention?

The California scientists suspect a similar mechanism occurs in human beings, as the nerves, genes and brains of the fruit fly are closely related to ours. This link to the human world is very interesting. We know that (collective) male aggression is a big problem in our society, and is often the cause of criminal behaviour. If close contact with a woman could reduce male aggression, even if only temporarily, this would have an important preventive effect on crime.

I remember Wim de Bie suggested a good few years ago – in the Dutch television program *Keek op de Week*, in which he, together with Kees van Kooten, humorously criticised Dutch society every Sunday night – we could bring down hooliganism at soccer matches by allowing mothers to go along with their sons to the stadium. The recent research with fruit flies shows that perhaps we don't have to go that far: if only men would spend a considerable amount of time before a match in close contact with a woman, this might be enough to bring down the level of hooliganism.

Domestic Violence

But we needn't cheer too soon. It's easy to think of examples in our human world where there is no sign of any calming effect of the female pheromones. Think of the problem of domestic violence, for instance. **Statistics** show that a lot of human violence happens at home. In these cases it is usually the man who is violent, and the continuous female presence apparently has done very little to transform his aggression into calmer, more loving behaviour. Instead of this, the man even directs his aggression directly at the woman near him. Cases like these clearly show that the world of the fruit flies is also very different from the human world.

Learning from 'lower creatures'

But we needn't ignore the comparison completely either. After all, it's interesting that since Darwin's evolution theory we are gradually learning not only to recognize parts of ourselves in monkeys and apes, but also in the tiniest of insects. The behaviour of fruit flies can inspire us to look at human behaviour in a new way and also to ask some important new questions. Like: Did the Western world at certain periods become an aggressive, war-like world just because women were kept at a fair distance from men? And what sort of change can we expect now that women are increasingly spending long periods of time very close to men, whether at work or at home?

And perhaps along the way we may gain a little more respect for the tiny, defenseless fruit flies as they collectively and annoyingly gather around our fruit basket in the summer!

45 The feminine face of justice

November 2013

Everyone has seen the statues of Lady Justice – the blindfolded woman holding a pair of scales and a sword – that can be found in or outside court buildings all over the Western world. For centuries she has been the visible representation of justice, and this is rather strange when we realize that until a few decades ago women had no active role of any importance to play in the legal world.

Why not a God of Justice?

One would think that in a male-dominated world it would have been logical to imagine justice in a masculine way. After all, when Christianity was still prominent on the Western agenda, God was considered the Supreme Ruler, administering justice to the whole of His Creation through the laws laid down in his Ten Commandments. And we did have the image of **the old man** who sternly looked down from heaven on his creation below. With this in mind, we may wonder why a prominent female figure was chosen to represent justice instead.

A harmless allegory

It's quite obvious that it was not a question of choice at all, since we're dealing here with the continuation of a deeply ingrained tradition. Because we have inherited our law system from the Romans, it's understandable that the Roman Goddess *Justitia* –who represented one of the four cardinal virtues – came with it. Reduced in shape to a mere allegory, she was quite harmless compared to the power of God Almighty.

Pre-Roman justice

Although nowadays many people do not believe in God anymore, the allegorical presence of Lady Justice has remained. Perhaps now is the time to realize that she has a long history extending back beyond the Roman Empire. In Classical Greece, for instance, justice was the realm of the Goddesses Themis and Dike, and in ancient Egypt it was the realm of the Goddess Maat. These are not new discoveries, but well-established facts that can be read in any good book on mythology (and even **on Wikipedia**). This long tradition points to the fact that it might be quite natural for us humans to give justice a feminine face.

The image and the word

2500 years ago the Taoist sage Lao Tzu stated (as quoted by Claudio Naranjo in *Healing Civilization*): ‘When the original harmony was lost, laws arose.’ I think images like Lady Justice and her predecessors were not only created to inspire us to ‘do justice’ to offenders but also to help us rediscover that original harmony. Their long tradition reminds us that books and law codes are a late invention and always rest on the foundations of unwritten law.

Fortunately this unwritten law is still as powerful as ever. Every now and then it is experienced (by everyone) as a deeply felt sense of justice, powered by a vision of the good life, and as an innate care for other people, for animals and for the environment. I think it’s no coincidence that we have inherited the idea of justice through *an image*, and a female one at that. As I have argued in a [previous blog](#): (*The power of the false image*): images are far more powerful than words.

The times they are a-changin’

We have left the days behind us when only men were working in the legal world. Since 1980 the number of female students has risen sharply in Dutch universities, and since 2005 they even outnumber the male students, as was reported [in the news](#) recently. This trend has also manifested itself at Leiden Law School. In the master programmes of criminal law and criminology the female students form a large majority.

