

Apology, Forgiveness, and Revenge

by

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## ABSTRACT

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This dissertation makes a contribution to moral philosophy by inquiring into the nature, content, justification, and scope of apology and forgiveness. In doing so, I get a theoretical purchase on their ethical importance. I view apology and forgiveness as inescapable moral negotiations, which I understand to be ethical activities that mend human relationships after they have been compromised by wrongdoing by at least one party to the relationship. I argue that the concepts of apology and forgiveness, though analytically separable, form a nested whole in our practical lives such that the intelligibility and meaningfulness of either is dependent on the recognition and feasibility of the other.

I argue that apology and forgiveness are speech acts with an important moral function. I first examine the kind of speech acts that apology and forgiveness are, thereby exhibiting their logical structure. Though they bear a *prima facie* resemblance to the performatives in J. L. Austin's account, they also differ. In arguing that Austin's account fails to accommodate the unique logical structure of apology and forgiveness, I offer a model that captures the form of their idiosyncratic logic. In short, I submit that a moral apology – an apology that ranges over a moral domain instead of the domain of etiquette and manners – always implies a request for forgiveness, and that an apology is successful only insofar as forgiveness is granted. In a complimentary vein, I argue that forgiveness in the absence of apology strains the very intelligibility and meaningfulness of forgiveness.

I then consider the moral structure of apology, which I maintain has three necessary parts, one of which is a complete acknowledgement of wrongdoing. A complete acknowledgement satisfies the epistemic dimension of apology, and I propose a novel account of acknowledgement. I go on to identify the moral emotions of guilt, shame, regret and remorse as constitutive of the affective dimension of apology, while arguing that humility represents its attitudinal dimension. Lastly, I argue that moral apologies are a form of what Margaret Urban Walker calls moral repair: the process of migrating from the state of loss and damage to a state in which at least a modicum of security in moral relations is reestablished.

I then examine the moral structure of forgiveness and some of the motivations for and anticipated outcomes of revenge. After considering a rival account of forgiveness, I argue that forgiveness has a threefold common core: forgiveness involves the suspension or overcoming of hostile feelings toward the wrongdoer; forgiveness involves restoring the relationship damaged by the wrong; and forgiveness involves the removal or suspension of the wrong. However, forgiveness has its limits. I argue that we cannot forgive in the absence of an apology, the dead, ourselves, or unforgivable actions. When confronted by the unforgivable evils of an atrocity, many throughout history have considered revenge as an alternative, retaliatory way to restore the moral balance between the offender and the victim when moral repair cannot. I conclude that, despite its intuitive appeal, revenge does not achieve such moral balance as it is ultimately self-defeating, exacerbating the very instability that the vengeful often wish to eliminate.

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**Table of Contents**

Introduction

1

Chapter 1: The Language of Apology and Forgiveness: A Philosophical Analysis

6

Chapter 2: The Moral Structure of Apology

27

Chapter 3: The Moral Structure of Forgiveness

87

Chapter 4: Revenge

123

Bibliography

134

## Introduction

Apologizing and forgiving are central features of the moral dimension of our lives. As children, we are instructed by our parents to recognize when we have done wrong, and to apologize to the party we have wronged, when our wrong actions are directed toward others rather than toward ourselves. We also are instructed to be receptive to the apologies of those who wrong us, and to forgive them. In the infancy of our moral development, apologizing and forgiving may be treated as part of the system of etiquette that we, hopefully, learn in tandem. As we mature, however, we come to see manners and morality as constituting separate and autonomous though sometimes partially-overlapping spheres, even though we don't usually express this observation in quite such a formal vocabulary.

It is the province of ethical reflection to express and evaluate this and other such observations about morality in the formal vocabulary of moral philosophy. Among the host of concerns that moral philosophers have traditionally been interested in, evidence for which is found in any standard anthology of ethical theory, one comes across various metaethical issues pertaining to the status of morality and the meaning of moral language, evaluations of the many different and often competing moral principles that purport to define the structure of normative ethics, examinations of the nature of value and the scope and limits of moral responsibility, worries about the relationship between religion and ethics, concerns regarding the place of feminist criticism, and applications of various moral theories to the areas of business, medicine, and economics. Clearly, moral philosophy is an extraordinarily diverse field. And yet, despite this diversity, moral



philosophers have by and large apparently neglected or overlooked the centrality of apology and forgiveness to our moral lives.<sup>1</sup>

Speculations upon the possible reasons for this neglect may reveal the reticence that many moral philosophers have in examining a discourse that historically, at least in the West, has been laden with religious themes and imagery. I contend that the West's religious examination of apology (which in the Christian tradition would more commonly be expressed in terms of confession and repentance) and forgiveness is insufficient, and perhaps even misleading, because its account is unnecessarily and uniformly burdened by references to sin, claims about the afterlife, and talk of the supernatural. However, we may and indeed should dispense with all such religious claims, references, and talk, in attempting to make *philosophical* sense of the moral relevance of apology and forgiveness. Simply put, moral philosophy is not moral theology.

This dissertation makes a contribution to moral philosophy by inquiring into the structure, justification and scope of apology and forgiveness, and in so doing gets a theoretical purchase on the ethical importance of them as inescapable moral negotiations. While I acknowledge the influence that Western religious traditions have had on apology and forgiveness, this project pursues an understanding of the conceptual and practical nature of apology and forgiveness from a secular standpoint. Whether we are religious or not, the moral negotiations involved in apologizing and forgiving are integral to a robust picture of our shared moral life. And because our moral life is, I contend, shared all the way down, the analysis I offer of apology and forgiveness does not commit us to any one underlying ethical theory, but is compatible with them all.

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<sup>1</sup> I refer to the bibliography for a sample of the publications within the philosophical literature that serve as exceptions, almost all of which are very recent, having appeared within the last twenty years or so.

My dissertation will address the following questions: Is there a connection or link between apology and forgiveness, and if so, what is it? Does forgiveness in some way complete an apology? Just what is an apology, and do all moral apologies share a similar form? What are the elements of an apology that, when combined, constitute a full or genuine apology? What makes an apology sincere, and why is this fundamental to a “successful” apology? Why do we apologize, and what is the proper moral and emotional posture of those who ask to be pardoned? Why do we forgive, and what are the constraints on whom we forgive? Are we ever required or morally compelled to forgive? Is it morally responsible or even possible to forgive, in the absence of an apology, just so you can “put the past behind you”? Is there anything that is unforgivable, and if so, why? Provided that there are at least some things that are unforgivable, is revenge ever a justifiable moral response to them?

In the dissertation I will argue that the concepts of apology and forgiveness, though analytically separable, form a nested whole in our practical lives such that the intelligibility and meaningfulness of either is dependent on the recognition and feasibility of the other. Because apology and forgiveness are conceptually and practically bound together, their interconnectedness puts demands on the internal structures of each respective activity. This interconnectedness – what I call the logic of apology and forgiveness – is examined in the first chapter. I draw upon the resources of speech act theory in making my argument for the interconnectedness of apology and forgiveness. I distinguish between what I call moral apologies and quotidian apologies, the latter being concerned with the domain of etiquette and manners. In the dissertation, I am solely interested in developing an account of moral apologies, which I see as ranging over a

moral domain. I also make a distinction, which I claim holds for moral apologies but not for quotidian apologies, between apologizing and offering an apology. When we offer an apology, we successfully perform the linguistic act of uttering “I apologize for X,” or some other such locution to the party we have offended. When it is said that we have apologized, the offered apology has been accepted and, therewith, forgiveness granted by the offended party. Because forgiveness is not sought when we utter a quotidian apology, the distinction between apologizing and offering an apology does not obtain in the domain of manners and etiquette.

In the second chapter, I present and defend my account of the moral structure of apology, showing how acknowledgment, the moral emotions, and humility coalesce in an apology. I also pay special attention to what Margaret Urban Walker calls moral repair, situating both apology and forgiveness as forms of moral repair. In the third chapter, I present and defend my account of the moral structure of forgiveness against a popular competitor. I argue that forgiveness, which may be granted if and only if apology has been first proffered by the wrongdoer, achieves its end when the forgiver ceases to express and feel hostility toward the wrongdoer, actively and patiently works toward reconciliation with the wrongdoer, and restores the moral equality of the wrongdoer. When these three tasks are performed in the context of a morally reparative activity, I argue that forgiveness has been achieved. Because I contend that the possibility of moral repair sets the scope for the set of actions that can be forgiven, I argue that we are unable to forgive those who fail to apologize, the dead, ourselves, and those who perform actions that are unremittingly cruel and impossibly brutal - in a word, unforgivable. Meditating on the unforgivable easily gives way to thoughts of revenge. I conclude the dissertation

by arguing that revenge, though defensible in some highly specified circumstances and sometimes even satisfying, is ultimately self-defeating.

## Chapter 1: The Language of Apology and Forgiveness: A Philosophical Analysis

“How great are his signs, how mighty his wonders.” *Daniel*, 4:3

The main message of *Daniel*, one of the last-written books of the Hebrew Bible, is that the God of the Jews has sovereign control of history. Believers hold that *Daniel*'s message is supported through the purportedly great signs and mighty wonders of the deity. But since the signs and wonders of the divine are neither transparent nor manifest, many believers are compelled to conclude that the Almighty is inscrutable. Thankfully, few things in the physical world lead us to the conclusion that it is inscrutable. Reflection upon the nature of more quotidian “signs and wonders” suggests that the world - and our epistemic means of confronting it - are not cognitively impenetrable.

Take language. I submit that language is a wonder, but, unlike God, is in no way inscrutable. The marvelous nature of language often escapes our attention, most likely on account of our mundane linguistic interactions with one another. It is a wonder, I contend, that language – this strange conglomeration of “hisses and hums and squeaks and pops”<sup>2</sup> that we fashion with our breath and tongue, made meaningful to ourselves and others – is as boundlessly expressive as it is. Two features of the expressive power of language that have been of interest to contemporary philosophers are that language provides descriptions of things in the world and that language, by sheer force of its expression, actually *does* things.

I take it that this singular observation is the central contribution of J. L. Austin to the philosophy of language. It also serves as our point of departure for thinking about the

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<sup>2</sup> Steven Pinker, *Words and Rules: The Ingredients of Language*, p. 1.

ethical dimension of apology and forgiveness. By virtue of the fact that they occur in a linguistic medium, apology and forgiveness cannot be understood apart from the linguistic expressions that circumscribe them. Apology and forgiveness are what Austin calls performatives: to entreat the former or to grant the latter is to *perform an act* of a linguistic kind. In this chapter I will lay out Austin's speech act theory, with an eye toward how the study of the pragmatics of language reveals the logic of apology and forgiveness. I identify a lacuna in Austin's account of the communicative dynamic between speaker and audience in those linguistic exchanges that exhibit what I call simple bilateralism and complex bilateralism. In accounting for both types of bilateralism, I show how apology and forgiveness form a nested whole and therefore follow a unique logic. I end the chapter by responding to skeptical objections to the scheme I propose.

### **1.1 J. L. Austin on Performative Utterances**

Anglophone philosophy in the first half of the twentieth century was marked by its having taken a "linguistic turn." With Bertrand Russell, G. E. Moore, A.J. Ayer, and Rudolf Carnap leading the charge, English-speaking philosophers became preoccupied with language: its structure, its logic, and – above all – its amenability to analysis. A new philosophical tradition took root and grew in response to the many cultivators who tilled the soil of the young movement. The new tradition became known as analytic philosophy. Many historians of philosophy in the second half of the twentieth century testify that it is erroneous to refer to 'analytic philosophy' as if it were "homogeneous and monolithic. [They assert that t]here is no single philosophy of analysis. There is no

analytic ‘party line,’ no heresies, no pontifical authorities.”<sup>3</sup> This may very well be the case. However, analytic philosophy in the first half of the twentieth century was certainly dominated by a focus on the declarative sentence, as it was commonly understood that this was the proper object of linguistic analysis. The declarative sentence (in the indicative mood) makes a statement, and is contrasted with the interrogative, the exclamatory, and the imperative sentence. A statement is “any indicative sentence that is either true or false.”<sup>4</sup> The prevailing philosophical view before Austin was that the declarative sentence was the *basic* kind of sentence. As a consequence, it seemed obvious that whether or not a sentence could admit of being true or false was the litmus test for its meaning<sup>5</sup>. Sentences that could not be true or false were either ignored or seen as meaningless by the philosophical establishment. Early analytic philosophy did not fail to notice that language could be used to ask questions or issue commands, but “these uses tended to be treated as peculiar departures from the customary linguistic business of reporting”<sup>6</sup> on states of affairs. As a result, Anglophone philosophy in the first half of the twentieth century tended to distort the context in which language operates in our everyday lives.

In a series of lectures delivered as the William James Lectures at Harvard University in 1955 and later posthumously published in monograph form in 1962, J. L. Austin set out to challenge the assumption that analytic philosophy of language held about the primacy of the declarative sentence. He observed that the sustained focus on statements neglected other important ways in which language operated. Rather than

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<sup>3</sup> Robert R. Ammerman, *Classics of Analytic Philosophy*, p. 2.

<sup>4</sup> Ernest Lepore and Sam Cumming, *Meaning and Argument: An Introduction to Logic Through Language, Second Edition*, p. 6.

<sup>5</sup> See Michael Morris, *An Introduction to the Philosophy of Language*, p. 231.

<sup>6</sup> James Loxley, *Performativity*, p. 7.

seeing language as primarily the means by which to accurately picture or represent the world, Austin's view of language emphasized the multifarious ways in which many of our linguistic expressions actually *perform* actions. It is no surprise, then, that his 1962 book was given its rather straightforward and matter-of-fact, if not curious, title.

In *How to Do Things with Words*, Austin put forward a taxonomy of language built around a theory of speech acts. Speech acts are "acts performed when words are uttered."<sup>7</sup> In Austin's speech act theory, any utterance involves at most three separate acts: the locutionary act, the illocutionary act, and the perlocutionary act. The locutionary act concerns what is said. So, propositional content is established by the locutionary act. The illocutionary act is what is done in the saying of it. In saying something, we may ask a question, state a fact, make a promise, give an order, and the like. The perlocutionary act is the "effect the speaker has on the listener *by or through* the saying of it."<sup>8</sup> To convince someone of something, to draw someone's attention to something, and to get someone to do something all count as perlocutionary acts when they are achieved by means of saying something.

In leading up to his taxonomy of language, Austin makes a propaedeutic distinction between utterances that he terms constative and others that he calls performative. Constative utterances are either true or false statements; that is, they are declarative sentences of the type in which "the cat is on the mat" is a token. With performative utterances, an act of some kind is established or accomplished in the very uttering of the words. As with constatives, examples abound. Consider the following:

(1) I name this ship the *Beagle*.

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<sup>7</sup> Simon Blackburn, *The Oxford Dictionary of Philosophy*, p. 358.

<sup>8</sup> Douglas Robinson, *Introducing Performative Pragmatics*, p. 76.



- (2) I promise to return your pitchfork.
- (3) I declare the county fair open.
- (4) I sentence the accused to 150 days in jail.
- (5) I baptize you in the name of the Father, and of the Son, and of the Holy Spirit.
- (6) Whereas the Imperial Government of Japan has committed unprovoked acts of war against the Government and the people of the United States of America: therefore be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, that the state of war between the United States and the Imperial Government of Japan which has thus been thrust upon the United States is hereby formally declared.<sup>9</sup>
- (7) I pronounce you husband and wife.
- (8) I apologize for my rude behavior.
- (9) I forgive you for your thoughtless comments.

With any of these performatives, it is the communication of (some of) the words by the right authority, to the right audience, and (if spoken) at an adequate volume that “amounts to the carrying out of the action,”<sup>10</sup> given the conventions of our speech community. Call this proviso the Speech Community Condition. So, we will expect that: (1) is uttered by an authority naming a sea vessel during a dedication ceremony; (2) be avowed by someone making a promise to another; (3) be announced by some official with the power to inaugurate the county fair; (4) be communicated by a judge in a court of law; (5) be said by a priest or minister during a baptism ceremony; (6) be issued by the Federal Government of the United States in going to war; (7) be spoken by a licensed wedding officiant, such as a judge or minister, to the bride and the groom at a wedding;

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<sup>9</sup> Congressional Declaration of War on Japan, December 8, 1941.

<sup>10</sup> Susana Nuccetelli and Gary Seay, editors, *Philosophy of Language: The Central Topics*, p. 312.

(8) be expressed by someone apologizing to the person s/he previously offended; and (9) be voiced by someone who was wronged by another.<sup>11</sup>

Although all nine of the above sentences are, grammatically-speaking, declarative sentences, they don't picture or represent the world. So, in (1), I don't report on the name of the ship; rather, I name the ship. In (2), I don't inform you about a promise I made. Instead, I promise. And so on. In sentences (1) – (9), the “meaning of... [the] performative expression is captured by the speech act it is customarily used to perform.”<sup>12</sup> In uttering sentence (3), say, I use said sentence to inaugurate a public event, thereby having accomplished an action that has a distinct linguistic dimension to it. The meanings of sentences (1) – (9) are not tied to the statements being true or false.<sup>13</sup> In fact, performative utterances are never true or false. That said, performatives are evaluable in other ways.

Austin identifies six rules that all successful performatives must follow. Call these six rules Austin's felicity conditions, for although performatives cannot be true or false, Austin argues that they can function in a “happy” or “unhappy” way. For example, not all utterances of the words “I pronounce you husband and wife” can produce a marriage, nor does announcing “I declare the country fair open” necessarily yield the desired effect. Perhaps in the first case the speaker is one of the wedding's flower girls, and so does not have the authority to officiate at a marriage ceremony, while in the second the speaker is practicing her line in front of a mirror, far away from the place

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<sup>11</sup> Though this chapter examines of the ways in which language is used when, in overt speech, one apologizes or forgives, I do not deny that apologies and acts of forgiveness may occur in nonverbal contexts. However, I maintain that the most precise, unambiguous, detailed and explicit expressions of apology and forgiveness occur in overt speech (and the written word). To say this, though, does not diminish the potential power, poignancy and meaningfulness of nonverbal expressions of apology and forgiveness.

<sup>12</sup> Robert J. Stainton, *Philosophical Perspectives on Language*, pp. 156-157.

<sup>13</sup> This is why sentence (5) is meaningful even if the doctrine of a Triune Godhead is false.

where the country fair will take place. Or, perhaps the person who says “I pronounce you husband and wife” is a licensed wedding officiant, but the saying of the vows in the marriage ceremony have been accidentally expunged, thereby nullifying the officiant’s power to marry the bride and groom. Austin calls such unhappy or infelicitous uses of performatives “misfires.” In its successful or felicitous use, a performative both expresses some content and performs a specific action. Austin maintains that the successful functioning of any performative is guided by conformity to all six felicity conditions, quoted here in full.

- (A.1) There must exist an accepted conventional procedure having a certain conventional effect, that procedure to include the uttering of certain words by certain persons in certain circumstances, and further,
- (A.2) the particular persons and circumstances in a given case must be appropriate for the invocation of the particular procedure invoked.
- (B.1) The procedure must be executed by all participants correctly and
- (B.2) completely.
- (Γ.1) Where, as often, the procedure is designed for use by persons having certain thoughts or feelings, or for the inauguration of certain consequential conduct on the part of any participant, then a person participating in and so invoking the procedure must in fact have those thoughts or feelings, and the participants must intend so to conduct themselves, and further,
- (Γ.2) must actually so conduct themselves subsequently.<sup>14</sup>

Austin acknowledges that the six rules constitute an incomplete schematic,<sup>15</sup> stating that he does “not wish to claim any sort of finality for this scheme.”<sup>16</sup> Austin indicates that the first four rules should be viewed as necessary conditions that all felicitous

<sup>14</sup> J. L. Austin, *How to Do Things with Words, Second Edition*, pp. 14-15.

<sup>15</sup> Austin gives us no reason to think that his schematic could not be completed.

<sup>16</sup> Austin, p. 14.

performatives must satisfy.<sup>17</sup> Violations of the two  $\Gamma$  conditions apparently do not invalidate the possibility of the speech act's felicity, but they do amount to what Austin calls "an abuse of the procedure."<sup>18</sup> However, it appears that, in almost all cases, when all six conditions are met, the performative in question has succeeded in achieving the action that the words spoken indicate, and may thus be called felicitous or happy.

I agree with Austin that the happy functioning of an apology or an act of forgiveness must, as a performative, be executed in conformity with the six felicity conditions. The transaction of an apology or an act of forgiveness in conformity with the felicity conditions guarantees that the apology will be accepted by the wronged party, or that the act of forgiveness will be recognized by the offender. However, what it is for an apology or an act of forgiveness to be fully transacted is not adequately answered by Austin.

## 1.2 A Topography of Communicative Exchange

In considering the performativity of our above nine sentences, we may be tempted to think that the exchange between the speaker and her audience is always executed in a unilateral way. An exchange is unilateral if and only if the action-performing quality of the performative utterance is satisfied by none other than the singular speaker who utters the performative.<sup>19</sup> The exchange between the speaker and her audience in sentences (1) – (6) is unilateral. That is, a singular speaker does the "heavy-lifting" action-wise, while the receptive audience listens to, understands, and abides by the speech act performed by the speaker. But unilateralism is not *de rigueur* for all speech acts. A case in point is

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<sup>17</sup> See Austin, pp. 15-16.

<sup>18</sup> Austin, p. 16.

<sup>19</sup> Of course, the utterance spoken must be in conformity with the Speech Community Condition.

that apologies and acts of forgiveness require a more nuanced picture of the exchange between those who we would otherwise identify as the singular speaker and receptive audience.

The reason that a more nuanced picture is required is that, in apologies and acts of forgiveness (and a handful of other speech acts), the exchange is dialogical; the speaker and the audience “switch roles,” as it were, midway through the exchange. Bilateralism better captures the dialogical communicative dynamic between both parties in sentences (8) – (9). In exchanges that are bilateral, both parties take turns speaking and listening, and both are jointly responsible for the action-performing quality of the entire speech act. Sentence (7) is best captured by what I term trilateralism, which identifies exchanges that require three speakers. In the case of the marriage ceremony in the West, the bride, the groom, and the wedding officiant all have a significant role to play in contributing to the speech act which carries out the action. While it may appear as if the kinds of exchange that constitute the various dialogical communicative dynamics may continue to grow – will quadrilateralism be next? – I limit the analysis to the three kinds listed above. As a way to conveniently classify them, bilateralism and trilateralism (and quadrilateralism, etc.) fall under the more general category of multilateral exchange.

While Austin identifies and makes reference to apology and forgiveness, he does not investigate their structure per se; the dialogical communicative dynamic proper to apology and forgiveness is not given attention in his speech act theory.<sup>20</sup> However, he

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<sup>20</sup> As I see it, the closest that Austin comes to making a distinction between unilateralism and bilateralism is on page 37. But even here, Austin merely raises various questions about bilateralism without naming or defining it. His consideration of what I call bilateralism is found in one paragraph, which I include here: “Naturally sometimes uncertainties about whether anything further is required or not will arise. For example, are you required to accept the gift if I am to give you something? Certainly in formal business acceptance is required, but is this ordinarily so? Similar uncertainty arises if an appointment is made

notes and very briefly comments on the logic of betting,<sup>21</sup> which bears structural similarities to apology and forgiveness. I take this as good evidence that what I term the Acceptance Condition, which accounts for the transaction that bilateral (and trilateral) exchanges must conform to in satisfying the two B conditions, is consistent with Austin's speech act theory. It is to a presentation and defense of the Acceptance Condition, and how it operates in apology and forgiveness, that I now turn.

### 1.3 Bilateralism and the Acceptance Condition

In satisfying the requirements imposed on it by the six felicity conditions, an apology or act of forgiveness will have necessarily met with success. And yet, as we all know, an apology may fail to convince the injured party to accept the apology and forgive the wrongdoer. Similarly, the party in the wrong may reject all attempts at reconciliation with the party he injured and decide not to recognize the forgiveness he has been granted, choosing to wallow in guilt instead. In such cases, the failed apology or inefficacious act of forgiveness should be viewed, generally, as a misfire. More specifically, it should be viewed as what Austin calls a "hitch."<sup>22</sup> A hitch is a species of misfire wherein condition B.2 is not satisfied. In such cases, our performative will have fallen flat, having been rendered infelicitous. In short, no action will have been accomplished.

While there is a small chance that we may run into a hitch with sentences (1) – (6), the likelihood of this kind of infelicity gumming up the works is minimal. The onus

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without the consent of the person appointed. The question here is how far can acts be unilateral? Similarly the question arises as to when the act is at an end, what counts as its completion?"

<sup>21</sup> Austin, pp. 36-37.

<sup>22</sup> Austin, pp. 36-37.

is on the singular speaker to perform the ritual correctly; no contribution by any other party is required. However, there is a risk that sentences (8) - (9) will misfire precisely because there is a greater chance that the interlocutor required to complete the transaction will be unresponsive, or deny the request<sup>23</sup> or forgo the grant<sup>24</sup> offered by the original speaker. These sentences are not alone. Consider the following:

(10) I bet you \$100 that *Smooth Sailing* will win the regatta.

Sentences (8) - (10) seem to require some form of *acceptance* – tacit or explicit recognition of the request or the grant made in and through the performative - on the part of the individual to whom the utterance is made. Call this requirement the Acceptance Condition. As it applies to bilateral exchanges, the Acceptance Condition states that whenever a request is made or a grant is offered, an affirmative response must be made by the party that receives the request or grant for the performative; to do otherwise is to incur infelicity.<sup>25</sup> Apologies and bets are speech acts that contain requests, whereas acts of forgiveness are speech acts that contain grants.

An example will help. Imagine that we are watching a boat race and I utter (10) to you. In accordance with the Acceptance Condition you have a choice as to whether or not you will, as it were, “take me up” on my provocation. If you accept, you have granted my request – and in so doing, completed the linguistic action that I inaugurated but which I was required to leave incomplete for you to consummate. If you decline,

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<sup>23</sup> As Kent Bach defines it, a request “expresses a desire for the addressee to do a certain thing and normally aims for the addressee to intend to and, indeed, actually do that thing.” See Bach, “Speech acts,” in *Routledge Encyclopedia of Philosophy*.

<sup>24</sup> As I understand it, a grant satisfies a request.

<sup>25</sup> As it applies to trilateral exchanges, the Acceptance Condition states that all *three* parties must produce their respective contributions on pain of infelicity. In a marriage ceremony, the exchanging of the vows by the bride and groom and the pronouncement by the wedding officiant that the couple is married collectively constitute the speech act. If any one of the three parties fails to contribute in a way sanctioned by the marriage ritual itself, the entire speech act fails.

either by shaking your head or verbally refusing, the speech act misfires.<sup>26</sup> If you remain unresponsive, my challenge still stands (presumably for some undetermined length of time), but it is not acted upon, not “picked up.”

