

From Empathy to Autism – how Ignorance became the Norm

(Dedicated to the memory of Professor Anna Christensen)

Dennis Töllborg

1. “The twelve jurors were all writing very busily on slates.

‘What are they all doing?’ Alice whispered to the Gryphon. ‘They can’t have anything to put down yet, before the trial’s begun.’

‘They’re putting down their names’, the Gryphon whispered in reply, ‘for fear they should forget them before the end of the trial.’

‘Stupid things!’ Alice began in a loud, indignant voice; but she stopped hastily, for the White Rabbit cried out, ‘Silence in the court!’ and the King put on his spectacles and looked anxiously round, to make out who was talking.

Alice could see, as well as if she were looking over their shoulders, that all the jurors were writing down ‘stupid things!’ on their slates, and she could even make out that one of them didn’t know how to spell ‘stupid,’ and that he had to ask his neighbour to tell him.”¹

2. Man is a social animal. Without other people, we would quite simply cease to exist. We need our friends, we need our family and we need our workmates – our life is created, it grows and changes through and in a constant relationship with other people. It is precisely this relationship, with what Chomsky and de Waal term a kind of “universal moral grammar”, that constitutes human beings and distinguishes them from all other biological creatures, perhaps together with some other primates, according to more recent research. I would go so far as to say that both morals and the ability to live a social life are immanent and naturally grounded, contextually nuanced but in their deep structure the factors that combine to make man a biological creature, regardless of race, history and

¹ Carroll, Lewis, *Alice’s Adventures in Wonderland*, Penguin Classics 1998, pp. 95-96.

political or social environment. The concept of man as nothing but a social construction, and society as a kind of matrix, then becomes an anti-intellectual understanding, based on temporary, superficial rationalisations of utilitarianly founded deviations from the deep structure. In reality, betrayal and love are the two most fundamental driving forces in human life, primeval forces that change and consolidate man as a social animal and thereby also all social relationships, regardless of whether we call them friendship, family or nation and regardless of whether these social relationships at superficial level, in the everyday trivial meeting between human beings, are controlled by traditional social conventions (behavioural codes) or written conventions (legislation). Man is an amalgam of values and, even if the law, as it is understood in modern society, is a social construction, if it is to function, it is always and eternally dependent on sponging on the "universal moral grammar" that constitutes human beings both individually and collectively. In its simplest form, this is illustrated by the knowledge that is owned by every lawyer with a relatively normal intellect; the penal code is written for people who have no intention of committing crimes – it acts as confirmation for us other that we are doing what is right. The criminal is not interested in the penal code; the criminal is only interested in the risk of being found out and is only worried by the force of the ensuing social stigma *within his or her own social group*.

Children follow what we do, not what we say. The same thing applies to the authorities – the most successful legal metaphor of our modern society – regardless of whether this silhouette of human decision-making appears in the form of a court, the chancellor of justice, a university, the police and so on. By learning, we assimilate social convention which modulate, blunt and rationalise our own deviations from our inner, biological moral compass. We follow convention in order to reduce our own discomfort and we refer to convention when we deviate from the deep structure, the moral, *in casu* in relation to other people we meet. Convention quite simply requires us to lie, when we are asked, for example, about a recently purchased dress or what we think of Guantanamo, questioned by powerful men and women at a cocktail party at the White House. One everyday expression of this human frailty, our fear of deviating and being ostracised from social fellowship, is our tendency always to agree, exhibit solidarity in discussions with the person with whom we are speaking, when we are expected to express a value judgement about an event to which that person is referring. This results in short-term survival but also in long-term self-contempt which can express itself in stress and mental illness at individual level and broken, fragmented societies at collective level. The attitude we take to the social fellowship of which we are a part is a prerequisite for survival, regardless of whether we are children in a dysfunctional family, citizens of Saddam's Iraq, Stalin's Soviet Union or Göran Johansson's Göteborg, members of Hells Angels or a professor at a department of law; in all these societies, social competence becomes the decisive factor for the powerless, at the expense of intellectual, empathetic competence. The inner moral compass is the same – in these contexts, it is still wrong to murder, rape, steal, sponge or even lie – and, as a result, the behaviour either focuses outwards, towards another social group with the "them-us" rationalisation, or else a temporary aberration/emergency situation

is blamed – I was drunk, she was stupid, they were so rich and I was so poor, he lied back in the 1980s but he has been nice since then², it was a “white lie”.