It won’t be long, I think, before women will outnumber men in the legal professions too. When this happens, for the first time in history the spirit of Lady Justice will primarily be embodied by women – and justice will finally get an earthly feminine face.

46 Exploiting shale gas: a risky gamble

September 2013

This year the media has given a lot of attention to the exploitation of shale gas. I thought the many well-founded protests – including a **manifesto** signed in June by 55 Dutch professors – were gaining some ground. However Henk Kamp, the Dutch Minister for Economic Affairs, **publicly stated** at the end of August that he is in favour of this exploitation. Reading **the report** by the Bureau Witteveen + Bos had convinced him that there is little chance of our drinking water becoming polluted, that it probably won't give rise to serious earthquakes, and that the risks involved are *controllable*. But, significantly, his rationally weighed arguments only gave rise to more protests – particularly in Boxtel, the town where the first test drillings in 2014 have been planned. Who is making the most sense here?

Economic thinking

It is clear – and from his position understandable perhaps – that Kamp primarily thought of the economic benefits that the exploitation would bring to the Netherlands as a whole. It's a pity though that economic thinking usually also turns out to be short-term thinking. He suggests that the exploitation of shale gas will add another 10 to 15 years to our national gas supply, apparently believing this to be quite a long period of time. I fear that with regard to the risks involved, Kamp has also not looked much further than 15 years ahead. Calling the risks *controllable* is not very reassuring. For centuries we have believed ourselves to be in control of our exploitative activities, and in retrospect we can witness how grossly mistaken we have been.

Ignoring evidence

In fact 15 years IS a long time if this means that the exploitation of environmentally-friendly energies, such as wind, water and sun energy, won't be taken very seriously for at least another decade; if it means that some politicians willfully allow themselves to continue on the old road of damaging and polluting the environment. Now that we have been warned for at least 50 years – from **Rachel Carson** in the 1960s to **Al Gore** in more recent times – I would think there is hardly anybody left who is still unaware of the environmental damage and the resulting weather changes affecting us all. In this regard it's obvious that here in 'the Low Countries' we actually have to take extra care to prevent the land from getting any lower!

The protests

I think the protests of the people in towns like Boxtel must also be seen in this light. Essentially they have stopped trusting politicians who more or less ignore the environment and put the focus primarily and blindly on economic benefits. Their fear of polluted drinking water and earthquakes is really the tip of the much deeper feeling that we – a fast growing part of the population – have to prevent further maltreatment of planet earth as much as we can. The protests show a human concern for a viable future that extends beyond a mere 15 years – and beyond the Dutch borders too.

Property rights and the need for change

The matter at hand is closely linked to the curious fact that we human beings can actually own the deeper layers of our earth. By law, an owner has the right to exploit the resources on his property, and there's no sign that these property rights are going to change in the near future. And it's not likely either that we could create a law to protect these resources. Therefore it is high time that owners – like the Dutch state – stop believing that planet earth merely consists of dead, exploitable matter, and start considering the fact that it might after all be a large living organism, well capable of responding powerfully to ongoing maltreatment!

47 Crime as a short-cut to get what you want

July 2013

Years ago I read a definition of crime that was an eye-opener for me. Since I found it in a book by **Colin Wilson**, a writer mainly known for his studies on occult matters, I don't think it has reached too many experts on criminal law or criminology. But Wilson also wrote extensively on criminal matters, both in fictional and non-fictional form. In his non-fiction book *A Criminal History of Mankind* he argues that crime is 'merely a childish tendency to take short-cuts. All crime has the nature of a smash and grab raid; it is an attempt to get something for nothing.'

The map-making ego

Wilson thinks this short-cut mentality must be understood within an evolutionary context: when our ego evolved from 4,000 BC onwards, we acquired (through the development of our left brain) the ability to make maps: 'The 'map' concept explains the problem of crime. A man whose actual acquaintance with the real world is fairly limited looks at his map and imagines he can see a number of short-cuts. Rape is a short-cut to sexual fulfillment. Violence is a short-cut to getting his own way.' It's not hard to think of other examples: stealing, or engaging in fraud, is a short-cut to material wealth; terrorism is a short-cut to a better world.

An unrealistic and impatient attitude

Wilson calls the short-cut mentality childish because he thinks it is an unrealistic, immature attitude to life, which we all – criminals and respectable citizens – have to outgrow. But for the moment, this attitude is widespread in the Western world. Physically we can witness it in our road system, which indeed has many short-cuts. It's thinking that the best way from A to B is the shortest way. And it is fuelled by impatience.