Since sentences (1) – (6) are tokens of unilateral exchange between a singular speaker and her audience, they do not express requests. Nor should they be considered grants made in response to requests, as are acts of forgiveness. With sentences (1) – (6), the power of the performative to produce an act through speech is secure even in the absence of an interlocutor who may tacitly or explicitly respond to the performative. This is because the speech acts expressed in sentences (1) – (6) do not require any verbal response. Unilateral exchanges require an audience, not a fellow interlocutor. In short, sentences (1) – (6) do not need to meet the Acceptance Condition to avoid infelicity.

Consider how the Acceptance Condition governs apologies. I argue that the person that we want to make party to our apology must actively acknowledge and assent to the request in order to make the performative a successful one. Imagine that one of your friends has been spiteful toward you. Upon perceiving the wrongfulness of his actions, your friend vows to not treat you this way in the future, and says to you with all sincerity “I apologize for my callous behavior.” Since the ritual that the modern West has adopted for the apology is widely known, it is safe to assume that conditions (A.1) and (A.2) have been satisfied in the enactment of the conventional procedure. And precisely because the apology was a sincere one, and because your friend pledged to reform his behavior, conditions (Γ.1) and (Γ.2) have been satisfied. And yet, if you rebuff your friend’s apology, condition (B.2) has not been satisfied. The apology is unsuccessful in generating the response from you for which your friend had hoped,

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<sup>26</sup> More specifically, we would identify this misfire as a hitch.



namely forgiveness. Since the Acceptance Condition was not met, condition (B.2) was not satisfied. The apology misfired. In fact, I submit that your friend did not apologize at all, but rather only *offered* an apology.

When it is said that we have apologized, the apology we offer has been accepted in our having been forgiven. In such situations, the apology we offer has met with success. In other words, when we apologize, what we offer - an apology - achieves the desired result, namely forgiveness. But when the apology we offer is refused, or when the person to whom we offer an apology must deliberate for some time before reaching a decision about granting us the forgiveness we seek, then it cannot be said that we have apologized. To say that we have apologized is to say that a specific kind of action – forgiveness – has taken place. Offering an apology – successfully performing the *linguistic* act of uttering “I apologize for X” - does not mean that the felicity conditions for the speech act have been satisfied. And until such conditions are satisfied, we cannot say that the person who uttered “I apologize for X” has, in fact, apologized.

#### **1.4 Simple and Complex Bilateralism**

An analysis of the Acceptance Condition reveals there is a certain asymmetry in the very constitution of performativity itself. Sentences (1) – (6) are tokens of a type of speech act defined by unilateralism. But sentences (7) – (10) are tokens of a type defined by multilateral exchange. On account of the lack of proportion between these two general types of speech acts, it is fitting to observe their asymmetry.

Distinctions beget further distinctions. Within multilateral exchanges, we find that apologies and bets exhibit what I call “simple bilateralism.” Because it is a kind of

speech act that contains grants, forgiveness - being both complement and successor to apology - exhibits “complex bilateralism.” The reasons for this classification scheme require some explanation.

I hold that a successful apology or bet exhibits simple bilateralism in virtue of its two segments or “moments.” Consider, again, apology. In the first moment we find that (8) is spoken by the apologizer. In the second moment, the person to whom the apology is aimed fulfills her role as the recognition-granting interlocutor and accepts the apology. This two-moment structure, which both exhibits the property of bilateralism and is governed by the Acceptance Condition, does not obtain in sentences (1) – (6). What makes apologies and bets “simple” is that they are not responses to previously-made verbal overtures. They don’t “hitch” up to or complete any previous linguistic exchange. I can, out of the blue, bet you \$20 that if I flip a coin, it will land tails-up. Apologizing to you requires that I have done something wrong for which I am responsible, but it does not require that we have ever even had a previous conversation. Not so with forgiveness.

The logical structure of forgiveness is, I maintain, unique. The dialogical communicative dynamic of forgiveness requires that we treat it as a unique kind of speech act, classifiable only by itself on account of its complex bilateralism. A successful act of forgiveness exhibits complex bilateralism in virtue of its own two “moments.” And yet, what precedes the first moment is crucial for forgiveness. The first moment is a response to an already-existing request – an apology - made by the wrongdoer for forgiveness. The outstanding apology is a precondition for the comprehensibility of the act of forgiveness as a performative utterance; as I will argue later, to forgive in the absence of an apology strains the very intelligibility and

meaningfulness of forgiveness. The strain on the intelligibility and meaningfulness of forgiveness is achieved, in forgiving in apology's absence, by making the act of apology irrelevant. To my knowledge, the act of forgiveness is the only performative in the English language that piggybacks on some other, outstanding performative in such a way as to both fulfill the request of the outstanding performative (in this case, an apology) and have enough autonomy to stand on its own as a *bona fide* performative in its own right. As an outstanding request that solicits recognition, the apology is the source of the complexity of the bilateralism of forgiveness.

In the first moment of the act of forgiveness, the wronged party forgives the wrongdoer. So, the person to whom the apology is aimed fulfills her role as the recognition-granting interlocutor and accepts the apology in granting forgiveness.

Acceptance of the apology usually takes place through a formal linguistic response.

Saying

(8.1) "I accept your apology and I forgive you"

is a most explicit way in which to ensure that Austin's first four felicity conditions are satisfied for the act of forgiveness. In accordance with (Γ.1) and (Γ.2), an attitudinal or behavioral change in the forgiver toward the forgiven must also be made manifest in their ongoing relationship over time. The attitudinal or behavioral change in the forgiver ought to include a "softening of the heart" toward the wrongdoer and/or active and patient efforts at reconciliation. For forgiveness to be more than "just words" – for forgiveness to be an *act* – an action of a transformative, healing kind must take place

between the forgiver and the forgiven. The forgiver must do her part in facilitating the moral repair that occurs in and through forgiveness.<sup>27</sup>

In the second moment, the one granted forgiveness accepts the grant made in response to her very request. This acceptance may take a linguistic form, but it must certainly be manifest in behavior or attitude. The posture familiar of the apologizer – regret or sorrow, perhaps shame or self-disgust – must give way to more noble qualities of character. Otherwise, forgiveness is lost on the afflicted, and the entire forgiveness ritual is for naught. An individual who claims to have accepted the forgiveness that they have been offered but still has guilt “written on her face” has not truly accepted the forgiveness. Such an individual cannot be said to be doing her part to repair the moral fabric of the relationship with her pardoner. However, regarding its status as a performative, the act of forgiveness has misfired in said cases.

The crux of the matter is this: as the correlative of apology, the act of forgiveness is a speech act that contains a grant. When we decide to forgive someone, the act of forgiveness proper operates as the granting of a previously-made request by the wrongdoer. But for the act of forgiveness to be a successful or felicitous performative, the one granted forgiveness must accept the grant made in response to her very request. As with any grant, in order for the grant to “take effect,” the individual who receives the grant must accept the grant that they have requested. If the grant is refused, then the advantages of the grant are not conferred. If one continues to wallow in guilt even after one has been granted forgiveness (as martyrs for self-inflicted suffering will do), then the nominally-forgiven individual forfeits the benefits (indeed, the reality) of forgiveness.

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<sup>27</sup> I will take up the issues of appropriate behavior of the forgiving party and what constitutes “moral repair” in the third chapter.

Similarly, if one outright rejects the very forgiveness that was petitioned for in the apology, the benefits of forgiveness are again forfeit.

### **1.5 Defusing Objections**

Let's take stock. Earlier, I claimed that Austin did not offer an adequate account of what it is for an apology or an act of forgiveness to be fully transacted. In presenting the Acceptance Condition and the distinction between simple and complex bilateralism, I have, I believe, provided that missing account. But the skeptic might claim that my account is superfluous at best and wrongheaded at worst, charging that there is little-to-no textual evidence in Austin to support classifying apology and forgiveness as forms of bilateral exchange. In fact, the skeptic might point to the very part of Austin's text – just one paragraph, pages 36-37 - that I partially rely upon to make the argument for my classification scheme, noting that it doesn't mention apology and forgiveness. To be sure, in discussing the complications that may arise in satisfying condition (B.2), Austin refers to bets and to the marriage ceremony. The skeptic may grant these speech acts have a logic classifiable under a multilateral rubric, while maintaining that apology and forgiveness be understood as forms of unilateral exchange, as are sentences (1) – (6). According to the skeptic, the requirement that apology and acts of forgiveness satisfy the Acceptance Condition lacks application. For the skeptic, the one who apologizes or forgives satisfies condition (B.2) without any assistance from an interlocutor. The skeptic may claim that apologizing and forgiving are as “automatic” as naming a ship, sentencing the accused, or making a promise.

In familiarizing ourselves with the skeptic's challenge, I provide in full the purportedly contentious paragraph from Austin. Here, Austin offers examples of various infelicities. Among them are those that violate condition (B.2). They are hitches; we attempt to carry out the procedure but the act is abortive. For example: my attempt to make a bet by saying 'I bet you sixpence' is abortive unless you say 'I take you on' or words to that effect; my attempt to marry by saying 'I will' is abortive if the woman says 'I will not;'; my attempt to challenge you is abortive if I say 'I challenge you' but fail to send round my seconds; my attempt ceremonially to open a library is abortive if I say 'I open the library' but the key snaps in the lock; conversely the christening of a ship is abortive if I kick away the chocks before I have said 'I launch the ship.'<sup>28</sup>

As they regard misfiring, Austin does not treat multilateral exchanges (such as betting and marriage) as categorically different from unilateral exchanges (such as opening a library or launching a ship). The lack of clarification may lead to misconceptions.

I view Kent Bach and Robert M. Harnish as skeptics about the bilateralism of apology. In their 1979 collaboration *Linguistic Communication and Speech Acts*, Bach and Harnish identify apology as a kind of "acknowledgment." Call this the Bach-Harnish account. Bach and Harnish argue that acknowledgments "express, perfunctorily if not genuinely, certain feelings toward the hearer... Because acknowledgments are expected on particular occasions, they are often issued not so much to express a genuine feeling as to satisfy the social expectation that such a feeling be expressed."<sup>29</sup> For Bach and Harnish, an analysis of apology reveals the following:

In uttering *e*, *S* apologizes to *H* for *D* if *S* expresses:

- i. regret for having done *D* to *H*, and
- ii. the intention that *H* believe that *S* regrets having done *D* to *H*, or
  - i. the intention that his utterance satisfy the social expectation that one expresses regret for having done something regrettable like *D*, and
  - ii. the intention that *H* take *S*'s utterance as satisfying this expectation.<sup>30</sup>

<sup>28</sup> Austin, pp. 36-37.

<sup>29</sup> Bach and Harnish, *Linguistic Communication and Speech Acts*, p. 51.

<sup>30</sup> Bach and Harnish, pp. 51-52. *S* is the speaker and *H* is the hearer.

Elsewhere (and later, in a 1998 *Routledge Encyclopedia of Philosophy* article on speech acts), Bach argues that an apology “just *is* the act of (verbally) expressing regret for, and thereby acknowledging, something one did that might have harmed the hearer. An apology... is intended to be taken as expressing a certain attitude, in this case regret. It succeeds as such if it is taken so.”<sup>31</sup>

The virtue of the Bach-Harnish account is that it clearly presents part of what goes on in an apology, namely, acknowledgment of wrongdoing.<sup>32</sup> But to claim, as does Bach in his 1998 article, that an apology just *is* the verbal expression of regret, is surely wrong. I am unable to draw a link between Austin’s failure to clarify between unilateral and multilateral forms of exchange and the inadequacy of the Bach-Harnish analysis of apology. However, I think that if Austin had cut language more closely at its joints, praise for rather than criticism of the Bach-Harnish analysis would be in order.

In his 1998 article, Bach seems to depart slightly from the account of apology that he and Harnish presented in 1979 – and from what he maintains at another point in the same article. In his 1998 article, Bach admits that when we apologize, we may intend not merely to express regret, but also to seek forgiveness. He claims that “[s]eeking forgiveness is, strictly speaking, distinct from apologizing, even though one utterance is the performance of an act of both types. As an apology, the utterance succeeds if taken as expressing regret for the deed in question; as an act of seeking forgiveness, it succeeds if forgiveness is thereby obtained.”<sup>33</sup> But worries arise. It is hard to square Bach’s claim that an apology just *is* the act of verbally expressing regret against his other claim that an

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<sup>31</sup> Bach, “Speech acts” in *Routledge Encyclopedia of Philosophy*.

<sup>32</sup> Strangely, Bach and Harnish make no mention of forgiveness as a speech act.

<sup>33</sup> Bach, “Speech acts” in *Routledge Encyclopedia of Philosophy*.

apology can be the act of seeking forgiveness, when seeking forgiveness is distinct from apologizing. Moreover, it is not at all clear why seeking forgiveness is distinct from apologizing.

We can clear up this confusion while still preserving what I take to be Bach's basic insight in his 1998 article. A distinction must be made between moral apologies, where an apology "implies a request for forgiveness and is initiative toward reconciliation,"<sup>34</sup> and what I call quotidian apologies, where forgiveness is not sought at all. A moral apology ranges over a moral domain. The domain of the quotidian apology is etiquette and manners. As I see it, the Bach-Harnish account of apology suits the quotidian apology, but fails to account (in full) for moral apologies. When you unintentionally step on my foot, or when I spill tea on your kitchen table by accident, a quotidian apology is offered to meet the demands of etiquette. In apologizing for my clumsy behavior, I have expressed regret for the action. Or, as Bach and Harnish point out, I have expressed the intention that my utterance satisfy the social expectation that I express regret for my clumsy behavior. And my regret, so expressed, shows that I acknowledge that I did something that has inconvenienced you. But I am not actually requesting to be forgiven for spilling tea on your kitchen table. And to be granted forgiveness in the wake of offering a quotidian apology for spilling tea on your kitchen table would simply be out-of-place. In fact, quotidian apologies appear to be tokens of unilateral exchange, not bilateral exchange. Quotidian apologies do not need to meet the Acceptance Condition, given their kinship with sentences (1) – (6).

In the next two chapters, I explore the moral structure of apology and, subsequently, the moral structure of forgiveness. However, the conclusions reached in

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<sup>34</sup> Trudy Govier and Wilhelm Verwoerd, "The Promise and Pitfalls of Apology," p. 67.



this chapter concerning the logic of apology and forgiveness will continue to inform and provide support for the account of the ethical import of apology and forgiveness that I develop.

## Chapter 2: The Moral Structure of Apology

‘Then the Lord God said, “Behold, the man has become like one of us, knowing good and evil.”’ *Genesis, 3:22*

In this passage, the retinue of the divine court is informed that the first people have eaten the fruit of the tree of the knowledge of good and evil. It is this very knowledge of good and evil that purportedly makes people god-like, according to the Jahwist. And yet, the first cognitive activity that the original people perform with their newly-acquired powers – the choice of which may strike us as beneath a mature moral mind – is to realize that they are naked and in need of clothes. This part of the story, historically interpreted in many ways, can be seen as an insight, albeit skewed, into what may follow from an acknowledgment.

In eating the fruit of the tree of knowledge of good and evil, the first people do not acquire any additional factual information. Instead, they find themselves suddenly endowed with moral knowledge. With this moral knowledge, they *acknowledge* that they are naked and, in response, fashion clothes for themselves. Since the magical fruit does not provide them with knowledge of more facts, they must have known that they were naked prior to eating the fruit. But knowing a fact is different from appreciating the moral qualities of a thing that are tied to that fact. It is the latter that Adam and Eve come to possess and which the deity is upset about, expelling them from the garden of Eden.

In highlighting this story, my interest is neither to castigate the dubious judgment that nakedness is morally wrong, nor to entertain the equally dubious claim that moral knowledge makes one god-like. Rather, I want to point out that the sheer act of acknowledging something – even something we and our interlocutor already know – can

have a profound and even unexpected impact on us and on our relationships. While the acknowledgment that Adam and Eve made is morally insignificant, some kinds of acknowledgment are distinctly moral. What makes them distinctly moral is their responsiveness to and representation of the moral qualities of our own motives and the ethical properties of our own actions.

In this chapter, I explore and defend a certain account of the moral structure of apology. Like forgiveness, an analysis of apology requires that its moral structure be treated separately from its logical structure. The logical structure of apology and forgiveness was examined in the first chapter. The logical structure represents the formal properties of apology and forgiveness, while the moral structure exhibits the ethical content of apology and forgiveness. The moral structure of apology, which supervenes on its logical structure, is composed of three distinct parts: an epistemic aspect, an affective one and an attitudinal one. Each of these parts constitutes a necessary condition for a genuine apology. While I treat the epistemic, affective and attitudinal elements separately, I argue that any comprehensive account of the moral structure of apology must recognize their essential linkage. I go on explore how apology is often the first and, depending on the kind of wrong committed, sometimes only step in facilitating what Margaret Urban Walker calls moral repair.

In examining the epistemic element of apology, I begin the chapter with an account of the centrality of acknowledgement for apology. I show that four conditions must be satisfied for an acknowledgement to count as an acknowledgement. I then consider the valuable role that guilt, shame, remorse and what Nick Smith calls “categorical regret” play in motivating us to apologize. These emotions figure in what I

call the affective aspect of apology's moral structure. In examining the attitudinal component of an apology, I reflect upon the proper posture of those who apologize, maintaining that while an apology ought to be delivered in a humble manner, for the sake of the self-respect of the apologizer, humility ought not give way to servility.

Before continuing, reflect once more on the biblical passage. The deity admits that possession of moral knowledge makes people god-like, but is mute on the subject of the shape that a moral life takes. The Christian tradition has historically identified the eating of the magical fruit as the *felix culpa*, the "happy sin" that ultimately necessitates the coming of Christ as redeemer. Treating the story for its literary value, I suggest a different reading. If the eating of the fruit of the tree of knowledge of good and evil was a fortunate fall, what we fell into was a fuller understanding of what it means to be human. The moral life and concomitant reflection upon it offers us a more complete picture of what it means to be human. The shape of this life includes apology and forgiveness as parts of its dimensions. Among the many accounts of the adventures of the deity in the Bible, there are no stories featuring the deity apologizing. The experience of the apology ritual, inextricably linked to *our* understanding of the shape a moral life takes, is wholly unavailable to the deity. We not only possess moral knowledge; we also know what it is like to have done wrong. And we alone know what it is like to (have to) repair a moral bond after we, ourselves, have damaged it.

## **2.1 Acknowledgment: The Epistemic Dimension of Apology**

Apology is a response to a wrongdoing for which we are responsible. The wrong in question must be one that has harmed, in some way, the person to whom we apologize.

A genuine moral apology must contain an acknowledgment of the wrong. Curiously, there is very little written by philosophers about acknowledgement.<sup>35</sup> One of the few who has is Trudy Govier. Govier suggests that acknowledgement exhibits its moral significance in contexts where wrongdoing is addressed.<sup>36</sup> On Govier's account, acknowledgement is a "kind of spelling out or focused recognition of something one knows, usually involving an explicit statement to others."<sup>37</sup> It is, she says, a kind of admission or avowal. Govier's account is a good first step in analyzing acknowledgement, but it is neither comprehensive nor sufficiently detailed.<sup>38</sup> Her account does not consider the crucial role that epistemic justification plays in underwriting a successful acknowledgement. My account remedies this by advancing an externalist theory of justification. Govier's account also fails to come to grips with how acknowledgement satisfies an important epistemic demand: that acknowledgement validates what we know. That is, when we acknowledge something, we corroborate a claim; we confirm the veridicality of a belief. I will expand upon this last point toward the end of my analysis of acknowledgement.

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<sup>35</sup> In what follows, I offer a novel analysis of acknowledgement. My analysis of acknowledgement differs considerably from the use of the concept in the Bach-Harnish account. Whereas Bach and Harnish identify apology as a species of acknowledgement, I treat acknowledgement as just one ingredient, albeit necessary, in an apology. Moreover, I choose the word "acknowledgement" over "recognition" as the latter tends to be associated with either perception or Hegelian metaphysics. Regarding Hegel's use of the concept, I offer two observations. First, in Hegel, the term "recognition" refers to the various stages of history of the forms of consciousness in the individual and collective development of freedom. My employment of the term "acknowledgement" does not carry the philosophical baggage of Hegel's metaphysics. Second, as Peter Singer points out, in Hegel's famous discussion of the dialectic of the master and the slave, the "demand for recognition is mutual." See Peter Singer, *Hegel: A Very Short Introduction*, p. 78. I take it that this means that the master is driven to have the slave recognize him, and that the slave is driven to have the master recognize him. This demand for recognition pursued by the master and the slave suggests that the exchange between them is bilateral. My analysis of acknowledgement treats acknowledgement as a unilateral exchange.

<sup>36</sup> See Govier, "What is Acknowledgement and Why is it Important?," p. 69.

<sup>37</sup> Trudy Govier, "Acknowledgment and Forced Confession," p. 5.

<sup>38</sup> In fairness, Govier may not have intended her analysis of acknowledgement to be comprehensive and sufficiently detailed.

Govier distinguishes between knowledge and acknowledgement, claiming that “we may know things that we do not acknowledge. A woman may know that she is short-tempered and prone to yell at her children without ever acknowledging to them that she has these failings. They may know it without ever expressing it to her.”<sup>39</sup> Imagine, still, that while the woman may have the evidence and the cognitive capacity to know that she has these negative qualities, she does not make explicit to herself what she knows. Consistent refusal to acknowledge what one knows is to engage in self-deception. Tellingly, in his 1969 book *Self-Deception*, Herbert Fingarette “used the notions of *disavowal* and *lack of acknowledgement* as the basis for an account of self-deception.”<sup>40</sup>

Acknowledgement is easily done when the opportunity to acknowledge something involves little to no risk. In fact, it may be the case that, were the opportunity to arise, we would feel comfortable to acknowledge much of what we know. Then again, much of what we know may be so commonplace that its acknowledgement would be unrevealing. It is of little epistemic importance for me to acknowledge that my computer monitor sits atop my desk. Moreover, such an acknowledgement carries no ethical weight. Govier rightly points out that acknowledgement arises as an epistemic (and perhaps ethical) concern “when we know or are in a position to know unwelcome things that we do not wish to spell out or publicly admit.”<sup>41</sup> For acknowledgement to have any force, there must be something of epistemic or moral significance at stake.

Govier offers an analysis of how one may come to know what one later acknowledges. She appears to assume – and rightly so, I think – that in ordinary circumstances, we have immediate, direct knowledge of our actions. Our knowledge of

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<sup>39</sup> Govier, “What is Acknowledgement and Why is it Important?,” p. 70.

<sup>40</sup> Govier, “What is Acknowledgement and Why is it Important?,” p. 72. Emphasis not mine.

<sup>41</sup> Govier, “What is Acknowledgement and Why is it Important?,” pp. 70-71.

our own behavior, generated from the first-person standpoint, is taken for granted. Acknowledging what we have immediate, direct knowledge of poses no epistemological problem. Consider again the case of the short-tempered mother. In this installment of the thought experiment, the mother acknowledges to her children her irritability. “She might, for instance, say to them something like, ‘I know I’ve been crabby this past week, and I’ve been yelling at you, and I’m sorry.’ In articulating such an acknowledgement, the mother would have first recognized and conceptualized her feelings and behavior and then have admitted her failings openly to her children.”<sup>42</sup> This installment of the thought experiment exemplifies what I call Govier’s epistemology of acknowledgement.

Govier’s epistemology of acknowledgement is, however, incomplete. We may also acknowledge what a trusted source tells us we did, even though we have no recollection, and therefore no firsthand knowledge, of the purported event. Take the case of Drunk Ted. Imagine that Ted was at a bar with his friend Joe on Friday night. Uncharacteristically, Ted consumes more than twice as much alcohol as he usually does, as he is upset about having received a speeding ticket. On Saturday morning, Ted wakes up on Joe’s couch, unable to remember how he got there. Joe tells Ted that he had to practically carry him to his house after Ted nearly passed-out at the bar. And this is after Ted, in his inebriated state at the bar, has ridiculed Joe for his spotless driving record. Moreover, Ted’s antics have caused Joe to miss his son’s soccer match, a game he promised his son he would attend. Ted has no recollection of taking a jab at Joe, but he also has no recollection of anything after 11 p.m., when he started to drink heavily. Even though Ted has no recollection of having done what he has been accused of by Joe, Ted believes that his friend has accurately reported on the alleged events as they unfolded.

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<sup>42</sup> Govier, “What is Acknowledgement and Why is it Important?,” p. 71.

Because of the trust Ted has in his friend and his justified belief that Joe would not deceive him, he is compelled to accept, and thereby acknowledge, that he acted thusly. The point is this: whether we come to know our actions from the first-person standpoint or via reports delivered by a trustworthy source, we may acknowledge only what we already know.

### 2.1.1 The complete acknowledgement: the veridicality condition.

For an acknowledgement to count as an acknowledgement, four conditions must be satisfied. The four conditions are the veridicality condition, the authenticity condition, the autonomy condition, and the transparency condition.<sup>43</sup> Call a Complete Acknowledgement one in which all four conditions are satisfied. The veridicality condition states that the acknowledgement must be of that which is the case. It is impossible to acknowledge something if the claim made about it is false. While we may be deceived by others or even by ourselves about what is and what is not the case - the risk being even greater than usual when reputation and esteem are at stake, as they often are with acknowledgements – to “acknowledge” what is not the case is to fail to acknowledge *tout court*. The veridicality condition satisfies a metaphysical requirement, not an epistemic one.

But epistemological concerns remain. Two rival epistemic norms compete to provide an account of the procedure by which the veridicality condition is satisfied. These two epistemic norms, which are incompatible with one another, find expression in competing theories of epistemic justification. The two competing theories are

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<sup>43</sup> I am inspired by Govier to present the following four parts of what I call a Complete Acknowledgement. The arguments and analysis, however, are my own.



externalism and internalism. I argue that satisfying the veridicality condition, so described, requires an externalist theory of justification. Externalism is the view that “epistemic justification can depend in part or perhaps even entirely on matters to which the believer in question need have no cognitive access at all, matters that are entirely *external* to his or her cognitive viewpoint.”<sup>44</sup> Internalism is the view that an agent’s beliefs or awareness reflects all factors relevant to justification. In satisfying the veridicality condition, we make an indirect knowledge claim vis-à-vis an acknowledgement; in so doing, we ought to be able to justify the truthfulness of what we aver. I argue that externalism is superior to internalism in its account of the justificatory procedure employed to secure true belief for the satisfaction of the veridicality condition. Internalism is saddled with Gettier-style counterexamples that show that justified true belief (by itself) cannot account for knowledge. Since the identification of an additional internalist criterion that would complete the tripartite account has been heretofore unsuccessful, externalism appears to be a more promising alternative.

Like many others persuaded by externalism, I see reliabilism as the most attractive version of externalism. Reliabilism stresses the causal relationship between belief states and the truthmakers (i.e., the state of affairs) that make a belief true. The justification for knowledge is found in the reliable process, not in one’s cognitive access to the reasons for one’s beliefs. According to reliabilism, “knowledge is true belief that is the product of a reliable process, where a reliable process is a process that tends to result in true beliefs.”<sup>45</sup> The reliable process may be any belief-forming mechanism that

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<sup>44</sup> Lawrence BonJour, *Epistemology: Classic Problems and Contemporary Responses, Second Edition*, p. 203. Emphasis not mine.

