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Punishment, Forgiveness, and Moral Conscience: Justice Beyond Legal Boundaries in Literature

¹Dev Singh* (Research Scholar)

Department of Applied English, Bareilly College, Bareilly

²Prof. Jyoti Agarwal (Research Supervisor)

MJP Rohilkhand University, Bareilly, India

Abstract:

This academic paper explores the complex relationship between law, morality, and justice in the selected novels by J. M. Coetzee and Mario Vargas Llosa. Thus, the article is specially focused on how punishment and forgiveness are ethically reimagined beyond formal legal systems. As we can observe the legal systems claim authority over justice. On the contrary the texts incorporated here expose their restrictions in addressing human suffering, guilt, and moral responsibility. Through comparative literary investigation, the study tries to explore how characters challenge injustice not only through institutional procedures under the established jurisdiction. It also tries to investigate the cases through conscience, empathy, and personal adaptation. The texts included in this study, illustrate punishment as a deeply subjective and ethical association. So, they are not only scrutinized through the benchmark of a legal concern. Moreover, they foreground forgiveness as a transformative act that challenges corrective models of justice. The present study primarily centers on the philosophical insights such as moral conscience, curative justice, and ethical humanism. So both of the authors offer alternative ideas of justice stranded in individual responsibility and insightful moral engagement. These narratives invite readers to question inflexible legal definitions of justice and to consider more sympathetic ethical responses through the selected novels. Ultimately, the article contributes to broader debates on justice by showing how narrative fiction illuminates the moral intricacies of wrongdoing, punishment, and resolution. In the same way it also visualizes more considerate forms of justice beyond formal legal systems.

Keywords: Justice beyond law, Punishment and forgiveness, Moral conscience, Restorative justice, Comparative literary analysis, Ethical justice.

***Corresponding Author:**

Dev Singh

Email: devsinghnath@gmail.com

INTRODUCTION:

The notion of justice is expressed either in the form of punishment or forgiveness. Punishment is about imposing physical pain to correct an individual's behavior but forgiveness deals with awakening the consciousness of the offenders towards conceding their misconduct. However, the humanity around the world stick to notion of justice in the form of punishment which is envisioned towards inflicting physical pain either through confinement or through physical hardships to the victim (Rawls). This notion of justice is based on the continuation of Middle Ages brutality because the very notion of inflicting pain even in the name of justice cannot be said fair and justifiable (Sen).

J.M. Coetzee's *Disgrace* (Coetzee) deals with the idea of forgiveness over physical punishment. Understanding the forgiveness can only be an effective way to make sure that the society remains intact in peace and order. In the same way both of the fictional plots of Mario Vargas Llosa's *The Time of the Hero* and Márquez's *No One Writes to the Colonel*, (Llosa, and Marquez,) have the major ideas that reveal the universal theme of official disloyalty and the politics of power. Llosa talks about the despotic systems of the

Leoncio Prado Military Academy, where cadet disorder and ragging resulted into murder that is to be masked by the commanders in a systematic violation of truth and justice. (Llosa) This statement reflects upon how the state power holders not only exploit its authority but also reserve corruption through silence and control. In the same way Márquez emphasizes on the pathetic plight of the Colonel, a retired army officer of the Colombian armed forces, who sacrificed his self-respect in the cost of fake and never fulfilled assurance of old age pension after the retirement from active military duties. (Marquez) His fifteen-year wait without fulfillment denotes the cruelty of institutional disregard and the deceit of those who once fought for the state. Together, the two texts disclose how power structures sustain themselves through manipulation, dominance, and unfulfilled promises, transforming the individuals as victims of authority's disloyalty rather than the stake holders of its justice.

Marquez's *No One Writes to the Colonel* is about the negligence of the state by not providing a retired Colonel his pension. The notion of justice is arbitrary in case of the

Colonel in the face that he had served the nation for his entire youth.

Justice, as such, is arbitrary when exercised by the state. For the state uses justice as a tool to impose its tyranny but does not regard it as a manifestation to solve the woes and sufferings of the public. States use justice only to impose punishment instead of focusing on measures of forgiveness. (Marquez). The presence of the state needs to be all inclusive and that has to address the woes of the people, instead in the name of justice, it becomes rampant and arbitrary.