Including the context

Interestingly, by understanding crime as an expression of a short-cut mentality, the stress is not laid so much on crime as an offence, but on crime as a form of human behaviour. By referring to the map-making ego, crime is linked to evolution and psychology; and by referring to short-cuts, crime is linked to its social context. The definition implies that we cannot understand

crime without being simultaneously critical towards the context of our urbanized Western lifestyle.

The long and winding road

The right road to all the things we want – the road of justice – is, of course, the long road. This road is usually not a straight road, but more like an unpaved path, with many curves. This road asks its travellers to be very patient and to trust that in the end they will reap what they have sown. Impatient criminals – expressing the urbanized lifestyle in extreme form – think they have no time to travel the long road and are blind to the rewards it will bring. Somehow they seem to believe they can reach the same destination as the person who has chosen to take the long road. But they're mistaken, as they always end up somewhere else.

The easy and hard road

If the task to (re)discover the value of the long and winding road is difficult for any respectable citizen, it is nearly impossible for criminals. Some might not even know it exists! Evidence shows again and again that most criminals find it very hard to leave their criminal life behind them. After all, it means changing a deep-rooted habit. And this change might be seriously blocked by the widespread conviction that the short-cut is the easy road – when in fact it turns out to be the hard road.

48 Who owns the land?

April 2013

The financial crisis can lead to drastic measures. Part of the government plans to raise money for the Treasury is selling some State-owned nature areas to private owners. These sales have to generate 100 million Euro before 2017. Although this plan was already part of the coalition agreement of 2011, it was only in March this year that the issue was picked up by the media.

The news items reporting it had a double message: besides covering the rising protest against this plan, they were also cheap advertising to reach as many potential buyers as possible. What I missed in the reports was an awareness or concern about the deeper consequences of these sales.

State ownership

Legally *Staatsbosbeheer* – the Dutch State organization concerned with these nature areas – owns these plots of land, so from a legal point of view there is no reason why they can't sell them. Yet many people were amazed or even shocked to hear about this plan. I was one of those people.

I think this kind of ownership is of a very different quality than the plain legal qualification would suggest. Apparently the government hasn't realized that the State doesn't own these plots of lands for itself, but for all Dutch inhabitants, so that in fact they collectively possess these nature areas. In other words, State ownership really means nobody in particular owns them, comparable to **the commons** of old. The State only has to take care of them.

Private versus 'Indian' ownership

It's a fact that Western society was built on the idea of private ownership. Because of this there is a deep conviction that everything – as long as it is considered an object – can be owned. When the Europeans colonized America, the Native Americans, however, expressed a very different view on this matter. They thought that the Western passion for ownership of land was a kind of madness.

Chief Seattle stated famously in 1854: 'This we know – the earth doesn't belong to man – man belongs to the earth'. **Other Native**

Americans expressed similar views. They questioned whether we, being small entities, are able to really own large entities like plots of land. At the time these views were not taken very seriously, but over the years we

gradually learned to understand their meaning. And I think they are relevant to the matter at hand here.

The need for ‘wild, untamed nature’

In the Netherlands we have the tendency to overrate our power to control the land. Generally speaking, there are two good reasons for this. First, the dense population makes our human presence felt nearly everywhere. And second, there is hardly any land that has not been reshaped into something else through human activity. But this doesn’t take away the fact that – to remain mentally healthy – we need to be confronted regularly with places where our influence is minimal or largely absent, with ‘wild, untamed nature’. By spending time in these sorts of places the Native American notion of the ownership comes alive in us and we feel part of a bigger whole. It’s a necessary antidote against too much private ownership.

Save the Dutch ‘commons’

Every now and then we move abroad to mountainous areas or other wild areas to fulfill this need in us. But closer to home, within our own country, there are also some sparse nature areas left which can be enjoyed and should be treasured. That’s one very important reason, I think, why the government shouldn’t have decided to sell these areas to private owners.

49 From quantity back to quality

March 2013

In January this year the Dutch Minister of Home Affairs, Ronald Plasterk, presented an overview of the salaries of public sector employees in 2011, and it turned out that 2651 people exceeded the limit of what is known as the *Balkenende norm* – that is an annual salary of 193,000 euro. He pointed to the fact that from January on [a new law](#) has come into force, which states that the people at the top of the public sector – called the *veelverdieners*, the ‘big earners’ – cannot earn more than this limit, which is 130 percent of the salary of a minister. Plasterk expressed the hope that this law will ensure that these excessive salaries will be reduced within a few years to an acceptable level.