<sup>45</sup> Duncan Pritchard, *Knowledge*, p. 18.

functions properly when required. One such candidate for this reliable process is the mechanism of perception.

Louis Pojman imagines the following scenario in an effort to motivate reliabilism. He observes that we often *cannot* give an account of the beliefs that we hold that are derived from our perceptions. In fact, Pojman claims that we may be ignorant of even possessing such beliefs.

Suppose you come to dinner at my home, and after dinner I take you into another room and give you a quiz. “Do you know what color the walls in the dining room were and what pictures were hanging on the wall?” I ask. You pause, for you don’t remember even noticing the walls or the pictures, but you correctly say, “The walls were red and a couple of pictures of Oxford were on one wall and a Renoir picture was on the other.” “How do you know that?” I ask. You admit that you don’t know how you knew. [A reliabilist would answer that your]... perceptual mechanism picked up the information, stored it in your mind..., and let you retrieve it at the appropriate moment.<sup>46</sup>

In this example, the person reporting does not have direct or immediate cognitive access to what will justify her responses. Nonetheless, her reports are correct, and not, it seems, on account of sheer luck. For the reliabilist, at least some features of the subject’s correct reports about the color of the walls and what hangs on them can be “attributed to the subject from outside her perspective.”<sup>47</sup> In this case, what is outside the subject’s own cognitive perspective is, counter-intuitively, (some of) her own perceptions. Those unsympathetic with reliabilism may object to the very intelligibility of this assertion. But they should be reminded that there are “plenty of features of our mental states that we are unable to access. Maybe the feature of knowing that distinguishes it from mere true believing is one of them.”<sup>48</sup> I take it that we cannot always determine when we are motivated by virtue, or even if our judgments are free of self-deception. Perhaps the

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<sup>46</sup> Louis Pojman, *The Theory of Knowledge: Classical and Contemporary Readings, Third Edition*, p. 258.

<sup>47</sup> Linda Zagzebski, *On Epistemology*, p. 46.

<sup>48</sup> *Ibid.*, p. 47.

ability to determine when we satisfy the condition that converts true belief into knowledge is likewise hidden from our cognitive access.

Externalism guards against what I call the Huck Finn problem.<sup>49</sup> In Mark Twain's famous novel *Adventures of Huckleberry Finn*, Huck Finn finds himself floating down the Mississippi River on a makeshift raft with Jim, a runaway slave. The story is set in the Jacksonian Era, decades before the American Civil War. Jim is trying to get to Ohio to buy his family's freedom. Huck believes that Jim has done wrong in running away, and, as the narrative develops, comes to believe that he himself has done something wrong in aiding and abetting Jim. Nevertheless, Huck commits himself to helping Jim secure his freedom, partly for the sheer excitement of doing something that he believes is wrong. Perhaps the most poignant example of Huck's belief that he is engaged in nefarious activity is found in the episode in which Huck lies to two white slave catchers to protect Jim. Claiming that he and his "father" are infected with smallpox, Huck manages to frighten the slave catchers away. When they leave, Huck is introspective.

They went off, and I got aboard the raft, feeling bad and low, because I knowed very well I had done wrong, and I see it warn't no use for me to try to learn to do right... Then I thought a minute, and says to myself, hold on, - s'pose you'd a done right and give Jim up; would you feel better than what you do now? No, says I, I'd feel bad - I'd feel just the same way I do now.<sup>50</sup>

Although he does not acknowledge to an interlocutor that he "knowed very well" that he had done something wrong, Huck's internal monologue captures the spirit of what an acknowledgement is. In his internal monologue, Huck is clearly conflicted. On the one hand, Huck is prejudiced against people of color as inferior. On the other hand,

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<sup>49</sup> Many thanks to Ann Cudd for help with this thought experiment.

<sup>50</sup> Mark Twain, *Adventure of Huckleberry Finn*, pp. 127-128.

Huck likes Jim and is somewhat sympathetic toward Jim's commitment to be something other than a slave. Despite this internal conflict, Huck claims to know that he has done something wrong in lying to the two white slave catchers and in helping Jim escape to a free state. In making this epistemic claim in the manner in which he does, Huck assumes an internalist scheme of justification. Acknowledging that he has done something wrong when, in fact, he hasn't, is the Huck Finn problem. Given the standards that internalism uses to determine what counts as a justification, internalism is unable to prevent Huck Finn-style cases from satisfying the veridicality condition. Externalism, though, always thwarts Huck Finn-style cases from satisfying the veridicality condition.

It is by means of an internalist scheme of justification that Huck makes his epistemic claim. For internalists, "a belief is justified only if the agent has good reasons for having the belief. Internalism... holds justified belief to be a kind of reasonable belief. More importantly, the reasonability of a belief is judged relative to the agent's cognitive perspective."<sup>51</sup> Given the standards that Huck and his fellow white Southerners unquestionably endorse, abolitionism is manifestly unreasonable. According to the standards of the pre-Civil War white Southerners, racial apartheid is the most reasonable social arrangement, given the purported inherent inequality of blacks. Huck's commitment to these standards requires that he be unambiguously prejudiced against all blacks, including Jim. The purported justifying evidence that Huck uses to arrive at the judgment that helping a run-away slave is morally wrong is internally available to his consciousness in the form of thoroughly ingrained though seemingly reasonable prejudices – prejudices which are continually reinforced and confirmed each day. For the pre-Civil War white Southerner, Josiah Wedgewood's call to action is folly: the slave is

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<sup>51</sup> Jack S. Crumley II, *An Introduction to Epistemology, Second Edition*, p. 160-161.

neither man nor brother. For the internalist, Huck is justified in claiming to know that he has done something morally wrong in helping and protecting Jim, because the available evidence leads him inexorably to this conclusion. Moreover, this evidence is available to his cognitive perspective.

But imagine instead that Twain envisioned Huck employing an externalist scheme of justification. Here, the correct belief – that abolitionist activity is either obligatory or supererogatory for free moral agents – would have been caused in Huck by means of a reliable process external to his cognitive viewpoint. With the correct belief in mind, Huck may acknowledge that he performed the morally right action in eluding the slave catchers. But the correct belief, both in its production and its verity, would very much surprise and even confuse Huck. Huck's reaction, albeit understandable, should not be treated as a reason to reject externalism, though. Recall that when asked by Pojman to report on the pictures hanging on his dining room wall, I may surprise myself when I produce the correct answer. Provided that my – or Huck's – answers are correct, and provided that they are the result of a reliable process, the externalist argument asserts that knowledge has been produced. If externalism is the case, then we will need to come to terms with the queerness of the speaker's inability to reflectively access the correct belief. The satisfaction we find in the benefits of externalism should outweigh our worries about its queerness. As I have argued, a most compelling benefit of externalism is that it always eliminates Huck Finn-style cases from the class of epistemic operations that may satisfy the veridicality condition.

Worries about externalism linger, though. Walter Sinnott-Armstrong has argued that even if we assume that moral beliefs can be justified so long as they are reliable, if

“one does not believe that one’s moral beliefs are reliable, then one cannot *believe* that they are justified, or be *justified* in believing that they are justified, or *show* that they are justified.”<sup>52</sup> If Huck believes that his (reliably-formed) beliefs about the obligatory or supererogatory nature of abolitionist activity are not reliable, then, Sinnott-Armstrong cautions, Huck is justified in not believing in the obligatory or supererogatory nature of abolitionist activity. But if Huck does not have any beliefs about whether or not his reliably-formed beliefs about slavery are reliable, then his reliably-formed beliefs are justified.<sup>53</sup> Of course, the likelihood of Huck *not* having any beliefs about whether his reliably-formed beliefs are justified is very low. After all, his reliably-formed beliefs endorse abolitionism, with which Huck is unsympathetic.

However, the larger worry, I think, is that Sinnott-Armstrong’s argument smuggles-in criteria relative to internalism. A fully consistent externalism has no truck with internalism. Externalism’s having no truck with internalism entails that externalism is immune from the worries that pester and are relative to the standards of internalism. Huck’s second-order beliefs about his first-order (reliably-formed) beliefs are, *from the standpoint of justification*, irrelevant. In this regard, Sinnott-Armstrong’s criticisms are misplaced. Nonetheless, if Huck is to *act* on his first-order (reliably-formed) beliefs, his second-order beliefs ought not be inconsistent with them. But this is a separate matter divorced from justification.

A more pertinent worry is that externalism does not resolve Huck’s ambivalence. Even if we imagine him employing an externalist scheme of justification, Huck may not feel any better about performing the right, though unpopular, moral action, namely,

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<sup>52</sup> Walter Sinnott-Armstrong, “Moral Skepticism and Justification,” in *Moral Knowledge? New Readings in Moral Epistemology*, p. 28. Emphasis not mine.

<sup>53</sup> See *ibid*, footnote 60, p. 46.

helping Jim escape slave catchers. Huck will still be plagued by the dictates of his racist conscience, which tells him to deliver Jim into the hands of the slave catchers. This worry is not specific to Huck; it hangs over any externalist scheme of justification where the knowledge generated by the externalist scheme runs counter to our deepest commitments. This worry, though, is not so much a philosophical one; it is a pedagogical one. Our commitments and conscience change over time. Once we educate ourselves to care about what we know to be the morally right course of action, our conscience will fall in line behind what we know is right. Moving beyond the trope that Twain designed for him, we can imagine that Huck is not conflicted. Our unconflicted Huck would possess a conscience informed by the moral knowledge generated by a reliable process external to his cognitive viewpoint. This Huck would both know that the abolitionist cause is morally right and be in sympathy with the abolitionist cause. As a boy, our Huck is an unlikely candidate for this unconflicted self. But as an adult, he could join the ranks of the countless others who have undergone this transformation.

### **2.1.2 The complete acknowledgement: the authenticity, autonomy, and transparency conditions.**

Let's return to the three remaining conditions that, along with the veridicality condition, constitute a Complete Acknowledgement. The authenticity condition states that the acknowledgement must be sincere – that is, something which the acknowledger herself believes. *Belief* in the veridicality of what one acknowledges is definitional of acknowledgement. Failure to believe in the truth of what one acknowledges is to traffic in inconsistency. At the same time, to not believe in the truthfulness of what one acknowledges is to engage in a form of self-deception. To deceive oneself or produce

inconsistent reports about the truth-value of what one knows to be the case is to defeat the authenticity condition. Clearly, sincere acknowledgements are to be valued.

The authenticity condition is an epistemic requirement, but justification is *not* part of its domain. Rather, sincerity is the domain of this particular epistemic requirement. When we are sincere in what we avow, our beliefs are transparent to ourselves and to others. Being sincere means that we “really mean” what we acknowledge.

When we claim that we “really mean” what we acknowledge, we put forward a second-order belief about a first-order belief. The authenticity condition is concerned with second-order beliefs about reliably-formed first-order beliefs. The second-order beliefs serve as *endorsements* of the first-order beliefs. The approbation they convey has normative force for both the acknowledger and the acknowledger’s interlocutors; in effect, the second-order beliefs demonstrate that the acknowledger really does sanction what she claims. This sanctioning signifies the acknowledger’s sincerity, thereby satisfying the authenticity condition.

Let me further develop what I mean by endorsement and sanction by examining the concept of acceptance. Call a sincere acknowledgement of what one knows an acceptance of a belief. According to Pojman, both belief and acceptance are cognitive attitudes relating to propositions. But “whereas belief is an involuntary attitude that the proposition is true, acceptance is a voluntary attitude.”<sup>54</sup> Pojman goes to some length to distinguish belief from acceptance, arguing against Keith Lehrer’s claim that acceptance is a special type of belief:

One can accept a hypothesis that one does not believe. I may accept your hypothesis for the sake of argument without believing it. A scientist may accept a

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<sup>54</sup> Louis P. Pojman, *What Can We Know: An Introduction to the Theory of Knowledge, Second Edition*, p. 319.



new hypothesis, although he or she is agnostic about it, but carry out a series of experiments in order to see what reactions will obtain or to see whether by some quirk it is true after all. The scientist accepts the hypothesis for the sake of finding the truth but does not believe it.

Furthermore, I can believe in a proposition and yet not accept it. I see (and believe) that the evidence is against my hypothesis, yet I have a vested interest in the hypothesis, so I proceed as though the evidence didn't count significantly against it. I may even do this for the sake of truth. I believe that the evidence counts significantly against my hypothesis, but I also realize that although the chances are less than 50 percent, if my hypothesis is true and if I can perform other experiments to verify it, then the outcome will be a greater display of truth.<sup>55</sup>

For Pojman, beliefs may occur without our having decided to believe in them. But the acceptance of a belief is always deliberate.<sup>56</sup> Pojman claims that we “speak of beliefs being *caused* but acceptances being determined by *reasons*.”<sup>57</sup> This distinction between belief and acceptance (or endorsement and sanction) has the virtue of being consistent with the externalism I advance in explicating the veridicality condition. To use the Twain motif again, if unconflicted Huck sincerely believes in the veridicality of what he acknowledges, then he accepts/endorses the belief in question, thereby satisfying the authenticity condition.

I conclude this analysis of the authenticity condition with an abbreviated consideration of accountability and its relation to attributions of blame. Here, I am concerned with what is *morally* entailed by a sincere acknowledgement. In this analysis, I am interested in moral accountability, not legal accountability. When someone

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<sup>55</sup> Louis P. Pojman, *What Can We Know: An Introduction to the Theory of Knowledge, Second Edition*, p. 319.

<sup>56</sup> As it happens, treating belief as an involuntary attitude and acceptance as a voluntary attitude is wholly consistent with the externalist theory of justification I endorse. For the externalist, Huck Finn may not be able to accept abolitionism, but he could not claim to know that abolitionism is morally wrong. The upshot of the individuation of belief and acceptance for the psychology of the moral agent is that the agent may be left schizophrenic, conflicted over whether or not to accept what they know.

<sup>57</sup> Louis P. Pojman, *What Can We Know: An Introduction to the Theory of Knowledge, Second Edition*, p. 320. Emphasis not mine.

sincerely acknowledges something, we say that they are accountable for what they acknowledge. To be accountable for X is to be answerable for X. In holding a person accountable or answerable for what she acknowledges, we may simply require that she be ready to reproduce her acknowledgement at a future time. In the case of an admitted moral transgression, we may require that the person make amends for the wrong that she sincerely acknowledges.<sup>58</sup> Regardless, the ethics of accountability supervenes on the acceptance or endorsement of a belief in a sincere acknowledgement.

The demand for accountability may take various forms, the most common of which may be the acceptance of blame. To be blameworthy is to be both responsible for and culpable of a moral transgression.<sup>59</sup> One way in which moral agents are determined responsible is by tracing a causal chain of events from the agent to the morally bad action. If I, uncoerced, wielded the knife that cut my enemy, I am responsible for my enemy's wound. Culpability implies that the agent is at fault for the moral transgression. If I, without any provocation and without cause, stab my enemy, I am culpable. If I proffer a sound excuse for my behavior, I am not culpable. When it is established that the moral agent is responsible for and culpable of a moral transgression, the agent may be blamed for the offense.

We need to get some kind of handle on blame. George Sher argues that, formally, "blame is a stance or attitude that a person takes toward himself or another on the basis of a judgment that that person has in some way failed to conform to a moral standard."<sup>60</sup>

The stance or attitude is, of course, one of disapprobation. The judgment concerning the

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<sup>58</sup> If the acknowledgement is part of an apology, the person may herself insist on making amends. And even if others don't hold us accountable for X, we may independently decide to hold ourselves accountable.

<sup>59</sup> See Garrath Williams, "Praise and Blame," *Internet Encyclopedia of Philosophy*, <http://www.iep.utm.edu/praise/>.

<sup>60</sup> George Sher, *In Praise of Blame*, p. 7.

failure to conform to a moral standard may be produced in the light of the offender's acknowledgement-containing apology. The blame that we direct at the accountable party is intended to have a certain effect. Daniel N. Robinson observes that when "validly directed at a person, blame is expected to cause feelings of guilt, remorse, and shame."<sup>61</sup> Of course, the offender may already feel these negative emotions. But being blamed by another may intensify and prolong the effect of these feelings. Being blamed by others reinforces and makes undeniable the reality of our transgression.

Sher complements Robinson's observation by discussing the act of blame. Sher argues that "to blame someone... is to have certain affective and behavioral dispositions, each of which can be traced to the combination of a belief that that person acted badly or has a bad character and a desire that this not be the case."<sup>62</sup> On Sher's account, blame is constituted by belief-desire pairs which "give rise to a characteristic set of behavioral and affective dispositions."<sup>63</sup> Insofar as the belief that a person has acted badly or has a bad character is derived from a moral principle, the full acceptance of such a principle is conceptually bound up with the desire to uphold the principle.<sup>64</sup> As Brad Hooker explains in his review of Sher's book, since "the belief that a moral principle is justified entails the desire that the principle not have been violated, and this belief-desire pair constitutes blame and gives rise to the familiar affective dispositions, whatever justifies the moral principle in the first place also justifies blame as a response to its violation."<sup>65</sup>

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<sup>61</sup> Daniel N. Robinson, *Praise and Blame: Moral Realism and Its Applications*, p. 4.

<sup>62</sup> Sher, p. 115.

<sup>63</sup> Sher, p. 137.

<sup>64</sup> See Sher, p. 124.

<sup>65</sup> Brad Hooker, review of George Sher's *In Praise of Blame*, Notre Dame Philosophical Reviews, <http://ndpr.nd.edu/review.cfm?id=9105>.

This examination of the ethical import of blame segues to the third condition for a Complete Acknowledgement. The autonomy condition – the third condition - satisfies a moral requirement. It states that the acknowledgement must not be forced or coerced, but freely arrived at. An acknowledgement “based on physical force or inappropriately strong psychological pressure may be referred to as forced acknowledgment.”<sup>66</sup> A forced acknowledgement is an acknowledgement in name only, as the acknowledger must, of her own volition, give expression to what she knows. A forced acknowledgement fails to respect the agency of the acknowledger, as it runs roughshod over the deliberative process that often takes place in the mind of the one who offers the acknowledgement. To threaten<sup>67</sup> the would-be confessor to acknowledge something is to compromise the integrity of the acknowledgement.

Finally, the transparency condition, the fourth and last condition, states that the acknowledgement must be publicly transacted. Like the authenticity condition, the transparency condition satisfies an epistemic requirement. Unlike the authenticity condition, the transparency condition satisfies a communicative requirement. The authenticity condition refers to a doxastic mental state, whereas the transparency condition refers to the quality of the transaction made by the acknowledger, given the belief. According to the transparency condition, the acknowledgement must be one that is transacted with someone else.

Acknowledgements are always transacted in a social setting. In the production of an acknowledgement, the acceptance of a belief by the would-be acknowledger is always

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<sup>66</sup> Govier, “Acknowledgement and Forced Confession,” p. 9.

<sup>67</sup> I distinguish between threats, which often amount to some kind of physical, sexual, or emotional punishment, and encouragement and low-intensity pressure. The latter are legitimate forms of coercion, as they respect the agency of the would-be acknowledger.

conducted publicly. To accept a belief is to verbally make the acknowledgement to one or more persons who can hold you to what you acknowledge. This exchange may take place in a private conversation with someone; it may take place in a public declaration. Acknowledging what you know at the top of your lungs in Grand Central Station does not qualify as an open acknowledgement, despite being in the presence of a throng of people who can all hear your voice. There must be some kind of recognized and accepted social practice within which a sincere acknowledgement is recognized by all participants as an accountability-laden activity.<sup>68</sup> For this reason, the Grand Central Station example does not meet the terms of open acceptance.

What is expressed in an acknowledgement must be evident or unmistakable. The acknowledgement must be obvious to the one who makes it *and* to the person to whom it is made. Call the person to whom the acknowledgement is made the intended recipient. The intended recipient must be one whose judgment of the substance of what is acknowledged is relevant to the very end or goal of the acknowledgement. In response to a number of pointed questions asked by a professor, a trouble-making student may acknowledge *to the professor* that she cheated on the exam and that this gave her an unfair advantage over other students. In extending reparations for past injustices against an ethnic or racial minority, a head of state may acknowledge *to (the descendants of) those who suffered* under unjust practices the damaging nature of past policies and laws that permitted the oppression of the minority. In offering an apology, I may acknowledge *to the person I wronged* that I wronged her. Still the same, in the act of acknowledging X to the intended recipient, we necessarily acknowledge X to ourselves. To not do so is to

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<sup>68</sup> Austin's two A conditions support this claim.

use language unintelligibly. The acknowledgement must be transparent to the acknowledger herself and to the intended recipient.

When the veridicality, the authenticity, and the transparency conditions are satisfied, a happy side-consequence or by-product is that the acknowledgement *validates* what the intended recipient of the acknowledgement (often) already knows.<sup>69</sup> To validate knowledge is to confirm what is known in such a way as to authenticate its verisimilitude by corroborating one independently arrived-at account with another independently arrived-at one. Both the acknowledger and the intended recipient of the acknowledgement have their own independently arrived-at accounts. Even if both parties were present at the same event that the one offering the acknowledgement recounts, one account may focus more on some features of the event while neglecting other details. When the relevant features of each account match up with one another in a way that satisfies the intended recipient, we say that the acknowledgement validates what the intended recipient of the acknowledgement already knows.<sup>70</sup> This matching process need not occur in any explicit manner; no formal checking of each claim in each respective account need be transacted. In fact, the intended recipient of the acknowledgement may choose to not share her account with the acknowledger.

If the acknowledger's account is satisfactory to the intended recipient, then the latter will, in some way, make this known to the acknowledger. The intended recipient's judgment of the success or failure of the acknowledgement to corroborate with their own account will often be communicated in the ritual within which the acknowledgement is

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<sup>69</sup> Regardless of whether or not the acknowledgement is a free or forced one, the acknowledgement may validate what the third party already knows.

<sup>70</sup> Typically, the onus is on the acknowledger to produce an acknowledgement that satisfies the intended recipient of the acknowledgment. But it may be the case that the intended recipient has her facts wrong. In this case, the acknowledger must "set the record straight" by establishing the facts as they actually stand.

couched. If, for example, the acknowledgement is part of an incriminating confession, then the intended recipient of the acknowledgement may mete out a suitable punishment, provided that she has the power and authority to do so, and provided that she finds the acknowledgement to corroborate with her own account of the infraction. If the acknowledgement is part of a declaration of reparations by a head of state, then the intended recipients of the acknowledgement may apply for the compensation, opportunity, or other form of apportionment generated by the reparation. If the acknowledgement is part of an apology, then the intended recipient of the acknowledgement may choose to forgive the person. However, if the acknowledger's account is not sufficiently similar in substance to the intended recipient's account, then the ritual that provides the context for the acknowledgement may be radically altered, left incomplete, or even compromised. If the confession fails to acknowledge all the relevant facts or the degree to which the acknowledger is to blame for the wrongdoing, then the intended recipient may decide to deliver a more severe punishment than she would have had the confessor offered a more robust acknowledgement. If in the declaration of reparations the head of state glosses over the wrongs that the intended recipients passionately feel are the most egregious harms done to them or their ancestors, then they may collectively reject the compensation or opportunities generated made available by the reparation. If the person apologizing inadequately acknowledges her full responsibility for the wrongdoing, then the intended recipient may refuse to forgive, thus making infelicitous the apology.

Some of the reasons why acknowledgements fail include incompleteness, lack of accuracy, and insincerity. In thinking about the consequences of this failure, the reason

why some of our beliefs need to be authenticated at all comes more clearly into focus. The verisimilitude of (some of) what we know needs to be authenticated for the purpose of satisfying whatever practice within which an acknowledgement is situated. Acknowledgement is always connected to a practice or ritual that is performed for a certain reason. I have identified three such practices – confession, declaration of reparations, and apology – though there are many others. As I have argued, when the acknowledgement fails, the practice or ritual may be radically altered, left incomplete, or compromised, depending on the practice at hand. And insofar as we value these practices or rituals for the various sorts of meaning they generate, we will care about how acknowledgement is constitutive of these practices.

## 2.2 The Moral Emotions: The Affective Dimension of Apology<sup>71</sup>

Clearly, there is an affective component to moral apologies. An apology is neither entirely motivated nor fully constituted by the sheer recognition of the wrong. Following the standard Humean view of human psychology, I maintain that the facts themselves - or any representations thereof, including acknowledgement - do not generate motivation for action. Rather, guilt, shame, remorse or what we shall call categorical regret must be found in the heart of the one who apologizes. These four emotions constitute what are often termed the moral emotions.<sup>72</sup> The emotions frame the world for

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<sup>71</sup> In examining acknowledgement first and the moral emotions second, I am not implying that acknowledgement is chronologically prior to the work that guilt, shame, remorse and what we shall call categorical regret do in an apology. Nor am I suggesting that acknowledgement has any direct causal relationship with the moral emotions. Nor do I claim that acknowledgement and the moral emotions are not causally connected in some way. As I see it, my analysis of apology can proceed without resolving this issue. Rather, I maintain that acknowledgment works in tandem with the moral emotions; the choice in the order of the analysis reflects nothing more than a writer's prerogative.

<sup>72</sup> In *On the Emotions*, Richard Wollheim notes that it is conventional to call shame, guilt, remorse, and regret the moral emotions. I follow this convention. See Wollheim, *On the Emotions*, p. 148.



us, and focus our attention on certain aspects of experience. As Richard Wollheim puts it, the “role of the moral emotions, as of the non-moral emotions, is to provide the person with an attitude, or orientation. What is distinctive about the moral emotions is that the attitude is reflexive. It is an attitude that the person, specifically and of necessity, has toward himself: himself as a person.”<sup>73</sup> The moral emotions guide the wrongdoer to offer an apology, prompting her to admit, in the presence of the wronged, that she was at fault and that she wishes to do what she can, with the permission of the wronged, to repair the wrong. And yet, the moral emotions are incapable of doing their work unless an acknowledgment of the wrongdoing by the agent who brought the wrong about is forthcoming.

Bach and Harnish claim to have identified the salient emotion behind any apology. According to the Bach-Harnish account of apology that we examined in the first chapter, the wrongdoer (or, in their terminology, the speaker) expresses *either* regret for having done something regrettable to the wronged party *or* the intention that the utterance satisfy the social expectation that one expresses regret to said party. However, the disjunction does not recognize the distinction between moral apologies and quotidian apologies. Given the stark differences between moral apologies and quotidian ones, it seems unlikely to find an emotion common to both that drives our apology-making.

