

A SENSE OF MEANING

Rein Gerritsen: The Netherlands

After I left prison for the last time in November 1987, I felt devastated, deeply in shock, without exactly knowing what caused this sense of devastation. It just felt horrible as if I had lost all sense of meaning. Nothing made sense anymore. What was the purpose of a 'traffic light' again? I couldn't tell, so pretty soon after my release I was hit by a car, because I was 'jay-walking' (an equally meaningless concept). Why were all these people moving and running around on the streets? That didn't make sense. Didn't they know that you have to create as little fuss as possible and be as inconspicuous as you can be? Why did my girlfriend insist on me talking to her? Didn't she know that talking was a sign of weakness? And why was my probation officer creating such a stir, trying to hammer it into my head that the appointment date 'next Tuesday, 14.00 o'clock sharp' was of the utmost importance. I could tell, with some effort to think clearly, that this particular time meant something special for her, but to me it was just all *flatus vocis*¹. Time had stopped making sense after two-and-a-half years in prison, among them one year in mental hospital and three months of solitary confinement. I was used to living from one event to the next, such as getting the next meal or next whiff of fresh air. But who was I?

Gradually, after several months had passed, it dawned upon me that my turmoil must have had something to do with the feeling that 'the normal world' I had re-entered was not, by any means, as common as I previously conceived it to be when I was still a youngster. What had happened to the world as I used to know it?

Sensible questions perhaps, but then I stopped thinking about these matters. I neither had the time, nor the means or the opportunity to give these questions the time they deserved in answering.

Twenty-five years later. I'm – it's safe to say so, I think, - a respectable philosopher of science, specialised in 19th century physics and classical American pragmatism. Moreover,

¹ Meaning 'the breath of voice' – it was just words with no real meaning (Ed comment)

I'm blessed with two lovely children (a boy age six and a daughter age four) and we find ourselves in the presence of a loving wife and caring mother. Besides that I love playing guitar, I collect Gibson guitars and I dabble in the history of evolution theory. For a living I write books, translate books, give lectures, organise seminars and I have the occasional odd job on the side, such as working as a postman.

Until fairly recently I never dreamt of giving the subject matter of prisons and my role as an ex-convict a second glance after my final release from prison. I considered it for the best not to talk about it and gave the matter no further thought. Life after prison went on, and somehow I managed to stay out of jail, and I took my academic degrees, but I couldn't even explicate to myself how I accomplished this feat. To me, Wittgenstein hit the nail right on the spot when he wrote: 'The solution of the problem of life is seen in the vanishing of this problem. (Is not this the reason why men to whom after long doubting the sense of life became clear, could not then say wherein this sense consisted?)' And the same observation held true for 'the problem of life in prison', as far as I was concerned. Indeed, I didn't even realise how extraordinary my achievement really was: an ex-convict with no record of recidivism? That is a scarce commodity in the Netherlands, so I learned. But an ex-convict with academic degrees? You must be pulling my leg! 'There must be a handful of those, but they are either doing time again or they are dead, and now we have a real live one in the flesh?' At least, that is what a lot of people told me after I made my appearance on national television, soon after I published my book on William James in 2004.

But some five to six years ago another event triggered me to spend a lot of my thinking time on the problems of prison, its relation to criminal law, the legitimating of the state, and the public opinion about criminality. What happened was that a colleague of mine asked me if I was willing to sign a petition on behalf of the Dutch nurse Lucia de Berk. This woman was sentenced to life imprisonment for the alleged murder of seven infants and the alleged attempted murder of three other children in the hospital she was working. A meticulous study of her case file by my colleague and, in particular, the way the court treated empirical data that could be read as exculpatory evidence, showed that she couldn't have committed these murders. (In fact, there were no instances of murders to begin with, safe the sad fact

that terminally sick children do die). So, together with 499 other scientists, among them a Nobel Prize laureate, I signed the petition demanding a re-opening of her case.²

All of a sudden it became clear to me that one can apply the analytical tools of the philosophy of science to the pressing problems of criminal justice, and what this showed – rather shockingly – is that our criminal courts and even our Supreme Judges haven't the foggiest idea how to interpret the data of the (experimental) empirical sciences. What is worse, most of them don't even care.³ And further studies of the particulars of other life long sentences in the Netherlands revealed that in a dark number of cases the conviction was 'unsafe', not 'sound' by any standard of argumentation. We have baptised these kinds of studies, henceforth, as 'forensic philosophy'.

