

The Public Expression of Penitence

Constantine Sandis

RESUMEN

Este trabajo explora críticamente la comprensión expresivista del castigo que está en el corazón del libro de Christopher Bennett, *The Apology Ritual*. Parece haber una tensión en el tratamiento simultáneo por parte de Bennett de los delincuentes como gente a la que, por un lado, se le ofrece la oportunidad de ejercer su derecho a reparar el daño y, por otro, como sujetos que son sentenciados por mor de una expresión apropiada de su condena. Defiendo, en cambio, que el castigo infligido por el estado no puede realizar la función de purga, que quienes comenten un delito no lo necesitan para redimirse y que no confiere la redención, automáticamente, como algo que fuera de suyo, a alguien que no se arrepiente. Si, como Bennett parece sugerir, el 'derecho a ser castigado' tiene que incluir una dimensión ética, no puede ser simplemente un derecho a sufrir por lo que uno ha hecho, pues la reacción éticamente apropiada al crimen tiene que respetar también el derecho que uno tiene a ser reconocido como el criminal que fue y a que se le dé ocasión de reparar públicamente el daño que causó.

PALABRAS CLAVE: *penitencia, justicia restauradora, derecho al castigo, castigo comunicativo, restauración.*

ABSTRACT

This paper critically explores the expressivist understanding of punishment which lies at the heart of Christopher Bennett's book *The Apology Ritual*. There seems to be a tension in Bennett's simultaneous treatment of offenders as people who are, on the one hand, being offered the opportunity to exercise their right to make amends and, on the other, being sentenced for the sake of an appropriate expression of their condemnation. I propose instead that state-inflicted punishment cannot easily serve a purging function, that offenders do not need it to redeem themselves, and that it does not automatically bestow redemption on the unrepentant as a matter of course. If, as Bennett seems to suggest, the 'right to punishment' is to include an ethical dimension, it cannot simply be a right to suffer for one's deeds, for the ethically appropriate reaction to crime must also respect one's right to be recognised as the criminal that one is, and be given a chance to make public amends for it.

KEYWORDS: *Penitence, Restorative Justice, Right to Punishment, Communicative Punishment, Restoration.*

The notion of obligations comes before that of rights, which is subordinate and relative to the former.

SIMONE WEIL, *The Need for Roots*, 1942-3.

I. DECENT OFFENDERS AND THE DUTY TO PUNISH

Christopher Bennett's *The Apology Ritual* is motivated by an important yet frequently neglected concern regarding the obstacles that certain legal procedures create for decent offenders who wish to apologise for their crimes and make appropriate amends. Bennett illustrates this with the following narrative:

When taken away by the police car, Bryson was in the middle of an apology to the victim, an apology that he no doubt sees as inadequate to the situation, but which he feels compelled to make nevertheless...Under our present system, the police bundle Bryson off and from that point on he has little or no chance to have contact with Judith...the severity of the sanction may make it less likely that he ever expresses how sorry he is to his victim [Bennett (2008), p. 4].

According to Bennett, the problem is best addressed by striking a balance between retributive and restorative theories of justice by means of state-sanctioned apologies which respect wrongdoers as agents whose actions are subject to moral and rational evaluation [Ibid, p. 41ff]. This is to be achieved, he suggests, by sentencing them to serve whatever punishment decent people – such as Bryson in the example above – would freely choose for themselves.¹ Such apology rituals enforce criminals to act *as if* they are sorry, regardless of whether or not they actually are so.

Bennett's proposal is intended to respect the fact that we have a duty to punish offenders and consequently wrong them if we pardon crimes against their wishes, compelling them to accept an unwanted gift. *Inter alia*, Bennett argues not only that apology rituals enable us to express a condemnation owed to offenders, but that such expression is the chief purpose of punishment:

[...] a good way to express how wrong we think an act is would be by making the offender do what we think someone who was sorry enough for their offence would feel it necessary to undertake by making amends [Bennett (2008), p. 146] [...] the fundamental job of the criminal sanction [...] is simply to express proportionate condemnation [Ibid, p. 148] [...] the main purpose of punishment is condemnation of the offender for a "public wrong" [Ibid, p. 152] [...] Setting

an amount of amends is an 'intuitive way of expressing condemnation' [Ibid, p. 174] [...] there is a role for the criminal sanction – understood as what I have called the apology ritual – as an expression of collective condemnation of crimes [Ibid, p. 175].