The notion of forgiveness and punishment are primarily rooted in justice; although, they are quite opposing to each other. Forgiveness is about giving an opportunity to the wrong doers through excusing them to set up in a new environment with fresh beginning. But on the other hand, any justice that aims at punishing individuals for their act is purely revenge based. The application of justice through punishment, where individuals are inflicted with pain and retribution might be savage and brutal.

On the other hand, forgiveness-based philosophy of justice will provide the offenders a chance to correct themselves. The notion that justice should accompany infliction of pain and punishment to the

offender is merely vengeance-based idea that cannot be justified by a civilized society. In this way, forgiveness must be all inclusive; however, not in the form used by the legislations and states around the world, where justice is the universal tool for governing the common individuals by imposing its autocratic mindset.

The idea of forgiveness seems to be exposed through *Disgrace*, as a guiding principle to the societies that are withered by war and outrages. Coetzee foregrounds the notion of forgiveness as the way to take forward the societal dilemma and existing atrocities. (Coetzee, 19) Llosa's *The Time of the Hero* and Márquez's *No One Writes to the Colonel* primarily highlight the anxiety between suppression and patience within the Latin American socio-political context. (Marquez, 45) Similarly, Llosa presents the dictatorial exploitations of a military academy (Llosa) where the junior cadets and even higher authorities like Lieutenant Gamboa are treated bitterly by their seniors.

Marquez depicts the retired Colonel as an example of everlasting endurance, whose tireless hope for his long-denied pension represents the silent voice of the marginalized group of existing period. Both of the novels centralize around how Latin

American literature questions the dual realities of political domination and the human capacity accepting the bitter truths of the terrific plights of betrayal and discontent. The retired army officer is worthlessly waiting for the long assured pension to arrive; but the chances seem to fade away day by day. And then there is Professor David Lurie, an expert on romantic poetries whose insatiate sexual desires seek pleasure with his students.(Coetzee,1) Lurie does not admit his act immoral or illegal for, he debates that it is an act of mutual consensus.

At a time, when humanity is ravaged by incessant violence and acts of atrocities killing innocent lives and claiming property worth millions; the idea of whether justice or forgiveness will restore peace is the concern for the lawmakers and scholars. Sadly, it is not only one part of the world, but the entire globe is in one or the other way a victim of rampant killing and destruction. Hence, the idea of justice needs to be redefined from the perspective of including measures of forgiveness so that people would feel the sense of ownership and justice is delivered.

Methodology

This scholarly study implements a library-based research scheme, employing close reading, broad analysis, and critical

interpretation to engage with key philosophical contexts, mainly John Rawls's *A Theory of Justice* and Amartya Sen's *The Idea of Justice* (Rawls; Sen). Similarly, John Stuart Mill propounded a theory of utilitarianism. This theory is adapted in highlighting the principle of maximizing happiness for the greatest number through just practices.(Mill). The study further engages with Jacques Derrida's concept of unconditional forgiveness. In his extensive exploration Derrida critically examined the punishment as a form of revengeful justice and, at times, institutionalized revenge (Derrida).

In the current research work it has been tried to explore whether justice, facilitated through the dual frameworks of punishment and forgiveness, can be justifiably applied to wrongdoers. In addition to this it also advances a critical inquiry into the ethical validity and practical implications. These practices naturally incorporate forgiveness and ethical investigation in the judiciary to implement legal systems on them who commit misconduct.

The crucial texts for this study include J. M. Coetzee's *Disgrace* as well as Mario Vargas Llosa's *The Time of the Hero*. These works help as the central body for textual analysis.

Secondary sources cover scholarly criticism, academic writings, and philosophical discussions on justice, ethics, punishment, and forgiveness.

