

What We Cannot Do to Each Other – On Forgiveness and Moral Vulnerability

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I. Forgiveness as governed by social and moral norms

Forgiveness typically becomes an issue where some wrong has been done, where a person intentionally – or at least knowingly – has wronged another.¹ It is because of our vulnerability that we can become victims of other peoples' wrongdoing. If we were all invulnerable, wrongdoing would not be possible and there would be no need to ask for or grant forgiveness. The damage caused by wrongdoing can be of different kinds. As embodied creatures, we can suffer physical damage. Where private property has been institutionalized, we can be proprietors of material goods; as proprietors, we are materially vulnerable. Finally, as creatures with minds, we can suffer psychic damage. We can, for example, be traumatized. The physical or material or psychic damage we suffer does not have to be caused by the intentional wrongdoing of another person. It can be due to natural causes such as, for example, an earthquake. Where such damages have natural causes, it does not make sense for the victim to respond with any feelings of personal resentment, anger, hatred or affective motivational drive for retaliation and revenge – even though the victim may well respond with such an affect nevertheless.² Only if such damages have been caused by intentional actions of other people, is there not only a victim, but also an offender. Forgiveness typically is an issue between a victim and his offender.

In order to recover from physical damage, we have to rely either on the self-healing capacity of our bodies, or on medical help. Objects in our possession can be damaged or destroyed. Material losses can be overcome by either repairing or replacing the respective objects.

Psychic damage can, at least in some cases, be healed by some form of psychotherapy. After an earthquake, people are often affected in all three senses and then medical doctors, debris removers, builders and psychotherapists have a lot to do. However, what is at stake in cases of intentional wrongdoing is not the physical or material or psychic damage suffered by the victim in itself; what is at stake are the social relations which previously existed between the offender and her victim, and, to some extent, also some of the further social relations which bind them to other members of the social network to which both the victim and the offender belong. In consequence of this, wrongdoing affects the social selves of the victim and the offender insofar as these selves have been shaped by the social relations which previously existed between them and other members of the respective social network.³ By doing wrong, the offender has not only harmed his victim; he has also violated the norms governing the social relations constitutive of this network. Such a violation represents a particular kind of psychic damage not only for the victim, but also for the offender: Wrongdoing includes both an act of other-damage and an act of self-damage. For an example, one can think of a married couple and their young children: If one of the partners violates the promise of fidelity made to the respective other and the other feels humiliated and deeply hurt, what is at stake is not only the partner and her feelings of humiliation and emotional pain; damage is also done to the social relations within the couple; and the infidel partner has damaged his own social self insofar as it included the role of a partner in matrimony; furthermore, the relations between the parents and their children are affected as well as the relations between all members of the families united by this matrimony.⁴

By doing wrong, the offender has given evidence for his lack of trustworthiness to his victim as well as to other members of the social group to which both he and his victim belong: He cannot be trusted any more to respect the norms underlying the social relations within this

group. The victim in particular cannot relate to his offender as he did before because he has lost trust in him. In order to re-establish mutual trust, the social relations between the offender and his victim have to be either repaired or redefined: Their common future can take the shape of a renewed close relationship or of a more or less remote co-existence. The process of forgiveness, if successful, paves the way for the offender, his victim and other members of the respective social network to re-establish mutual trust.

Some cases of wrongdoing represent a violation of legal norms. An agent who violates a legal norm may have to face legal trial and punishment. She will be sentenced to punishment of a type and degree that depends on the severity of her crime. After serving her sentence (barring the death sentence or life-long imprisonment), she will – at least in Western European countries – be readmitted as a full member of the society the legal rules of which she had violated. Her victim cannot prevent such formal re-admittance. After all, legal institutions take the right and duty of punishment out of the hands of the victims afflicted by the respective cases of wrongdoing or crime.

Legal norms, however, do not cover all possible kinds of wrongdoing. Nor can legal punishment heal all the psychic wounds of the victim, or help the offender to overcome his remorse and self-damage and redefine the social relations between the offender, his victim and the other members of the social network to which they both used to belong. This is where forgiveness comes into the picture. Forgiveness does not have any role to play inside the court room. But outside the court room, the offender can ask the victim to be forgiven, and the victim can either grant forgiveness or refuse to do so. Typically, forgiveness is a communicative process between an offender and his victim which, if successful, allows both the victim and the offender to leave the offence behind, to overcome their respective feelings

of resentment and remorse and to define the terms of their future relation in a way not exclusively determined by the past offence.⁵

According to Charles Griswold, forgiveness 'is governed by norms', and he understands the respective norms in terms of moral norms: For him, forgiveness is 'a *moral* relation between two individuals, one of whom has wronged the other, and who (at least in the ideal) are capable of communicating with each other' (Griswold 2007: xv – vi, my italics). At the same time, Griswold is aware of the fact that forgiveness has an important therapeutic role to play where psychic wounds caused by intentional wrongdoing have to be healed (Griswold 2007: 54). As a 'therapeutic program' forgiveness is an object of psychological studies which typically focus on the point of view of the victim of wrongdoing.⁶ Griswold's analysis of forgiveness as governed by moral norms is based on the assumption 'of our vulnerability to others', and as he focuses on moral forgiveness, this assumption implies the claim that we are morally vulnerable to each other (Griswold 2007: 44). But in which sense are we morally vulnerable, and to whom?