This expressivist understanding of punishment lies at the heart of Bennett's suggestion that state-sanctioned apologies should be ritualistic. Yet there is a tension in the simultaneous treatment of offenders as people who are, on the one hand, being offered the opportunity to exercise their right to make amends and, on the other, being sentenced for the mere sake of an appropriate expression of their condemnation. The extent to which this tension can be relieved hangs on the precise sense that we give to the elusive notion of a 'right to punishment'.² What follows is an exploration of certain details of Bennett's proposed account, offered on the premise that the spirit of his law can only be strengthened through criticisms of its letter.

II. EXERCISING THE RIGHT TO COMMUNICATE REMORSE

All rights are *de facto* limited by recipients' lack of power to waive any correlative obligations. According to an influential legal tradition, rights are thereby akin to liberties whose exercise we may *but need not* pursue, having 'some measure of control over the correlative obligation' [Holmes (1881), p. 214; cf. Hart (1955), pp. 180-3 & (1973), pp. 171ff.]. So conceived, the right of offenders – decent or otherwise – to be treated as autonomous agents entails a *choice* to be punished, and an opportunity to input into what the punishment should be [see, for example, Morris (1968)].³

In opposition to this tradition, it has been proposed that there are 'rights which do not leave [the bearer] free to waive anything at all', such as that of a team's right to a throw-in [White (1984), p. 108]. But is it not misleading to claim the team has a *right* to a throw-in if it has no choice but to take one? A team may have the right to claim a throw-in when none was given, but only if they were equally within their rights not to claim one. Similarly, an offender has a right to be punished if no sentence is given. In the case of a compulsory sentence, however, it seems misleading to insist that she had a right to it. At most, to have something that one is entitled to forced upon one is to have a right that one is prevented to exercise. *A fortiori*, if the reason for making punishment compulsory is to be that offenders have some kind of right to it, the right in question can only be one whose exercise they are denied a two-way power over.

One possible move here, inspired by Hegel, would be to maintain that in choosing to do something which they know they will be punished for offenders are already choosing to be punished [cf. Hegel (1821), § 99R].⁴ This

position presumes a somewhat distorted notion of choice, eliciting responses such as the following one by John Deigh:

At most, one who chooses to commit a criminal offense chooses to place himself in jeopardy of being punished or, if determination of his guilt is a foregone conclusion, to incur a liability to punishment [Deigh (1984), p.197].⁵

Perhaps the correct conclusion to reach is that no theory of why state-sanctioned punishment is necessary can be built solely upon the notion of a 'right to punishment'. For it may be that what offenders have a right to is not punishment *per se* but, rather, the choice of publically condemning themselves. This is not to defend abolitionism, but merely to recognise the ethically significant difference between (a) making offenders do what they would choose to do if they were decent and (b) offering them a genuine opportunity to freely make amends, over and above whatever condemnation is expressed by the state. Conversely, victims have a right to receive genuine apologies, and this too can only happen if offenders are given the agential space to make their *own* amends.

A valuable strategy between (a) and (b) is that of attempting to ensure that the offender *realises* that she needs to make amends. In Antony Duff's conception of it, a political community:

owes it to the victim, whose wrong it shares, and to the offender as a member of the normative community, to try to get the offender to recognize that wrong and to make a suitable apology for it...We owe it to victims and to offenders to make the attempt to secure repentance, self-reform, and reconciliation...that attempt is worth making even if it is often likely to fail, since in making it we show that we do take crime seriously as a public wrong and address the offender as someone who is not beyond redemption. [Duff (2001), pp. 114-5].⁶

There are numerous *different* ways of trying to facilitate such a recognition, some more orthodox than others. In the films *The Yes Men* and *Yes Men Fix the World*, for example, political activists Andy Bichlbaum and Mike Bonanno pose as CEOs of organisations such as DOW Chemical and Shell making public apologies on their behalf. They 'accept' full responsibility for the past actions of the companies they pretend to represent, 'offering' vast sums in compensation to the victims of disasters which the companies have been implicated in. The intended effect of these stunts is to put the organisations in question in the difficult position of having to either disassociate themselves from the offers made in their name, thereby worsening their public images, or allow themselves to be manipulated into parting with huge amounts of money, with the possible benefit of improving their ethical reputations (they always choose the former). There is, however, a third option available to the

CEOs, namely that of wholeheartedly endorsing the apology made on their behalf, adding that they should have been pro-active of their own volition. To sincerely respond this way is to freely exercise the right to make amends.