The ongoing research has been directed by an interdisciplinary theoretical approach. Particularly it assimilates Aristotle's virtue ethics, Martha Nussbaum's capabilities approach, Michel Foucault's critique of disciplinary punishment (Holland, 52) together with the previously mentioned backgrounds of Rawls and Derrida. In addition, the study involves with postcolonial and political outlooks to contextualize Coetzee's South African setting (Coetzee) and Llosa's Latin American socio-political setting within existing global anxieties (Llosa).

Precisely, the study employs close textual analysis. It is specially applied to detect narrative structures, character development, and literary illustrations of justice, punishment, and forgiveness. This is accompanied by thematic analysis to recognize periodic ethical and political concern. Likewise, it also tries to explore comparative literary methods to highlight unions and discrepancies in the authors' treatment of justice. Moreover, critical discourse analysis is employed to discover

how these stories question established legal frameworks. The extensive literary discourses challenge corrective tools, and imagine ethical substitutes beyond established law.

This procedural approach is particularly suited to the study's philosophical and interpretive nature. Therefore, it highlights analytical depth over experimental measurement. Ultimately, the research aims to support to a nuanced academic understanding of justice "beyond the law," foregrounding the ethical position of forgiveness as a prospective alternative to punitive systems (Derrida). It also inspires the interdisciplinary dialogues across literature, ethics, politics, and legal studies.

Results and Discussion

Review of Literature

There have been several scholarly debates on *Disgrace*, *The Time of the Hero* and *No One Writes to the Colonel* (Coetzee, Llosa and Marquez). Critics opine that the depiction of characters in these novels showcase the happenings in the life of normal people in today's world. In the opinion of Marquez the subject of state dominance in the application of justice can be unbearable to the common people.

The Time of the Hero by Llosa analyses the oppressive logic of institutional authority, where military officers mislead public trust under the veil of protecting shared welfare. The silencing of Arana's murder, despite clear evidence from Alberto Fernández, reveals how systemic power influences truth to defend its reputation, with only Lieutenant Gamboa repelling this authoritarian involvement (Llosa). Likewise, in *No One Writes to the Colonel*, Márquez reflects upon the losing faith upon the institutional promises through the Colonel's fruitless fifteen-year wait for his pension—a symbol of state negligence and disruption of hope (Marquez). Jointly, the two novels disclose how Latin American literature questions the interconnection of repression, silence, and disloyalty on the one hand, and patience, honesty, and confrontation on the other, that critically vibrates the unsteady grounds of moral insolvency and controlling of mechanisms that abuse ideals of justice and welfare to preserve their own interests. Convincing his friend Alberto, the Captain, in his diplomatically polished autocratic tone, opines:

'That's enough,' the captain said. 'What you are telling me is absolutely childish. You are accusing a fellow cadet of murder but without any proof. I wouldn't be surprised if

you yourself aren't the one who wants revenge. You can't play that kind of game in the army, Cadet. It could cost you dearly'... 'Cadet Fernandez,' the Captain said. 'I am going to talk to you man to man. You are young and impulsive. That's not a fault; it can even be a virtue. A mere tenth of what you have told me would be more than enough to expel you from the Academy. And that would be a terrible blow for your parents. Am I right?'

'Yes Sir,' Alberto said (279).

The Time of the Hero, (1967) critically exposes the pressure between truth and institutional power within the Peruvian Military Academy. The Academy functions not simply as a training center for the personnel but as a symbol of governing authority, where conventional legacy of official hierarchy and individual rank plays superior role over justice. The Captain's degrading behavior with Alberto Fernández embodies how the domination is exercised to silence attendants and enforce traditional values upon them.(Llosa,) As we observe in the plot of the novel that the declaration of Alberto and Lt. Gamboa on Jaguar's involvement in Arana's murder, the high authority seems to be reluctant to accept it due to the possible loss of institutional

reputation in the coming time that will necessarily disrupt organizational strength upon stake holders. Moreover the senior commanders threat Alberto by reminding him that filing a case against a fellow cadet plays negative role to implement military codes. The Captain highlights on the modes of silencing as per the military codes for the welfare of their academy, where the act of keeping silence for institutional solidarity can be more valuable to expose truth. Most of the cadets working in the junior ranks are always living under the terrific shadow of dismissal from the military service for questioning authority. This kind of institutional domination again reveals how institutional power and disciplinary provisions rules to conquer discrepancy that practically strengthens the broader understanding of systemic corruption, improper application of justice upon common individuals.