What distinguishes moral norms – understood in our Western, egalitarian sense of the term – from other social norms is that they apply to all human beings independently of the specific social roles they play within the particular social networks to which they belong. Whereas social norms are shaped by the various ways in which people actually relate to each other, moral norms are supposed to shape the way in which people *should* relate to each other, independently of the more specific roles they play within a particular social network. This is a crucial distinction: A person plays a social role because she or he is related to others in a certain way; but a person is a moral being in the first place and should therefore relate to other people accordingly. A person's moral status does not depend on the social network to which

she or he belongs; rather, her or his status as a moral person should shape the way she or he relates to others.⁷

Our Western, egalitarian understanding of morality is based on the assumption that all human beings have intrinsic moral value or dignity. As beings with moral dignity, we have an intrinsic right to be morally respected and an intrinsic duty to respect the moral value of others. The attribution of dignity to a human being does not depend on whether and to what extent this being actually fulfils her moral duty and respects all other peoples' moral dignity in the same way. Moral dignity does not depend on moral merit. Nor does the moral dignity of a person depend on this person's actually enjoying the respect other people are obliged to pay her. Moral dignity is not an intrinsically social status. A person who suffers from all kinds of disrespect, who is intentionally hurt or harmed by other people, will not, by being wronged, lose her moral dignity, even though she might lose her mental and, in particular, her emotional health and thereby her capacity to perform as a fully responsible moral agent. The moral dignity of a human being is out of reach of any mistreatment this person may suffer. Human beings understood as bearers of intrinsic value or moral dignity are morally invulnerable.⁸

Griswold restricts moral invulnerability to the perfectly virtuous man as he has been conceived in ancient pagan thought. His example for a conception of a moral person that excludes this person's moral vulnerability is that of the ideally virtuous man in perfectionist moral theories like that of Aristotle: Not only does 'the gentleman possessing the perfection of moral virtue – the *megalopsuchos* – ... [have] no need (by his own light anyhow) for being forgiven, because by definition he is morally perfect'; this man 'would also seem unforgiving of others', partly because 'he would judge himself immune to being injured by them morally'

(Griswold 2007: 8). But in drawing the picture of a perfectly virtuous man, Aristotle did not mean to depict ordinary humans. Ordinary humans would not be virtuous enough. What he had in mind was a moral ideal which every morally ambitious human being should try to come close to.⁹

The perfectly virtuous man is a moral person in virtue of his actual moral perfection. His moral perfection makes him morally invulnerable: He is out of reach of moral damage by himself or by others. As he – by definition – does not wrong anybody, he cannot damage his own moral perfection. And no one else can damage his moral perfection because others are either equally perfect and would not harm anybody anyway or less perfect and therefore too low and morally insignificant for being in a position to harm the perfectly virtuous man. But whereas the moral invulnerability of the perfectly virtuous man depends on this man's being by definition without moral fault, the moral invulnerability of the moral person whose morality is based in her or his moral dignity does not depend on actual moral perfection. It does not depend on any conditions that humans are most unlikely to fulfil.

One of the intellectual fathers of our understanding of moral dignity is Immanuel Kant. In §38 of the 'Doctrine of Virtue' of his *Metaphysics of Morals*, he writes:

Every human being has a legitimate claim to respect from his fellow human beings and is *in turn* bound to respect every other. Humanity itself is a dignity; for a human being cannot be used merely as a means by any human being (either by others or even by himself) but must always be used at the same time as an end. It is just in this that his dignity (personality) consists, by which he raises himself above all other beings in the world that are not human beings and yet can be used, and so over all *things*. (AA VI, 462)

According to Kant, our intrinsic dignity or moral value is compatible with our actual moral imperfection. Whenever we fail to respect the dignity of a person, we fail to live up to our own moral dignity. But this failure does not mean that we either damage the dignity of the person we failed to respect or lose our own. Other persons' dignity is beyond our reach, and therefore we do not represent any danger to their dignity:

What is dangerous is no object of contempt, and so neither is a vicious man; and if my superiority to his attacks justifies my saying that I despise him, this means only that I am in no danger from him, even though I have prepared no defence against him, because he shows himself in all his depravity. (AA VI, 463)

Nor does moral wrongdoing annihilate the dignity of the offender:

Nonetheless I cannot deny all respect even to a vicious man as a human being; I cannot withdraw at least the respect that belongs to him in his quality as a human being, even though by his deeds he makes himself unworthy of it. (AA VI, 463)

The dignity which, according to Kant, every human being has simply in virtue of being human is a source of moral rights and moral duties, and no actual disrespect of these rights and duties can destroy it.¹⁰ Contrary to the Aristotelian conception of the perfectly virtuous man, the morality of a human being as Kant understands it is not just an ideal; every human being has intrinsic moral value and therefore has to be treated with moral respect.

A philosophical analysis of forgiveness as governed by moral norms has to take into account our non-meritocratic understanding of the moral value every human being has. But it cannot address persons exclusively in terms of their *a priori* moral value because in these terms they are all invulnerable and therefore never in the position of either a victim or an offender.