Victims are unlikely to be persuaded by apologies shown to have triggered by hoaxes and will even less impressed in cases were apologies sanctioned by the state, on pain of further punishment. Could offenders in such circumstances truly choose to be punished? According to Duff the answer is 'yes', so long as we make the punitive procedure a form of inclusionary moral communication, allowing offenders the opportunity to fully co-operate in any legal action taken. Duff argues that, if administered correctly, a penitential punishment that is *communicative* – as opposed to merely expressive – can retain a distance which infringes neither the autonomy nor the emotional privacy of those punished [Duff (2001), ch. 3.2ff; cf. Duff (1986), p. 240ff.]. On this view, offenders are free to *treat* their punishment as they please: a penance, a prudential deterrent, a cost they are happy to pay etc. [ibid, pp. 125-6]. After all, the argument goes, there is no such thing as forcing someone to apologise *sincerely*. It is up to them to decide what kind of punishee they are to become.

In the first of his 2009 Reith lectures Michael Sandel describes the practice of treating a fine as a fee:

A study of some Israeli childcare centres offers a good real world example of how market incentives can crowd out non-market norms...parents sometimes came late to pick up their children, and so a teacher had to stay with the children until the tardy parents arrived. To solve this problem, the childcare centres imposed a fine for late pick-ups. What do you suppose happened? Late pick-ups actually increased [...] Introducing the fine changed the norms. Before, parents who came late felt guilty; they were imposing an inconvenience on the teachers. Now parents considered a late arrival a service for which they were willing to pay [...] Part of the problem here is that the parents treated the fine as a fee. It's worth pondering the distinction. Fines register moral disapproval, whereas fees are simply prices that imply no moral judgement. When we impose a fine for littering, we're saying that littering is wrong. Tossing a beer can into the Grand Canyon not only imposes clean-up costs; it reflects a bad attitude that we want to discourage. Suppose the fine is 100 dollars and a wealthy hiker decides it's worth the convenience. He treats the fine as a fee and tosses his beer can into the Grand Canyon. Even if he pays up, we consider that he's done something wrong. By treating the Grand Canyon as an expensive dumpster, he's failed to appreciate it in an appropriate way [Sandel (2009), lecture 1].

We sometimes talk of 'paying the price' for our mistakes. But a person who literally views all penalties as prices is doomed to conclude that one can never be punished for breaking the law because, strictly speaking, one can never break it. Such a person may well choose to be 'punished' in choosing to commit a crime, but only does so because she misperceives the law as

nothing more than a list of the rates (monetary or otherwise) of performing certain actions or, even worse, the cost of being *caught* performing them. So construed, the law doesn't say 'don't do A' but 'A will cost you x amount of time and/or money'. If nothing counts as breaking a law then, to paraphrase Wittgenstein, nothing could count as following it either, in which case it's no law at all [Wittgenstein (1953), § 201].

The state may communicate to citizens its wish that penalties be treated as deserved punishments rather than advertised costs, but it cannot force them to treat them so. Offenders may apologise voluntarily for a variety of reasons (from true remorse to the hope of leniency through 'good behaviour'), but they may also refuse to do so, thereby requiring authorities to threaten with further penalties or invoke force. As Harry Frankfurt's initial scenario of Jones being threatened to do something which he had already decided to do 'no matter what' demonstrates, not being able to do otherwise (in the relevant sense) does not in itself relieve one of the responsibility for doing what one is made to do [Frankfurt (1969), p. 3ff.]. It can, however, deprive the agent of autonomy. Not treating offenders as mere 'dogs' does not alone suffice to give them the 'freedom and respect' they are due [cf. Hegel (1821), § 99A].

One further worry with both Bennett and Duff's proposals is that it is often impossible for the victim to know which motive the offender is acting from (carrot, stick, or remorse), at least until after any eventual release. Indeed, the more sincere the offender, the less satisfied she will be with non-voluntary punishment. As Bennett himself maintains:

[a]n apology works when it is sincere: that is, when it expresses the wrongdoer's acceptance that what she did was wrong and her repudiation of it...the apology has to express the fact that the wrongdoer understands her action as wrong, that it matters to her [Bennett (2008), p. 115].

The above view is stated within the context of a discussion of informal restoration, Bennett arguing further on that:

the state [...] has no business giving out sentences the explicit aim of which is to make offenders genuinely penitent [Bennett (2008), p. 154-5].