Through the plot of *The Time of the Hero*, (1967) Llosa tries to highlight the efforts of coercive institutions that ideally negotiate on essential human rights through extortion and silencing. The Military Academy in Peru not only works as a recruiting center of discipline but also as a mechanism of systemic control that naturally violates the basic values of life, liberty, and personal freedom of the concern

individuals. The Captain's discouraging debate with Alberto exposes this dual strategy of control. Likewise the aggressive dismissal and severe measures to crush rebellion at the same time through patriarchal rhetoric, counseling the cadet to leave youthful instincts for the sake of career progress indirectly indicate the institutional domination through interpellation of junior cadets (Llosa). This kind of instability between coercion and encouragement reflects a wider strategy of enforcing the juniors' silent, so that institutional supremacy and obedience can be maintained under the veil of military regulations. By exposing how warnings, regulations, and critical discourse available around can be proved wrong in front of the followers. Llosa almost critically talks upon the loss of justice within systemic power structures and presents special emphasis on the helplessness of human rights when institutions exercise authority and self-respect over ethical obligation. (1967)

Similarly the concept of social liability and justice also rotates in *Disgrace* (Coetzee). Critic Charles Sarvan centers on David's geocentricism and his gender race illiteracy in which his male character remains at the area of every happening and somehow his actions are acceptable. When he seduces

Melanie Isaacs, one of his romantic poetry students, he remains arrogant to defy his actions. Somehow, the readers are made to believe that his act was justified under the impression that the college girl did not resist the temptation and stood against what was happening (Sarvan). Sarvan comments:

The novel employs free indirect discourse to such an extent that it is in effect, a first person narrative, entirely from David's point of view. David, trapped in a selfish, egocentric subjectivity, fifty two years old Prof does not know the thoughts, feelings and motivations of the other characters, and its implication in their mentality (Sarvan 26).

It is as such that David does not want to recognize other world than his, and from his own point of view.

Coetzee chooses verbal approaches that draws serious attention of intent readers to a deeper, ironic layer of understanding, thereby distracting the text's primary meaning from its superficial meaning. (2000) This careful contrast between surface and depth forces readers to demand the novel's realistic policies and expose its unforeseen critique. This idea has been conveyed in the form of a White man's mentality leads to the formation of socio-political belief in the society. For most of the

Whites assume that they are the leaders and they are born to rule and dominated. Hence, there is no sense of forgiveness to them.

When, Lurie calmly denies seeking for any sort of forgiveness, the old Colonel is all inclusive and still wants the state to play a role of the guardian and release his pension. Thus, the notion of social justice is starkly at contrast in these fictions. The hero's self-evaluation as well as his ideas of others, functions within a contradiction that repels literal understanding. The reactions of the protagonist cannot be admitted at face value; instead, they ask for a critical and research based analysis. Similarly a serious study of the plot discloses a remarkable pressure between David's public reputation and his innermost reality of nature, exposing the variations in the individuality, observation, and truth in the personalities of major characters (*Coetzee*). The outward appearance this professor seems to be quite gentle but internally he is among those who does not see the meaning of life beyond sex.

Presenting his views on Coetzee's *Disgrace*, Eric Bryant (*Bryant*) projects the novel as holding the issues of contradicting the patriarchal myth of gender roles and challenging the differed ideas of male and

female with the revelation of female's commodification. In this regard he argues:

But just as this idyllic life begins to bore David, he sees its uglier side. Lucy convinces him to help her friend, Bev, at the local animal clinic. David is a no great animal lover and does not find himself face to face with the suffering of the innocent dogs born into a world that wants them nor has the means to support them. Bev's role is more executioner than veterinarian. (Bryant 9)