Keeping the moral/quotidian distinction in mind, we may try to clear-up the confusion that the Bach-Harnish account generates by identifying the correct disjunct with the appropriate apology. Since the first disjunct concerns regret, it seems correct to identify it with a moral apology. But this is not always the case. As I will show, there are a number of different forms of regret, and not all of them can motivate a moral

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<sup>73</sup> Wollheim, p. 149.

apology. Both the first and the second disjunct rightly refer to the more common intentions involved in quotidian apologies. Quotidian apologies are used to meet the demands of etiquette – what I take it Bach and Harnish mean (or should mean) by “social expectation” - not the demands of morality. In some quotidian apologies, the regret will be genuine. In other quotidian apologies, the regret will be feigned and manipulated as a means to the end of the satisfaction of social expectation.<sup>74</sup>

To experience regret is, minimally, to be disappointed. But regretting can mean many things. As Nick Smith observes,

[s]everal of these meanings can be consistent with an outright refusal to apologize. Whereas regret typically expresses a sentiment that I wish things could be otherwise, this does not necessarily entail that I believe that I have done anything wrong. I might regret, for instance, that you have taken offense at my refusal to convert to your religion. Or I might find my host’s dismay of my breach of etiquette regrettable. In these cases I regret the acts of others, rather than my own, because I believe the fault lies with them. I might also regret a state of affairs without being able to attribute blame to anyone, such as the regret I might experience in response to the suffering caused by a natural disaster... Likewise, a patient may find it regrettable that others cannot afford an expensive life-saving surgery while she can, but this does not necessarily indicate that she regrets her choice to exercise her advantage.<sup>75</sup>

Clearly, we need to distinguish the forms of regret that cannot motivate a moral apology from the ones that can. Smith identifies what he terms categorical regret with the latter. For Smith, categorical regret refers to “an offender’s recognition that her actions, which caused the harm at issue, constitute a *moral failure*. In this sense, an offender wishes that the transgression could be undone.”<sup>76</sup> Smith goes on to emphasize that as it relates to

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<sup>74</sup> The quotidian apology bears only a superficial similarity to a moral apology. Some of the same words – “I’m sorry for X” – are used in both forms. On the basis of this superficial similarity, we may misinterpret a quotidian apology for a moral one, and vice versa. Or we ourselves may finagle a quotidian apology to do the work of a moral apology, thereby (wrongly) relieving ourselves of our moral responsibility to, at the very least, emotionally comport ourselves appropriately. Awareness of the different demandingness of moral and quotidian apologies serves to keep us, and others, honest.

<sup>75</sup> Nick Smith, *I Was Wrong: The Meanings of Apologies*, pp. 67-68.

<sup>76</sup> Smith, p. 68.

apologizing, categorical regret refers specifically to the acknowledgement of “a mistake rather than an expression of sorrow over a missed opportunity.”<sup>77</sup> Only if I believe that I made the morally wrong choice, and not just one that led to an inconvenient outcome, can I express categorical regret. Smith exhorts that unless I believe that I “should have chosen otherwise, ... sorrow over the recognition of what was lost rather than categorical regret best captures my sentiment. [Therewith], I cannot apologize fully if I would again make the same choice however difficult or tragic it may be.”<sup>78</sup> As regards the satisfaction of the affective component of moral apologies, expressions of sympathy or disappointment are not sufficient.

Beyond categorical regret, the other moral emotions that must be considered for their contributions to the moral apology are remorse, guilt and shame. I treat each in turn. I view remorse as an emotional response to great harm that the agent herself caused. We would expect that the lamentations of a penitent who admits that she played a role in causing an atrocity echo the remorse that gnaws at her from the inside. Remorse has been classified as a form of deep regret in the *OED*. However, I tend to think that this underestimates the phenomenological quality of remorse. In my estimation, Raimond Gaita provides some of the most poignant and telling descriptions of remorse in the philosophical literature.

Those who, in remorse, suffer in guilty recognition of what they have become are radically singular, and for that reason remorse is a kind of dying to the world. The ‘world’ in this sense is a common world, and its kind of commonness is marked by the ‘we’ of fellowship. I call genuine remorse a kind of dying to the world because it is the discovery of a dimension of ourselves that cannot enter into common and consoling fellowship with others.<sup>79</sup>

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<sup>77</sup> Smith, p. 69.

<sup>78</sup> Smith, p. 69.

<sup>79</sup> Raimond Gaita, *Good and Evil: An Absolute Conception, Second Edition*, pp. 48-49.

If it is, in fact, a deep form of regret, remorse is qualitatively so unlike regret that it deserves its own category. Both in its intensity and in its success in occupying the space of our emotions for long periods of time when we experience it, remorse has the ability to utterly transform – even ruin – its host. Those who (properly) experience categorical regret are not morally responsible for having caused great harm, while those who (properly) feel remorse are. The emotional trigger that ought to activate remorse is the recognition in the agent of the great harm she has brought about. Those who feel categorical regret may yet enjoy what Gaita calls the ‘we’ of fellowship, while the remorseful person cannot.<sup>80</sup> In locating the place of remorse on the moral spectrum, Gaita claims that remorse is an awakened sense of the “reality of another through the shock of wronging her, just as grief is a recognition of the reality of another through the shock of losing her.”<sup>81</sup> While categorical regret need not be accompanied by this existential realization, remorse is defined by it.

As with categorical regret, those who truly experience remorse would not perform the same action again had they the chance. For this reason, apology is consistent with and often a favored means of expunging the psychological pain constitutive of categorical regret and remorse. The same is true of guilt. Like categorical regret and remorse, guilt is part of the motivational apparatus that moves us to do what we can to right a wrong. In fact, any one of the four moral emotions, by themselves, can serve as a necessary condition for the motivation of an apology. While any one of the four moral emotions

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<sup>80</sup> Gaita explains the ‘we’ of fellowship as follows: “The capacity to say ‘we’ – we mortals, we who have suffered together – not merely enumeratively but in fellowship, consoles. ‘We of this family’, ‘we of this nation’, ‘we who have been left behind’ when said at a funeral, are examples of the ‘we’ of fellowship... [When we cooperatively participate in horrendous evil acts with others] there can be only corrupt consolation in the knowledge that others are guilty as we are.” Gaita, p. 48.

<sup>81</sup> Gaita, p. 52.

may independently satisfy this necessary condition, phenomenologically, the moral emotions usually come in clusters. For the non-psychopath, knowing that I have done something morally wrong should make me feel categorical regret, guilt (if causally responsible), and shame (if culpable). If I know that I have done something horrendously wrong, I ought to also feel remorse. As we shall see, an apology couples an expression of this knowledge (in the form of an acknowledgement) with at least one of these emotions.

In analyzing guilt, we need to distinguish between being guilty and feeling guilty. One may be guilty without feeling guilty, and vice versa. When we say that a person is guilty, we often appeal to a legal concept. Here, guilt is established by an objective determination of the violation of a law. However, we need not maintain that the law in question enjoys the kind of standing that any functioning judicial system provides. In fact, I may fashion for myself various laws that pertain to my own behavior, laws that, for instance, require that I not watch movies until the weekend, or that I consume no more than X calories per day. The laws that I fashion for myself (and myself alone), under which I pronounce myself guilty upon their violation, derive their force from a commitment I make to myself, rather than from a contract that holds between me and the state.

In being found guilty, the person so deemed may not feel guilty, for she may believe that the law is cruel or misapplied. To feel guilty – insofar as such a feeling is a fitting affective response to an objective determination of the violation of a law – the person must, Gabriele Taylor argues,

accept not only that he has done something which is forbidden, he must accept also that it is forbidden, and thereby accept the authority of whoever or whatever forbids it. The person who accepts the authority does not merely recognize its

power and so thinks it simply prudent to obey its commands; he also accepts its verdicts as correct and binding.<sup>82</sup>

Only if nothing was forbidden – or, at least, only if agents failed to accept the purported authority of those who claim to forbid certain classes of actions – would we find ourselves free from the possibility of experiencing guilt.

Martha Nussbaum defines the feeling of guilt as a “type of self-punishing anger, reacting to the perception that one has done a wrong or a harm.”<sup>83</sup> In having done something wrong, my feeling guilty should be seen as evidence of my endorsement of norms that forbid the very action that I have performed. When we feel guilty, we criticize our own actions or our own failure to act; we censure having transgressed a set of injunctions. But since the same can be said of our experience of remorse and categorical regret, this observation fails to meaningfully identify the psychology specific to guilt. Any analysis of the psychology specific to guilt ought to take into account, to some degree, what it is (like) to *feel* guilty. A phenomenology of guilt is needed.

Taylor proposes a phenomenology of guilt that I find to be consistent with Nussbaum’s definition of it as a type of self-punishing anger. Taylor’s phenomenology is grounded in an understanding of the psychological pain that one’s guilty feelings cause. This psychological pain prompts those who suffer from it to take measures to expunge it from their psyche.

The important feature of guilt is that the thought of the guilty concentrates on herself as the doer of the deed. Having brought about what is forbidden she has harmed herself. She has put herself in a position where repayment from her is due... That, in the agent’s view, reparation is required is due to her conception of herself as disfigured and the consequent need to do something about it. The greater the supposed disfigurement, the greater, of course, such a need – and the

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<sup>82</sup> Gabrielle Taylor, *Pride, Shame and Guilt: Emotions of Self-Assessment*, p. 85.

<sup>83</sup> Martha C. Nussbaum, *Hiding from Humanity: Disgust, Shame, and the Law*, p. 207.

more unlikely, perhaps, that the agent should think adequate payment is possible. Hence the self-torments the guilty sometimes let themselves in for.<sup>84</sup>

Allow me to put Taylor and Nussbaum in conversation. In perceiving that I have wronged or harmed a person (or even an institution), I have, consequently, harmed myself, insofar as I feel guilt as a self-punishing emotional response to the harm or wrong I've caused. When operating correctly, guilt is something akin to a norm-sensitive barometer, alerting us to a wrong we have committed. The emotional mechanism which sounds the alert often turns into a persistent dull throb which refuses to let up, lest we do what we can to repair what we have broken in doing the wrongful act. Our own anger, self-directed, is impossible to ignore.

When we feel guilty, we feel guilty for either moral or non-moral reasons, or both. That we may feel guilty for violating moral as well as non-moral norms is due to the heterogeneity of the concept of guilt. In feeling guilt, nothing about the norms endorsed - which, in forbidding the action performed, generate guilt - need be *moral* norms. Guilt, as with regret, comes in two guises: there is a moral form and a non-moral form of the emotion. It is a mistake, then, to treat all forms of guilt as if they were cognate *moral* expressions. Only what I term moral guilt, wherein one feels guilty for transgressing a moral norm, is the genuine moral emotion. When it is appropriate that guilt be felt by the apologizer in offering a genuine moral apology, the guilt felt must be moral guilt.

Consider the following argument, offered by Herbert Morris. As I read it, Morris' argument shows that the non-moral form of guilt fails to satisfy the necessary emotional element of an apology.

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<sup>84</sup> Taylor, pp. 97-98.

A person who feels guilty may not be disposed to say, “I’m sorry” or “Forgive me;” he may not feel sorry about what he did. And he may not be prepared to disavow his act and commit himself to not doing it again. He may be neither contrite nor repentant. A person feeling guilty might suffer and also take satisfaction in doing what he did. There might be pride over what was done. We need only think of the young boy who disobeys his father and who, while feeling guilty, also looks upon himself with more respect. He feels guilty but prefers being damned to renouncing his act.<sup>85</sup>

Notice that in substituting “feels categorical regret” or “feels remorse” for “feels guilty” in the first sentence of the Morris excerpt, we invite conceptual confusion. One cannot take satisfaction in performing an action that leads one to experience remorse or categorical regret for said action. Those who feel remorse or categorical regret must, by definition, feel sorry for what they have done. The same, I think, is true of moral guilt.

I have one final observation about guilt writ large. Since guilt is a type of self-punishing anger, the guilty torment themselves in feeling guilt. Feeling guilty logically entails that one be angry at oneself<sup>86</sup>, even though the object of guilt is the wrongful act and not the self. Though the guilty torment themselves, the self is not the object of guilt any more than the self is the object of remorse or categorical regret. In guilt, as with remorse and categorical regret, one’s wrong action is the object of the emotion.<sup>87</sup>

In virtue of their having an object, guilt and all of the other (moral) emotions exhibit intensionality. Not all inner, private experience is intensional; pain, for instance, does not have an intensional object.<sup>88</sup> The sense of “object” that I here employ “derives from the grammatical notion of the *object* of a transitive verb. The object of fear is *what*

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<sup>85</sup> Herbert Morris, “Guilt and Suffering,” p. 432.

<sup>86</sup> I submit that the boy in Morris’ example must be angry at himself to some degree, even though he takes pride in having disobeyed his father. The emotional complexity of our mental life, I think, allows for the possibility of feeling anger toward oneself and feeling proud for having flouted a rule. The self is no stranger to being sometimes conflicted.

<sup>87</sup> Of course, the self is the object of the anger we feel in guilt. But that we feel anger towards ourselves at all is necessitated by guilt. Since guilt is what drives our anger, the self-as-object is subordinate to the act-as-object.

<sup>88</sup> See Anthony Kenny, *Action, Emotion, and Will*, p. 6.



is feared, the object of love is *what* is loved... [E]ach of the emotions is appropriate – logically, and not just morally appropriate – only to certain restricted objects.”<sup>89</sup> So, in feeling guilty, I feel guilty for doing (or not doing) X, where X is the intensional object of my guilt.

But an inquiry into the intensionality of the moral emotions can offer us more than just a taxonomy of the various relations between the emotions and their objects. Ideally, such an inquiry should explain how each of the emotions entails a specific, defined set of evaluations of the permissibility (or impermissibility) of the actions to which the emotions are a response and with which they are compatible. Feeling non-moral guilt for doing X (where non-moral guilt is the emotion) and, simultaneously, taking satisfaction in doing X (where being satisfied is an evaluation of the permissibility of the action) are compatible with each other. This, I think, is what Morris’ argument establishes. But feeling moral guilt for doing X and, simultaneously, taking satisfaction in doing X are incompatible. Likewise, feeling remorse or categorical regret for doing X and, simultaneously, taking satisfaction in doing X are incompatible.

Categorical regret and remorse share a similar structure, intensionally, with feeling guilty. In guilt, remorse, and categorical regret, the intensional object is a wrong action that the agent herself has performed. That is, the guilty, remorseful and regretful don’t torment themselves for *who* they are, but for *what* they have done. Shame, though, is different. In being ashamed, I feel shame for being (or not being) a certain kind of self, where my own self is the intensional object of my shame. Those who feel shame criticize themselves for the kind of person they have become. While the intensional object of guilt

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<sup>89</sup> Anthony Kenny, *Action, Emotion, and Will*, pp. 187-88 and 192. Emphasis not mine.

is the *action* that the guilt-experiencing agent has herself performed, the intensional object of shame is the *self* who has performed the repugnant action.

When we feel shame, we feel awful. More specifically, we feel awful about who we are or what we have become. In short, shame causes us to feel awful about ourselves. Shame is a *self*-directed negative emotion. Shame internalizes the critical normative assessments that others make – and might make - of us, such that the self morally evaluates itself, vis-à-vis its shortcomings, using the judgments – actual and possible - of others – real and imagined - as its guide.

The literature on the psychology of shame is quite heterogeneous. One popular account of the psychology of shame is offered by Sartre in *Being and Nothingness*.

Gabriele Taylor succinctly summarizes this view.

[Imagine that] a man makes a vulgar gesture. He then realizes he is being observed. This realization makes him look at what he is doing from the observer's eyes. Seeing it from that point of view he realizes that what he is doing is vulgar, and he feels shame. Here we have an observer who, the agent realizes, watches him and judges his actions adversely. The agent accepts the judgement and thereby accepts the standard or values involved. So he realizes that he... [has performed] a vulgar action, and this degrades him in his own eyes. The crucial point is that only by seeing what he is doing through the other's eyes does he recognize the nature of his action, and so it is crucial, it seems, that there be some other through whose eyes he can look at his action.<sup>90</sup>

Sartre's account, though popular, is mistaken, I think. Shame does not necessarily hinge on the immediate gaze of the other. Also critical of the Sartrean view is Bernard Williams. In *Shame and Necessity*, Williams takes aim at the purported power of the other's gaze, and in so doing, foreshadows part of the view that I advance. Williams argues that it is a

silly mistake... to suppose that the reactions of shame depend simply on being found out, that the feeling behind every decision or thought that is governed by

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<sup>90</sup> Gabriele Taylor, *Pride, Shame, and Guilt: Emotions of Self-Assessment*, p. 57-58

shame is literally and immediately the fear of being seen. If everything depended on the fear of discovery, the motivations of shame would not be internalized at all. Even if shame and its motivations always involve in some way or other an idea of the gaze of another, it is important that for many of its operations the imagined gaze of an imagined other will do. Sartre describes a man who is looking through a keyhole and suddenly realizes that he is being watched. He might think that it was shameful to do it, not just to be seen doing it, and in that case, an imagined watcher could be enough to trigger the reactions of shame.<sup>91</sup>

For Williams, we may feel shame when we are unobserved or even when alone, provided that we *imagine* that others would hold us in judgment. In what follows, I use Williams' account as a springboard for the argument that for imagination to have the power to produce shame, the imagined others<sup>92</sup> must be those with whom we share values, and the imagined judgment must be negative, and be negative for our having violated a value we share with the imagined others.

Shame is an unambiguously social emotion. If my self-criticism is idiosyncratically my own and is not shared with others, then it cannot produce shame. As Robert C. Solomon points out, shame “involves the sense of seriously failing those around you, violating their norms, falling short of their expectations, letting them down.”<sup>93</sup> If we exclusively concentrate on the *sociality* of shame, though, our understanding of it will be distorted. Moving away from an account that emphasizes its sociality, Solomon argues that while shame

is derived from one's social relations, it is for the most part self-imposed. Shame might be imposed on a person, by way of public criticism or through the rituals of shaming and shunning, but what is imposed is the need for the person to take upon him or herself the blame for having done wrong. Because it is self-imposed, it is by its very nature taken to heart. One can to a considerable extent shrug off

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<sup>91</sup> Bernard Williams, *Shame and Necessity*, p. 81-82.

<sup>92</sup> By “imagined others” I do not mean fictitious persons from fairy tales. Instead, an imagined other should be someone, living or dead, who plays or has played an important role in our life and who we know or knew, and who shared with us a sense of the moral significance of the value that we have violated.

<sup>93</sup> Robert C. Solomon, *True to Our Feelings: What Our Emotions are Really Telling Us*, p. 95.

other people's criticism and even their contempt, but one cannot shrug off one's own.<sup>94</sup>

Solomon's account complements Williams' view. But even in combining them, the amalgamated account would be incomplete. Understanding shame requires that we provide an account of *what* is self-imposed, and neither Solomon nor Williams fully explicate this.

I propose the following claim to complete the analysis. Call it the Disjunctive Shame argument. For my criticism of myself to cause me to feel shame, *either* my own criticism must mirror the actual criticisms that others, whose moral standards I share, have of me as a violator of these shared standards, *or* my own criticism must mirror the criticisms that others, whose moral standards I share, *would have* of me as a violator of these shared standards, *if only they knew* the circumstances of my moral failure.<sup>95</sup> In the first disjunct, knowledge of my moral failure is more-or-less public; in the second disjunct, this knowledge is held in private, known only by me. The first disjunct forms a common-sense view of *what* is self-imposed in shame. The second disjunct, though it has not made an established place for itself in our intuitions, is just as essential as the first. My violation of the norms of those whose assessments of me matter to me may, in fact, remain unknown to everyone but me. Likewise, my having fallen short of the expectations of those whose expectations of me matter to me may remain hidden. I may nonetheless feel shame for having violated the norms or for having fallen short of the

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<sup>94</sup> Solomon, p. 96.

<sup>95</sup> I offer two clarifications. First, the "others" referred to in the second disjunct may be interpreted as "imagined others." Second, the disjunction and its ensuing analysis explains why, in introducing shame, I submitted the following claim, which I reproduce here in full. I italicize the parts of the claim which echo the relevant part of the second disjunct: "Shame internalizes the critical normative assessments that others make – *and might make* - of us, such that the self morally evaluates itself, vis-à-vis its shortcomings, using the judgments – actual *and possible* - of others – real *and imagined* - as its guide."

expectations. So long as I imagine that others, whose moral standards I share, would criticize me for my moral shortcomings *were they to have knowledge of them*, I ought to feel shame for my moral shortcomings.<sup>96</sup>

This observation makes sense of the moral force behind the familiar censure: “You ought to be ashamed of yourself!” But rather than conjuring the image of a scolded child, hand caught in the proverbial cookie jar, imagine a married couple having a marital crisis. Let’s call them Dan and Jan. Dan has just learned from a trusted source that Jan is having an extramarital affair. Upon hearing the news, Dan is terribly upset, is emotionally wounded, and feels betrayed. Dan confronts Jan; among the many things he tells her is that she should be ashamed of herself. Presumably, Dan does not mean that Jan ought to feel ashamed only because he, Dan, now knows about her infidelity. Dan is

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<sup>96</sup> Williams’ observations cannot be enlisted to support the Disjunctive Shame argument, as his conception of the imagined other allows that he be nothing but the product of my imagination. I present Williams’ argument in full. Williams argues that

the other need not be a particular individual or... merely the representative of some socially identified group. The other may be identified in ethical terms. He... is conceived as one whose reactions I would respect; equally, he is conceived as someone who would respect those same reactions if they were appropriately directed to him.

But if the other is identified in ethical terms, is he any longer playing any real role in these mental processes? Has he any independent part in my psychology if he is construed out of my own local materials? If he is imagined to react simply in terms of what I think is the right thing to do, surely he must cancel out: he is not an *other* at all.

It is a mistake to take that reductive step and to suppose that there are only two options: that the other in ethical thought must be an identifiable individual or a representative of the neighbours, on the one hand, or else be nothing at all except an echo chamber for my solitary moral voice. Those alternatives leave out much of the substance of actual ethical life. The internalized other is indeed abstracted and generalized and idealized, but he is potentially somebody rather than nobody, and somebody other than me. He can provide the focus of real social expectations, of how I shall live if I act in one way rather than another, of how my actions and reactions will alter my relations to the world about me. (Williams, p. 84).

Williams’ account is provocative but, I think, inadequate. I am incredulous about the wholly imagined other – Williams’ other – being able to provoke in us shame, for how can shame operate unless there is something really shared? Moreover, to claim that the two options, to which Williams refers in his third paragraph, “leaves out much of the substance of actual ethical life” sounds a bit like a promissory note that has been unfulfilled. And what exactly does it mean to say that the wholly imagined other is “potentially somebody?” In these passages, Williams leaves us with more questions than answers.

not suggesting that were it not to have come to light that Jan had an affair that Jan not feel ashamed. Rather, Dan means that since Jan shares with Dan the same moral standards about faithfulness in marriage, Jan ought to feel shame as a consequence of her failure to maintain the very moral standards that they both endorse. Moreover – and this is the crucial part - I take it that Dan intends that this feeling of shame ought to have washed over her at the inception of her infidelity, and not merely at the moment that she knew of her infidelity’s disclosure to him. In short, Dan means that Jan ought to have internalized the moral standard of faithfulness in marriage in such a way that, in violating the standard, she would (at least) suffer the pain of shame as a consequence.<sup>97</sup>

Shame comes in degrees. In those circumstances where it is appropriate to feel shame, one ought not to feel too little or too much shame. Feeling too little shame fails to sufficiently motivate the agent to right the shame-inducing wrong she committed. Feeling too much shame morally incapacitates the agent. Because shame is concerned with reputation, honor and public esteem, shame may create, at least in those who suffer it in bouts, a preoccupation with the self and its status. Sometimes this preoccupation becomes near-obsessive; in some cases, it becomes a full-blown obsession. Call shame which culminates in an obsession with the self and its status obsessive shame. Obsessive shame is unable to motivate a moral apology.

As I will argue, a moral apology is a form of moral repair, the task of which is to restore, stabilize, or create the basic elements that sustain human beings in recognizably moral relationship. Obsessive shame’s preoccupation with the self prohibits the self from

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<sup>97</sup> It is precisely because of the internalization of moral standards that criminals sometimes turn themselves in to the law, or make it easy for law enforcement to catch them, even when they could have thoroughly covered their tracks. Shame, more than guilt, drives these criminals to behave in ways that, from the third-person perspective, appear to be rationally self-defeating.

developing a sensitivity to how its actions have genuinely harmed someone else. This sensitivity is thwarted because obsessive shame makes those who suffer it egoistic and massively self-centered; for the shame-obsessed, one's own self is the *locus mundi*. Obsessive shame prevents the ashamed from responding to the concerns of others in a moral way. A moral action proper cannot be driven by a massively self-centered, egoistic disposition, as those with such dispositions do not have the requisite concern for others that is constitutive of moral action. So, when the shame-obsessed offer an apology or undertake some other form of moral repair, they tend to treat the person through whom the attempted repair is facilitated as a mere means to the end of overcoming shame and its concomitant pain. In such situations, while the formal element of the apology may be satisfied, the appropriate emotional component is neglected.

In non-obsessive shame, our shame is overcome by the act of forgiveness, provided that a satisfactory apology precedes the forgiving. When we are granted forgiveness, any shame we might have felt as associated with the wrongdoing we committed ought to begin to dissipate, to wane, to loosen its grip on us. We may not overcome our shame immediately; our psychology doesn't typically work that way. But we may overcome our shame – gradually, over time - in having our apology accepted in the act of forgiveness. But the point to be stressed here is that the overcoming of shame, the first steps of which are taken when we offer a moral apology, is a side-consequence or by-product of our being forgiven, and therefore not the goal or end of the apology. This is what those who suffer obsessive shame do not understand: that the *telos* of the apology is to repair what we have broken.

Let's take stock. In sum, I have argued that the affective component to moral apologies has a motivational function. The moral emotions constitute the engine that drives the action of apology. The moral emotions are not "mere feelings;" rather, they provide for us an orientation by means of which we see how our actions may fit with the world. I have offered a modest psychological profile of each of the four moral emotions, arguing that any one of them - categorical regret, remorse, guilt or shame – satisfies a necessary condition needed to transact an apology.

In our account of the necessary conditions of a genuine moral apology, we have one remaining necessary condition to examine: the attitudinal component. It is to this that I now turn.

### **2.3 Humility: The Attitudinal Dimension of Apology**

We expect those who offer us an apology to demonstrate in word and deed an appropriate degree of humility in acknowledging the wrong they did to us. Humility is not an emotion and cannot be reduced to one. I treat humility as one of the virtues, as a character trait that, at least in certain circumstances, makes one modest, reverential and lacking in offensive pride. Humility conveys and is constitutive of a certain manner or demeanor wherein one is humble and reserved. In short, humility constitutes an attitude. In what follows, I will analyze the concept of humility and explain why humility, in being recruited in the service of an apology, must not give way to servility. I also examine the notion of the restoration of moral stature, which is one of the prime goals of the apology ritual.



I begin with an observation about the importance of humility in apology. When it is said that someone is “very apologetic” or “not very apologetic” or something in between, it should give us pause. Contra what these casual remarks imply, apologies are either successful or unsuccessful; they do not admit of degrees. But humility does. When it is said that someone is “very apologetic,” we are, I think, using shorthand to express that the apologizer was humble and sincere, and that we appreciate both of these qualities in the apology offered us. If our language about apologies ought to be interpreted this way, then an examination of the role that humility plays in apology is in order.