Be that as it may, the opportunity to publically express genuine penitence is one owed to the offender, yet threatened by enforced ritualistic amends. The criteria for whether an offender has repented are counterfactual ones: what would the offender have done if the penalty hadn't been enforced, and/or her sentence could not have been shortened for good behaviour? Ideally, offenders should have the opportunity to make amends which are legally superegregatory. Bennett's favoured penal system does not prevent them from doing so, of course, but one which actively provides them with a means of commu-

nicating and effecting any desire to make amends in a way that is beneficial to the community harmed, as well as to the victim, would arguably be preferable.

III. THE EXPIATION OF GUILT

One of the many virtues of *The Apology Ritual* is that it presents a legal notion of punishment that is sensitive to moral concerns. Accordingly, Bennett conceives of the ‘right to punishment’ to include the inward-looking possibility of redeeming oneself through suffering and guilt for blameworthy actions or omissions [Bennett (2008), pp. 115ff.].⁷ He is here in broad agreement with A. I. Melden, who writes:

[...] what is important about the claim that there is a human right to punishment is...the idea that punishment serves to purge those upon whom it is imposed of their guilt and by thus redeeming them enables them once more to join their lives with others. Punishment as the means adopted to purge persons of their guilt is, in fact, a mark of the respect we have for those to whom it is applied, for even the guilty who need to be punished in order to be redeemed are to be respected for the rights that they have [Melden (1977), pp. 183-4].

This redemptive theme, familiar from Dostoyevsky’s *Crime and Punishment*, is explored in Woody Allen’s trilogy on unpunished murder, with unsettling results. In the first film, *Crimes and Misdemeanours*, the atheist life-saving and charity-donating doctor Judah Rosenthal literally gets away with murder. Initially ‘plagued by deep-rooted guilt’ and soon ‘on the verge of a mental collapse-an inch away from confessing the whole thing to the police’, he one day awakens to find that ‘his life is completely back to normal’. Once in a while he has a bad moment, but ‘the killing gets attributed to another person-a drifter who has a number of other murders to his credit’ and ‘in time, it all fades’. Or so it seems. For the murderer finds himself in quasi-confession, the above quotations all taken from a purported idea for a film that which he offers to an aspiring film maker he meets at a cocktail party. The latter is unconvinced:

Here’s what I would do: I would have him turn himself in, because then your story assumes tragic proportions, because in the absence of a god, or something, he is forced to assume responsibility himself. Then you have tragedy [Allen (1989)].

‘But that’s fiction’ the murderer replies, ‘you’ve seen too many movies’. In Gus Van Sant’s movie adaptation of Blake Nelson’s *Paranoid Park*, teenager Alex accidentally kills a security guard and keeps it secret until his guilt compels him to make a confession, though (here again) not to the authorities.

Like Raskolnikov, and Allen's modern-day variations on his type, Alex falls seriously short of being decent *qua* offender. Regardless of this, the question of whether and if so how he is to be purged is not one which can be answered in terms of necessary and sufficient conditions.

The second film in Allen's series, *Match Point*, opens with the following narration by the Dostoyevsky-reading murderer Chris Wilton⁸:

The man who said "I'd rather be lucky than good" saw deeply into life. People are afraid to face how great a part of life is dependent on luck. It's scary to think so much is out of one's control. There are moments in a match when the ball hits the top of the net, and for a split second, it can either go forward or fall back. With a little luck, it goes forward, and you win. Or maybe it doesn't, and you lose [Allen (2005)].

The visual accompaniment shows a tennis ball hitting the top of the net; the frame freezes and we do not see which side the ball comes down on. Towards the end of the film, Chris throws the incriminating evidence (some jewellery) into the river Thames, but a ring hits the top of a rail and bounces onto the road. If this were a game of tennis, the 'match point' would have been lost.

As it happens, the result precipitates Chris' not getting caught (the ring is picked up by a drug dealer who is soon after killed in a feud). But it does not follow that he has won the match point. Indeed, it is not clear what, if anything, could count as 'winning' here, inviting the viewer to question the view that being lucky amounts to having it easy and/or 'getting away' with things.

Chris attempts convince the apparitions of his two victims that he did what he did out of necessity, and is consequently able to suppress his guilt, telling them that 'you have to learn to push the guilt under the rug and move on, otherwise it overwhelms you'. This is soon followed with him the followed, however, with the following confessional statement:

It would be fitting if I were apprehended [...] and punished. At least there would be some small sign of justice – some small measure of hope for the possibility of meaning [Allen (2005)].