So this inner moral compass is the foundation. In the longer term, it plays a decisive part in creating effective social fellowship, while convention generates the flexibility that is pragmatically essential in order to resolve potential relationship conflicts in the shorter term. In close social relationships, convention plays a less important role, while in more superficial social relationships it often plays a decisive part at the start of a relationship. Globalisation – which means in this context that we meet more and more people and make new acquaintances with increasing regularity – is therefore tending to make conventionally correct behaviour a more frequent part of our everyday lives at the expense of honesty. It is this that, during the 1990s, created what is known as “the cynical generation”, which originated from an increasingly large – and more clear cut – distinction between rhetoric and practice. In the longer term, this erodes the cohesive putty of value conformity that constitutes societies and thereby also undermines legislation as a conflict-resolving instrument. At the end of the day, the effectiveness of a legal system is dependent on its being complied with voluntarily.

So, in order to preserve the law as the best system to date when it comes to resolving inter-human conflict in a civilised manner, we must understand that democracy, the rule of law and human rights are not a question of what we write, even less what we say. Human rights cannot be equated with fancy conferences, cocktail parties or the writing of handsome international conventions. Democracy, the rule of law and human rights are exclusively a question of what we do. Human rights mean concretising, seeing other people, focusing on other peoples’ rights instead of on our own. Every other position is counter-productive and this kind of hypocrisy only promotes the kind of cynicism that tears societies apart.

3. Anyone who seriously studies a legal rule always automatically creates a picture of what would happen in the area in question if this legal rule were fully implemented.³ This is the way the brain works: what is read is always translated into a relatively concrete imaginary picture. People are quite simply incapable of thinking in only abstract terms – thinking then becomes meaningless.

This is the theme upon which advertising plays and this is the objective of brand creation – to create a picture in the mind of the observer, a myth if you prefer, of what will happen if he or she follows the recommendations in the advertisements or attempts to conform with the brand. The same thing applies to ideological distortions – ideologies are ideologies precisely because they create images of reality and, when the powers that be use legislation as a means of

2 See below, p 5., when professor Gregor Noll tries to defend how come he suggested Hans Corell as honorary doctor at the Faculty of Law, University of Lund.

3 See Töllborg, Dennis, *Personalkontroll. En ideologikritisk studie kring den svenska personalkontrollkungörelsen*, Stockholm/Lund 1986, p. 56. Also Bruun, Niklas, *Kollektivavtal och rättsideologi*, Vammala 1979, p. 43, Pasukanis, Eugen, *Almen retslære og marxisme*, Köpenhamn 1975, p. 45, and Strömholm, Stig, *Rätt, rättskällor och rättstillämpning*, Lund 1984, p. 23.

control, the aim is normally to provide an indication of the desirable *concrete* behaviour.

I would like to develop this in more detail. For citizens and for legal scholars, the norm is transformed into an image of reality, the moment they study it with any degree of interest. The same transformation takes place when we read a fictional text. If we did not create these images, our response to the book would be totally indifferent; it would consist of nothing but a collection of letters following one another in a certain order. The book, the narrative, would be empty and meaningless *in its capacity as a literary work*.⁴

As I see it, the image creation of the sociocultural world is just as important when we study factual descriptions and instructions as it is when we read fiction. If we read an historical account of Elizabeth I, it is only interesting when the historical account is concretised in our heads in the form of physical images. Norms are translated into images of reality in the same way in order to give them meaning. For this reason, people never accept or reject a norm *as it stands*. We must always translate it into an image of reality which we can then consider and evaluate. It is here, *in this transformation process*, that legislation takes on the quality of ideology. This relationship, the ideological quality of legislation, is *independent* of whether the distortions that arise during the transformation process originate from misunderstandings, conspiracy or structural relationships.

The remainder of my argument is based on the fundamental supposition that the functionality of a legal system is dependent first and foremost on its being complied with voluntarily. To the superficial observer, this statement appears to be a paradox – is it possible to ask which power, class, individual or subject or, to be more correct, which interest⁵ wishes to be in control and why it needs to do so in legal form, when the system is nonetheless based on voluntary compliance? This perceived voluntary compliance may, however, be based on an ideologically⁶ distorted perception of reality. In this case, the voluntary compliance is based on false presuppositions.