Like the moral emotions, humility provides us with an attitude. Unlike the moral emotions, though, the attitude that humility provides is not reflexive. Humility is not self-directed, but other-directed. In his analysis of the attitudinal component of a genuine apology, Luc Bovens claims that there are three aspects to the attitude of humility, each of which exhibits the other-directedness of humility.

First, I may metaphorically or literally bow my head as an expression of the shame of my having done wrong. Second, in bowing my head, I attribute special respect to you and thereby try to make up for the deficit of respect with which I treated you through my wrongdoing. Third, in bowing my head, I relinquish power to you in that I let you be in charge of restoring my moral stature.<sup>98</sup>

Bovens need not restrict the bowing of the head to an expression of shame; the expressions of guilt, remorse and categorical regret are also suitable candidates. Regardless, in expressing my feeling of shame (or guilt, etc.) in the literal act of bowing my head, I communicate to the one I have offended the authenticity of the emotion. So, while humility is not reducible to an emotion, it often serves as a vehicle for the expression of the moral emotions in an apology.

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<sup>98</sup> Luc Bovens, “Apologies,” p. 231.

Though it is not altogether clear what it means to *metaphorically* bow one's head, the notion is not unintelligible. I take it that Bovens means a certain earnestness, perhaps expressed in tone of voice as much as in posture, that is indicative of the offender's willingness to do what she can to repair what she has broken. Such willingness may take the form of attributing special respect to the person wronged or harmed; it may also reveal itself in petitioning the offended party to grant the offender forgiveness, thereby restoring what Bovens calls the offender's "moral stature." Bowing the head, whether metaphorical or literal, is important in an apology, as it lets the offended party know that the offender takes the grievance she caused seriously. Because the affective states that the (moral) emotions cause are private and therefore not immediately known by anyone other than the individual experiencing them, humility becomes the public means by which others assess the claims the apologetic offender makes about the moral emotions she experiences. In witnessing the humble apologetic offender before her, the would-be forgiver might reason that only a true penitent – one who feels the right amount of guilt, shame, remorse or categorical regret for the harm or wrong they caused – would bow her head to her in just this way.

Bovens' notion of (the restoration of) moral stature also requires examination. In claiming that each of us enjoys a certain moral stature, Bovens means that each of us have certain claims to respect. Bovens' analysis, which relies on a modest Kantian framework, is straightforward. He argues that

people are owed respect as members of a community of moral equals. The offender violates this respect. He treats the victim with less respect than is due her. To view oneself as a member of a community of moral equals is to view oneself as someone to whom respect is owed and who owes respect to others. Now in treating the victim with less respect than is due to her, the offender acts as a person who places himself outside of the community of equals. He thereby

incurs a loss of moral stature – he foregoes certain claims to respect. The offender turns to the victim and asks her to restore his moral stature, to accept him again as a full member in the community of moral equals so as to regain all claims to respect. [In asking to be forgiven, the offender] offers the victim the power of being the judge over his moral stature and thereby restores the balance of respect between victim and offender.<sup>99</sup>

I take it that this analysis resonates with many of our intuitions about what constitutes a community of moral equals. It also presents what I see as one of the prime goals of the apology ritual, namely the restoration of the offender's moral stature in and through forgiveness.

Bovens is right, I think, to note that the offender forgoes at least some of his claims to respect in harming or wronging the victim. It is difficult, though, to discern just which claims the offender has reasonably forsworn, even when the context is unambiguous. But it is clear that the claims the offender forgoes must be adjusted to the severity of the harm or wrong she committed. Bovens suggests that these claims may include

a claim to (complete) physical integrity, a claim not to be lied to, a claim not to be deceived, etc. Such claims are contingent on one's own agency and can be squandered. It is with regard to these claims to respect that one can lose one's moral stature. An unredeemed offender is no longer worthy of certain types of respect proper to a community of moral equals.<sup>100</sup>

There is, of course, no guarantee that the offender will be fully welcomed back into the community of moral equals even if she has been forgiven by her victim. Forgiveness may restore some but perhaps not all of the offender's moral stature. Even though, as Bovens points out, the offender asks his victim to restore his moral stature, the community at large, to which the repentant offender yearns to return, may not entirely

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<sup>99</sup> Luc Bovens, "Must I be Forgiven?," p. 230.

<sup>100</sup> Luc Bovens, "Must I be Forgiven?," p. 231.

accept him again as a full member in the community of moral equals, even though his victim does. Such are the consequences of serious wrongdoing.

Let us return again to humility. If humility is a virtue, then it constitutes what Aristotle calls a mean between the extremes of excess and deficiency. The extreme of excess of humility is servility, while the extreme of deficiency of humility is overbearing pride. As with many virtues, it is not required or even preferable that humility be expressed at all time and in all places. There are circumstances where other virtues will be called for. All virtues are context-dependent attitudes; as the context changes, so ought our attitudes as well. While humility is appropriate and even required in offering an apology, we ought not integrate humility into the very fabric of our character. To be humble, reserved and modest in every possible situation is to fail to acquire other virtues that are more appropriate than humility *for that context*. Being virtuous is not synonymous with being one-dimensional.

Similarly, humility must not find itself transformed into servility for the sake of an apology (or for the sake of anything else). Thomas Hill argues that servility “betrays the absence of a certain kind of self-respect.”<sup>101</sup> Servility undermines the restoration of moral stature that the offender seeks in and through forgiveness. In other words, the very moral stature that the apologizer wishes to restore is not possible if the apologizer assumes a servile posture. The reason this restoration is not feasible is that the servile person *cannot* treat herself as the moral equal of others. Instead, she treats others as her moral superiors, discounting her own moral intuitions and moral judgments. This disapprobation is a consequence of her lack of self-respect. Failing to appreciate her own

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<sup>101</sup> Thomas E. Hill, *Autonomy and Self-Respect*, p. 6.

moral worth, the servile person cannot adequately adopt the moral point of view. Hill explains the moral point of view as follows.

Roughly, this means not only that each person ought to do what is morally required and refrain from what is morally wrong but also that each person should treat all the provisions of morality as valuable – worth preserving and prizing as well as obeying. One must, so to speak, take up the spirit of morality as well as meet the letter of its requirements. To keep one’s promises, avoid hurting others, and the like is not sufficient; one should also take an attitude of respect towards the principles, ideals, and goals of morality. *A respectful attitude toward a system of rights and duties consists of more than a disposition to conform to its definite rules of behavior; it also involves holding the system in esteem, being unwilling to ridicule it, and being reluctant to give up one’s place in it.*<sup>102</sup>

I take it that the inability to appreciate the idea and practice of equality in relationships, including one’s own place in relationships with others, entails a failure to adequately adopt the moral point of view. Being unable to collaboratively reconstruct or again value a relationship with one’s forgiver is just one shape that moral inequality may take. Reconstructing and valuing once again a relationship with one’s forgiver are signs that one’s moral stature has been restored by one’s forgiver. Since servility is dependent on moral inequality, servility is incompatible with the restoration of moral stature in an apology. So, having security in one’s moral stature, whether it be recently restored or long maintained, assumes a basic level of self-respect.<sup>103</sup> Ultimately, the subservient and the obsequious need to learn that freedom from servility (which, despite appearances, they really want) does not come from without, but from within.

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<sup>102</sup> Hill, p. 13. Emphasis mine.

<sup>103</sup> There are three necessary conditions that must be satisfied in order to have one’s moral stature guaranteed. The first condition is self-respect. The second is being accepted or respected by a community of moral equals of which one is a member. The third condition requires that one satisfy the demands of morality, whether this is understood in consequentialist, deontological, or aretaic terms. While the first two conditions have already been examined to some degree, I make no attempt to justify the third. None of these three conditions, individually or jointly, can be taken as a sufficient condition for the *restoration* of one’s moral stature following the loss of one’s moral stature. If any one was or all three were sufficient for restoring one’s compromised moral stature, then forgiveness would be irrelevant. It should also be noted that failure to have one’s moral stature *restored* (if, say, one is *not* forgiven) does not in any way compromise one’s ability to successfully adopt the moral point of view.

In an apology, humility works in tandem with acknowledgement's authenticity condition to certify that the apology is sincere. Recall that sincerity about beliefs is the domain of the authenticity condition. When we are sincere in what we acknowledge, we "really mean" what we say. Likewise, when we are sincere in what we profess to feel, we "really are" how we feel. Call emotional sincerity being veracious in our representations of how we feel. Such representations need not be couched in language. There are a number of different ways in which emotional sincerity is communicated. As regards apology, I submit that the most convincing way in which emotional sincerity is expressed is by being humble. Here, emotional sincerity shows itself as a by-product or side-consequence of humility. In and through our humility, we exhibit outward, recognizable signs that we really do feel guilt, shame, remorse or categorical regret for the harm or wrong we have done. Humility is akin to a stage upon which our moral emotions are publically played. While the theater need not have an audience – the moral emotions will be "on stage" regardless - if it does, those present may evaluate the authenticity of the emotions in and through our humility. To exhibit these outward, recognizable signs is to communicate our emotional sincerity. In an apology, the most meaningful expression of emotional sincerity is found when we make these signs visible to those we have harmed or wronged.

When, in an apology, our sincere acknowledgement of wrongdoing is coupled with a veracious representation of the relevant moral emotions we ought to feel, then the apology is a sincere one. Only if we are sincere in apologizing, and make an unreserved commitment, manifested in our future actions, to follow-through with the various pledges we may make in the act of apologizing, can it be the case that we are indeed genuinely

apologetic. When we sincerely apologize and, in so doing, make an unreserved commitment, manifested in our future actions, to follow-through with our pledges, it can be said that our deeds have lined up isomorphically with our words. I argue that *being* what we say we are – being apologetic when we apologize *and* doing our utmost to carry to completion the intention to behave differently in the future in accordance with what we apologize for – is having our deeds share an isomorphic relation with our words. This isomorphism of words and deeds resolves what I call the rectification puzzle, which I discussed in the previous chapter.

#### **2.4 Defining apology**

It is important to provide a definition of apology so that we may properly discriminate between bogus “apologies” that masquerade as the real thing and the authentic act itself. Ours is a culture awash in celebrities, politicians, CEOs and other high-profile figures who, after doing or saying something offensive, callous or immoral – and upon perceiving the necessity of “damage control” - casually reach for whichever pre-packaged sound bites they think will make themselves appear contrite, even when they often are not. For them, by and large apologies are merely a means by which to manipulate others; in their eyes, apologies have no significant moral dimension. This way of understanding and practicing the meaning of the apology ritual tends to misconstrue our sense of the protocol and the value of the apology-forgiveness exchange. Apologies should not be used for such shallow, self-serving purposes.

In diagnosing the causes of the difficulties we have in discriminating satisfactory apologies from their bullshit cousins, Nick Smith finds that

[a]t least three factors cloud our ability to judge apologies: 1) we are uncertain about what a full apology is and lack a framework for analyzing acts of penitence; 2) we often consider any gesture with a family resemblance to an apology – such as the bare utterance of the word ‘sorry’ – to be equal to a full apology; and 3) given this confusion, we may accept whatever satisfies our lowest standards for apologies so that we can consider ourselves ‘apologized to.’<sup>104</sup>

Smith’s 2008 book, the only philosophical monograph devoted to apologies since Maimonides’ *Hilchot Teshuvah*, provides one account of what this framework for analyzing apologies might look like.<sup>105</sup> Presumably, with an adequate framework in hand, we would be able to identify satisfactory apologies while justifiably discriminating against those that don’t measure up; absent such a framework, identifying good apologies is left to guessing. I share Smith’s assumption about the value of a philosophical framework for analyzing apologies and his identification of the factors that hinder our ability to adequately judge good apologies. But I do not find his substantive proposal as illuminating as it could otherwise be.

Smith enumerates what he calls the “meanings” of apologies by identifying eleven elements<sup>106</sup> that, combined together into what he terms the “categorical apology,” make an apology maximally significant for the victim. I understand Smith’s use of the word “meaning” to echo Martin Heidegger’s use of the term, when, in *Being and Time*, he raises the question of the *meaning* of Being. Smith explains that “meaning invokes a ‘sense’ of how the world and our experiences in it come to have importance for us. Meaning here includes not only what is signified, but also what is significant, valued,

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<sup>104</sup> Nick Smith, *I Was Wrong: The Meanings of Apologies*, p. 10.

<sup>105</sup> See Smith, p. 1.

<sup>106</sup> The eleven elements Smith identifies are: a corroborated factual record, the acceptance of blame, the identification of each harm, the identification of the moral principles underlying each harm, an endorsement of the moral principles underlying each harm, a recognition of the victim as moral interlocutor, having categorical regret, performance of the apology, reform and redress, intentions for apologizing, and emotions. In providing this list, I have used the same phraseology as Smith.



worthy, and interesting.”<sup>107</sup> For Smith, we can speak of the meaning of an apology in much the same way that we speak of the meaning of a work of art. I have no objection to this way of interpreting apology *per se*. It seems to me, though, that Smith’s strategy – cataloguing and describing the meanings of apologies – is taken as an excuse for eschewing the definition of apology.<sup>108</sup> To avoid defining apology impoverishes our understanding of the necessary and sufficient conditions of apology. Ultimately, any account of apology that takes itself to be a substantive philosophical contribution to our understanding of apology that does not define apology will tend toward lack of rigor and precision.

Case in point: in explaining his eleven-point strategy for interpreting apology - wherein each of the eleven points or elements is said to contribute a new layer of meaning *to an apology* - Smith makes the following observation: “In some cases, a victim may desire each of the [eleven] forms of meaning I mention. In others, she may seek only one sort of meaning such as a sincere expression of sympathy or a remorseless payment to cover the costs of repair.”<sup>109</sup> Smith’s observation, I think, reveals what is problematic with his entire approach. Though they may be in some way meaningful for the victim, I fail to understand how sincere expressions of sympathy or remorseless

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<sup>107</sup> Smith, p. 22.

<sup>108</sup> In an autobiographical statement, Smith makes the following confession: “My own attempts to provide a definition of apologies collapsed under a barrage of questions.” See Smith, p. 19. Immediately after this statement, Smith identifies some of the questions that hobbled his attempts at offering a definition. I list some of them here, from Smith pp 19-20. “What if I express remorse for events that I did not cause in any obvious sense, for example the African slave trade or Rwandan genocide? Should this ‘count’ as an apology? Have I apologized if I admit to causing the harm and provide some compensation, but I fear that I lack the self-restraint to act differently in the future? ...Must I experience certain emotions to have apologized properly? If so, which emotions and to what degree of intensity? ...What if my family practices a tradition requiring a repentant offender to bake an apple pie for the wronged relative, and no words are needed given the symbolic meaning of the pastry as a gesture of reconciliation?” In anticipation of the definition of apology I endorse, I answer what appear here as Smith’s second, third, fourth, and sixth questions: No, no, yes, and no.

<sup>109</sup> Smith, p. 12.

payments can, by themselves, count as meanings *of apologies*. Without a definition that identifies the regulative standard to which all apologies, in virtue of being apologies, must adhere, any talk about X counting as an apology or as one of the meanings of apologies is spurious at best.

Smith's maximally meaningful apologies are, still the same, apologies. They may have more "bells and whistles" than do their spartan siblings, but they are, presumably, apologies nonetheless. And for a speech act to count as an apology, it must satisfy the necessary and sufficient conditions for what it is to be an apology. It is to the definition of apology that I now turn.

Having examined the relevant topography of speech act theory in the first chapter, and having isolated and analyzed the three necessary elements of any genuine apology in the present chapter, I am ready to present the definition of apology that I advance. I argue that a genuine moral apology is a speech act that expresses a Complete Acknowledgement of wrongdoing and contains an affective component and an attitudinal component that provide the motivation for and manner of the apology, respectively. To this definition I add the following proviso: the apologizer needs to explicitly say "I'm sorry for X" or "I apologize for having done X" or some such similar expression that conveys the same meaning. In explicitly stating that I apologize for X, I tie what I am sorry for having done to what I acknowledge having done. So, saying "I'm sorry/I apologize for X" *always* involves an acknowledgement. Uttering no more than the words "I'm sorry" is never sufficient. Far too much is left unsaid and, from the perspective of speech act theory, undone.

Just why a Complete Acknowledgement and the affective and the attitudinal components are the necessary conditions of an apology requires some explanation.<sup>110</sup> Because we are never just “sorry” but always “sorry for X,” I find it uncontroversial to identify acknowledgement as a necessary condition for an apology. In practice, we all recognize that the very intelligibility of an apology is compromised if it is offered by someone who fails to (fully) acknowledge that she has wronged the one from whom she seeks forgiveness. To acknowledge wrongdoing in an apology is, as we say, to “own up” to the wrongness of what we have done. In owning up, we take the first step in making amends with the victim. And even though the amends we are willing to make may be rebuffed or deemed insufficient by the victim, anything less than a Complete Acknowledgement in an apology is always inadequate and so unsatisfactory.

Some may hold that the conditions needed to satisfy a Complete Acknowledgement are overly demanding in apologies. I find that the demandingness objection is easily dismissed. Though my analysis of a Complete Acknowledgement is rather involved – the Veridicality, Authenticity, Autonomy, and Transparency Conditions constitute any and every Complete Acknowledgement - satisfying the four conditions in practice is not burdensome. Satisfying all four conditions tends to happen, so to speak, in one fell swoop, regardless of whether the apology ritual serves as the context or not.

Unlike a Complete Acknowledgement, the affective and attitudinal requirements of an apology tend to be more subtle, and therefore more difficult to establish. The affective component of a genuine moral apology must include at least one of the four moral emotions. The relevant moral emotion or emotions must be an adequate response

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<sup>110</sup> Since much of the “heavy lifting” has been accomplished in the earlier parts of this chapter, I need not provide an extensive justification for apology’s three necessary conditions here.

to the harm or wrong done. In some situations, it will be morally appropriate that the wrongdoer feel categorical regret. Other situations will call for guilt, shame, or even remorse to be experienced by the apologizer. If we fail to experience the requisite moral emotion(s) in offering an apology, we traffic in insincerity. And an insincere apology cannot be a moral apology.<sup>111</sup>

Finally, since the experience of the emotion by the one who apologizes is a private, subjective matter, the authenticity and even amplitude of the emotion must be independently determined by the would-be forgiver in and through an assessment of the apologizer's humility. While the moral emotions serve as the source of motivation that drives the wrongdoer to apologize, the manner, ideally humble, in which the apology is made provides the would-be forgiver with indirect access to the apologizer's state of mind. Without this indirect access, the would-be forgiver is unable to assess the full range of the apologizer's intentions. Inability to assess the full range of the apologizer's intentions compromises the would-be forgiver's ability to make a considered judgment.

The affective component and the attitudinal component are like two sides of the same coin. The value of the tender may be in dispute, though. As we all know, not all apologies are accepted; the person to whom the apology is directed may not appraise as highly as does the apologizer the worth of the apology. In fact, she may find that her version of events, which she has no reason to doubt, does not line up with the apologizer's version in his acknowledgement. Or, she may doubt the amplitude or even presence of the moral emotion that the apologizer claims to feel. So, an apology will fail if it does not satisfy all three necessary conditions. The would-be forgiver must employ reasonable standards in determining the satisfactoriness of the proffered apology, though;

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<sup>111</sup> However, an insincere apology may satisfy the demands of etiquette.

to expect servility or an effusive emotions outburst is unreasonable. The expectations we have about what we think constitutes a good apology must not be incompatible with the self-respect of the apologizer.

However, even if the apologizer has satisfied all three necessary conditions, the apology will fail if the would-be forgiver rejects it. It is for precisely this reason that the three necessary conditions for an apology cannot be jointly sufficient for an apology's transaction. I argue that the liberty the victim has to reject (almost) any apology – even those that satisfy all three necessary conditions – is consistent with the agent's moral freedom, a claim I examine in more detail in the third chapter. There is, though, an even more basic reason that explains why apology's three necessary conditions cannot be jointly sufficient. At the most fundamental level, the simple bilateralism of apology prohibits the three necessary conditions from jointly satisfying apology's sufficient condition. The words and emotions of the apologizer and the accepted conventional procedure of *offering* an apology cannot, by themselves, guarantee the performative success of an apology. But provided that the three necessary conditions are satisfied, the act of forgiveness guarantees apology's performative success. In other words, forgiveness is the sufficient condition for the success of any apology that has already satisfied its three necessary conditions. I will discuss this in greater detail in the next chapter. But first, a brief discussion of the phenomenon of moral repair is required to complete the analysis of apology I have advanced.

## 2.5 Apology as a Form of Moral Repair

The human being, Elizabeth V. Spelman claims, is a repairing animal. When things break – or when we find people and institutions to be broken – we have to choose whether or not to do what we can to put them back together, to make them whole again. Unfortunately, we often find our belongings, our relationships, and our body to be in need of repair more often than we would prefer. Spelman notes that to repair is

to respond to the fracturability of the world in which we live in a very particular way – not by simply throwing up our hands in despair of the damage, or otherwise accepting without question that there is no possibility of or point in trying to put the pieces back together, but by employing skills of mind, hand, and heart to recapture an earlier moment in the history of an object or a relationship in order to allow it to keep existing.<sup>112</sup>

The family of “repair activities,” Spelman observes,

shares the aim of maintaining some kind of continuity with the past in the face of breaks or ruptures to that continuity. They involve returning in some manner or other to an earlier state – to the bowl before it was broken, to the friendship before it began to buckle under weight of suspicion, to the nation before it was torn apart by hostility and war. Even though taking superglue to the bowl repairs it without fully restoring it to its preshattered condition, both repairer and restorer want to pick up a thread with the past.<sup>113</sup>

Spelman identifies apology as belonging to the family of repair activities. But Spelman fails to provide a satisfying account of the way in which apology repairs. Margaret Urban Walker remedies this deficiency.

In examining what she calls moral repair, Walker analyzes the “process of moving from the situation of loss and damage to a situation where some degree of stability in moral relations is regained.”<sup>114</sup> Walker treats apology as a species of moral repair, as part of the task of restoring and stabilizing the “basic elements that sustain

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<sup>112</sup> Elizabeth V. Spelman, *Repair: The Impulse to Restore in a Fragile World*, pp. 5-6.

<sup>113</sup> Spelman, pp. 4-5.

<sup>114</sup> Margaret Urban Walker, *Moral Repair: Reconstructing Moral Relations after Wrongdoing*, p. 6.

human beings in a recognizably moral relationship.”<sup>115</sup> The basic elements that so sustain are, she observes, trust and hope. Likewise, a moral relationship for Walker signifies a way of relating to others that embodies the shared standards, underwritten by trust and hope, that they avowedly mutually enjoy. These shared standards have been explicitly examined in the literature of normative ethical theory, and can run the gamut from the principles of deontology to the orientation of care ethics. While they can be questioned and reflected upon, in a moral relationship these shared standards are primarily “embedded in ... [our] responses, feelings, and attitudes, as well as... [our] beliefs.”<sup>116</sup> Our shared standards, so embedded, constitute the functioning moral order we depend upon in our daily transactions with others. When those shared standards are violated, the trust and hope that undergirds the relationship are compromised.

I find Walker’s account of moral relationship – and therewith moral repair - to be most suited to close, personal associations that suggest an intimacy, or at least identifiable common ground, not found in casual encounters with strangers or those with whom we have limited contact. Walker explains that to

sustain moral relationship we require *confidence* in shared standards (that some standards as we know them are shared, that they are recognized as such, and that there is reason to think they lead to worthwhile lives), and *trust* among individuals, and in a common human environment, that we ourselves and others will be responsive to these standards (and to the reproach we deserve when we transgress them). At bottom, living in moral relationship requires a residual and renewable *hopefulness* that we and others are worthy of the trust we place in each other, and that our world allows us to pursue the goods to which our shared understandings are meant to lead us.<sup>117</sup>

I take family members and friends, partners and lovers, and co-workers and colleagues to be the best examples of the (kinds of) individuals who qualify for the special treatment

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<sup>115</sup> Margaret Urban Walker, *Moral Repair*, p. 23.

<sup>116</sup> Margaret Urban Walker, *Moral Repair*, p. 23.

<sup>117</sup> Margaret Urban Walker, *Moral Repair*, p. 24. Emphasis not mine.

expected in moral relationship. The confidence we have in the standards we share with others we already know; the trust we have in those who avowedly share our standards; the hope that our trust in others - and their trust in us - is well-placed: all find their origin and sustenance in the kind of relationships that suggest, if not intimacy, at least familiarity, and, perhaps, friendliness and even the feeling of being “at home” with the other. With these features in mind, I find it uncontroversial that it would be inappropriate and unwise to blithely treat the stranger as if she were in a moral relationship with us.

Those party to a moral relationship with us are fellow adults, not children; the equality found between adults is constitutive of moral relationship. Moreover, inclusion in any moral relationship whatsoever is never automatically granted. But some may object to both claims, arguing instead that parents are automatically privy to a moral relationship with their children. I take it that this argument would point out that children naturally trust their parents, and so instinctively see their caretakers as standing in a moral relationship with them. This argument, though, is wrongheaded. Young children have no choice but to trust their parents. This is acceptable so long as the parent has the child’s best interests in mind. But abusive parents manipulate their children by means of this trust.<sup>118</sup> Children are never in the position to choose their parents, abusive or decent. We ought to understand the conditions of moral relationship to be such that those with whom we share a relationship are fully chosen. So, young children do not enjoy a moral relationship with their parents, even if unadulterated trust defines their association. But most children learn, in large part, about the contours and complexities of moral

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<sup>118</sup> The physically, emotionally, or sexually abusive parent manipulates the trust the child places in him or her – a trust that the child cannot help but have, given the child’s absolute dependence on the adult and the child’s limited understanding of legal recourse.



relationship from their parents. And therewith, children also learn about moral repair from their parents as well.

For Walker, moral repair is the act of “restoring or creating trust and hope in a shared sense of value and responsibility.”<sup>119</sup> She identifies six tasks that moral repair performs.

1. Moral repair is served by placing responsibilities on wrongdoers and others who share responsibility for wrongs.
2. Moral repair is served by acknowledging and addressing wrong, harm, affront, or threat to victims and communities.
3. Moral repair is served by authoritatively instating or reinstating moral terms and standards within communities where wrong may have caused fear, confusion, cynicism, or despair about the authority of those standards.
4. Moral repair is served by replenishing or creating trust among individuals in the recognition of shared moral standards and in their responsiveness to those standards and support of the practices that express and enforce them.
5. Moral repair is served by igniting or nourishing hope that moral understandings and those who are responsible for supporting them are worthy of trust.
6. Moral repair is served by connecting or reconnecting in adequate moral relationship those who have done wrong and those who have been harmed as a result, where and to the extent that this is possible, practically and morally. Where this is not possible, moral repair aims to stabilize or strengthen moral relationship among others and within communities.<sup>120</sup>

I take it that the most successful and gratifying acts of moral repair are those that satisfy all six tasks. Furthermore, I take it that moral repair admits of degrees, and that, *ceteris paribus*, restoring the compromised relationship to its most feasible preshattered state is preferable to any other alternative. Finally, I take it that the six tasks are conceptually separate, but not necessarily physically distinct; presumably, one act may complete, say, three or four tasks in one fell swoop.