One may cause an offender to suffer by refusing him official punishment. But such an act could only serve to purge his guilt if it is itself understood as an act of punishment. In not being caught or sentenced, Chris has lost the chance to receive the punishment he deserves (and has a right to), a victim of the fact that he is not decent enough to immediately turn himself in. The film's final shot of him at a complete emotional loss makes it clear that this weakness will continue to plague him.

Melden characterises the poverty of such a stance well:

the individual, blemished as he is, would be dishonest with others if, were he to live with them as he did before the blemish was revealed in his offence, and dishonest with himself were he to adopt the usual methods of concealing the moral flaw from himself. For such a person there is the need to suffer the punishment and only in this way to do the penance that is required. Remorse is not enough. What is required is the constant reminder of the fault manifested in the misdeed in order that the individual may attain that moral ratification within himself that is the expiation of his guilt [Melden (1977), p. 182].

In the final part of the trilogy, *Cassandra's Dream*, one of two murdering brothers, Terry, considers suicide but ultimately decides that the only way to 'wipe the slate clean' and 'straighten it out' is to turn himself in and serve his punishment. Somewhat paradoxically, Melden paradoxically hold that the very suffering which causes offenders like Terry to seek punishment is itself punishment enough if the need for it is unmet:

To demand one's punishment as a matter of one's right may well demonstrate that one has no moral need for, and ought not to be given, the punishment for which one clamours. For one who cries out for the punishment he deserves as a matter of right is already suffering the pangs of remorse and suffering the contrition of heart and repentance that punishment itself is designed to secure but which in that instance is sheer suffering that serves no useful purpose [Melden (1977), p.181].

Peter Winch considers a similar objection to the attempt to tie punishment to repentance:

[...] if the offender truly has repented when he comes to be punished, then there is nothing more for the punishment to achieve in that regard. On the other hand, if the offender is not repentant, then whatever happens to him is not punishment (in the 'ethical' sense of the word I have tried to develop) [Winch (1972), p. 219].

While the objection is onto something, Winch rightly notes that there is also something amiss with it. He illustrates through the following passage from Simone Weil, quoted with approval:

In the life of the individual, the innocent must always suffer for the guilty; because punishment is expiation only if it is preceded by repentance. The penitent, having become innocent, suffers for the guilty, whom the repentance has abolished.

Humanity, regarded as a single being, sinned in Adam and expiated in Christ.

Only innocence expiates. Crime suffers in quite a different way [Weil (1970), pp. 115-16].

The upshot of all this is that state-inflicted punishment cannot easily serve a purging function. Offenders do not need it to redeem themselves and it does not automatically bestow redemption on the unrepentant as a matter of course (though it is certainly possible for a ritualistic simulation to activate the real thing).⁹ If, as Bennett seems to suggest, the ‘right to punishment’ is to include an ethical dimension of the sort alluded to be Winch and Weil, then it cannot simply be a right to suffer for one’s deeds. The ethically appropriate reaction to crime must also respect one’s right to be recognised as the criminal that one is, and be given a chance to voluntarily make public amends for it.¹⁰

Department of History, Philosophy, and Religion
Oxford Brookes University
Harcourt Hill Campus
Oxford, OX2 9AT, UK
E-mail: csandis@brookes.ac.uk

NOTES

¹ Being decent is a matter of degree rather than kind. Duff (2001) distinguishes between the morally persuaded offender [pp. 116-7], the shamed offender [pp. 117-8], the already repentant offender [pp. 118-120], and the defiant offender [pp. 121-25]. All but the last may qualify as relatively decent.

² Bennett keeps the phrase in scare quotes throughout his book. In what follows I shall consider certain understandings of it, but it would take a much lengthier piece (if not a book) to present anything that even approximates an exhaustive analysis of the main contenders.

³ Morris takes the right to be treated as a person to be and ‘inalienable’ right acquired simply ‘by virtue of being human’ [p. 127]. I do not agree, but none of what follows rests on either of us being right.

⁴ This is not the place to engage in Hegel exegesis. Still, it is worth noting that Hegel’s use of ‘Recht’ is much looser than any notion standardly associated with the term ‘right’.

⁵ I return to a further possibility further below.

⁶ As Duff subsequently notes, this is not an all-or-nothing question, and the appropriate extent of resources to be devoted to such efforts will vary from case to case.

⁷ Like Bennett, I leave aside here the issue of the appropriateness of apologising for things one is not to blame for, save to register that there is no reason to think that such apologies are purely a matter of etiquette and thereby immune from any guilt-related norms [see Sandis (2010)].