In a crucial moment in the novel, David and Lucy are attacked by three African men, an occurrence in which David fails to avoid Lucy's destruction. This act fragments their hopeful living together and forces David into a struggle to realize Lucy's decision to remain on the farmhouse and her attempt to reunite with the local community, in the face of its aggression. This event critically focuses on the questions of violence, gendered helplessness, racial pressure, and the politics of appeasement in post-apartheid South Africa. The strong reaction of Colonel's wife in *No One Writes to the Colonel* is seen against the interpellation of the state driven laws in post-civil war Colombian societies that favor atrocities. (1967) Commenting on this notion of criminal law to govern common people in

contemporary Colombia, an English scholar Gene H. Bell Villada (Bell-Villada) in his reviewed work entitled as "Garcia Marquez and the Novel" claims as:

In *No One Writes to the Colonel* the stubborn opposition between the need for food and the family honor symbolized by the fighting cock, or in the clash between criminal laws and a mother's devotion towards her son are the clear cut evidences of the atrocious nature of dictatorial regime in Colombia during the 1950s.(Bell-Villada 25)

Institutional interference upon common people that is depicted in the novel seems to be hegemonic and fueling on the hardships of the common people living inside the territory of Colombian regime.

This fictional story reviews the deception of state control and exposes the severe reality of administrative negligence, showing how misplaced faith in institutional assurances prolongs suffering and disappointment among the troubled.

The image of the old Colonel in *No One Writes to the Colonel* (1967) represents the discontent of officially neglected individuals who remain confined in the false hope of state assurance. His continued and meaningless wait for a pension signifies the

larger failure of contemporary Colombian regime that directly underestimates the aspirations of its citizens. The never ending resolution of the Colonel reflects a conventional and least meaningful trust in the state as a source of public welfare, but unfortunately this kind of parental public image towards the state has been completely broken by the end of the novel.

In *No One writes to the Colonel*, the retired Colonel appears as a member of socio-economically marginalized group who is psychologically tormented by the state driven apathy. His extended fifteen-year wait for a pension reveals totally futile and hopeless that has been imposed upon him and so many others by the false assurances of the Colombian state. The discussion between the Colonel and his sick wife emphasizes the wider dissatisfaction of boundless soldiers and civilians who were strategically rejected under the mask of deceptive executive policies. The pathetic plight of the retired Colonel and his sick wife reflects the deeper injuries of internal war on common individuals and the strategic application of authority in 1990s Latin America. More over this kind of shrewd executive policies naturally worsened the helplessness of ordinary persons, leaving them captured in cycles of scarcity, negligence, and dejection.

Justice in broader sense is not only concentrated in punishing the wrong doers but also it is focused on measures to bring in positive behavioral change at the thought and deeds of the offenders. There is no denying that only through the physical infliction of pain and sufferings, an individual is unlikely to change. For, punishment brings in feelings of remorse, and ultimately helps to develop revenge related sentiments. Therefore, it has been obviously taken into consideration that the justice not only incorporate physical punishment, but also it is focused on measures of forgiveness.

Conclusion

This Scholarly attempt tries to explore that Disgrace (2000) and The Time of the Hero (1967) critically disconcert the supremacy of retributive justice. These modern classics are critically uncovering ethical limitations and human consequences. The selected texts in this study try to disclose the fact that institutional systems often associate justice with punishment. Therefore they often discredit moral liability, empathy, and the complications of human suffering. By incorporating authoritarian control, personal guilt, and social disintegration over the perpetrators, the novels challenge the validity of legal outlines that privilege order

over truth. Eventually, the study asserts that justice, when confined to punitive structures, becomes ethically deficient. So the members in authority must instead try to reimagine it as a moral practice stranded in responsibility, acknowledgment, and the possibility of transformation.

The outcomes of this study suggest that justice cannot be sufficiently assumed within the narrow boundaries of legal punishment. In addition to this it must be theorized and implemented on common individuals through ethical and humanistic perspectives too. Through the critical engagement with the works of J. M. *Coetzee* (2000) and Mario Vargas Llosa, (1967) this research highlights the need to move beyond redressing paradigms toward more restorative approaches. The scholars working in this area of study often try to integrate forgiveness, moral accountability, and resolution as the alternative tools for transformative resettlement of the wrong doers. These insights carry substantial interdisciplinary implications, mostly for the fields of legal philosophy, human rights, and literary studies in which the questions of justice gradually interconnect with lived experience and social trauma.