Walker notes that apology often plays an integral role in making amends for a harm or wrong, and that making amends is a type of morally reparative action. I apply

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<sup>119</sup> Walker, *Moral Repair*, p. 28

<sup>120</sup> Walker, *Moral Repair*, p. 28.

the distinction between offering an apology and apologizing I made in the previous chapter to an analysis of Walker's six tasks of moral repair. *Offering* an apology is often the first step in the rehabilitation of trust between the offender and the victim. Since offering an apology involves the wrongdoer taking responsibility for the wrong, the wrongdoer acknowledging and addressing the wrong, and as Walker puts it, "practically and morally"<sup>121</sup> connecting or reconnecting the wrongdoer with the one who suffered the harm, offering an apology satisfies the first, second, and sixth criteria (or task) of moral repair. If the offered apology is *accepted* by the wrongdoer in the act of granting forgiveness, then the fourth and fifth (and perhaps even third<sup>122</sup>) tasks of moral repair are satisfied. That is, as a form of moral repair, forgiveness replenishes or creates trust among individuals who recognize the shared moral standards and practices that reinforce them – the fourth task - and ignites or nourishes hope that moral understandings and those who should support them deserve the trust placed in them – the fifth task.

I find it reasonable to assume that there are many circumstances where it may be morally incumbent on the wrongdoer to offer an apology without any expectation of having the apology accepted. In fact, the wrongdoer may be morally required to offer an apology, knowing full well that what she offers will never be accepted by the party she wronged. When, say, a murderer confesses to the crime in a court of law, the confession signifies the guilty plea. But avowing guilt in a court of law does not amount to a recognition of the moral gravity of the crime. A sincere apology, though, would. Of course, such an apology could not be directed toward the victim of the crime; being dead,

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<sup>121</sup> Walker, *Moral Repair*, p. 28.

<sup>122</sup> I take it that the third task of moral repair is a community-wide effort that requires support from a sufficient number of members from the community for its completion. But communities come in a variety of sizes. Very small communities – families, perhaps – may complete the third task if the offending member or members of the family make amends to those they wronged.

the victim cannot appreciate the apology. But the family of the one murdered may, at least in principle. Even if the apology that was offered was never accepted by the family, it would still satisfy the first, second, and sixth tasks of moral repair, and may thereby help the grieving family heal in ways they are unable to understand in the thick of anguish.

There are a variety of different ways in which moral repair may be accomplished, though apology distinguishes itself by being one of the most intuitive and most welcome. This, I think, is because of the way in which apology, as necessarily including an acknowledgment of wrongdoing, contains an expression of the wrongdoer's accountability (or acceptance of responsibility) for the wrong, while leaving open the possibility of recompense, reparation, or some other compensation or service. With this observation in mind, consider Walker's salvo on what it is to make amends.

'Amends' are intentionally reparative actions by parties who acknowledge responsibility for wrong, and whose reparative actions are intended to redress that wrong. Nothing anyone does to relieve a harmed person's pain or suffering, stress, anger, resentment, indignation or outrage will count as 'making amends' without an acceptance of responsibility as the reason for the effort. Nothing anyone says or does to provide injured parties with compensation for losses, to restore a status quo prior to injury, to make a victim 'whole,' or to reaffirm or vindicate a victim's dignity can be a kind of 'amends' without an acknowledgement of some kind of wrongdoing, wrongful complicity in harm, or wrongful profit from it. Without that acknowledgment, reparative actions are charitable, compassionate, or generous, even dutifully so, but they do not 'make amends.' Making amends involves taking reparative action, but only action that issues from an acceptance of responsibility for *wrong*, and that embodies the will to set right something for which amends are *owed*, counts as making amends.<sup>123</sup>

So, while some apologies, as means by which to make amends and thus facilitate moral repair, will require recompense, reparation, or some other compensation or service, others will not. I take it that the nature of the wrong or harm and the reasonable demands placed

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<sup>123</sup> Walker, *Making Amends*, p. 191.

on the repentant wrongdoer by the wronged will determine the nature of the recompense, reparation, or service. But as Walker stresses, actions meant to be reparative done in the absence of an acknowledgment of wrongdoing fail to bring about the result for which they are intended – or simply fail, morally.<sup>124</sup>

Similarly, words that mouth an apology, offered simply for the sake of “getting something off my chest” or because I “feel bad,” fail to qualify as a genuinely moral way in which to make amends. While it is the case that confessing a wrongdoing to the victim will often ease the burdened conscience of the wrongdoer, using an apology as a means to the end of relieving our own conscience treats that person from whom we seek forgiveness as nothing more than a means to the end of our own psychological health. The problem is that this move is utterly self-centered, as it fails to take into consideration the wrongdoer’s *relationship* with the victim. But apologizing as a means by which to *repair* that which is broken does. The selfish apologizer - the one who mouths an apology simply in order to relieve her burdened conscience – mistakes one of the side-consequences or by-products of apology, namely the anticipated improvement in one’s

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<sup>124</sup> It is for this reason that so many legal cases settled out of court that involve the defendant, in the absence of the admission of guilt, paying large sums of money to the plaintiff must be unsatisfying, from the point of view of moral repair. I find Nick Smith’s observations about commodification in law particularly insightful here. He writes:

“When legal actors and institutions convert so many harms – from racial discrimination to the wrongful death of a child – into economic cost-benefit analyses, they can jeopardize certain forms of meaning incommensurable with money. Although money may offer a convenient means of measuring value in a complex and pluralistic world, many of us experience a vague moral discomfort when legal systems convert the worth of human life into dollars and cents. Something seems to be lost in the translation between moral and economic value... [D]espite the common conception that greed motivates litigants, many seek primarily moral rather than economic redress. If you can imagine the horror of having a loved one killed by a faulty product or a grossly negligent surgeon, receiving a monetary award for your loss might be significant for many reasons. This would be so even if the offender refused to admit wrongdoing, as we would expect within an adversarial legal system. Although money can be useful in many ways, however, no amount of cash could provide the sorts of meaning that you might receive if the offender apologized, accepted blame, took moral as well as fiscal responsibility for the loss, and then honored a commitment never to cause such harm again. Money may provide a common denominator for some losses, but often the most significant meaning cannot be reduced to cash value.” See Smith, *I Was Wrong*, pp. 2-3.

own psychological health, for the purpose of apology. The purpose of apology concerns a renewed moral relationship between victim and wrongdoer. Many benefits for both may flow from this relationship, but the benefits must not be mistaken for the *telos* of the apology ritual. The cathartic effect of apology ought not be mistaken for the point of apology.

This meditation on apology as a form of moral repair concludes my examination of the moral structure of apology. I turn now to the third chapter, where I present an account of the moral structure of forgiveness. In developing this account, I rely upon the theory of complex bilateralism I developed in the first chapter, while also stressing the significance that forgiveness plays in achieving moral relationship between the wronged and the wrongdoer. But beyond tying together the various threads of this project, the next chapter will also explore new philosophical territory.

### Chapter 3: The Moral Structure of Forgiveness

‘You have heard it said, “An eye for an eye and a tooth for a tooth.” But I say to you, Do not resist an evildoer. But if anyone strikes you on the right cheek, turn the other also; and if anyone wants to sue you and take your coat, give your cloak as well; and if anyone forces you to go one mile, go also the second mile.’ *Matthew 5:38-41*

In the Sermon on the Mount, the collection of sayings and teachings of Jesus from which this passage is taken, Jesus offers a number of his most well-known injunctions. Among these is the injunction to “turn the other cheek.” Many interpreters take this to mean that Jesus advises us to not meet aggression with aggression. I find this injunction, and others, to contain the seeds of the standard Christian understanding of interpersonal forgiveness.

Traditional Christian theology holds that forgiveness from God requires the penitent to confess her sins before the Almighty in order to receive the benefits of God’s forgiveness. But the forgiveness granted by one individual to another does not, on what I call the standard Christian account of interpersonal forgiveness, require the one forgiven to actively do anything to receive this forgiveness. On the standard Christian account, those who are forgiven by those they harm need not confess the wrong or apologize for the harm to enjoy the benefits of forgiveness. Rather, forgiveness happens in the time it takes to, metaphorically or not, turn one’s cheek.<sup>125</sup>

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<sup>125</sup> I appreciate that there is a certain amount of diversity among Christian theologians on the topic of interpersonal forgiveness and that the view I call the standard Christian account of interpersonal forgiveness does not represent all Christian views concerning forgiveness. Regardless of this diversity, though, many popular inspirational Christian books endorse the very account that I criticize. The cumulative effect that the virtual cottage industry of popular Christian books on forgiveness has tends to drown out alternative Christian views. Recent bestselling publications in the popular vein include R. T. Kendall’s *Total Forgiveness*, Nancy Leigh DeMoss’s *Choosing Forgiveness: Your Journey to Freedom*, and John MacArthur’s *The Freedom and Power of Forgiveness*. However, many scholarly contributions to Christian ethics also argue for the permissibility and even desirability of forgiveness in the absence of apology. See in particular Chapters 5 and 6 in Anthony Bash’s *Forgiveness and Christian Ethics*, a recent monograph in the New Studies in Christian Ethics series with Cambridge University Press.

This view of forgiveness is very familiar, and not just within Christianity. It is also, I contend, wrong. I here isolate what I take to be four reasons why the standard Christian understanding of interpersonal forgiveness is either mistaken or unjustified. First, it violates the conditions of complex bilateralism which I have already established. Second, it assumes that we do not have (what I will call) the moral freedom to make our own decision regarding who and under what conditions we will forgive those who, as it were, trespass against us. On the Christian view, that we should forgive those who have wronged or harmed us is mandated by God<sup>126</sup>, and there seems to be no arguing with the Almighty. Third, the Christian account suggests a certain picture of human psychology that I take to be unrealistic; it seemingly assumes that, in forgiving in the absence of an apology, the one in the position to forgive can do so without running the risk of being sanctimonious. Fourth, those who claim to be able to successfully forgive in the absence of an apology, I contend, will most likely find themselves in the unenviable position of having to facilitate the repair of the relationship with the offender on their own.

In this chapter, I will present an analysis and exposition of the view of forgiveness I find most plausible. Unlike the Christian account, I argue that the possibility of moral repair sets the scope for the set of actions that can be forgiven. Forgiveness completes the entreaty, made by the apologizer, to repair the relationship between wrongdoer and wronged, and in so doing, sets both on the path to bring about the needed repair. In investigating how the possibility of moral repair establishes the group of actions that we may reasonably forgive, a number of questions are raised. Can we ever grant forgiveness to the dead? Does self-forgiveness strain the conditions of intelligibility? I answer these

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<sup>126</sup> This mandate is suggested in the Lord's Prayer, the traditional form of which reads, 'forgive us our trespasses as we forgive those that trespass against us.'

questions, while also broaching the subject of the unforgivable as a genuine moral category that puts constraints on those situations where we may, for whatever reason, be inclined to forgive, but, alas, cannot. The basis for an answer to these questions is found in an analysis of forgiveness as a kind of moral repair.

Before I develop and defend the account of forgiveness I find most plausible, though, I will present and criticize a popular, though I believe misguided, characterization of forgiveness as the forswearing of resentment. This popular account, initially put forward by Bishop Joseph Butler in the early eighteenth century, has enjoyed endorsement of late by Trudy Govier, Charles Griswold, and Jeffrie Murphy. It is also consistent with the very Christian account of which I am suspicious. In an effort to draw out what I see as the deficiencies with the Butlerian view, I recount and examine the story of one victim's attempt at putting the past behind her by unilaterally forgiving her unrepentant perpetrators. It is to a presentation and criticism of the Butlerian account that I now turn.

### **3.1 Forgiveness as the Overcoming of the Vindictive Passions**

It is commonly held that the reason we ought to forgive those who wrong or harm us is to overcome the stranglehold that the vindictive passions of resentment, anger, hatred and desire for revenge have over us. The vindictive passions encourage only emotional dyspepsia, and may thwart our ability to look forward to the future with a sense of hope and optimism. Forgiveness, we are told, helps us to overcome the vindictive passions. In fact, on one popular account, forgiveness *is* the act of overcoming and extinguishing the vindictive passions. This view taps into one of the strong intuitions



we have about forgiveness. It has something of a distinguished pedigree, being the beneficiary of endorsement by Bishop Joseph Butler in the early eighteenth century. It is also, I maintain, mistaken. I will argue that the Butlerian account misidentifies a side-consequence or by-product of forgiveness for the end.

Butler's account of forgiveness, found in his *Fifteen Sermons*, has become something of a classic for many contemporary philosophers pursuing forgiveness studies. Butler's account has the virtue of being uncomplicated; the core of his view is that forgiveness is achieved when we defeat the vindictive emotions we harbor toward those who harm or wrong us. Jeffrie Murphy observes that in his sermon "Upon Forgiveness of Injuries," Butler "characterizes forgiveness as primarily an internal matter, a change of heart. [Forgiveness]... does, of course, have external behavioral consequences, but its essence is internal."<sup>127</sup> Recently, Trudy Govier, Charles Griswold, and Jeffrie Murphy have argued in favor of Butler's analysis. I will briefly report on how they each adopt Butler's analysis.

Jeffrie Murphy contends that forgiveness is a moral virtue that

is essentially a matter of the heart, the inner self, and involves a change in the inner feeling more than a change in external action. The change in feeling is this: the overcoming, on moral grounds, of the intense negative reactive attitudes that are quite naturally occasioned when one has been wronged by another – mainly the vindictive passions of resentment, anger, hatred, and the desire for revenge... Of course, such a change in feeling often leads to a change of behavior – reconciliation, for example; but, as our ability to forgive the dead illustrates, it does not always do so.<sup>128</sup>

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<sup>127</sup> Jeffrie G. Murphy, "Forgiveness, Self-Respect, and the Value of Resentment," p. 34.

<sup>128</sup> Jeffrie G. Murphy, *Getting Even: Forgiveness and Its Limits*, p. 13.

By treating forgiveness as the victim's foreswearing of resentment in overcoming her vindictive passions toward the offender, Murphy shows his support for Butler's account.<sup>129</sup>

Butlerian intuitions are enlisted by Trudy Govier in imagining a scenario involving a married couple dealing with an infidelity.

Suppose a man is trying to reconstruct his relationship with his wife, after an intense, passionate affair with a younger colleague. He assures his wife that he no longer loves the younger woman and wants them to be reconciled; he says that affair is over. There are tears and apologies and hugs and kisses, and she says to him "I forgive you." Nevertheless, in the following weeks and months she does not act as though she has forgiven him. She continues to raise the issue of his affair and use it as a point against him in arguments. She persistently inquires about the details of his comings and goings; acts skeptical when he says he loves her and asks him repeatedly about the colleague. Her husband reminds her that she *said to him* "I forgive you." But such reminders are futile. Her words and deeds betray attitudes of distrust and resentment; she has not forgiven.<sup>130</sup>

Clearly, saying "I forgive you" is no guarantee that forgiveness has taken place. But Govier goes farther than this observation. The Butlerian intuition that motivates Govier's reading of the moral of the story is that forgiveness is not tied to, conveyed by means of or indicated by a speech act whatsoever. Butler's analysis is that forgiveness is fully realized when the victim lets go of her resentment, anger and hatred for the offender.

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<sup>129</sup> It should be noted that Murphy's support for Butler's account of forgiveness is qualified, in that Murphy treats forgiveness as the overcoming of resentment *on moral grounds*. Murphy's qualification clarifies Butler's intention or, perhaps, what Butler's intention should have been. Joram Graf Haber explains the significance of Murphy's qualification: "If forgiveness is the overcoming of resentment *simpliciter*, then – by implication – any time resentment is overcome, forgiveness may be said to have taken place. However, as Murphy sees it, there are cases where one has overcome resentment but we would hesitate to say that one has forgiven. We can, argues Murphy, simply forget the fact that an injury has occurred. In this sense, 'forgive and forget' is not redundant. We can also take measures to remove resentment, should such resentment poison our lives. We can, for instance, enlist psychiatric help in an effort to gain peace of mind. But – Murphy says – such cases of natural and therapeutic forgetting could not possibly count as cases of forgiveness, if only because forgiveness is a virtue and there is nothing virtuous about these cases." See Haber, *Forgiveness: A Philosophical Study*, p. 17. This qualification notwithstanding, Murphy nonetheless assumes the cogency of Butler's basic approach to forgiveness.

<sup>130</sup> Trudy Govier, *Forgiveness and Revenge*, p. 43.

Govier endorses the Butlerian approach in claiming that “[f]orgiveness is a matter of working over, amending, and overcoming attitudes.”<sup>131</sup>

Butler’s approach assumes that forgiveness is a wholly subjective event; it takes place entirely in the mind of the offended party. Forgiveness is an internal, private affair, not a public one. Doubtless, it is supposed that the effects of the mental act of forgiveness will have an impact on the manner in which we interact with the person we have forgiven. Grudges will be dropped; resentments will fade away; abrasive exchanges will be replaced by common decency. The main point, though, is that, for Butler, forgiveness simply is a kind of rearrangement of the composition of our emotional life, the blueprint for which should replace bad blood with inner tranquility and peace.

Charles Griswold’s recent examination of forgiveness draws upon Butler’s analysis. Griswold proposes that “forgiveness requires that resentment for the relevant injury be appropriately moderated *and* that the agent make a further commitment to work toward a frame of mind in which even that resentment is let go. Forswearing the emotion is indeed the relevant goal [of forgiveness].”<sup>132</sup> In emphasizing this dimension of Butler’s work, Griswold shares common ground with both Govier and Murphy.

I reject the account of forgiveness defended by Butler’s analysis and supported by Griswold, Govier and Murphy. Rather than simply offer counter-arguments to the Butlerian account, though, I want to first get a handle on the psychological dynamics that it is reasonable to assume would be at play in the mind of someone who acts in a way consistent with Butler’s analysis. To do this I will tell a story – a story about suffering, misery, and, if we believe our protagonist, forgiveness and release. My hunch is that a

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<sup>131</sup> Ibid., p. 43.

<sup>132</sup> Charles Griswold, *Forgiveness: A Philosophical Exploration*, p. 42. Emphasis not mine.

direct move to arguments runs the risk of making talk of forgiveness too abstract and disassociated from our lived experience. In what follows, I recount the story of Holocaust survivor Eva Mozes Kor, whose life and struggle was made the subject of the 2006 documentary *Forgiving Dr. Mengele*.

Eva Kor and her twin, Miriam, were born in northern Transylvania in 1934. At the age of ten, they and the rest of their family were taken from their home to a ghetto, and then to Auschwitz. After frantically departing the train upon their arrival at the concentration camp, the twins lost contact with their father and two older siblings. Soon after, Eva and Miriam were forcibly removed from the custody of their mother, who they never saw again and to whom they never said goodbye. All of the members of Eva's family, with the exception of Miriam, were murdered in Auschwitz. The twins, though, were used by Dr. Mengele in medical experiments.

The twins were of special interest to Mengele. Kor recounts part of her ordeal in Auschwitz for The Forgiveness Project website.

During our time in Auschwitz... [Miriam and I] talked very little. Starved for food and human kindness, it took every ounce of strength just to stay alive. Because we were twins, we were used in a variety of experiments. Three times a week we'd be placed naked in a room, for 6-8 hours to be measured and studied. It was unbelievably demeaning. In another type of experiment they took blood from one arm and gave us injections in the other. After one such injection I became very ill and was taken to the hospital. Dr Mengele came in the next day, looked at my fever chart and declared that I had only two weeks to live. For two weeks I was between life and death but I refused to die. If I had died, Mengele would have given Miriam a lethal injection in order to do a double autopsy. When I didn't die he carried on experimenting with us and as a result Miriam's kidneys stopped growing. They remained the size of a child's all her life.<sup>133</sup>

On January 27, 1945, Auschwitz was liberated by the Soviet army. Both Eva and Miriam survived and, after spending close to a year in refugee camps, returned to their village to

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<sup>133</sup> Eva Kor, "Stories," <http://theforgivenessproject.com/stories/eva-kor-poland/>.

find that no one else in their family survived. In 1950, Kor and her sister emigrated to Israel, pursued an education, served in the Israeli Army, married, and had families of their own. Kor and her husband, though, decided to move to the United States in 1960. Her sister, now Miriam Mozes Zeiger, remained in Israel and died there in 1993 due to complications with her kidneys. The experiments Miriam Zeiger had endured as a child in Auschwitz had finally taken their toll on her. Eva Kor was left as the sole survivor.

In the late 1970's, Kor developed a serious interest in locating other survivors of Mengele's experiments on twins. In 1984, she founded CANDLES, Children of Auschwitz Nazi Deadly Lab Experiments Survivors. In her capacity as president, Kor, with the help of her sister, located 122 survivors of Mengele's experiments.<sup>134</sup> Under Kor's direction, CANDLES sponsored and supported a Holocaust Museum and Education Center in Terre Haute, Indiana, Kor's home since 1960. The Museum educates the public about the atrocities of the Holocaust in general and the unimaginable ordeals of the many twins on which Mengele experimented. Kor's efforts go beyond her work with community outreach programs, though; she has made an impact on Indiana state law. In 2007, Kor worked with Indiana state legislators to gain passage of a law requiring Holocaust education in secondary schools throughout the state.<sup>135</sup>

It should be clear that Auschwitz left an indelible mark on the life of Eva Kor. This, though, is to be expected, as Kor is a survivor of a harrowing, violent trauma. Under such circumstances, one does not – one cannot – just “move on.” Coping with trauma of such magnitude is, I imagine, something one must work on each day. What

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<sup>134</sup> See <http://www.candleholocaustmuseum.org/index.php?sid=22>.

<sup>135</sup> See <http://www.candleholocaustmuseum.org/index.php?sid=26>.

makes Eva Kor's story a compelling and, I think, puzzling one is the way in which she ultimately decided to cope with her trauma. She decided to forgive the Nazis.

Kor reports that, even as late as the early 1990's, she was tormented by her memories of Auschwitz, the emotional effects of which were sometimes near-debilitating. But after a trip to Germany in 1993, Kor claims to have muted the ongoing ensemble of pain that had afflicted her for decades. Just weeks after her sister died due to complications with her kidneys in 1993, Kor flew to Munich to meet Dr. Hans Münch, a former Nazi doctor. Despite having been acquitted of war crimes after the war, Münch felt terrible shame for his involvement with the Nazis, even though he did not carry out experiments on his patients.<sup>136</sup> Kor contacted Münch in an effort to track down Mengele's twins files. Kor reported that she expected Münch to be a monster, and was surprised to find that he, too, suffered from nightmares about Auschwitz. Witnessing the humanity of Münch compelled Kor to invite him to come with her to the fiftieth anniversary of the liberation of Auschwitz. Münch agreed. Kor wanted to respond in kind to Münch; she decided that the most meaningful gesture she could offer him in appreciation of his commitment to attend the fiftieth anniversary gathering was a letter forgiving him for the role he played at Auschwitz.

It should be noted that Münch never had any contact with, nor did he harm, Kor or her sister while they were in Auschwitz.<sup>137</sup> Despite this, believing that she had forgiven Münch in having written and sent him her letter, Kor felt empowered. She

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<sup>136</sup> Roman Heflik, "A Holocaust Survivor's Path to Peace," in *Spiegel Online International*, December 9, 2005, <http://www.spiegel.de/international/0,1518,389491,00.html>.

<sup>137</sup> It is for this reason that it would be neither appropriate nor possible for Münch to apologize to Kor, on the view I advance. However, it is entirely appropriate that Münch feel – and I would argue, continue to feel even today – shame, guilt and remorse for the role he played in the Holocaust. But he cannot apologize to Kor as he never harmed or wronged her.

decided to capitalize on the emotional changes she felt stirring within her by taking an even bolder step in reconciling herself with her past. In January 1995, Kor returned to Europe to be present for the remembrance of the liberation of Auschwitz. The event drew media attention, and it brought together a number of survivors of the camp. At the event, Kor read a confession of guilt to the press that Münch had written for the occasion. She then used the event as an opportunity to publicly forgive and extend amnesty to all Nazis. Kor added that she spoke only for herself, and did not mean to presume to forgive in the name of all those that the Nazis harmed. Nonetheless, Kor reported that the act of granting the Nazis forgiveness completely transformed her emotional constitution; instead of continuing to feel burdened and afflicted, she claims to have felt free, powerful, and, as she put it, “good inside.” “I felt as though an incredibly heavy weight of suffering had been lifted,” Kor said. “I never thought I could be so strong.”<sup>138</sup>

Immediately after her public act of forgiveness, Kor turned to her fellow survivors, most of whom were shocked by her avowal, and said “It is time to heal our souls.” Kor had, in effect, invited her fellow survivors to forgive their former tormentors as a means by which to achieve this healing. The other survivors, unsurprisingly, failed to accept Kor’s proposal. When interviewed for *Forgiving Dr. Mengele*, fellow Mengele twin experiment survivor Vera Kriegel’s terse response to Kor’s invitation was “All of me is one big ache.” Kriegel implies that forgiveness, were it even possible, will fail to heal the ache she feels.

As I see it, Kor’s story and struggle fit the parameters of Butler’s analysis of forgiveness. In the documentary, Kor reports that, upon forgiving the Nazis, she

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<sup>138</sup> See Roman Heflik, “A Holocaust Survivor’s Path to Peace,” in *Spiegel Online International*, December 9, 2005, <http://www.spiegel.de/international/0,1518,389491,00.html>.

overcame the stranglehold that the vindictive emotions, produced by her horrific experiences in Auschwitz, had on her. She claimed that her emotional life was no longer run by resentment, anger, and the desire for revenge. I stand in awe of the courage and sanity that Kor has maintained in the face of the oppression by the Nazis and their grotesque mockery of human dignity. I appreciate and am inspired by her resolve and her indomitable spirit. But I doubt that she can truly enjoy the benefits of forgiveness as she claims she does.

Bracket, for the moment, any concern that Kor has violated the bilateralism constitutive of the logic of forgiveness, or that she, in fact, cannot forgive the Nazis, as they committed unforgivable acts. There are still good reasons to doubt the success she claims to have made in forgiving. I aim to demonstrate at least one of these reasons for doubt by means of the following thought experiment. Call it the Mengele Encounter thought experiment.

Imagine that Kor encounters Mengele, the very man who directed the experiments that she and her sister suffered.<sup>139</sup> The Angel of Death, it turns out, did not die in exile in South America, but is alive and well. Moreover, Mengele remains unrepentant for his crimes. He fails to acknowledge them or have the requisite emotional constitution that we expect a known guilty party should have. Most disturbing of all, Mengele, who is no longer a wanted man, has taken up residence in Kor's home town; she has already encountered him on the street, and future encounters are not unlikely. In such a situation, would Kor's professions of forgiveness hold up? Would she treat Mengele as a man she

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<sup>139</sup> In this thought experiment, we can substitute for Kor any other survivor of an atrocity who claims to have forgiven, in the absence of a genuine moral apology, the person or persons who harmed the survivor. Moreover, we can substitute for Mengele any other individual or group who caused or greatly contributed to the suffering of our survivor.



has forgiven and to whom she has extended amnesty? Or would the vindictive passions well up in her - the very emotions she claims to have overcome in the act of forgiving the Nazis?