The self-discipline a legal system can generate has a decisive impact on stability and stability is beneficial for interests and individuals with established

4 This is perhaps the background to the widespread autism in modern jurisprudence. The third hegemonic revolution, the internet (the first two took place in 1789 and 1968), in 1998, has impacted us to such a degree that even classical legal arguments, such as proprietary rights, become empty and meaningless, as concepts of this kind in the internet hegemony are pure abstractions. As we are unable to translate what happens into mechanics, we seek solace in corresponding metaphors, such as matrices, that state that everything is nothing but a construct. The problem, apart from the fact that this is not true, is that, in the longer term, we create not only legislation that is worthless but also people that are worthless; in other words, man commits hegemonic suicide and ceases to be both a social creature and an individual. Nothing exists any longer, everything is just matrix.

5 What I mean is that we should not begin by talking about individuals but about interests and that by far the most important interest is the need for stability. This particular interest also benefit certain individuals, those with established positions, and, in addition to being a collective interest, it is therefore also an individual interest for certain people.

6 Ideology is in this essay understood in the meaning used by the Frankfurt School (critical theory), with Horkheimer, Adorno, Benjamin, Marcuse and Habermas as the most well-known representatives.

positions.⁷ If a legal system is to be effective as a control mechanism, it must, however, be established with and accepted by “the controlled”, both as a concept and in its design at macro level. Power, or interest, if you prefer, requires legitimacy. A legal system can provide this legitimacy if and only if it is perceived as substantially objective and fair.⁸ Power therefore understands how important it is that the majority of the “controlled” feel that the exercise of power appears to be consistent with the law in force at the time.⁹

In my introduction, I claimed that man is an amalgam of values. I would now like to take things one step further and claim that all legal processes are also an amalgam of values, as the most fundamental rules in every legal system must be based on contextually common values, if they are to realise the need for voluntary compliance. These rules, or at least the most fundamental ones, such as not killing or benefiting from one’s own wrong-doing, reflect and, if the legal system is to attain legitimacy, also must reflect a mode of behaviour which would be followed spontaneously, even without a legal system. Many people, including the Swedish forensic sociologist Håkan Hydén, call these rules self-generating norms.¹⁰ As the legislation in these fundamental rules largely confirms the manner in which we would nonetheless behave, it acquires a special strength as an instrument for controlling human behaviour. The law is fair and so it is only fair to follow the law. Suddenly, complying with the law acquires an intrinsic value – “countries must be created by legislation,” someone claims – and we feel that we must obey the law, quite simply because it is the law.

At this point, legislation can start to be used to influence our behaviour. We must not simply refrain from killing people, stealing or committing rape, rules only confirming values we already have and which, hence, are spontaneously perceived as morally correct or fair. We should also refrain from tax evasion, exceeding the speed limit, hiding refugees and so on – rules of this type obtain their legitimacy only because they are legal rules and they are not based on general values but instead on a single value: the law should be complied with. These rules obtain its legitimacy from the fact that they are pragmatically acceptable or, in other words, suitable. So these rules acquire their legitimacy from what has become convention: we should comply with the law because otherwise “anarchy” will take over and so on.

Certain parts of the legal system are made up of rules that could be said to have developed from inter-human practice, like the paths in a forest. It is these rules I call self-generating, rules that most people obey voluntarily, regardless of coding. In spite of this, they are largely coded and incorporated in the legal system. This has a significant impact on the legitimacy of the legal system *per se*; when the self-generating norms are coded, this creates a basis for the impression that legal control is intrinsically fair and necessary. This legitimacy

7 Eriksson, Lars D., *Marxistisk teori och rättsvetenskap*, Helsingfors 1980, p. 45.

8 Strömholm, Stig, *Rätt, rättskällor och rättstillämpning*, Lund 1984, p. 376. Also Mathiesen, Thomas, *Rätt, samhälle och politisk handling*, Lund 1980, p. 101.

9 Stjernqvist/Widerberg, *Introduktion i rättssociologi*, Lund 1978, p. 35.

10 Hydén, Håkan, *Rättsociologi som rättsvetenskap*, Lund 2002, Chapter 6 and 8.

then applies to all the rules that are included in the legal system, even those that are not a spontaneously established part of citizens' lives and perceptions of justice.¹¹ These "pragmatically accepted" rules could be described as "sponging" on the self-generating norms.