Morally invulnerable people do not need either to ask for or to grant forgiveness because they are not intrinsically social beings. Only as incorporated beings with a mind who are members of human society are we socially and morally vulnerable.¹¹ The role of a victim and that of an offender are social roles. The question is how our social practice and our dealings with acts of wrongdoing in particular should be informed by our intrinsic moral value or dignity. Given the intrinsic moral value of all people, is there a moral right from the side of an offender to be forgiven, and is there a moral duty from the side of the victim to grant forgiveness? In order to answer these questions, one has to explain what difference it makes for the offender and her victim whether or not they achieve forgiveness between them.

II. The consequences of wrongdoing and the difference forgiveness makes

Questions of right and wrong typically concern people who live in societies: Their actions have consequences for others. As members of a society, people typically act in accordance with the norms of this society, at least often enough that the society does not fall apart. Social norms do not have to be moral in our egalitarian, non-meritocratic sense of the term.¹² But if insofar as the social norms of a society include norms which prescribe universal respect of the dignity or intrinsic moral value of every human being and if these norms are mutually consistent, then these norms can all be considered as in accordance with the demands of morality.¹³ Social norms, even if they are compatible with the universal respect for all people

which moral norms prescribe, are constituted by members of societies and apply to the members of this society. These norms set standards for right and wrong behaviour for the members of a particular group and implicitly distinguish these members as group members from all other people. Social norms differ between cultures. But even within one and the same culture there are sub-cultures of sub-groups which define their own social norms and thereby distinguish themselves from other members of the same society. For example, one can think of various youth cultures the members of which recognize each other and distinguish themselves from outsiders by following certain dress codes, listening to certain kinds of music and meeting in certain clubs. Partners in matrimony, parents and their children, friends, colleagues or club members – all act in accordance with specific kinds of social norms which prescribe a certain kind of behaviour towards particular people, and only to them. These specific social norms play a crucial part in determining the social role a person has within a social network. Of course, one person can have more than one social role, and the duties imposed on a person by this person's social roles may sometimes be in conflict. One can think of a parent with a demanding job who is stressed by the sometimes incompatible demands on her from the side of her partner and children on the one hand and from the side of her colleagues on the other.

Social norms typically define what is considered as right and wrong by either specifying what is morally right and wrong or by adding normative distinctions to the moral norms. Examples for such additional norms can be norms for table manners or dress codes. But in the context of this paper it is those social norms which represent specifications of moral norms which are of particular interest. Thus, a husband is bound to his wife (and vice versa) in a special way and he (or she) is not bound in the same way to anybody else. And parents are typically bound by responsibilities they specifically have towards their children. Promises we make to particular

individuals and responsibilities we have for particular individuals create social bonds between people. People bound by such specific personal social relationships are particularly vulnerable to each other. Their vulnerability proportionally increases with the social bounds they have. Hurting and harming another person to whom one is bound by close social relations is morally wrong – as any hurting and harming is. But the respective harm is to be understood not only in moral terms but also in terms of the more specific relations which have been damaged by the person responsible for this harm. What people judge as wrong depends not only on moral norms but also on social norms of the society to which they belong. Whether it is morally wrong or not for two people to have sex together depends on the question whether this is compatible with the mutual respect they owe each other as moral persons. Whether it is socially wrong depends on whether or not it represents a violation of more specific social norms of the respective society; societies differ a great deal with respect to their rules for sexual intercourse. When it comes to normative judgments of right and wrong, it is not easy to separate the moral from the social point of view: What counts as respectful and disrespectful behaviour is often socially determined. However, distinguishing between moral norms in general and more specific social norms is crucial when it comes to understanding the normative constraints of forgiveness.

Social norms define the expectations all members of a particular society have concerning the performance of the other members of this very society: Everybody expects everybody else to act in accordance with these norms and is aware of everybody else expecting her or him to do the same; personal motivation for such respect is strengthened by the institutions of police and law. Furthermore, there can be additional norms to be respected between particular members of the society, according to the various personal relationships between them, such as family relations, relations between friends or colleagues or members of the same social club. An act

of wrongdoing has multiple consequences and these consequences have to be understood within the complex framework of moral norms in general and of the social norms of a particular society. Furthermore, where the victim and his offender were related in a more personal way, the more specific norms underlying their personal relationship have to be taken into account.

There is, first of all, the victim of the act of wrongdoing. The victim suffers physical, material or psychic harm. Furthermore, the victim finds his intrinsic moral value disrespected by the author of the harm and, where more personal relationships have been damaged at the same time, he finds himself disrespected as a member of a family, as a friend, as a colleague. He might also find himself disrespected in some other social role within a social network. Thus, a teacher can suffer from disrespect from the side not only of her colleagues, but also from her students; and if, at the same period of her life, she is also disrespected by her partner or friends, she will be in great danger of falling into depression or having a nervous breakdown. A person might, in consequence of the experience of disrespect, find his social self and his corresponding self-respect damaged. After all, the psychic reality of our self-respect depends on our experience of other people's respect rather than on our intrinsic moral value.¹⁴

Otherwise our social self and self-respect could not suffer any damage by the experience of wrongdoing. In response to the wrongdoing, the victim can no longer trust the offender to respect his (that is, the victim's), intrinsic moral value; he cannot trust the offender to act exclusively in accordance with the norms of the respective society. Nor can he, if he had previously been more personally related to the offender, trust him any more as a family member, as a friend or as a colleague. The victim typically responds to the experience of wrongdoing by feelings of resentment, anger or even hatred. He will blame the offender and his affective state might induce him to seek an opportunity for retaliation and revenge.