The latter, I think, is the more likely scenario. The reason I think this is because Kor never had – and never had a reason to have – what Walker calls a moral relationship with Mengele. Recall that for Walker, moral relationship, in the most basic sense, is “a certain disposition of people toward each other and the standards they trust, or at least hope, are shared.”<sup>140</sup> Earlier, I characterized a moral relationship as a way of relating to others that embodies the shared standards, underwritten by trust and hope, that they avowedly mutually enjoy. Moral repair, as the task of restoring and stabilizing the “basic elements that sustain human beings in a recognizably moral relationship,”<sup>141</sup> assumes for its intelligibility the presence of this moral relationship, even if only in a compromised state. But where there is no moral relationship, where there are no shared standards, where the conditions for the possibility of hope and trust have been eviscerated, there will be no moral repair. And therewith, no forgiveness.

So, despite her insistence to the contrary, Kor cannot have truly forgiven the Nazis. But this does not mean that she cannot, to some degree, have healed herself by other means. Those who have endured much less harm than Kor may be able to, as we blithely say, “let bygones be bygones.” The fact that this phrase has attained the ignominious status of a cliché does not mean that what the phrase indicates is any less desirable for those who try to achieve it, or any less restorative for those do. Sometimes we say that a person has “made peace with their past” or that he has “moved on.” Here

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<sup>140</sup> Margaret Urban Walker, *Moral Repair*, p. 23.

<sup>141</sup> Margaret Urban Walker, *Moral Repair*, p. 23.

again, the common usage tends to detract from the power and potential significance of the activity that this phrase signifies. Those who make peace with their past or “move on” may do so by means of the forgiveness ritual, but this need not be the only way. As the passage of time removes those harmed or wronged from the event that has marked them, the intensity of the vindictive passions often subside, allowing the victim to experience a kind of inner tranquility unavailable to them at times closer to the advent of the harm or wrong. The past does not control the present for those who have made their peace with it. While “letting bygones be bygones” and “making peace with one’s past” may be satisfying healing strategies for some, my hunch is that these options are largely unavailable for survivors of trauma the magnitude of which is known to have been the case in the Holocaust. Again, I am not claiming that Kor has not been able to heal herself to some degree, but rather that she could not do so by means of forgiveness or by “letting bygones be bygones,” and most likely not by what most take “making peace with one’s past” to mean.

It is clear that Kor takes the overcoming of the vindictive passions to be the purpose or object of forgiveness. This understanding is consistent with and implied by the Butlerian account. However, I submit that this view misidentifies a side-consequence or by-product of forgiveness for the real aim or purpose of forgiveness. I hold that the aim or purpose of forgiveness is the moral repair of the relationship between the wrongdoer and the wronged. I concede that Butler is right to claim that the vindictive passions must be overcome in forgiveness. But context matters. I argue that in forgiveness the victim overcomes the hostile feelings she harbors toward the wrongdoer in and through a mutual commitment by the wrongdoer and the one wronged to recreate

or create a moral relationship built on trust and hope. In fact, the apologizer's Complete Acknowledgment and forthright humility (and, in some situations, promise to never harm or wrong her victim in such a manner again) provide the reason and motivation for the would-be forgiver to let go of her hostile feelings. I develop an account of forgiveness as a kind of morally reparative action in the next section.

### **3.2 Forgiveness as a Form of Moral Repair**

In the last section of the second chapter, I examined what it means to call apology a form of moral repair. I there presented and appropriated for my own use Walker's account of moral repair. Recall that for Walker, moral repair takes place when we recover or build trust and hope in a shared understanding of what is important and of what we are responsible for. Those involved in reparative actions of the kind Walker describes have their own unique part to play in bringing about this shared understanding. One upshot is that moral repair is transactional; it takes place between and by means of the efforts of two parties – the one wronged and the one in the wrong. Some forms of moral repair – restitution or reparations, for instance - may require the party in the wrong to expend more effort in mending the relationship between the parties. But apology and forgiveness are more egalitarian; both the apologizer and the forgiver contribute roughly equal parts to put back together what has been broken.

I have argued that the apologizer does her part to facilitate moral repair by acknowledging the wrong, experiencing the right moral emotions to the right degree, and being appropriately humble in offering the apology to the one she wronged. The one in the position to forgive has an entirely different set of responsibilities which are, I think,

no less demanding. In proffering forgiveness, the forgiver must “soften her heart” by overcoming hostile feelings toward the wrongdoer. But the forgiver must also actively and patiently work toward reconciliation with the wrongdoer in order to restore what was damaged between them by the wrong or harm. Finally, the forgiver must “wipe clean the slate” of the repentant wrongdoer by removing or suspending the wrong. Call this tripartite account of forgiveness the Forgiveness Triptych. Each part of the Forgiveness Triptych identifies a necessary condition of forgiveness. The Forgiveness Triptych is inspired by the work of Eve Garrard and David McNaughton.<sup>142</sup> However, Garrard and McNaughton fail to appreciate the bilateralism of forgiveness; they allow forgiveness to be transacted in the absence of apology. I do not. In what follows, I develop and defend the account of forgiveness represented by the threefold view, situating it within my appropriation of Walker’s analysis of moral repair.

### **3.2.1 The forgiveness triptych**

The first part of the Forgiveness Triptych requires the would-be forgiver to not only cease to express, but also cease to feel, hostility toward the wrongdoer. In short, the first part of the threefold view is that the person in the position to forgive must overcome the vindictive passions. The imperative to extinguish one’s resentment toward the apologetic wrongdoer is the same one proposed by Butler. What is different is that, under the rubric of the Forgiveness Triptych, the imperative to overcome the vindictive passions is treated as directly contributing toward the repair of the moral relationship between the one in the wrong and the one wronged, and only indirectly toward any therapeutic effect by which the forgiver may emotionally profit. Forgiveness, then,

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<sup>142</sup> See Eve Garrard and David McNaughton, “In Defense of Unconditional Forgiveness,” pp. 39-60.

should not be framed as primarily benefiting the would-be forgiver by providing the vehicle through which she sheds the vindictive passions, as it is on Butler's account. To be sure, the hostile emotions harbored against the wrongdoer *are* overcome in forgiveness, and the forgiver *is* emotionally compensated when the resentment she once harbored is replaced by, at the very least, "an attitude of good will... towards the wrongdoer."<sup>143</sup> But this is most properly facilitated in and through a mutual commitment by both parties to recreate or create a moral relationship built on trust and hope. In this context, the overcoming of the vindictive emotions is a side-consequence or by-product of a larger process which it ought to be in the service of; namely, the greater scheme of moral repair.

Granting a repentant wrongdoer forgiveness is no guarantee that the forgiver has or even can, at the moment the words "I forgive you" (or some such equivalent) are uttered, overcome all of her resentment toward the wrongdoer, though. The vindictive passions do not usually evaporate in the act of extending forgiveness. Our emotions simply don't work that way. Often, it takes time – often time with the rehabilitated wrongdoer – to completely let go of the resentment. Accounting for this "extended-release" feature of forgiveness makes us sensitive to the way in which the emotions actually operate in us.

The "extended-release" feature of forgiveness also puts constraints on our understanding of just how forgiveness can be accomplished. One cannot, by means of the will, voluntarily overcome the hostile emotions any more than one can will oneself to be sad or feel delighted. That said, the will is, I contend, crucial for forgiveness. The person in the position to forgive can will herself to commit to a collaborative reparative

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<sup>143</sup> Garrard and McNaughton, p. 44.

project wherein, over the course of time, she lets go of the resentment she harbors toward the wrongdoer as the relationship continues to be patched together again. So, when we forgive someone with whom we are still angry and resentful, we submit something akin to a promissory note to ourselves and to the apologetic wrongdoer – we make a commitment to ourselves and to the apologetic wrongdoer to, in the course of the moral relationship we cooperatively craft, overcome the vindictive passions. The one in the position to grant forgiveness - though unable to, at the moment the forgiving words are uttered, overcome her vindictive passions - may will herself to participate in a collaborative project to repair the relationship.

The second part of the Forgiveness Triptych requires the forgiver to actively and patiently work toward reconciliation with the wrongdoer in order to restore what was damaged between them by the wrong or harm. Restoring what was damaged may result in the apologizer and the forgiver collaboratively reconstructing whatever relationship between them existed prior to the harm or wrong. A basic sense of goodwill ought to pervade the process and be found in the reconstructed relationship. The reconstructed relationship need not duplicate the way in which the relationship was arranged prior to the damage. If various structural problems in the relationship tend to lead to injustice or exploitation for one of its members, then reconciliation may be seen as an opportunity to fix, and not just restore, the relationship. If no relationship existed, then restoring what was damaged may amount to reestablishing the inoffensive indifference that each expressed toward the other in anonymity.

The emphasis on restoration in the second part of the Forgiveness Triptych is important. Consider the case of two close friends who have a dramatic falling-out.

Imagine that Mary is notorious for having bad judgment and publicly embarrasses her friend Sue in the most insulting of ways. Sue is hurt and distressed. Mary comes to realize the wrongness of her actions and apologizes to Sue, hoping that things can be patched-up between them. Sue says that she accepts Mary's apology and forgives her. But then Sue informs Mary that she never wants to see her again. Clearly, Sue fails to appreciate the role that restoration plays in forgiveness.

I submit that Sue is confused. One cannot both forgive and eradicate the conditions that make possible the very reconciliation involved in forgiveness. Forgiveness is not compatible with all possible states of affairs. Sue must either forgive Mary and work with her to collaboratively reconstruct what was good about their relationship, or Sue must rebuff Mary's apology by refusing to grant her forgiveness. If Sue chooses the second disjunct, then she must either forgo her friendship with Mary or continue it. If she maintains her relationship with Mary in its present fractured state, then the relationship will almost certainly disintegrate. Once the fabric of the relationship has torn, the hole will only grow larger, unless it is repaired in time. Precisely because of its suitability to the kind of damage done, forgiveness is the most appropriate form of moral repair qualified to do the job of putting the pieces of Mary's and Sue's relationship back together.

The third part of the Forgiveness Triptych requires the forgiver to "wipe clean the slate" of the repentant wrongdoer by removing or suspending the wrong. The drama invoked in the hyperbole ought not to distract us from the meaning of the third requirement. Here, a slate is a record of past performance or activity. The kind of slate we are interested in is the record of past wrongs or harms that the offender has committed

against the forgiver for which she apologizes. To claim that forgiveness involves wiping clean the repentant wrongdoer's record means that the forgiver "behaves as if the wrong had never happened."<sup>144</sup> As a consequence, the forgiver drops all reference to the wrong, and encourages both herself and the apologetic wrongdoer to look toward the future instead of dwelling on or ruminating about past harms or wrongs. For Walker, this process amounts to "restoring the offending party to full faith and credit."<sup>145</sup> In other words, the moral equality of the wrongdoer is fully rehabilitated in the eyes of the forgiver, even if nothing more than harmless indifference characterized their behavior toward each other in anonymity. In a certain way, forgiveness may be said to restore the humanity of the apologetic offender. Again, Walker puts it well when she writes that "[t]o forgive is, certainly, to recognize wrongdoers as human beings, fallible and limited, capable of choice and worth, neither monstrous nor beneath contempt; in forgiving one needs to humanize, rather than to idealize or to demonize, the wrongdoer, because that puts the wrongdoer back into a world of moral relations that morally valuable forgiveness affirms."<sup>146</sup>

The basic appeal of wiping clean the slate of the repentant wrongdoer is twofold: it prevents the forgiver from holding a grudge and it frees the apologizer from being reminded of her moral shortcomings. What is entailed in wiping clean the slate of the repentant wrongdoer is more feasible and justifiable than what the tired adage "forgive and forget" seemingly requires. When we cease to make reference to the repentant wrongdoer's record of harms or wrongs against us, we are under no obligation, were it even possible, to forget them. One may keep in mind the wrongdoer's record of past

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<sup>144</sup> Garrard and McNaughton, p. 46.

<sup>145</sup> Walker, *Moral Repair*, p. 167.

<sup>146</sup> Walker, *Moral Repair*, p. 168.



wrongs or harms while simultaneously welcoming the possibility of the reformed wrongdoer's break with her past. In time, as moral repair achieves its objective, the very memory of the reformed wrongdoer's history of wrongs may be unwelcome. The point is that while holding a grudge is incompatible with forgiveness, voluntarily erasing any memory of the harm or wrong is cognitively impossible.

It is important to observe that condemnation of the wrongdoing and the wrongdoer's punishment for harm or restitution for wrongs are not incompatible with wiping clean the slate of the offender. Sometimes punishment or restitution is morally reparative. Moreover, as a means by which to rehabilitate the offender, punishment may provide the offender with the opportunity to more adequately reflect upon the whys and wherefores of the project of moral repair, thereby enabling her to make a more substantive contribution to it. Regardless, forgiveness must not be confused with mercy or clemency. Efforts to bring about reconciliation between the wrongdoer and the one wronged and a commitment to justice need not conflict.

### **3.2.2 Reconsidering Austin's $\Gamma$ Conditions: Forgiveness as a Test Case**

The Forgiveness Triptych makes this much clear: to make forgiveness more than "just words," forgiveness must reveal itself in active and patient efforts at reconciliation. But it must, in tandem, inwardly transform the attitude the forgiver has toward the wrongdoer, replacing resentment with, at the very least, goodwill (or inoffensive indifference, in the case of strangers who will never become familiar).

Those who grant forgiveness but fail to reveal or be inwardly transformed by the forgiveness that they speak violate either one or both of Austin's  $\Gamma$  conditions. Recall

that the  $\Gamma$  conditions require the following: where, as often, the procedure is designed for use by persons having certain thoughts or feelings, or for the inauguration of certain consequential conduct on the part of any participant, then a person participating in and so invoking the procedure must in fact have those thoughts or feelings, and the participants must intend so to conduct themselves, and further, must actually so conduct themselves subsequently. In our case, the “procedure” is forgiveness, the feelings at issue are those that ought to emerge once the vindictive passions have been overcome, and the conduct in question is that of goodwill between the forgiver and the forgiven.

For Austin, violations of the two  $\Gamma$  conditions do not invalidate a speech act’s felicity. Instead, violations of the two  $\Gamma$  conditions are unseemly, as they amount to an abuse of the procedure. One may be tempted to think that an argument from Austin’s six felicity conditions concludes that those who speak forgiveness but fail to reveal or be themselves transformed by the forgiveness they grant the repentant wrongdoer nevertheless do, in fact, forgive the wrongdoer. This, I contend, is the wrong conclusion to draw.

Recall that Austin’s B conditions require that the procedure be executed by all participants correctly and completely. At first blush, it seems perfectly acceptable to consistently separate the B conditions from the  $\Gamma$  conditions. After all, regardless of how I feel about returning your pitchfork, if I have promised to return it, then a promise was made. Even if bride and groom have fallen out of love by the time of their wedding, so long as the vows have been exchanged and the wedding officiant has pronounced them husband and wife, then the unhappy couple is married. Their not being in love does not invalidate the marriage contract. In both of these cases, the  $\Gamma$  conditions are, if anything,

an afterthought; the satisfaction of the A and B conditions has facilitated the action.

However, it is possible to imagine a procedure the intelligibility of which requires that the B conditions subsume the  $\Gamma$  conditions, rather than let them stand alone. Forgiveness is such a procedure.

There is at least one procedure the correct and complete execution of which includes the facilitator of the practice having certain thoughts or feelings and conducting herself in a certain way subsequent to the completion of the formal aspects of the procedure. Forgiveness satisfies this criterion. In forgiveness, the facilitator of the procedure is the one in the position to forgive, the feelings in question are those that ought to be felt in the wake of resentment's extinction, and the conduct at issue is that of goodwill between the apologizer and the forgiver. Simply put, for the recipient of an apology to say "I forgive you" to the repentant wrongdoer when the would-be forgiver has no intention of overcoming her vindictive passions or fostering goodwill in her future interactions with the apologizer is to fail to forgive *tout court*. Under such circumstances, no action has been performed; forgiveness has not been granted. In short, words – words intended to mislead – have been spoken, but nothing, except a deceptive sham count, has been done. So, when we are in a position to forgive, we must satisfy the A, B and  $\Gamma$  conditions in order to genuinely transact forgiveness. In forgiveness, failure to satisfy the two  $\Gamma$  conditions does not result in a mere abuse of the procedure; it results in a misfire.

Insofar as *being* what we say we are matters to us, we will want to have our actions and our emotions line up isomorphically with our words. To do otherwise is to traffic in inconsistency and deception. Even if these worries fail to move us, we still have good reason to be forgiving when we grant forgiveness. Most of us, I think, find it

important to “be true” to the commitments we make for reasons that have to do with authenticity. When we grant forgiveness, we make a commitment to ourselves and to the repentant wrongdoer to change our emotional disposition and our behavior toward the repentant wrongdoer. The project of being an authentic self is compromised when we ourselves deliberately frustrate or block our actions and our emotions from representing or enacting the commitments we make. If worries about inconsistency and deception do not motivate us to be forgiving when we grant forgiveness, then perhaps our own interest in living an authentic life will move us to isomorphically line up our actions and our emotions with our words.<sup>147</sup>

### **3.3 Defining Forgiveness**

Having examined the relevant topography of speech act theory in the first chapter, and having isolated and analyzed the three necessary elements of any genuine act of forgiveness in the present chapter, I am ready to present the definition of forgiveness I advance. I argue that forgiveness is a speech act, offered in response to a genuine moral apology and granted in order to facilitate moral repair, that satisfies all three parts of the Forgiveness Triptych. To this definition I add two provisos. The first proviso requires that the forgiver explicitly say “I forgive you” to the apologizer or some such other locution that convincingly conveys the same meaning. The second proviso requires that the apologizer accept the forgiveness she has been offered – the very same forgiveness she requested in apologizing – by exhibiting a change in her behavior and attitude toward her forgiver.

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<sup>147</sup> However, I suspect that those who are unmoved by worries over inconsistency and deception are not the kind of moral agents who would be disposed to appreciate the value of forgiveness in the first place.

In virtue of its complex bilateralism, forgiveness can be granted only in response to an apology – in particular, one that satisfies the necessary conditions for a genuine moral apology for which I argued in the second chapter. Forgiveness complements an apology by completing the act inaugurated by the apologizer; it also achieves a greater and more satisfying degree of moral repair than can apology by itself. When we, for the sake of achieving moral repair, satisfy all three parts of the Forgiveness Triptych, forgiveness achieves its end: hostility toward the wrongdoer is overcome, reconciliation with the wrongdoer is achieved, and the wrongdoer's moral equality is restored.

A word is in order about the two provisos to the definition of forgiveness I advance. The first proviso requires that forgiveness live up to its name as a speech act by guaranteeing that the forgiver communicates the right words to the right audience under the right conditions in order to achieve the effect that only an exchange of this type can produce. In short, the first proviso guarantees that the performative quality of the utterance “I forgive you” (or some such other locution taken to have a similar meaning) play an integral role in bringing about forgiveness. Moreover, the utterance “I forgive you” certifies that forgiveness has, indeed, been granted. In addition to those already marshaled, one argument in support of the first proviso is that the utterance “I forgive you” provides something akin to a roadmap for both the apologetic wrongdoer and the wronged to follow to achieve moral repair in their relationship.

Consider the following scenario, a twist on Govier's example of the married couple dealing with the fallout caused by the husband's infidelity. This time, though, imagine that the wife, upon listening to her husband's assurances that the affair is over and that he wants to be reconciled, remains unresponsive when her husband apologizes.

She does not say that she forgives him; nor does she say that she does not. Instead, she listens to his entreaty impassively. Relations between them are uncomfortable for many months. The husband becomes fully committed to working things out, and proves himself to be singly devoted to the marriage just as he said he would. He is attentive, cooperative, and caring. Yet she remains cold, unmoved and standoffish. For many months, she feels nothing but resentment for her husband. Then, slowly, the wife begins to soften. It starts when she lets him embrace her again, and embraces him in return. She laughs at his jokes again. In time, they begin to enjoy sexual intimacy again. Their once-frosty relations are replaced by warmth, intimacy and trust. She finally lets go all of the resentment she once had toward him, and restores her husband to full faith and credit. In the years to come, their post-affair married life is stronger than married life was for them before the affair.<sup>148</sup>

On Butler's account, the inevitable conclusion to draw is that the wife has forgiven her husband. I find this to be the wrong conclusion for reasons already discussed. It also reads too much into the scenario; the wife could have made a commitment to herself to not forgive her husband. It might be further objected that the wife did, in fact, forgive her husband, as she satisfied the three parts of the Forgiveness Triptych. This objection, however, neglects that satisfying the three parts of the Forgiveness Triptych constitute a necessary and not a sufficient condition for the possibility of forgiveness.

In virtue of the husband's apology, the marriage did experience some of the benefits that moral repair achieves. (Recall that in offering an apology, the first, second, and sixth tasks of moral repair are satisfied.) I contend, though, that the marriage could

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<sup>148</sup> Thanks to Prof. Ann Cudd for suggesting this scenario.

have experienced further benefits of a morally reparative kind had the wife forgiven her husband. That is, if forgiveness were to have been granted, then the benefits that accompany the satisfaction of the fourth and fifth tasks of moral repair could have been enjoyed in a manner more meaningful than the manner in which they presumably were enjoyed, if they were at all. And part of what provokes us to make the fourth and fifth tasks of moral repair meaningful when they are realized in forgiveness is the clear, unambiguous avowal of the forgiver who utters “I forgive you” to the repentant wrongdoer. Here, saying “I forgive you” signifies to both the apologizer and the forgiver that herein they collaboratively pursue a course of action in an effort to morally repair that which has been damaged. The course of action, though, is akin to a script the plot for which has already been written. The apologizer already knows that he must begin to shed the negative self-image he has of himself as a wrongdoer, and that a certain amount of delicacy is required at first in interactions with the forgiver. The forgiver already knows that she must actively and patiently work toward reconciliation with the apologetic wrongdoer and do her part to foster, at the very least, a sense of goodwill between them. In effect, saying “I forgive you” puts both apologizer and forgiver on a path the basic direction of which they both already know and must walk together. And if the forgiver strays from that path, or backtracks, by rekindling the very resentments she forswore, the forgiven can remind her of her commitment and hold her to account. Saying “I forgive you” signifies that a recognizable roadmap for moral repair has been placed into the hands of both the apologizer and the forgiver – and that each can hold the other to account. But this option is not available to the husband in the above scenario.

The second proviso requires that the apologizer accept the forgiveness she has been offered by exhibiting a change in her behavior and attitude toward her forgiver. In the first chapter I argued that the act of forgiveness is a speech act that contains a grant. When we forgive, we grant a previously-made request proffered by the wrongdoer in the form of an apology. As with any grant, the recipient must accept it in order for that which is granted to “take effect.” As regards forgiveness, the apologetic wrongdoer upon whom forgiveness is bestowed accepts forgiveness by treating herself and behaving as if her moral equality has been restored. Her posture changes from one burdened by, say, shame and self-loathing, to one whose full faith and credit has been rehabilitated. But if the apologetic wrongdoer continues to wallow in guilt even after the one to whom she apologized has said “I forgive you,” then forgiveness has been forfeit. In fact, those who forfeit the benefits of forgiveness by continuing to treat themselves and behave as if they must endure a state of perpetual moral inequality cause both the forgiveness they seek and the apology they proffered to misfire. From the standpoint of speech act theory, nothing has been done.

The satisfaction of the criterion provided by the second proviso is crucial for the performative success of what I call Complete Forgiveness. Even if the person in the position to forgive has satisfied all three parts of the Forgiveness Triptych in a course of action that facilitates moral repair and said “I forgive you” to the apologizer, Complete Forgiveness is not achieved until the nominally-forgiven apologetic wrongdoer acts in a way consistent with the comportment of one to whom forgiveness has been granted. Until this change in the apologetic wrongdoer takes place, we say that the apologizer enjoys only Nominal Forgiveness, so long as the person in the position to forgive, in



charting a course of action that facilitates moral repair, has satisfied all three parts of the Forgiveness Triptych and said “I forgive you” to the apologizer. The upshot is that the satisfaction of the criterion provided by the second proviso is a sufficient condition for the performative success of Complete Forgiveness, so long as Nominal Forgiveness has been conferred.

The distinction between Nominal Forgiveness and Complete Forgiveness, and the possible transition from the state represented by the former to the one represented by the latter, underscores the observation that forgiveness is a process. It takes time and effort to make the requisite change from Nominal Forgiveness to Complete Forgiveness. The time it takes the apologizer to change from that of a life – or just a season - lived with overwhelming guilt to one lived out of an appreciation of what it means to be fully restored as a moral equal in the eyes of the person that one harmed or wronged is often proportional to the severity of the harm or wrong. The migration from the former to the latter is one often fraught with missteps and trials and errors. Sometimes the nominally forgiven will find herself plagued by feelings and self-assessments that draw her off the path toward Complete Forgiveness. In short, the transition from Nominal Forgiveness to Complete Forgiveness is rarely immediate or automatic, especially when the harm or wrong is not slight. Kinks must be ironed out, and it is often touch-and-go.

In a similar way, satisfying all three parts of the Forgiveness Triptych is a process that the forgiver must, over time, make an effort to achieve. Clearly, the second part of the Forgiveness Triptych requires some measure of contact and collaboration with the repentant wrongdoer, and therefore cannot be immediate or automatic. Reconciliation is a process, and a social one at that. That leaves the first and third parts of the Forgiveness

Triptych to be accounted for. There is no guarantee - nor should there be any expectation - that when the words “I forgive you” have been uttered, the forgiver has already overcome her hostility toward the wrongdoer and wiped clean the repentant wrongdoer’s slate. I have already argued that the “extended-release” feature of forgiveness allows us to expect that it will take time to satisfy the first part of the Forgiveness Triptych. The same must be said for the third part of the Triptych. The emotions operative in satisfying the first and third parts of the Triptych are quite similar; both sets of emotions usually require the passage of time – often time with the apologetic wrongdoer - to achieve their ends. Although one cannot automatically overcome the vindictive passions or wipe clean the slate of the repentant wrongdoer by means of any utterance whatsoever, a certain commitment is made, on the part of the would-be forgiver, when she says “I forgive you” to the repentant wrongdoer. Call what this commitment expresses Promised Forgiveness. In Promised Forgiveness, the one uttering the words makes a commitment to satisfy, under her own power, the first and third tasks of the Forgiveness Triptych – and, with the cooperation of the apologizer, the second task. Following through on this commitment is no less a process than is the path from Nominal Forgiveness to Complete Forgiveness. In fact, Promised Forgiveness contains the embryo of Nominal Forgiveness. After an apology has been proffered, Promised Forgiveness is the first step in forgiveness, followed by Nominal Forgiveness, and finally culminating in Complete Forgiveness.