On a more personal level the case of Lucia de Berk aroused uncanny feelings. I started thinking: well, I know how it feels to be behind prison bars for several years as someone who was found guilty of an armed bank robbery, the illegal possession of fire arms, fencing and car theft,⁴ but I can't even start to imagine how prison life must feel for someone who is doing time, in the full awareness that she is innocent. The words 'hell on earth' don't even remotely describe the torment they must be going through. And what is more, their ordeal doesn't end there. I see this in the case of Lucia. Although she is fully rehabilitated and exonerated by the Supreme Court, her stay in prison has taken its toll (she suffered from a stroke, shortly before her release, without getting proper medical treatment) and, according to the public opinion, 'where there is smoke, there has to be a fire'. So a lot of people, among them expert witnesses, still see and treat her as 'the Angel of Death', as she was nicknamed. It is impossible for her to live a normal life, as if, by the power of some unwritten rule, the punishment still continues.

² <http://www.ipetitions.com/petition/lucia/>. This unfortunate woman was finally released from prison in 2010, thanks to the efforts of the stubborn philosopher of science Ton Derksen.

³ Compare this, for instance, with the role that empirical data played in the criminal justice system in the United States in the transition period from 1972 to 1975 (i.e., the *Brown v. Board of Education* case/*Furman v. Georgia* and the final result in the *Gregg v. Georgia* case).

⁴ As a first-offender, I was sentenced to six years imprisonment for these felonies, but in 1986 I received a partial pardon from the Queen.

Becoming increasingly aware of some striking similarities between the case of Lucia and my own - her description of her life in prison and the social pressure afterwards – I started out reading everything I could lay my hands upon if only it had something to do with criminal law, criminology and punishment. Gradually I came to agree with Craig Haney when he wrote in *Reforming Punishment*: ‘Most prisoners must negotiate the tensions between their pre-prison identity, the person who they appear to be in prison, and, finally, the one they actually become. Many are unable to successfully manage these profoundly complicated identity shifts’ (2006: 170). To wit, Wittgenstein was at least partially wrong when he said, in general, that the problems of life simply vanish. Perhaps it does for certain people, but not for others, not for those who, like myself, know how profoundly a stay in prison can change their character, their perceptions of themselves and their worldview. And perhaps Wittgenstein was right if he meant that the riddle of life knows no rational solution, but then, it would still be possible to give a qualitative account of certain key events. And besides that, by now I think that the solution to the problem of life (in prison) is certainly not an individualistic or solipsistic affair. There is more at stake. I may think, as I have done, that there is no need for a re-negotiation between the shifts in identity I experienced, and I may be even unaware of the tensions underlying these shifts, but my wife thinks otherwise. She knows how to interpret the subtle changes in my posture (the rise of the hairs in my neck) as I watch the news and hear some meatball talking a lot of gibberish about conditions in Dutch prisons; she is accurately aware of the habit I acquired in prison of smoking my cigarettes only for a third part and hide the rest of the fags in my clothes and on my body. She also knows that I have the inveterate habit of, when somebody touches me suddenly, ‘strike first, then ask’. Somehow, life in prison settled down in my marrow.

So I decided on writing a book about my pre-prison identity as a kind of therapeutic exercise in the style of a non-fiction novel. *Knock-out*, which appeared in 2009, is in fact a book about how I, the prodigal son of a very affluent mother, ended up in prison. This book was not intended as an attempt to justify my wrongdoings in the past, far from it, but was merely a testimony that under certain conditions, such as the sudden violent death of people you love, it is possible to change, almost over-night, from a law-abiding citizen into a callous, morally degenerated fighting machine.