It is naturally impossible to disregard the constant interaction that is taking place between the legal system and the population's perceptions of justice, at least to some degree. A rule that initially lacks spontaneous acceptance can eventually be regarded as just, as a result of the hegemony of the legal system as a conflict-solving instrument. In spite of this, the citizens' acceptance of the legal system is still dependent on the rule being applied in accordance with what the citizens perceive it to contain. If the actual application deviates markedly from the perceived content – if the brand promises quality but what is sold is obvious rubbish – and this encompasses a sufficient number of rules to constitute a critical mass, the legal system will lose legitimacy and thereby also voluntary compliance, resulting in a subsequent loss of effectiveness. To reach this point, the citizens must, however, be empirically aware that the rule essentially only has an ideological content, that, in its application, it gives the appearance of some degree of practice, while the actual relationship can in fact be the reverse. This is where legislation as an ideology comes into the picture and thereby also critical theory (as understood by the Frankfurt School) – not to mention the scientist's honour.¹²

4. The law constitutes a natural field for resistance. On the one hand, the law contains power, anti-intellectuality, the exercise of power that discharges those exercising it from responsibility, social conformity and so on, but, on the other hand, it also contains reflexivity, contextually united values, procedural forms that increase the opportunity for civilised solutions to inter-human conflicts with a call for mutual respect, the restitution of disrupted balance and so on. With the view of human beings I have outlined above, critical theory, as it is formulated by Horkheimer, Adorno et cetera, becomes a kind of moral duty *in favour of* man as a social creature and *against* autocratic structures, wherever and however they appear. In critical theory, anarchy and law find one another, in social integration and *anarchos* ("without authority"). They do not constitute a contradiction, they are instead united in one another in the common concept of honour or, following Habermas, *Verständlichkeit* (comprehensibility), *Wahrheit* (truth), *Richtigkeit* (correctness) and *Wahrhaftigkeit* (honesty).

"Critical ideology analysis always involves an *external* perspective of the law. The law is examined as an objective structure and not on the legal system's and the players' internal understanding of themselves. ... Legal dogmatic constitutes a means of rational argumentation within the system. The actual prerequisite for legal dogmatic is the minimum of confidence in the legislator that comes from the interpreter assuming that the legislator knows what he/she is

11 See also Bruun, Niklas, *Kollektivavtal och rättsideologi*, Vammala 1979, p. 43.

12 Töllborg, Dennis, *Science for sale*, "www.toellborg.nu": dennis töllborg: nyheter, speech at the Royal Swedish Academy of Sciences, Abuse and Misconduct in Science, November 24 2006, also forthcoming.

doing and means what he/she says. There is scope for criticism and different opinions within the system, but the criticism does not go so far as to question the ideology and fundamental prerequisites of the system. It is not possible to argue within a system and at the same time claim that the players in the system do not know what they are doing or do not mean what they say. If people wish to argue within a system that contains ideological misrepresentations, they must either be naïve or suppress the insight and awareness they have of the ideological misrepresentations. If they are unable or unwilling to do this, they must leave the system and become part of critical ideology analysis as a scientific approach, whether they like it or not.”¹³

According to Mathiesen, the ideological misrepresentations work by “branding image creation”¹⁴. In other words, the ideology functions as a cohesive putty; through its cognitive impact, it is the most central instrument – clearly surpassing naked violence – for stability in the creation of society.

Like every other scientist, also scientist’s using critical ideology analysis is naturally controlled by implicit and, to him/her, unknown prerequisites. Moreover, we know that interest biases knowledge production and that knowledge is dependent on context. The critical ideology analysis explicit interest in knowledge is emancipatory. Only a negatively defined picture of reality can avoid ideological misrepresentation. The negation of negation¹⁵, a kind of ultradialectic approach with constant criticism and constant reconstruction of knowledge of both subject and object and their relationship to one another, is the methodological key. Constant dissidence, permanent resistance, is another way of expressing the same thing. *Negative* becomes the keyword of critical theory, not in the sense of resignation or nihilism, but in the sense of non-confirmatory, useless for the purposes of legitimacy. The dialectic comes from constantly demonstrating a lack of completeness where completeness is claimed, as Said puts it, refusing to accept the stereotypes and simplified categorisations that impose such powerful restrictions on human thinking and human communication, constantly concretising and being awkward, argumentative and even unpleasant.¹⁶

To sum up, my claim is that the law has a tendency to act ideologically – in other words, a change at legal level can lend legitimacy to activities, without the legal change actually bringing about the anticipated corresponding change in the practical performance of these activities. From my speciality, intelligence and pro-active policing, the ban on the registration of political views and affiliations is one such example,¹⁷ the communication rule in its different forms in §13 of

13 Christensen, Anna, *Ideologikritik contra dogmatik*, in Hydén (ed), *Rätten som instrument för social förändring*, Lund 1982.

14 “stämplande bildskapande”, Mathiesen, Thomas, *Makt och motmakt*, Göteborg 1982, p. 112.

