

**Dr. Robert Tierney**  
**Retribution and Dignity**

Ethics and Normativity Seminar Series

Tuesday, October 24<sup>th</sup>, 3:00-5:00 pm

Old Science Building, S115

Online Link Available

Hegel famously argued that retributive punishment annuls the crime. His theory was derided as incoherent since a crime that occurred in the past cannot be undone. To meet this objection, I propose amending Hegel's theory by arguing that, post-punishment, the situation is such that the offender faces two distinct options in terms of how they will be valued as a person. On the one hand, the offender may maintain the stance of a purported independent source of right, which stance is implicit in the criminal act. Here the form of self-value is honor. Such would require the offender regarding the state as having inflicted a wrong upon them that diminishes their value as a person, remaining in an agonistic relationship with the state, and making an effort to redeem that loss of value that would ultimately end in humiliation. Alternatively, the offender may abandon their prior stance and accept the status of equal dignity as a citizen within the just liberal state. Since the state necessarily regards the offender as a rational being, it is rationally warranted to impute to them a repudiation of their criminal will and the acceptance of right. Such repudiation and acceptance constitute the nullification of the criminal will (essential to the crime) and the affirmation of right.