I will not write about my time in prison and about the person I was in that environment. It makes no sense to do so, because the time I spent in prison is, at best, fuzzy in my recollection, and, at worst, a total blur in my memory without so much as an understandable chronology, thanks to a psychosis I underwent when staying behind bars. Only some mental pictures stand out more clearly. To be more precise, as soon as I cling to such a picture, get a grasp of it, it seems as if I'm getting sucked into the mayhem of the situation again, and before long, all memories blend into a big, buzzing, blooming confusion. There is one thing I can tell for sure about 'doing time', and that is, to paraphrase the delicious Oscar Wilde, 'there is one thing worse than a long-stretched period of solitary confinement, and that is the company of prison guards.'⁵

My next book *13 Accidents*, published in the autumn of 2012, contains the story about the struggle between the person who I was and the person whom I wanted to be.

Shortly after I took my final exams and graduated from university in 1993, I learned the hard way that employers are not that keen to employ someone with a criminal record. Even in my own field of expertise it was impossible to obtain a teaching job at the university and neither could I enrol for a PhD student position, though I earlier received a research grant and had worked for four years as an assistant Philosophy of Language and Philosophy of Science. Never mind, I thought, I will make ends meet. I took a job as a construction worker, then as a truck driver, as a butcher, as an orderly in hospital. I cleaned up industrial waste in Germany, and, finally, I ended up as a printer. In the meantime I kept publishing articles on the history of physics in several Dutch newspapers and magazines.

And now, with hindsight, I see that I made two related mistakes. First, thanks to my earlier unwillingness to take the problem of life in prison and what happened afterwards seriously, I overlooked that fact that all ex-convicts are confronted, sooner or later, with the problem of 'civil death'. For instance, shortly after my arrest, all my possessions, notably my bike, were confiscated by the state without a release of liability for the instalments I still had to pay and

⁵ I have been told, and I have no reason to doubt the sincerity of the person who told me, that the conditions in prison are much better these days than they were before. That person, notably a former prison warden himself, also knows that there are no two prisons alike, and that even a seemingly unambiguous concept like 'solitary confinement' means something quite different from this prison to the next.

without giving me the opportunity to settle these debts, because 'dead' men, i.e., prisoners, are disqualified from conducting business affairs. So after my release I had considerable, even huge debts, consisting in court costs, fees, fines, tax deficiencies, the rent on the instalments, paybacks on my study financing, and so on. And like so many ex-convicts, I never opened my mail. The problem grew bigger and bigger. And the visits of bailiffs grew more frequent, if they knew about my whereabouts.

The second mistake I made was that I, in an attempt to even the score, took up a second job as a bouncer and bodyguard, next to my day job as a printer or construction worker. I did this for twelve years. And though the money was good, I didn't notice that I immersed myself in violent surroundings again. I had become an addict to the pain game, to a great extent impervious to the physical and mental injuries I inflicted upon others and myself. At a certain point I noticed that I was hitting the bottle on Tuesday evening in anticipation on what would happen on Friday evening, not so much because I was fearful of the situation ahead but because the whole caboodle filled with me a deep disgust. This was plainly absurd, the more so because I didn't like booze (at that time). This wasn't the person I wanted to be: a standoffish character, bad to the bone, sporadically extremely violent, overwhelmed by meaning-blindness, and without so much as a scruffy dog to keep him company. This, too, wasn't the guy I had known before I was caught up in criminal activities: this chap, though a bit naïve was a likeable fellow, a kind of mellow-yellow, not particularly a good son, but surely a good friend and brother, and bequeathed with a great sense of justice. But what had happened to my sense of justice? Did I still believe in William James's words: 'The greatest use of life is to spend it for something that will outlast it'? I couldn't tell, but I gazed into the abyss and the abyss stared back at me. A sense of horror vacui made me shiver. All of a sudden I knew what Edvard Munch's *Scream* was all about.

On the same day I decided to quit my job as a bouncer, it happened to coincide with my fortieth birthday. I put a gun into my mouth. A slight squeeze of the trigger and it all would be over, just another life bereft of meaning down the drain. A strange thing happened. I got an erection. How peculiar. In spite of the wishes of its rightful owner, my body, apparently, followed its own logic. Could it perchance be, I started wondering, that the act of taking my own life, is not so much directed against my own existence as such, but against the morphology of the life I'm living now? But I can have as many as thousands of different

possible morphologies, as I had learned from reading Herman Hesse and Charles Bukowski. So, why not work at building a new life? Why not work on restoring that sense of justice I felt when I was much younger, but this time without the boyish naiveté that accompanied it then? It is true, I didn't have the faith anymore, as I used to have, in a criminal justice system that sends people to prison for punishment, not as punishment, but this condition, at least, aroused the spark of moral indignation. And that's a good starting point. And if I didn't succeed, I could always kill myself later, because a life without meaning is not a life worth living.