15 Cf. Israel, Joachim, *Språkets dialektik och dialektikens språk*, Arlöv 1980.

16 Said, Edward, *Den intellektuelles ansvar*, Smedjebacken 1995, p. 28.

17 Töllborg, Dennis, *Under Cover. Den svenska säkerhetspolisen och dess arbetsmetoder*, Göteborg 1991, pp. 49-50.

the Personnel Control Ordinance another,¹⁸ the lifting in 1999 of the absolute secrecy in the Official Secrets Act when it comes to the information in the security police register a third.¹⁹ It is therefore a central scientific task – in actual fact, a scientific obligation, at least for legal and political scientists – critically to examine the degree to which the rhetoric the legal change reflects also has any real practical repercussions. This is particularly central in a social system in which power bases its legitimacy on references to value arguments which are linked to the concept of the superiority of democratic rule; in other words, a system whose most powerful cohesive force is voluntary acceptance. Because every acceptance of this kind is always ultimately based on a *conception* of the actual state of things and more rarely on an empirical analysis. In the modern version of these social systems, science therefore plays a decisive part in the confidence those who are controlled have in the actual state of things, science as an instrument of legitimacy and the scientist as the tool for diverting issues and knowledge that are sensitive to hegemony.²⁰

5. But so what? Stability as the prevailing norm is also a rational objective and it can certainly be regarded as legitimate – and very convenient – even among scientists – to participate in a classical cover-up (such as Aleksander Peczenik²¹ and Kurt Grönfors²² have advocated within the legal system and Olof Peterson within political science²³, to mention at random three of all the people who could possibly be mentioned). However, as a scientist, in fact even as a legal scientist, it is possible to focus on and spotlight the empirics and then allow them to reflect against the values that are represented by the legal system and upon which powerful men and women base their positions and then – time and again – focus on the most central question, namely: To what is this the answer? No one is more than me aware that this is a (controversial) choice, but choosing to look away is also a choice;

18 Töllborg, Dennis, *Personalkontroll. En ideologikritisk studie kring den svenska personalkontrollkungörelsen*, Stockholm/Lund 1986, pp. 317-333.

19 Cameron/Töllborg, *Internal Security in Sweden*, pp. 198-200, in Brodeur/Gill/Töllborg, *Democracy, Law and Security. Internal security services in contemporary Europe*, Hampshire/Burlington 2003.

20 This explains why I am so furious with the Departments of Law in Stockholm and Lund, which give Corell legitimacy like just any necrologist over the greatest swine ever to have lived. By doing this, history is not simply Stalinised. The lawyers of tomorrow are brought up in hypocrisy, an upbringing that will have a disastrous impact in the longer term when it comes to the legitimacy of the legal system. And what comes instead? See further Töllborg, Dennis, *Science for sale*, “www.toellborg.nu”: dennis töllborg: nyheter, also forthcoming, speech at the Royal Swedish Academy of Sciences, Abuse and Misconduct in Science, November 24 2006.

21 Cf. Prof. Peczenik’s arguing for “logical jumps” as soon as a anomaly was disturbing the work with explaining the legal system as a unity. Peczenik, Aleksander, “*Vad är rätt?, om demokrati, rättssäkerhet, etik och juridisk argumentation*”, Stockholm 1995.

22 Prof. Grönfors used to state, for the researchstudents and at seminars, that the most important task for legal science was to act as the grease in the legal machinery. He expresses this view with a little more elegance in Grönfors, Kurt, *Avtalslagen*, Göteborg 1995.

23 Petersson, Olof, *Den offentliga makten*, Stockholm 2007.

* On 2 June 2007, Hans Corell was made an honorary doctor of law in a solemn ceremony at the Department of Law at Lund University.²⁴ He had been nominated by Gregor Noll, who first denied having made this nomination, then claimed that the procedure was classified as secret²⁵ and finally explained to a former student via e-mail that Corell's sins were a thing of the past.²⁶ Otherwise, Corell was well known, not least at the Faculty of Law in Lund, since 1997, when it was disclosed that, in his capacity as the government's legal representative, he had deliberately misled the European Court of Justice in the so-called Leander case.²⁷ The Swedish government was subsequently forced both to publicly apologise to Leander and to give him a sum corresponding to € 43,000 in tax-free damages for this action. Following the main negotiations in the European Court of Justice in 1986, Corell was offered the post of Head of the Secret Service, an offer he was not content to accept. Instead, he demanded – successfully – that Sweden should lobby for him to be appointed as the Deputy Secretary-General of the UN, with special responsibility for human rights and fundamental freedoms. A decade later, in December 1997, when he was interviewed in *The Guardian* about the lies in the European Court of Justice, he explained that he had only been obeying orders.²⁸ Five years later, when he retired and left his post, he was interviewed by lawyers from Lund. They asked him, “What do you regret most?” and he replied “I can't think of anything in particular.”²⁹ He now travels around, as an honorary doctor at both the Faculty of Law in Stockholm and the Faculty of Law in Lund, and explains that “whatever you do, you must be able when you do it to look yourself in the face and stand up for what you do. Because, when you start to turn a blind eye to your integrity, you are skating on very thin ice”.³⁰ This materialized hypocrisy is all well-known facts in Sweden, at least among lawyers looking to make a career within government agencies. It perhaps explains what happened in 2005, when the Swedish Ministry for Foreign Affairs was caught with its trousers down after also having lied to the UN Committee against Torture about the deportation of