Besides, the study tends to focus on contemporary debates on transitional justice by emphasizing the role of narrative in revealing the ethical failures of institutional systems. It underscores the importance of addressing historical violence, systemic oppression, and cultural dislocation. For the above mentioned juridical action the textual integration needs the frameworks that prioritize dialogue and restoration over punishment alone. In a global context marked by conflict and inequality, this research advocates for a more inclusive understanding of justice. This type of judiciary resolution certainly acknowledges emotional, moral, and relational dimensions together with legal structures.

The present study examines the concept of justice as it is applied through the dual appliances of punishment and forgiveness in contemporary socio-political contexts. Rather than considering justice as a fixed legal standard, the study interrogates its conventions and lived expressions. Particularly these models are implemented to the extent in which governing retributive models execute conditions of helplessness on those subject to institutional authority. In doing so, the research work questions the ethical acceptability of equating justice with punishment. Moreover it highlights the

psychological, moral, and social concerns of such reductive backgrounds.

The major concern of this scholarly exploration is the control of retribution as a socially authorized form of justice. This scholarly study critically examines about how retributive instincts are legitimized within cultural and legal papers. By doing so, the study showcases the ways in which punitive practices often reproduce cycles of violence rather than resolving them. The critical observation is therefore situated within a wider global context. In the global scenario the paradigm of justice endures to be ratified through challenging patterns of punishment and forgiveness (Coetzee). This contrast enables a deeper commitment with the ethical pressures between liability and reconciliation. So it supports morally to the stake holders and societies marked by conflict, disparity, and historical strain.

The academic exploration further claims that literary texts provide a crucial site for reconsidering justice beyond the boundaries of formal legal discourse. Through a close reading of *Disgrace* and *The Time of the Hero*, the research reveals how fiction can illuminate distinct human conditions. These conditions can be evaluated as the dimensions of human suffering, moral

uncertainty, and institutional failure that are often ignored in juridical frameworks. These narratives do not merely reflect legal authenticities; rather, they critically restructure justice as an ethical and emotional experience (Davis). This kind of juridical practice inherently challenge the capability of law as the sole mediator of right and wrong. In this context, the research focusses on some alternative modes of justice—such as forgiveness, moral liability, and restorative practices. These ethical models are naturally beyond the legal boundaries for they are operated by the state mechanisms as necessary correctives to the extremes of punitive systems.

In addition, the study places itself as both logical and dominant by appealing with the historical and political conditions that inform the selected texts. The works of J. M. Coetzee and Mario Vargas Llosa are studied in relation to contexts of apartheid, dictatorship, and systemic violence. These areas of juridical investigation often raises the questions of guilt, responsibility, and compensation as an urgent remedies to the victims demanding the constitutional resolution of their plights (Filler.) Furthermore this research work also try to draw implicit connections to discourses such as provisional justice, truth commissions,

and human rights. By doing so the study positions literary analysis within an extensive ethical and political framework. This approach permits a cross-cultural understanding of justice. It naturally enlightens the moral dilemmas, emerge across various geopolitical settings.

From an interdisciplinary point of view, the research incorporates the fields of law, ethics, and literature to propose a more nuanced conceptualization of justice. It claims that narrative art has the ability to extend legal philosophy into the ground of human relationships. These humanitarian perspectives often try to enhance the issues of empathy, conscience, and moral judgment that has been exchanged among common individuals. A comparative commitment with Coetzee and Llosa further exposes underexplored connections between punishment and forgiveness. It is because by addressing a significant gap in existing literature, a novel discourse on law and literature can be established for legal resolutions of the debates. Eventually, the research contributes to the constant considerations on justice by promoting for a shift from retributive frameworks to more curative and human centered approaches. This is particularly because in a world gradually shaped by conflict, transposition,

and social disintegration, the legal investigations by the authorities, need to be human centered and compassionate.

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