

MUSINGS

Crime and punishment



According to MaX Origen:

Do you have experiences that bring you almost unbearable satisfaction? I feel this kind of intoxication in moments of profoundly good fit. I feel it when I slip an unlabelled key into lock and tumblers yield like butter. When foot slides into shoe, a princess love is rediscovered. Hand into glove, body into wetsuit, thought into words: embracings beyond all telling. Just right.

The exquisite puzzle pieces nuzzling in our consideration today are certainly familiar to you.

Have you not invoked the proverbial wisdom: "Let the punishment fit the crime"?

It seems sensible enough, already introduced into early education, that non-arbitrary turning of poor choices into life lessons. And John Rawls' assertion that the first virtue of social institutions is justice, just right, is hardly arguable. But very quickly the philosophical waters become murky.

If justice does indeed demand the exquisite satisfaction of fit between crime and punishment, then we must look at that fit. What constitutes fit between crime and punishment?

From the earliest days of record we have the assertion of lex talionis, perhaps better known as "an eye for an eye, a tooth for a tooth."

Rather grim, this one. After all, what would I do with an eye or a tooth? Perhaps it is from this pragmatic question of use that art was born, or taxidermy. But beyond digression, from this originally simple and concrete point of view, we find ourselves in justice facing backward, looking at what has been. We are seeing clear definition and assessment, the retributive fit that restores to the victim at the expense of the perpetrator. Neatly said and done, wrapped and delivered, is this perspective.

Or perhaps one might have a utilitarian, forward looking perspective. From this vantage, laws exist to promote the greatest overall happiness for all the society members. And punishment seen in this context exists to ensure future social benefits by reducing crime.

Then again, one might be inclined to the libertarian ideal for which each individual's desired end is supreme consideration.

The Russian word for crime means "stepping over." I can imagine Dostoyevsky's Raskolnikov stepping over Ivanovna and Lizaveta. Raskolnikov had the belief that murder in pursuit of a higher purpose is permissible. He reasoned that in his act of murder he would solve his financial woes and rid the world of an ugly and despicable pawnbroker.

Would an action of such higher purpose be a crime?

In the operant conditioning vocabulary of psychology, punishment is a reduction of unwanted behavior by applying an adverse stimulus (positive punishment), or by removing an adverse stimulus (negative punishment). I can torture you, or I can stop torturing you.

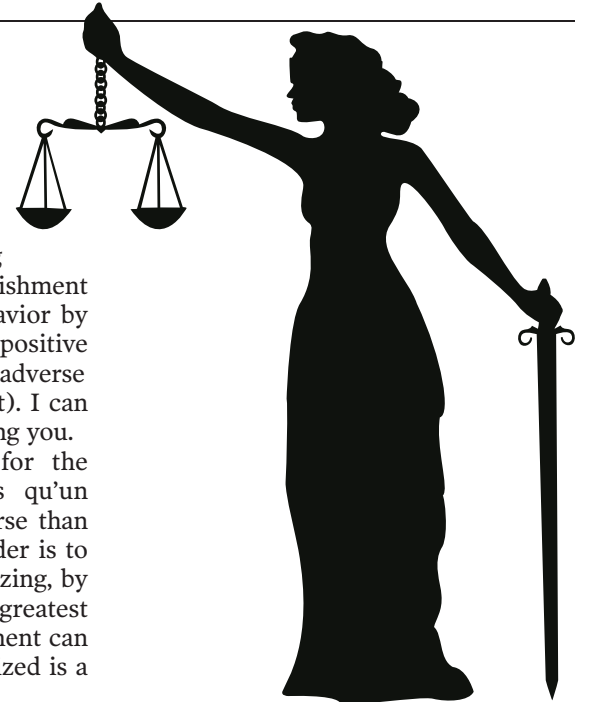
My personal preference is for the French sentiment: "C'est plus qu'un crime; c'est une faute." It is worse than a crime, it is a blunder. To blunder is to err by shutting one's eyes, by dozing, by ignorance. The blunder is the greatest crime of all, one that no punishment can ameliorate. The crime unrecognized is a crime unsolvable.

In the solution of blunder, we can only speak of waking. We can only put the ignorance out in full view, in the spirit of Irish wakes perhaps, to be ecstatically mourned and buried and gone beyond.

According to Rx:

I am Siberian waiting, firing squad fodder, big bang mother, gotterdammerung, judge-jury-victim-perpetrator. I am slaughter slather and scouring the scourge. I am taking and making and slicing and dicing. I am silencer, terminator, orgasmic die odes lighting nights of no waking. And I am: all this voice squeezed into the infinite heaviness of one point. Just one. Anomie. Ah, know me.

My mother died today. Or was it yesterday? Stranger in a strange land. Land-



ing on top of you, of ewe, yeoman of the guard. Who inflicts entry upon whom? Who preys for a lonely night?

Oh, pen wide beneath stars that may already be gone, tell my lovers that my maw, my paw, my grand fulcrum of release awaits response, respite, resounding resonance. This is my only moral imperative. ■

— Rx is the FloridaWeekly muse who hopes to inspire profound mutiny in all those who care to read. Our Rx may be wearing a pirate cloak of invisibility, but emanating from within this shadow is hope that readers will feel free to respond. Who knows: You may even inspire the muse. Make contact if you dare.

Fridays @ 8:30 pm
on TV 30.1 / Cable 3 & 241

A dynamic show with an in-depth look at living green, wellness, regional getaways, volunteering and public advocacy.

Mondays @ Noon on 90.1/91.7 FM

Gulf Coast Live! Connect! invites you to join the discussion.

Anytime online @ wgcu.org

Watch and listen to more than 100 ways to Connect!



Connect! with your Community

The Hunger Relief Fund

The Southwest Florida Community Foundation and the United Way of Lee, Hendry and Glades Counties are working to feed the hungry of Lee County. To help fight hunger or if you need help go to wgcu.org/TheHungerReliefFund.