The offender, confronted with the consequences of his wrong action as an irreversible fact of the past, with the resentment, anger, blame, and, eventually, hatred of the victim and with the prospect of the victim's retaliation and revenge, and eventually also with his being publicly blamed by the victim, may feel bad about what he did to the victim. Of course, he might try to deny what he inflicted on the victim or he might try to deny his having wronged the victim knowingly. But if none of this is an opportunity for him to get away, he will feel remorse.¹⁵

The possible objects of this remorse are manifold and include the harm done to the victim, the lack of respect shown to the victim as an intrinsically valuable human being and as a member of the same society and, eventually, as a partner in a close relationship; furthermore, it will include the damage done to the relationship of trust that previously existed between her and her victim. The objects of the offender's remorse also include himself as a responsible moral agent who has endorsed social and moral norms and who values himself as a person bound by such norms – after all, he has failed to live up to the duty he has as such an agent, the duty to respect all other people as having intrinsic moral value in general and the more specific duty that arises from more specific social relationships. He has disappointed not only the expectations of other people and of the victim in particular, he has also disappointed himself. Where a morally responsible agent does wrong to another person, he intrinsically damages not only his victim, but also himself, his social role and the corresponding self-respect. Last but not least, the offender feels remorse because he finds himself the object of blame, of blame from the side of the victim, from himself and, insofar as the victim's blame is articulated in public, from the side of all others who are aware of his having done wrong and who are affected by the damage done to a member of their social network and thereby to the social network as a whole. These others might respond to the offender with a reconsideration of their trust in him as a person who is willing to act in accordance with the social norms of the

respective society. Finally, where the offender has violated the law, he may have to face legal persecution and punishment, and this prospect represents still another object of remorse.

Last but not least – and this third aspect of the consequences of wrongdoing is a reminder of what I said above about the victim and the offender – an act of wrongdoing damages the relationship that had existed between the offender and other people and between him and his victim in particular. It is important to remember that this relationship does not have to be personal. Even in the absence of any personal relationship between the offender and his victim as between family members, friends, colleagues or any other acquaintances, the offender is related to his victim either as a citizen of the same nation and subject to the same national laws or at least as a world citizen, as a human being and member of the world society, the society of people who all have intrinsic moral value. It depends on contingent matters whether or not an act of wrongdoing causes any damage to personal relationships or to relationships as they exist between co-citizens of a nation. But every act of wrongdoing inevitably represents a violation of the moral norms that all people have to respect just in virtue of their intrinsic moral value and their corresponding duty to respect this value in every human being.

Forgiveness puts an end to blame without, of course, annihilating the past. By putting an end to blame it makes room for redefining social relationships between the victim and his offender and the other members of the respective social network. Forgiveness does not depend on the willingness from the side of the victim to restore the relationship that previously existed between him and his offender.¹⁶ For an example, I rely again on the infidel partner. A husband whose wife has committed an act of adultery can forgive his wife. But such an achievement of forgiveness does not necessarily depend on the husband's agreement to continue with his

marriage and on his willingness to love his wife as he did before. He might feel incapable of staying in the marriage any longer and insist on a divorce. Still, he can stop blaming his wife. He can stop blaming her personally and he can stop blaming her in public – if he ever did. Depending on the kind of relationship they have after their divorce, on whether they stay out of each others' sight or not, the end of blame will manifest itself in different ways. But, in any case, the divorced husband will not persecute his former wife and try to inform her acquaintances that she is an adulterer and cannot be trusted, intending to warn everyone and discourage everyone from trusting her again, be it as a partner in matrimony or in any other sense. The end of blame makes room for the victim and his offender and the people who are part of their social network to redefine their social relations. Only within a network of stable social relations can people trust others and rightly expect others to trust them.

Where a victim has put an end to his blaming the offender, where the victim has moderated his resentment and given up on any plans for retaliation or revenge and thereby encouraged the offender to stop blaming himself, the victim has forgiven his offender and the offender can actually put an end to his self-blame. Then, the victim and his offender can redefine their future social relations and the social norms they expect the respective other not to violate. Forgiveness makes room for the redefinition of their social selves and the repairing of the damage the offender has inflicted both on her victim and on herself. And insofar as they are both part of a larger social network, they will do this in a way that redefines their respective roles within this network.

Given this account of what it means to forgive and of the effects forgiveness has, it is evident that achieving forgiveness after an act of wrongdoing must be in the interest both of the offender and her victim. But this alone does not imply an answer to the questions raised above

concerning the moral right of an offender to be forgiven and the corresponding duty of a victim to grant forgiveness.

III. Personal and Moral Forgiveness

Griswold has provided an analysis of the different conditions which, ideally, have to be fulfilled in the course of the communicative process on forgiveness by the offender and the victim respectively. These conditions include from the side of the offender (1) the acknowledgment of the responsibility for the wrong done (Griswold 2007: 49),¹⁷ (2) the repudiation of the wrong done, that is, the explicit acknowledgment of his deed as wrong (49/50), (3) the expression of regret towards the victim (50), (4) the commitment to endorse principles prohibiting any kind of injury (50/1), (5) the understanding and recognition of the damage done to the injured person (51), and (6) the provision of an account or narrative of the wrong done. Furthermore, from the side of the victim, these conditions include (1) the 'forswearing of revenge', (2) the 'moderation of resentment', (3) the 'commitment to let resentment go altogether', (4) the emendation of the view 'that the wrong-doer is reducible to the agent who did those wrongs' (54), (5) the dropping of 'any presumption of decisive moral superiority', including the recognition of the 'shared humanity of both parties', and (6) the declaration that forgiveness is granted (58).