⁸ At one point in the film we even see him consulting the *Cambridge Companion to Dostoyevskii*.

⁹ The question is an empirical one and results will doubtlessly vary from one individual to another. No specific sentence can in itself be identical to the punishment that an offender has a right to.

¹⁰ This paper was first presented at the 5th Nomos Conference, on *The Apology Ritual*, University of Valencia, 27-8 January 2011. Many thanks to all the participants, especially Christopher Bennett, Josep Corbí, Fabian Dorsch, Antony Duff, Jules Holroyd, and Sandra Marshall for their incredibly helpful questions, criticisms, and suggestions. Thanks also to David Dolby, Max de Gaynesford, Arto Laitinen, and Berta Pérez for very fruitful conversations and, especially, to Edgar Maragat for insightful comments which helped to improve an earlier draft.

REFERENCES

- ALLEN, W. (1989), *Crimes and Misdemeanors*, New York, Orion Pictures.
 — (2005), *Match Point*, London, BBC Films & Dreamworks.
 — (2007), *Cassandra's Dream*, New York, The Weinstein Company.
- BENNETT, C. (2008), *The Apology Ritual: A Philosophical Theory of Punishment*, Cambridge: Cambridge University Press.
- BICHLBAUM, A., BONANNO, M., & ENGFEBR, K. (2009), *Yes Men Fix The World*, New York, HBO.
- DEIGH, J. (1984), 'On the Right to Be Punished: Some Doubts', *Ethics*, 94, pp.191-211.
- DOSTOYEVSKY, F. (1866/1952), *Crime and Punishment*, trns. tr. D. Magarshack, London, Penguin.
- DUFF, A. R. (1986), *Trials and Punishments*, Cambridge, Cambridge University Press.
 — (2001), *Punishment, Communication, and Community*, Oxford, Oxford University Press.
- FRANKFURT, H. G. (1969), 'Alternate Possibilities and Moral Responsibility', *Journal of Philosophy*, LXVI, No. 23. Reprinted in his *The Importance of What We Care About*, Cambridge, Cambridge University Press, 1988, pp. 1-10, to which any page numbers given refer.
- HART, H. L. A. (1955), 'Are there any Natural Rights?', *Philosophical Review*, 64, pp. 175-91.
 — (1973), 'Bentham on Legal Rights', in Simpson, A. W. B. (ed.), *Oxford Essays in Jurisprudence II*, Oxford: Oxford University Press, pp. 171-201.
- HEGEL, G. F. W. (1821/1952), *The Philosophy of Right*, trns. T.M. Knox, Oxford: Oxford University Press.
- HOLMES, O.W. (1881), *On the Common Law*, Boston, Little, Brown, and Co.
- LEATHERBARROW, W.J. (ed.) (2002), *Cambridge Companion to Dostoevskii*, Cambridge, Cambridge University Press.
- MELDEN, A. I. (1977), *Rights and Persons*, Oxford, Blackwell.
- MORRIS, H. (1968), 'Persons and Punishment', *The Monist*, Vol. 52, No. 4, pp. 475-501. Reprinted in (ed.) A. I. Melden, *Human Rights*, California, Wadsworth, 1970, pp.111-134, to which any page numbers given refer.
- NELSON, B. (2006), *Paranoid Park*, New York, Viking Press.
- OLLMAN, D., PRICE, S., & SMITH, C. (2004), *The Yes Men*, New York, United Artists.
- SANDEL, M. (2009), *A New Citizenship: The Reith Lectures*, London, BBC Radio Four.

- SANDIS, C. (2010), 'The Man Who Mistook his Handlung for a Tat: Hegel on Oedipus and Other Tragic Thebans', *Bulletin of the Hegel Society of Great Britain*, 62, pp. 1-18.
- VAN SANT, G. (2007), *Paranoid Park*, New York, ICF Films.
- WEIL, S. (1970), *First and Last Notebooks*, Oxford, Oxford University Press.
- WHITE, A. R. (1984), *Rights*, Oxford, Clarendon Press.
- WINCH, P. (1972), *Ethics and Action*, London, Routledge & Kegan Paul.
- WITTGENSTEIN, L. (1953/2009), *Philosophical Investigations*, 4th edition, tr. G.E.M. Anscombe, P. M. S. Hacker, & J. Schulte, Oxford, Wiley-Blackwell.