24 Juridiska fakultetsstyrelsen, Lunds universitet, 2006-12-13.

25 e-mail to me from Gregor Noll 2007-04-24.

26 e-mail to me from Naiti Del Sante 2007-09-10.

27 ECHR *Leander ./. Sweden*, appl no 9248/81. See also Töllborg, Dennis, *The Leander case in reflection when we know the true story*, in Töllborg, Dennis (ed), *National Security and the Rule of Law*, Göteborg 1997, pp. 179-197. The background is well known to the Faculty of Law in Lund, not only because I, who was Leander's legal representative, wrote my dissertation there and my supervisor, Anna Christensen, was a professor at the same faculty, but also as a result of the articles in two *festschrifts* in which this matter was discussed, both to Anna Christensen in 2000, *Normativa Perspektiv*, Festschrift till Anna Christensen, Lund 2000, and to Reinhold Fahlbeck 2005, *Liber Amicorum*, the second of which was actually published by the faculty's publishers!

28 Walker, *EU rights law rests on Swedish lies*, *The Guardian* December 30, 1997.

29 Interview with Corell, 10 December 2002, “www.af.lu.se/interaf/pub/Formated.cgi?sel=id=667&fmt=upfnews/EnNyhet”.

30 “ourmotherthemountain.blogspot.com/2007/09/integritet.html”.

two Egyptians.³¹ How else is it possible to understand that normally honourable, hard-working civil servants at a government department decide to lie to a UN committee – in an area in which Sweden has otherwise always maintained a high profile?

* The tsunami on 26 December 2004 hit Sweden very hard. Since 13 October 2005, the Swedish Criminal Investigation Department's list of missing and identified deceased persons following the catastrophe in South-East Asia comprises 543 persons, of whom 122 are children aged 15 and under. The criticism was devastating, not least when it came to the passive approach of the Swedish authorities. The first victim of this criticism was Christina Palm who, at the time of the tsunami, was Head of the Consular Section at the Swedish Ministry for Foreign Affairs and, in this capacity, was one of the first people the subordinate civil servant contacted when the scale of the catastrophe became apparent. Her reaction was to give this subordinate a dressing-down, telling him not to be "so hysterical" and giving him a "serious reprimand". When Palm's actions became known and the relatives became incredibly upset for obvious reasons, she was forced to resign. The then Minister of Justice appointed her friend and subordinate as consul – in Phuket!³²

So what is this the answer to? That the people who exercise power are evil? I do not think so. I think it is worse than that. What has happened is that ignorance has become the norm for success and that this limitation in the ability for mutual social interaction, imagination, empathy and perceptual ability, resulting from people not being required to take responsibility, has been internalised to such a degree that the men and women of power no longer reflect on whether and, if so, how their decisions impact their fellow human beings. They do not see, hear or feel. Within medicine, this is known as autism and, in an autistic society, the law becomes shallow and is simply a form with no content.

“When did you begin?”

The Hatter looked at the March Hare, who had followed him into the court, arm-in-arm with the Dormouse.

‘Fourteenth of March, I *think* it was,’ he said.

‘Fifteenth,’ said the March Hare.

‘Sixteenth,’ added the Dormouse.

‘Write that down,’ the King said to the jury, and the jury eagerly wrote down all three dates on their slates, and then added them up, and reduced the answer to shillings and pence.”³³

31 “www.aftonbladet.se/nyheter/article287960.ab”.

32 “www.aftonbladet.se/nyheter/article334497.ab”.

33 Lewis Carroll, *Alice's Adventures in Wonderland*, p. 97 (Penguin Classics 1998).