According to this analysis, the offender has, in order to achieve forgiveness, to blame himself for the committed offence and to explicitly recognise the respect due to the victim. He thereby makes it possible for the victim to regain trust in him and his future willingness to act in accordance with the norms he violated and to properly respect the victim. His engagement in

the communicative process about forgiveness already shows his willingness to respect the victim, to respect the victim's right not to be hurt or harmed in any way.¹⁸ An offender who refuses to engage in such a process, choosing to ignore the wrong the victim has suffered or his responsibility for it, thereby enforces his lack of respect for the victim, making it explicit that he does not care about the victim at all, neither about the victim's actual well being and right to be respected, nor about what the victim has to blame him for.

The philosophically most challenging aspect of the process of forgiveness is to provide a coherent analysis of the conditions the offender has to fulfil for deserving to be forgiven: his recognition of the damage done to the victim and his narrative of what happened – together with his convincingly assuring the victim that he will not do any such thing again. After all, the offender has to explain how one and the same person, namely himself, can recognize the full moral responsibility for the wrong done to the victim, recognize the wrongness of the offence, and at the same time endorse the norms according to which what he did was wrong nevertheless.¹⁹ In addition to the conditions for the offender to fulfil that are mentioned by Griswold one should add that the offender should be willing to contribute adequately to repairing the damage done to the victim.

Griswold's analysis stresses the need for the victim to moderate his resentment, to put an end to his blaming the offender and to overcome his affective disposition to go for retaliation and revenge. The victim has to recognize the offender as someone who, even though he has committed the wrong, still deserves to be respected as a responsible agent, that is, as an agent who can be trusted to act in accordance with the norms which prescribe respect for every human being as intrinsically valuable and which prohibit the kind of action he committed.

Forgiveness is achieved where both parties actually stop blaming and self-blaming and are willing to redefine the terms of their future co-existence or even their future relationship within the respective social network. This network must have room for both the victim and the offender as members who are willing to respect the norms underlying this network.

Ideally, all members of the network trust each other and expect to be trusted, and this includes both the victim and the offender as subjects and objects of trust. The social selves both of the victim and the offender will be repaired accordingly. The victim will not conceive of himself any further as essentially a victim who has to blame his offender. And the offender will not conceive of himself any further as essentially an offender who deserves blame from the side of the victim, from the side of himself and from the side of all those members of the social network who relate to each other in accordance with the norms the offender had violated.

If the victim refuses to forgive the offender, there is no end of blame from his side. The victim refuses to trust the offender as a person who is willing to act in accordance with social and moral norms. Such a refusal has as one of its consequences that social relations cannot be rebuilt within one and the same social network. The victim and the offender cannot again relate to each other on the basis of mutual trust, the kind of trust that is constitutive of a social relationship, however loose it may be. Furthermore, in response to the victim's refusal to forgive, the offender will be encouraged to continue blaming himself for what he did to the victim and will, as long as he continues with this self-blame, not be able to repair the damage he did to himself when wronging the victim. However, as Griswold has already pointed out, not all the conditions for achieving forgiveness as he has enlisted them should be understood as actually necessary for some kind of forgiveness to materialize.²⁰ Nor can these conditions taken together be considered sufficient for forgiveness to come about between the victim and his offender.²¹ The victim might forgive the offender and stop blaming him even in cases

where the offender refuses to contribute his part to the process of forgiveness. The offender might forgive himself and stop blaming himself even if the victim refuses to grant him forgiveness. And the victim may refuse to forgive the offender even if all the enlisted conditions have been fulfilled. An answer to the question whether and under what conditions cases of one-sided forgiveness are morally permitted or not cannot be given before the two questions raised above have been answered: Is there a moral right of the offender to be forgiven? And is there a moral duty for the victim to grant forgiveness? Whether a person can actually fulfil her moral duty to forgive or to obtain forgiveness to which he has a moral right should not be made dependent on the cooperation of the respective other in the process of forgiveness. But is there such a duty, and is there such a right?

In order to get closer to an answer to these questions, I would like to introduce a distinction between two kinds of forgiveness. There is, on the one hand, *personal forgiveness* which obtains when a victim forgives his offender as, for example, a partner in matrimony, a friend, colleague or acquaintance. The possibility of being granted this kind of forgiveness depends, of course, on there having previously been a close personal relationship between the victim and his offender. Where this personal forgiveness obtains, the victim does, by forgiving his offender, confirm his interest in restoring the personal relationship that existed between them before the wrongdoing took place. Thus, a wife can personally forgive her infidel husband and then continue loving him and having him as her partner; a friend can forgive a friend for the sake of their mutual friendship, a colleague can forgive her co-operator and thereby secure the prospect of future cooperation, and one can forgive an acquaintance and then just continue with her or him on the same terms. On the other hand, there is *moral forgiveness*; this kind of forgiveness obtains where the victim forgives his offender just insofar as he is a human being. This is the only kind of forgiveness that can be achieved in cases where the victim and his

offender were in no way personally related before the wrongdoing actually took place. But it can also be an issue where a victim and his offender were personally related: A victim can refuse to personally forgive his offender but grant moral forgiveness nevertheless. In the latter case, the victim does not forgive his offender as a partner in matrimony, a friend or a colleague. Nor does the victim express any interest in renewing this relationship. But he still grants forgiveness to his offender as a human being.²²