Since January this issue has remained [a hot topic](#). The focus on the high salaries of managers and television celebrities can of course only be properly understood within the context of the financial crisis. Many low salaries have already been reduced, so it is considered fair – and rightly so – that the high salaries should also be reduced. This reflects a deep longing for justice. But even when people earn a lot, I think it will be impossible to force them by law to be *satisfied* with a lower salary. One of the most important reasons for this is the fact that the amount we earn has become a reflection of how we are valued in our society. And because most people can only attach a positive value to a salary *increase*, earning less will immediately feel like becoming a less valuable person.

Originally ‘value’ was a qualitative, immaterial concept, but we have become used to quantifying quality. Often this works out fine. In schools and universities we rate quality through quantitative figures. And we give presents to others to express our gratitude. But it becomes problematic when we focus too exclusively on quantity. Attaching a positive value to a constant increase in the amount of money one earns, shows there’s something fundamentally wrong. If we really want the ‘big earners’ in the public sector to be satisfied with a lower salary, we first have to find other ways to express our values: we have to go back to the source.

The fact that even these ‘big earners’ still aim for a salary increase reveals something important: the expected salary increase is really an exterior

substitute for our innate longing for *inner development*. Or perhaps more accurately: a substitute for our lack of inner development. But a substitute, of course, can never fully replace the original. If we (collectively) manage to rediscover that the real value of life lies in inner development – in making our lives gradually richer in an immaterial way, increasing our enjoyment of 'little things', opening up to others, pursuing a personal interest, going for a good walk, etc. – rather than focus on the importance of earning an extravagant salary, then the need to exceed the salary of other people might become less. It's true that work can also be a source of inner development, but money doesn't contribute to this very much.

I think these 'big earners' will passionately want to hold on to their high salary – preferably with an increase and probably still getting it one way or another – so long they haven't fully realized that the quality of their life comes from another source. A new law to try to reduce their salaries to an acceptable level will not be enough.

50 The abandoned Christmas trees

January 2013

Around New Year the streets are always littered with wilting Christmas trees. Some people have been careful enough to put their old trees near the refuse bins, but many trees seem to have been carelessly dumped outside. Looking at these abandoned trees, it's hard to imagine that they had a place of pride in some sitting room not so long ago. They are treated far worse than the regular waste, which we usually do not throw outside whenever we feel like it.

The fact that the trees are literally thrown out the door or from the balcony, and left there to wither [on the street or in a park](#), shows that some people are apparently not ashamed of themselves to do this or afraid of getting a fine for doing it. There must be no law to prevent the dumping of trees on the pavement – no effective law anyway with a sanction to prohibit people doing this – for as long as I can remember around New Year the streets have always been littered with abandoned trees. So it's probably not considered a crime as such, although I almost feel that it should be. I know that nowadays in some places community programs have been set up for children to collect the trees – probably as a way to deal with the recurring problem of abandoned Christmas trees, which is a good thing – but this is clearly not yet the case everywhere.

I think the sight of these abandoned trees on the grass or on the pavement is a very sad sight. It's evidence of a terrible mentality, a bad example for children and it shows a profound disrespect for nature. In our time, with all the persistent media attention on the financial crisis, we might forget that there is a far more threatening ecological crisis facing us. The abandoned trees show that the seriousness of the ecological crisis has definitely not reached everybody yet. But this is not so strange if we notice how much focus there is on the economy. Even during the Christmas period we could hardly lift our spirits above the economic doom and gloom: all through December the news kept on informing us about the economic side of Christmas, how our spending compared with the year before. It's perhaps understandable that in the process the Christmas tree itself is also reduced to a mere commodity – a commodity that we can throw out when it has served its purpose.

I know it's only a minority who abandon their trees. And I know that fir trees are specially planted for Christmas, and I'm not arguing that people shouldn't put a cut down tree in their house. But at least they could keep on treating the tree that served such an important role in their household for two or three weeks with some respect.

It was the terrible sight of the abandoned Christmas trees that inspired me years ago to change to using an artificial tree. One of the advantages is that we needn't get rid of it in the New Year. It has recently been dismantled and is now waiting patiently in the attic to be re-used next Christmas. This tree was never alive, but somehow it seems more so than a real tree, as it has joined the cycle of the seasons. And it definitely gets treated respectfully!