### **3.4 Moral Freedom and the Limits of Forgiveness**

In this section I introduce and apply to forgiveness the concept of moral freedom. I take moral freedom to be the liberty to make our own moral decisions by the light of our

own reason without fear of external pressure, manipulation, or compunction. It is an ideal inspired by both Kant's notion of autonomy and Mill's conception of liberty. Even though what I call the "light of our own reason" serves as the guide, the reason to which I make reference here is not merely idiosyncratic. It must be possible for the light of my own reason and the light of your own reason to illuminate the same object; moral freedom should not be abused to support a form of moral relativism. Still, reasonable and even intractable disagreements can legitimately occur between different moral agents.

We apply the concept of moral freedom to forgiveness by determining for ourselves the conditions under which we will forgive – and by taking seriously the freedom to decide to not forgive. No doubt, determining the conditions under which we forgive, or the decision to refuse forgiveness, requires deliberation and considered judgment. On the view I advance, determining the conditions of forgiveness amounts to evaluating the meaningfulness or value of the moral relationship that we had – or could have, albeit in a restored form – with the offender. So, the conditions under consideration may involve an appraisal of the level of intimacy we shared with the apologizer prior to the offense, and/or an assessment of the degree to which we want to pursue an emotional bond in the future. Our considerations must be sensitive to whatever we think the severity of the offense reveals about the offender's character. Our considerations should orient us toward the conditions under which forgiveness makes sense; that is, where forgiveness is rational.<sup>149</sup> We might come to the conclusion that the offender's infraction and the manner in which it was carried out betray the true personality of the offender.

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<sup>149</sup> I take it that the conditions under which forgiveness makes sense will be informed by whichever moral theory the moral agent happens to hold. But whichever moral theory we hold ought not to determine or fix the conditions under which forgiveness makes sense; to do so would compromise our moral freedom at another level.

And we may recoil from what we see. Or we might conclude that the offense was just a fluke, that there were excusing conditions, or that the severity of the offense was not nearly as damaging as it first appeared to be. Regardless, it is by means of our moral freedom that we determine whether or not to take steps to facilitate moral repair, or just walk away.

Not all accounts of forgiveness are compatible with our moral freedom. Case in point: the standard Christian account of interpersonal forgiveness undermines our moral freedom to forgive. On the Christian view, the autonomy I might otherwise use to determine who and under what conditions I will forgive those who wrong or harm me is overruled by the religious mandate to, without hesitation, extend absolute forgiveness to any and all. On the Christian view, whether I, as someone in the position to forgive, have or am interested in creating a moral relationship with the offender is irrelevant. Moreover, my assessment of the sincerity of the offender's apology, if one has even been proffered, lacks application on the Christian view. Anything short of unconditional forgiveness, for even that of the most heinous offense, is warded against by the pious interpreters of Jesus' beatitudes. This undermines our moral freedom to forgive.

I worry that the influence of the traditional Christian reading of Jesus' pronouncements about forgiveness serves as a form of ideological coercion. The *idea* of unconditional forgiveness has a strange hold on us. Even in a secular culture, violating Jesus' injunctions about forgiveness is often accompanied by a strong sense of guilt or failing by the one who refuses to forgive unconditionally. As theologian Anthony Bash contends,

when it comes to forgiveness, most people fail to live up to their own standards, and (if they were to think about it) they know that they do not live up to God's

standards. Whatever the nature of an act of wrongdoing, there will be some who find they are unable to forgive, who feel guilty about this, and who will also feel guilty about having disagreeable – or even brutish – feelings toward those who have mistreated them.<sup>150</sup>

The problem isn't so much that the Christian account of forgiveness is incompatible with the exercise of our moral freedom, though. Many other ideas are likewise incompatible. These other incompatible ideas, though, may be unpopular. The real problem is the tendency, through guilt or some other negative self-assessment, to internalize Christian norms privileging Jesus' injunctions about forgiveness over whichever ones we may arrive at by means of our own reason. We cannot simultaneously express a commitment to Jesus' injunctions about forgiveness and to moral freedom.

It must be stressed that moral freedom also has its limits. Nothing about moral freedom should lead us to conclude that by its means we can intelligibly or justifiably forgive in the absence of apology. Similarly, nothing about political freedom entails that I have the liberty to treat my fellows any way I see fit. Just as there are restrictions – the rights of others and the duties I have to observe them - built into political freedom, there are restrictions built into moral freedom. Our moral freedom has limited scope; with regard to forgiveness, it does not permit us to forgive in the absence of apology. The submission of a genuine moral apology of the kind defined in the previous chapter is a necessary condition for the possibility of forgiveness whatsoever. Once the condition for the possibility of forgiveness has been satisfied, then the one from whom forgiveness is sought is in the position to determine, by means of her moral freedom, whether or not to forgive the penitent, so long as what we forgive is not one of what I call the three Insurmountable Restrictions.

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<sup>150</sup> Anthony Bash, *Forgiveness and Christian Ethics*, p. 2.

The three Insurmountable Restrictions put limits on our moral freedom to forgive, even in those contexts where an apology has been forthcoming. The three Insurmountable Restrictions mandate that we do not have the moral freedom to forgive the dead, to forgive ourselves, or to forgive the unforgivable. I analyze each in turn.

That we do not have the moral freedom to forgive the dead follows from arguments already made about the necessity of having a possible moral relationship with the apologizer and the importance of collaboratively working with the apologizer to bring about moral repair. Alas, there is no possible moral relationship we can conceivably have with the dead; similarly, there is no way in which the dead can collaboratively work with us to achieve moral repair. When an unrepentant wrongdoer dies, the possibility of forgiveness is no longer available. Thankfully, there are alternative means by which to deal with a harm or wrong that an unrepentant offender has committed against us, though often at least some of these alternative means are mislabeled “forgiveness.” Depending on the seriousness of the wrong, we may be able to “let bygones be bygones.” Some may be able to, as we say, “make peace with the past” or “move on.” None of these coping mechanism, whatever they might mean and however they achieve the inner peace desired by the one harmed or wronged, amount to forgiveness. There is nothing genuinely transactional about “making peace with one’s past.”

But there may arise situations where the wrongdoer dies before she is able to apologize, though in which we have unquestionably sound reason to believe that she would have offered an apology had she lived. I admit that the problem of counterfactual knowledge of this kind fails to be accommodated by the view of forgiveness for which I argue, and that some will take that as a weakness of the theory. Some of our moral

intuitions prompt us to argue in favor of granting forgiveness to the deceased in such a scenario. However, I maintain that forgiveness in such a situation is impossible. Though the would-be forgiver may very well be able to satisfy, under her own power, the first and third tasks of the Forgiveness Triptych (thereby satisfying the lion's share of the conditions built into Promised Forgiveness), she is unable to ever meaningfully speak the forgiveness she may fervently desire to grant. And speaking – or, more generally, communicating – forgiveness to another who understands what has been granted and responds accordingly – is at the heart of what makes forgiveness a speech act.

The second of the three Insurmountable Restrictions is that we don't have the moral freedom to forgive ourselves. There is much talk about the supposed virtues of self-forgiveness in today's pop psychology literature. But in many cases, what passes as self-forgiveness is really euphemistic advice that encourages us to not be "too hard" on ourselves, or which touts the psychological benefits of cutting ourselves some slack. Such advice cannot be said to count in an argument in favor of self-forgiveness. One philosophical defense of self-forgiveness views it as a unilateral exchange that one has with oneself. Recall that an exchange is unilateral if and only if the action-performing quality of the performative utterance is satisfied by none other than the singular speaker who utters the performative. However, I am hard-pressed to find a performative utterance of the kind needed to qualify as a token of such a unilateral exchange. Furthermore, there does not seem to exist an accepted conventional procedure wherein such a self-directed performative utterance would have the effect of achieving self-forgiveness. That is, there are no felicity conditions for self-forgiveness. Additionally, self-forgiveness contradicts the view that forgiveness is intelligible only as a kind of

bilateral exchange. Finally, self-forgiveness violates the basic elements of moral repair – or preserves them at the price of infusing moral repair with an altogether unpalatable narcissism.

Consider the following list of questions about self-forgiveness. If self-forgiveness is possible, must I apologize to myself first? If yes, is it possible that I might rebuff my own apology? If no, has my moral freedom been compromised? In forgiving myself, should I refer to myself in the first, second, or third person? These are not questions that deserve answers, as they border on the ridiculous. To treat myself as the receptive audience of the very performative utterance I speak is odd, at best. In the end, I find the very idea of self-forgiveness to rest on a confusion. And yet, I can imagine a therapist advising a client on the need to forgive herself, and further imagine that the client finds this advice to be meaningful and life-changing. But I contend that being counseled to forgive oneself is, at root, nothing more than euphemistic advice for “taking it easy.”

The last of the three Insurmountable Restrictions is that we don't have the moral freedom to forgive the unforgivable. I understand the unforgivable to refer to a genuine moral category. This category contains the set of actions marked by exceptional wrongdoing or harm of an especially egregious kind. While it may be possible to ascertain the necessary and sufficient conditions that determine membership within the category of the unforgivable, I prefer to come at the question of membership from the standpoint of family resemblance. Types of exceptional wrongdoing or harm of an especially egregious kind of which we notice a family resemblance include, for example, suffering non-accidental serious bodily harm, being brutally tortured, having your life totally ruined by the direct intentional actions of another, and witnessing your family



murdered in front of your eyes. What makes these examples of exceptional wrongdoing or harm unforgivable is that they utterly compromise the possibility of any meaningful future moral relationship between the agent who caused the harm or wrongdoing and the person who suffers it. In short, unforgivable actions obliterate the hope, trust, and confidence in shared standards needed to sustain or create activities of a morally reparative kind.

The unforgivable puts constraints on our moral freedom, as it belongs to a class of actions that, in principle, may not be forgiven. As a consequence, regarding situations in which those who wrong or harm us present a sincere apology, and in which the situation under consideration unambiguously involves either unexceptional wrongdoing or exceptional wrongdoing, our moral freedom to respond as *we* may like is curtailed by the moral contours of the action under evaluation.

I here conclude my analysis of forgiveness. I move on to the concluding chapter in which I consider the moral status of revenge as a possible response to the unforgivable.

## Chapter 4: Revenge

‘Do not take revenge, my friends, but leave room for God’s wrath. For it is written, “It is mine to avenge, I will repay,” says the Lord.’ *Romans* 12:19

In *Romans*, Paul beseeches his flock to not be vengeful. But Paul does not condemn vindictiveness as such, for it seems as though the Almighty himself is in the revenge business. Perhaps Paul believes that revenge is God’s proper concern, and not ours, because God is simply more efficient at exacting revenge than we are. Or perhaps Paul assumes that the satisfaction God takes in “balancing the scales” outweighs whatever satisfaction we might enjoy in pursuing revenge ourselves. Whatever the reason, one thing seems clear: resentment is not itself to be eschewed, but may, in fact, be treasured and even encouraged. After all, we ought not to condemn or be lukewarm about an action that the Almighty decides to pursue. If my reading of this verse from the Epistle is defensible, then this is bad news for any scheme that hopes to draw all of its inspiration from the New Testament for a position in favor of lasting peace. Thankfully, parts of the Gospels and other Pauline letters offer greater reassurance for those who wish to seek models of peacemaking and peacemakers in its pages. This is a point to which I will return at the end of this chapter.

To conclude this dissertation, I will inquire into the moral status of revenge as a possible response to the unforgivable. As I have already argued, forgiveness has its limits. If the unforgivable is a genuine moral category, then it seems reasonable to ask about the moral status of vengeful action that the egregiously harmed may wish to pursue vis-à-vis those who commit unforgivable offenses against them. And yet, we know that

revenge often leads to further retaliation, escalating into a tit-for-tat cycle of violence that seems interminable. And while those who have suffered damages of the magnitude and kind captured by the category of the unforgivable may delight in the knowledge that those who harmed them are “getting theirs,” sometimes the only way to find the peace and security they really want is to put an end to hostilities once and for all. Just how to accomplish this, if it can be accomplished at all, is exceeding difficult. In what follows, I don’t pretend to offer a panacea, only food for thought.

#### **4.1 Ways of Restoring Equilibrium: Apology, Retribution and Revenge**

Let me briefly defend the place of revenge in the context of my project as a whole. It may not be immediately clear as to why revenge is even discussed, since it is not a speech act, as are apology and forgiveness. However, the coupled activities of apology and forgiveness on the one hand and revenge strategies on the other are, broadly-speaking, ways of restoring equilibrium - of “evening the score,” as it were. Crudely put, a moral wrong or harm can be seen as a “minus,” whereas the act of apology can be seen as a “plus.” Forgiveness certifies the desired effect of the apology, allowing the offender and the victim to “break even.” In forgiveness, the equilibrium that was there before the wrong or harm was committed is restored. This way of framing apology and forgiveness is indebted to a game theoretic approach to human behavior. While game theoretic approaches run the risk of distorting human activity when they fail to leave room for alternative (non-game theoretic) ways of interpreting human activity, I find something

deeply plausible about seeing apology and forgiveness as ways of restoring equilibrium.<sup>151</sup>

Revenge is an alternative, retaliatory way of attempting to satisfy the mathematics of the moral balance between the offender and the victim. Even the metaphors we employ to represent revenge - “payback,” “blood for blood,” and “getting even” - suggest a violent and painful means by which to restore equilibrium. Of course, revenge is not the only alternative way in which to try to satisfy the mathematics of the moral balance between offender and the victim. Punishment and reparations count as well. But punishment and reparations, provided they are pursued through the judicial system or some other system that operates in accordance with public, objective standards, are not *retaliatory* ways of achieving the desired moral balance that the wronged (and, sometimes, those in the wrong) want.<sup>152</sup>

Often, those who suffer a harm or wrong will report that they desire to see the wrongdoer brought to justice. But the greater the severity of the offense, the more likely it is that those who suffer a harm or wrong frame their zeal for justice in the language of revenge. From a standpoint that appreciates how the vindictive passions serve to protect us and our interests, this is understandable. Jeffrie Murphy observes that those “who

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<sup>151</sup> The difficulty, I think, comes into play as soon as there is the attempt to quantify or put a numerical value on the apology - the “plus”. Nick Smith observes what he sees as a worrisome trend in the practice of law. He writes, “Legal actors do in fact put a price on apologies. Expressions of contrition within legal institutions have increasingly become another commodity. Studies show that a few words of contrition, regardless of their sincerity by any measure, can dramatically decrease the likelihood of costly litigation. Thus if one were to say something like ‘I am sorry that the lawn mower we manufacture injured your child,’ evidence suggests that this provides a highly cost-effective means of avoiding litigation. Considering that a refusal to accept blame for an injury often provides the fundamental grounds for a dispute arriving in the courts in the first place, these findings encourage attorneys and litigants to offer apologetic words without admitting guilt. It can be lucrative to apologize, in other words, so long as you avoid accepting blame.” See Nick Smith, *I Was Wrong: The Meanings of Apologies*, pp. 3-4. I share what I take are Smith’s worries.

<sup>152</sup> It should be noted that forgiveness does not obviate punishment. Punishment is compatible with forgiveness, but may be pursued when forgiveness is not forthcoming. The point is that punishment may be an alternative way in which to restore equilibrium.

have vindictive dispositions toward those who wrong them give potential wrongdoers an incentive *not* to wrong them.”<sup>153</sup> Writing tongue-in-cheek, Murphy makes the following declaration: “If I were going to set out to oppress other people, I would surely prefer to select for my victims persons whose first response is forgiveness rather than persons whose first response is revenge.”<sup>154</sup> Murphy also finds that we express our basic self-respect through vengeance, explaining that “a person who does not resent moral injuries done to him... is almost necessarily a person lacking in self-respect.”<sup>155</sup> Robert C. Solomon, though, goes further, arguing that “to seek vengeance for a grievous wrong, to revenge oneself against evil – that seems to lie at the very foundation of our sense of justice, indeed, of our very sense of ourselves, our dignity and our sense of right and wrong.”<sup>156</sup> For Solomon, revenge and justice share a common origin and purpose. In fact, on Solomon’s reading, when we enact revenge, we pursue justice.

Solomon’s view, though it has intuitive appeal, is mistaken, I think. Justice – in particular, retributive justice – ought not to be equated with revenge. I argue that Robert Nozick’s distinction between retribution and revenge is conceptually sound. In what follows, I reproduce Nozick’s argument for why retributive justice may not collapse into revenge, as it does for Solomon.

Nozick recognizes five points of dissimilarity between retribution and revenge. The first point, he observes, is that retribution is done for a wrong, but revenge may be carried out in response to acts that are not always wrongs, such as (accidental) injuries or slights. The second point is that “[r]etribution sets an internal limit to the amount of

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<sup>153</sup> Jeffrie G. Murphy, “Forgiveness, Self-Respect, and the Value of Resentment,” p. 37.

<sup>154</sup> Jeffrie G. Murphy, “Forgiveness, Self-Respect, and the Value of Resentment,” p. 37.

<sup>155</sup> Jeffrie G. Murphy, *Forgiveness and Mercy*, p. 16.

<sup>156</sup> Robert C. Solomon, *A Passion for Justice: Emotions and the Origin of the Social Contract*, p. 273.

punishment, according to the seriousness of the wrong, whereas revenge internally need set no limit to what is inflicted. Revenge by its nature need set no limits, although the revenger may limit what he inflicts for external reasons.”<sup>157</sup> Thirdly, Nozick notes that retribution is impersonal, whereas revenge is personal. The person exacting revenge will do so in his own name, in the name of his father, in the name of his group, etc. Nozick claims that “revenge can be desired only by someone with a personal tie (others can desire that some such person inflict revenge, but their desire is not a desire for revenge) and it can be inflicted only by (the agent of) someone with a personal tie.”<sup>158</sup> However, the agent of retribution need not have – in fact, ought not have - any special or personal tie to the victim or perpetrator of the wrong for the retribution he exacts. The fourth point is that the agent of retribution does not take pleasure in the suffering of another, whereas those who enact revenge enjoy pleasure in witnessing the suffering of the revenge. The last point is that there are general principles involved in retribution, but no such general principles apply to revenge. Nozick explains that seeking vengeance, or believing it appropriate to do so, depends on how those disposed toward revenge feel at any given time. In contrast, the “imposer of retribution, inflicting deserved punishment for a wrong, is committed to (the existence of some) general principles (prima facie) mandating punishment in other similar circumstances.”<sup>159</sup> Furthermore, the principles that guide the retributive action are made known to the guilty.

Nozick’s five points of dissimilarity give us good reason to think Solomon’s view is incorrect. But we still need to determine whether revenge is ever a permissible moral option. It is to this question I now turn.

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<sup>157</sup> Robert Nozick, *Philosophical Explanations*, p. 367.

<sup>158</sup> Robert Nozick, *Philosophical Explanations*, p. 367.

<sup>159</sup> Robert Nozick, *Philosophical Explanations*, p. 368.

## 4.2 On the Limited Justifiability of Revenge

Observe that the question as to whether an offense is forgivable or unforgivable need not arise in order for the wronged party to take action against the offender. In a society governed by the rule of law, individuals wronged or harmed in certain kinds of ways may become litigants, and the action they thereby pursue is directly handled by the courts and, if need be, indirectly handled by correctional facilities, regardless of whether the offense is deemed forgivable or unforgivable. That private citizens need not trouble themselves with the rather nasty and time-consuming business of seeing that those who harm or wrong them at any of the levels that the law presides over – from, say, simple trespassing to assault and battery – is, as John Locke noted in his *Second Treatise of Government*, one of the great benefits of consenting to live under the rule of law in a civil society. For Locke, retributive justice is the business of the state, and revenge, which is tantamount to taking the law into one's own hands, has no place in civil society.

There have been and still are, however, societies not governed by the rule of law. Today, we have come to call such societies failed states. Failed states are marked by widespread social problems, political instability and economic decline, and include states (or, perhaps, territories and zones) locked in seemingly interminable civil war. Examples of such societies in our present political environment include Somalia, Sudan, and the Democratic Republic of the Congo, to name just a few. Existence in a failed state is perilous and tenuous at best. Inhabitants of failed states often live on the knife's edge of famine, pestilence and war. The basic physical requirements necessary to sustain human existence are largely unavailable to the vast majority of the inhabitants of failed states. In short, their lives are marked by misery.

It is unlikely that those unfortunate enough to live in failed states will be successful in forming a social contract of the kind imagined by Locke in order to establish or re-establish laws and their associated institutions. Instead, they must navigate their way through a perpetually lawless and unstable social environment by whatever means necessary. One such means, morally permissible, I contend, in the absence of the rule of law, and especially attractive in response to unforgivable actions, is revenge. Without reliable institutions to realize retributive justice, sometimes the only response to which the wronged may resort to preserve life and limb is revenge. Human existence under the extreme duress produced in the absence of the rule of law creates an environment akin to that of war. In fact, Thomas Hobbes in *Leviathan* equates living under extreme duress with war.

In Chapter Thirteen of *Leviathan*, Hobbes argues that “it is manifest that during the time men live without a common power to keep them all in awe, they are in that condition which is called war, and such a war is of every man against every man.”<sup>160</sup> Since there is, by definition, no common power in a failed state, those who live in a failed state live in a state of war. Hobbes famously characterizes human existence in such a state as “solitary, poor, nasty, brutish, and short.”<sup>161</sup> Later in the same chapter, Hobbes espouses his contractarian view about the origin of moral norms. Hobbes makes the following claim: “To this war of every man against every man, this is also consequent: that nothing can be unjust. The notions of right and wrong, justice and injustice, have there no place. Where there is no common power, there is no law; where there is no law,

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<sup>160</sup> Thomas Hobbes, *Leviathan*, p. 76.

<sup>161</sup> Thomas Hobbes, *Leviathan*, p. 76.



no injustice.”<sup>162</sup> According to Hobbes, failed states cannot sustain the basic moral principles that structure our ethical behavior. When our own survival becomes the highest – or only – value we honor, anything in support of our own survival is permissible. And so, in (an environment akin to) war, revenge becomes a means of rational self-defense. For Hobbes, revenge is permissible in the State of Nature.

### 4.3 Irrational Forgiveness

It must be observed that, despite the limited justifiability of revenge for which I have argued, acting upon plans of revenge tend to be, at least in the long-run, ultimately self-defeating. The reason that revenge tends to be self-defeating is that it tends to exacerbate the very lawlessness and instability that the vengeful often wish - at least in their own lives - to eliminate. Although revenge appears to be rational when viewed against one’s short-term goals, the self-defeating quality of revenge becomes visible as more time elapses; your act of revenge, momentarily successful, inspires a retaliation that requires another response, and so on. The cycle of violence becomes seemingly inescapable, ineluctable. Eventually, participation in a tit-for-tat blood feud becomes an end in itself.

For those locked in this cycle, it must seem as if there is no way out. If that for which one exacts revenge are actions marked by exceptional wrongdoing or harm of an especially egregious kind – unforgivable actions – then the theory I advance about the structure, justification and scope of apology and forgiveness offers little in the way of consolation or practical guidelines. However, I take the theory of apology and forgiveness for which I have argued in this dissertation to be a rational account,

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<sup>162</sup> Thomas Hobbes, *Leviathan*, p. 78.

supported by arguments about what it is reasonable for rational agents to think, feel, and do. But perhaps an irrational account ought to be considered as well.

Pacifists, peacemakers, and the moral saints of the great religious traditions tend to characterize forgiveness in ways that deviate considerably from the analysis I have provided in this dissertation. Insofar as what they call forgiveness and what I call forgiveness are incompatible, I maintain that they have the wrong view about forgiveness proper. But that does not mean that their views are any less useful in, at least, certain specified circumstances. In those circumstances where one's "back is against the wall" – where one both endures and propagates a seemingly interminable cycle of violence in a tit-for-tat blood feud – the rational account of apology and forgiveness I endorse gets no traction. But perhaps a different view, one that promotes what might be called Irrational Forgiveness, does.

Irrational Forgiveness cannot be couched in the same classification scheme as that of the concept I have analyzed. First, Irrational Forgiveness is not (necessarily) a speech act. It is a private decision that does not require a linguistic medium for its effect. Second, Irrational Forgiveness is granted in the absence of apology and for unforgivable actions. It calls for a cease to hostilities, or prohibits them from escalating in the first place, even though such a cessation or prohibition on escalation may not be in the short-term interests of the individual pursuing Irrational Forgiveness. Third, Irrational Forgiveness achieves the First and Third tasks of the Forgiveness Triptych, though not for the sake of achieving a morally reparative effect of the kind Walker endorses. In short, Irrational Forgiveness is a drastic response to desperate circumstances.

I see Jesus' injunction to "turn the other cheek" to be an example of a moral principle that has its basis in Irrational Forgiveness. His injunction was itself a drastic response to desperate circumstances – the desperate circumstances of the Israelites under the heavy yoke of Roman occupation in the first century of the Common Era. The efforts and powerful moral insights of Gandhi and Martin Luther King, Jr., many of which come from a place seemingly informed by Irrational Forgiveness, were made in response to the desperate circumstances of the people they helped. But whether or not Irrational Forgiveness is a chimera – a beautiful but ultimately empty idea - cannot be decided here.

#### **4.4 Conclusion**

In this dissertation, I have argued that apology and forgiveness are deeply interconnected, and that this interconnectedness – what I have called their logic – generates constraints on how we conceptualize and perform apologies and acts of forgiveness. In particular, I have argued that the intelligibility and meaningfulness of either apology or forgiveness is dependent on the recognition and feasibility of the other. I have also argued that the philosophical psychology that constitutes the moral structure of an apology requires that three crucial ingredients – an acknowledgement of harm or wrong, (at least one of) the moral emotions, and an appropriate degree of humility – constitute the necessary conditions of any apology. And yet, the apology, which must always find expression in an accepted conventional procedure conducted by means of the utterance of certain words – "I was wrong and I apologize for X" – will fail if the person to whom it is addressed refuses to forgive the wrongdoer. I have argued that forgiveness, the scope for which is set by the possibility of moral repair, requires the would-be

forgiver to respond to an already-proffered apology by overcoming hostility toward the wrongdoer, actively and patiently working toward reconciliation with the wrongdoer, and wiping clean the wrongdoer's slate. I argued that forgiveness is a process, whereby a commitment to live up to the forgiveness to which we commit ourselves (Promised Forgiveness) is superseded by more perfect forms (Nominal Forgiveness and Complete Forgiveness) as both the apologizer and the forgiver, individually and collaboratively, work to repair what was damaged by the harm or wrong. I conclude the dissertation by arguing that revenge, though sometimes momentarily gratifying, fails to encourage the very peace and security that the vengeful themselves seek. And while the vengeful, in seeking to achieve the mathematics of the moral balance between themselves and those who commit unforgivable offenses against them, cannot use the rational strategies argued for in this dissertation, they may pursue a strategy involving what I call Irrational Forgiveness – provided the very idea and the hope it is meant to inspire is not vacuous - to achieve the peace and security they seek.

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