O'Shaughnessy provides an example for someone who refuses to forgive his offender personally but does forgive him morally (without, however, explicitly introducing the distinction between personal and moral forgiveness), an example he found in Shakespeare's play *The Tempest*. Towards the end of the play, Prospero tells Sebastian:

For you, most wicked sir, whom to call brother

Would even infect my mouth, I do forgive

Thy rankest fault ...²³

Personal forgiveness always implies moral forgiveness: A victim cannot forgive his wrongdoer as a closely related person, aiming at re-establishing the close relationship which previously existed between him and the offender, without also forgiving his offender morally. Any close personal relationship includes mutual respect of moral value or dignity. But it is not the other way round: Moral forgiveness neither presupposes nor entails personal forgiveness.

Given the *a priori* normative status of every human being, her or his moral value or dignity and her or his corresponding moral invulnerability, one might wonder whether there is any need for moral forgiveness in addition to personal forgiveness. What is the function of moral

forgiveness? Moral forgiveness re-establishes the respect of the victim for his offender – not as a partner in a close relationship, but as a human being with intrinsic moral value. By morally forgiving his offender, the victim recognizes that the offender, even though he has wronged him, thereby has not lost his moral value and still has a right to be respected as a human being with dignity.

But does this recognition of the dignity and moral value even of the offender from the side of the victim depend on the victim's actually forgiving the offender morally? In order to answer this question, one has to remember what forgiveness consists in. From the point of view of the victim, granting forgiveness means putting an end to blame and moderating feelings of resentment or hatred in such a way that they do not give rise to any kind of retaliation or revenge. A victim can respond to an act of wrongdoing with very strong affects, including wishes for revenge such as hurting and harming the offender, even extinguishing him. But – where morality is understood as based on intrinsic moral value or dignity – even the worst of harm suffered by a victim does not give the victim the moral right to give way to revenge and kill the offender. The institutionalized law prohibits such acts of revenge anyway. Many of us may understand the feelings of the mother of a child which has fallen pray to a criminal who abused, tortured and killed her child: feelings of hatred and revenge which drive the mother to actually kill the murderer of her child. We might even sympathize with her. But such sympathetic feelings should not make us overlook the fact that the mother has neither a moral nor a legal right to kill the murderer of her daughter. She has to leave the punishment of the murderer to legal institutions and moderate her feelings of hatred and revenge at least to the point where she can keep them under control and refrain from any illegal action. A murderer may well be sentenced to lifelong custody; but even behind the walls of his prison he has the right to be treated with moral respect. This respect is due to him insofar as he is a human

being.²⁴ But does this imply that the victim of such a horrendous crime has a moral duty to morally forgive the offender?

IV. Forgiveness: Moral Rights and Duties

I hesitate to either answer this question in the positive or, more generally speaking, to draw any principled conclusions from these considerations and from the acknowledgement of intrinsic human value and moral dignity in particular. Can there be a moral duty for the victim to grant personal forgiveness, or a moral right for the offender to be personally forgiven? Can there be a moral duty for the victim to grant moral forgiveness, or a moral right for the offender to be morally forgiven? And can there be a moral duty to grant one-sided forgiveness or allow for self-forgiveness? It seems to me that none of these questions allows for an exclusively positive or negative answer. The morality of forgiveness takes us into a realm where moral demands meet the personal and interpersonal spheres of an individual human being with all its complexities.

Clearly, there is no moral duty to enter into any kind of personal relationship with anybody. We are free to choose our partners in matrimony, our friends and, at least to some extent, our colleagues and other acquaintances. But once we are engaged in such relationships, we are not just personally but also morally bound by them. We have moral obligations to a partner we do not have to strangers. And where we are victims of an act of wrongdoing from the side of someone to whom we are bound by a close relationship, we cannot ignore the bounds of this relationship when it comes to deciding about whether to forgive the offender or not. An offence from the side of a closely related partner does not simply annihilate these bounds,

even though it causes damage to them. And if the offender then fulfils all the above mentioned conditions for obtaining forgiveness, where he genuinely seeks forgiveness, does he not thereby impose on us a moral duty to forgive? Again, I would like to rely on an example mentioned by O'Shaughnessy, this time from George Eliot's *Middlemarch*.²⁵ Dorothea has – unwittingly – offended her husband and asks him to be forgiven. Mr. Casaubon cannot have any doubt about her genuinely seeking forgiveness, but he refuses to grant her forgiveness nevertheless. Given that her offense had been committed unwittingly, one might wonder whether what she did to him can rightly be considered as a wrong in the full sense of the term. But, leaving this aside, there is the question whether he may allow himself to be so much hurt that not even his love for his wife can help him to moderate his feelings of offense and put an end to his blame. Is not his unwillingness to forgive the offence – after all, an unwitting offence – rather a sign of lack of genuine love for his wife? One would want to say that he has a moral duty to personally forgive her, a duty which arises from the love he should have for her as his wife. His refusal to forgive puts him in the wrong and reveals an even greater wrong: the lack of genuine love for his wife. And in this particular case this lack of love represents a moral offence in itself. She loves him and he accepted her as his wife; but as he cannot return her love he should not have married her. As one can conclude from this example, personal relationships can in some cases impose moral rights and duties on the partners which might, in some cases, include moral rights to be personally forgiven and moral duties to grant personal forgiveness.