51 The power of the (false) image

November 2012

In 2012 a few celebrities unwillingly revealed the true face behind their glorious public mask. The man who won the Tour de France seven times, Lance Armstrong, was found guilty of doping. Despite the media always being around and despite the many tests he had undergone, he had been able to keep up his image of the sincere sportsman for about a decade. In England the television star Jimmy Savile had been immensely popular with his childrens' programs, until after his death, when it turned out he had been abusing hundreds of children during his life. In the Netherlands Diederik Stapel was widely regarded as a brilliant social scientist, until it was discovered (in September 2011) that he had been writing fraudulent texts during his whole career and fooling all of his direct colleagues for many years.

We don't always seem to realize the tremendous, archetypal power images can have. They are far more powerful than words can ever be. One picture tells, as the saying goes, a thousand stories. All is well, when images arise from an underlying reality, like the image of planet earth as seen from outer space (see my previous blog *Space travel and crime reduction*). Then we are dealing with real, beneficial images. But problems arise when images that are divorced from an underlying reality are created by human beings, often as a result of how they portrayed themselves in the media. What they said might have been powerful, but the images that arose from this are much more so. It's this kind of image that Armstrong, Savile and Stapel – or Berlusconi, Strauss-Kahn and many others like them – had created for themselves: a false public image, a pretense of decency hiding the ugly truth beneath.

In fact they have followed a quite common and widely accepted use of the power of the image. On a daily basis the images of ads openly lie to us, and we don't seem to mind this too much. The frozen pizza never resembles the image on the box. The car being driven heroically and on its own in a majestic landscape is a world removed from the real car stuck in a traffic jam. The moisturizing cream promises to magically take away all our wrinkles, but it never does.

Not only producers of consumer goods, but also dictators and criminals have always well understood the power of the false image. When appearing in front of a camera, dictators always make sure they appear extremely kind and generous, if possible patting the head of a little child. And any drug smuggler knows he has to look respectable if he wants to pass through customs unnoticed.

Because these false images are so common and widespread, we're easily fooled by them and believe them to be true. We wanted to believe that Armstrong was the greatest cyclist ever, that Savile was a genuine child lover, and that Stapel was a genial scientist. But perhaps the power of the image is the strongest when the false image finally is shown for what it is: utterly false. We can be sure that people like Armstrong, Savile and Stapel will go down in history as icons of deception.

52 Space travel and crime reduction

October 2012

A relationship between space travel and crime might not be immediately obvious, but I think it is worth investigating.

Space travel was originally born from a hunger to explore the cosmos, but surprisingly it turned the collective attention back to earth. The Dutch astronaut André Kuipers, like many other astronauts before him, recently said in [a television interview](#) that his view of planet earth from outer space has radically transformed the way he thinks about earth. But the image of earth has not only transformed the minds of astronauts: pictures taken of earth as seen from outer space have also had a great, unprecedented impact – as mythologist Joseph Campbell and others have argued – on the human mind in general. It has made many people aware that we are not living ON earth but are in fact living IN earth, within the thin layer of atmosphere which is part of the planetary system.

This is a revolutionary change in awareness, especially when we realise that according to the Christian world view, whose influence is still very much around us, we considered ourselves to be essentially different from the rest of nature, a unique species that could somehow control life heroically from above – for which God had set the example. It was Darwin who initiated the change in awareness, but through the [images of planet earth](#) we rediscovered a deep sense of connectedness, not only to the plant and animal world but also to our fellow human beings. It was not accidental that the spreading of the images coincided with the flower power movement in the 1960s, which radically questioned top-down authority, and with the birth of the Gaia theory, which considers earth to be a gigantic living organism.

Unfortunately this new awareness has not yet reached everyone. For instance, it does not seem to have reached the minds of most criminals – from burglars to rapists to vandals to cyber criminals to terrorists. Psychologically they often see themselves as not being part of the world around them – society and the larger natural world – at all, but rather they think they are engaged in a heroic one man fight against it, to take as much from it as they can for their own benefit. The new awareness of basic connectedness indicates that criminal behaviour, which consists largely of a one-sided taking from others, is incomplete behaviour, behaviour which

lacks a reciprocal element.

Punishment can be seen as a way to restore the balance, to force the criminal to give something in return. But it has become obvious that it is not enough to limit ourselves to these conventional ways of 'crime-fighting', to try to control crime top-down through the use of power.

It is clear that something else is needed to try to change criminals back into respectable, law-abiding people. I am not saying that it will be easy to trigger this new awareness in criminals. But perhaps it could somehow be incorporated in restorative justice programs. It would be even better, however, to spread it as early as possible, in the way we raise our children at home and later through education at school.

So space travel might contribute – indirectly – to the reduction and prevention of crime.