To do so required the labour of going through a process of mourning therapy. I had to make sense of the deaths of my mother, my brother and lots of guys – my unnamed friends – that belonged to the criminal family I used to be part of. A sense of survival guilt also played a significant role: they were all dead and I was the sole survivor. Why me? I should have died back then, in that car, together with my mother and brother.

Mourning therapy was the most horrific of times I had ever experienced. The therapy made me realise that, for the better part of my life, I had longed for death, always playing with fire, completely indifferent to what would happen to me. Gloomy periods, depressions, bordering on the brink of a psychosis again and violent outbursts slowly made way for the genuine feelings that lied beneath the masquerade of the bogeyman. Anger? Yes, but a sense of loss too. Grief? Yes, but also a real acknowledgement of who those people were. And a host of other feelings came to the surface, finally leading up to the simple assessment: 'it's okay'. We, the dead people and I, have made up and settled our differences. Now, how about my relation with the still living people?

Shortly afterwards I met my present wife.

So, if someone was to ask me: 'Did you desist from crime?' I honestly had to answer him or her: 'You tell me, please.' I never undertook any serious effort on my part to refrain from crime, though the exertion of getting some mourning therapy indirectly resulted in staying away from potentially dangerous situations. But to me, my former engagement in criminal activities had not so much to do with personal enrichment or, for that matter, with just staying alive, as with a deep-seated death wish, a lack of meaning, a loss of transcendence.

Since I have regained that feeling of making sense, I have no need, and neither the gusto, for living a life of crime. The credit for actively desisting from crime, of the effort to maintain the process of 'going legit', must be duly awarded to those people who, in spite of the hardships they face, keep on the straight track, in the full knowledge that they have to pay the piper. Their abstinence from crime comes at a steep prize, i.e. the loss of friends who didn't succeed, the mistrust they'll meet, stigmatization, starting out with less than zero, and so forth. Hence, I can't but feel the deepest respect for an ex-addict who desists.

A note of warning is in its place here, too. First, I mistrust the picture of the sinner-turning-saint, as if it were necessary to live a life full of hideous crimes first to become a truly remarkable and noteworthy holy man. Such a relation of necessity can't be established, since outside the realm of logic and maths, all is contingent. Life itself is a raw string of contingencies, interspersed with flashes of meaningful events by our own doings. Thus, though I can understand the need of 'saints' to rationalise their shifts in identity, to make sense of their former selves, one does best not to take such a rationalization too seriously. It is really offending to the run-of-the-mill kind of guy who deals with the contingencies of life in his own way, without ever breaking the law. Moreover, the image of the sinner-turning-saint presupposes a criterion, tainted by blasphemy, for distinguishing between 'this life is more meaningful than that'. Only God knows. And then we are faced with a perhaps unanswerable question. If one reads Augustine's *Confessions* and *Civitate Dei*, for instance, then one may ask: did he create more havoc and do more harm in his former life as an offender than in his later life as a church father?

Secondly, and philosophically more important, and then I'll end this discussion though there is, of course, much more to say about the subject. Desistance from crime is a good thing, I trust, though not necessarily so, because it is, in more than one significant way, dependent upon the matter of civil disobedience versus uncivil obedience. Is it a good thing to abstain from crime – taken as something punishable by criminal law – when, by that same token, that law itself is morally repugnant? And this discussion, of course, is closely related to 'the rage to punish' that has overtaken, so it seems to be, all clear thought in our civilised societies. After all, if desistance is taken to mean 'being well-adapted to the legal constraints

that society imposes on its citizens', then what does desistance boil down to in a society that has gone astray? It would turn 'desistance' into a matter of mere convention, and I think there is more to it than that.