Whereas we are, at least to some extent, free to choose with whom we want to be closely related, we are not free to decide who is and who is not to be considered as a member of humanity. Whoever is a human being has, simply in virtue of this status, moral rights and moral duties towards all human beings, including moral rights and duties towards himself or

herself. Even the worst of crimes cannot annihilate the wrongdoer's membership in human society. But can this impose a moral obligation on a victim to morally forgive an offender, even if the offender has committed a horrendous crime, even if he himself does not seek genuine forgiveness? Is there a moral obligation for the mother to morally forgive the murderer of her child, whether he seeks her forgiveness or not? Is there a moral obligation for the victim of torture to forgive his torturer, whether he seeks his forgiveness or not?

I think this has to be denied. A victim might feel incapable of seeing in the offender anything other than the offender, might be incapable of putting an end to blaming him, and therefore refuse to enter into a process of forgiveness, refuse to give the offender a chance to genuinely seek forgiveness. And for this emotional incapacity the victim cannot be morally blamed.

But such a case should not only be considered from the point of view of the victim; it should also be considered from the point of view of the offender. I leave aside the particularly challenging case of a criminal who, even though aware of his deed and its consequences, does not feel any remorse nor any need to genuinely seek the victim's forgiveness. Such a person may well not be a fully responsible agent anyway, he may well be emotionally and therefore motivationally handicapped. Instead, I focus on the example of a criminal who is himself horrified by his crime, who tries hard to fulfil all conditions for acquiring his victim's forgiveness, who has the greatest difficulties in providing a consistent narrative of how he himself could commit such a crime, who promises never to commit such a crime again and who blames himself very seriously and very genuinely seeks forgiveness. He might go as far as offering the victim some kind of personal sacrifice in order to underline the genuineness of his remorse and desire to be forgiven. I think in such a case it would be morally wrong from the victim to accept the sacrifice without however feeling any inclination to ever grant

forgiveness. But this does not impose any moral duty on the victim to forgive. It seems to me that even an authentically repenting criminal does not have a moral right to be morally forgiven.

Moral self-forgiving can be the morally right thing to do for a genuinely repenting offender, namely in response to being morally forgiven. But may a bad criminal who genuinely seeks forgiveness but does not obtain it morally forgive himself? Again, I think one should refrain from too principled an answer to this question. In many cases, such a criminal will be legally punished, and he should accept his punishment as just. Should he ever be released from prison, this will mean that the society re-admits him as a member. Under very particular circumstances a society might re-admit a criminal as a member without even punishing him. As for an example, one might think of the Truth and Reconciliation Commission in South Africa which encouraged criminals to admit and take the responsibilities for their crimes but then granted them amnesty. After all, the politically most important thing at the time after the end of the apartheid regime was to avoid a civil war and to build a new society; and in the former society many had been both victims and criminals. The work of this commission can be seen as inspired by the idea of genuine human dignity and human vulnerability, including moral vulnerability.

His release or amnesty might still not help the repentant criminal to put an end to his remorse and self-blame. But if the only possible relief for him was explicit moral forgiveness from his victim, this would be a personal matter between him and his victim. As the victim has no moral duty to forgive him, he has no moral right to be forgiven and would then have to live with his remorse – as much as the victim would have to live with his resentment.²⁶

As to the victim of an offender who is either unwilling to genuinely seek forgiveness or incapable of doing so, granting personal forgiveness does not make any sense – after all, in such a case the offender will be either unwilling or incapable of contributing to repairing the personal relationship that previously existed between him and his victim; and the victim cannot himself repair the relationship without such help. There is, then, no prospect of actually repairing this relationship. However, when it comes to moral forgiveness, the victim should feel morally free to grant it or not to grant it. Quite independently of any concerns about the offender, the victim might need forgiveness in order to recover from the offence and rebuild his social self and self respect in a way that does not essentially include his self-conception as a victim. Such one-sided moral forgiveness from the side of the victim is a very personal matter as it concerns the victim, and the victim alone. Where a victim feels emotionally capable of granting one-sided moral forgiveness and where an act of granting forgiveness would be for his own sake, he should feel morally free to do so.

As for a conclusion, I would like to say only this: The practice of forgiveness and self-forgiveness should be informed by normative constraints as they arise from our moral duty to respect the dignity of all human beings as well as from the moral duties we have because of the more personal relationships in which we are engaged. When it comes to dealing with individual cases of wrongdoing and forgiveness, two-sided or only one-sided, we should – rather than hoping to find abstract moral principles which we can apply with some rigour – try and look at the respective circumstances from the various points of view of the people involved and then decide how to judge and act in a way that respects both the moral dignity of every individual as well as their very personal wounds and emotional and social needs.²⁷

¹ But factual wrongdoing is not a necessary condition for forgiveness to become an issue. See the contribution of Espen Gamlund to this volume. On the distinction between non-intentional and intentional harm see Hampton 1988: 43 – 44.

² As for an example one can think of friends of someone who killed himself in a road accident by hitting a tree: They might cut down the tree in order to satisfy their emotional need for retaliation. But a tree is not a proper object of reactive feelings such as resentment, anger, hatred.

³ Margaret Urban Walker already draws attention to this point by saying: 'When we or others are injured or treated ill it is not the fact of harm or suffering in itself but the sense of wrongfulness of that harm or suffering that is embodied in this kind of anger.' See Urban Walker 2006: 25. On the role of relational selves in processes of forgiveness see also Atkins 2002: 112, 118ff. and Norlock 2009: 41 – 69.

⁴ Exploring the manifold destructive effects of adultery is the main concern of Theodor Fontane's novel '*Unwiederbringlich*' ('Beyond Recall').

⁵ There are non-standard circumstances under which processes of forgiving can take place: where the offender and the victim are the same (self-forgiveness), where the offender is not, or not fully responsible for the wrong he caused, where either the offender or the victim has died or is unavailable for a communicative process for other reasons, or where neither the victim nor the offender survives. For the purpose of this paper, I can leave most of these untypical kinds of forgiveness aside. For a very helpful discussion of these untypical cases see Griswold 2007, chapters 3, 4 and 5.

⁶ For an overview over the debate about the role forgiveness can play in psychotherapy see Lamb and Murphy (eds) 2002.

⁷ Hampton, in her account of forgiveness, draws attention to the plurality of social norms as they exist in different cultures. However, she puts various conceptions of human worth on a par without realizing this intrinsic difference between egalitarian, dignity based conceptions of human value and all those others which are non-egalitarian and therefore based on differences between social roles. See Hampton 1988.

⁸ This point has been made before, even though it is not sufficiently taken into account in present debates about forgiveness and its normative constraints. See in particular Hampton 1988: 35, Hill 2000: 92, 95, 106, 110ff.; Govier 2002: 164 – 68; Hampton 2007: 30 – 72; Murphy 2009: 573.

⁹ Here, I rely exclusively on what Griswold says about Aristoteles' *megalopsuchos*. I do not enter into any questions concerning the interpretation of Aristotle's ethics.

¹⁰ Dillon misunderstands these Kantian claims about human dignity as psychological accounts (rather than as a priori accounts of a normative, moral status). See Dillon 2001: 70. On moral dignity and moral invulnerability see also Winch 1966 and Duff 1976.

¹¹ This point has been stressed by Atkins who refers in his analysis of vulnerability and forgiveness to Merleau-Ponty. See Atkins 2002: 118ff.

¹² See Harbsmeier (in this volume).

¹³ Hill 2000: 87 – 151, Govier 2002: 164 – 68, and Murphy 2009: 573.

¹⁴ Holmgren overlooks this. See Holmgren 1993, 1998 and 2002.

¹⁵ I leave aside the particular case of the amoralist who is incapable of any moral feelings.

¹⁶ Here, I agree with Govier 2002: 42 – 43. The point is made explicit in the quote from Berel Lang in Govier 2002: 42.

¹⁷ All further references in this paragraph are to Griswold 2007.

¹⁸ There may be cases where an offender is willing to engage in a communicate process of forgiveness with a hidden agenda – rather than because he is genuinely interested in being granted forgiveness. Motivational psychology allows for an immense variation of personal motivations and it may be impossible to make any general statements that do not allow for any exceptions.

¹⁹ On the paradox of forgiveness see for exp. Kolani 1973/74: 95ff., Atkins 2002: 111 and Johansson 2009: 538.

²⁰ Griswold 2007: chapter 3.

²¹ According to Griswold, forgiveness – or rather forgivingness – is a virtue. See Griswold 2007: 18 – 19.

²² The terminological distinction between personal and moral forgiveness that I am introducing here is not supposed to imply that, where personal forgiveness is at stake, no moral wrong has been done by an offender to a victim.

²³ Quoted after O'Shaughnessy 1967: 340.

²⁴ In this respect I fully agree with Hill 2000: 114 – 18. It should not remain unmentioned that Kant himself avoided this conclusion, which may well seem counterintuitive to some, and argued for the legitimacy of capital punishment to be inflicted on some criminals. See his *Metaphysics of Morals. The Doctrine of Rights*. AA VI: 331 – 37. But his acceptance of capital punishment in some cases is not compatible with his account of morality in terms of a moral dignity every human being has independently of her or his actual moral merit.

²⁵ O'Shaughnessy 1967: 346.

²⁶ Here, the well known case of Simon Wiesenthal comes to mind. As he reports in his *The Sunflower*, he was, while prisoner in a concentration camp, asked by a dying SS officer to forgive him for his crimes against the Jews. Wiesenthal did not grant him forgiveness but reports that, afterwards, the memory of his refusal to forgive haunted him. It seems to me that such a case cannot be judged on the basis of general moral principles. Both the emotional need of the SS officer to be forgiven and Wiesenthals's very understandable negative response have to be seen as very personal cases. We have to live with the idea that there may be morally very challenging personal conflicts, conflicts for which there is no morally clear solution. Such challenges represent still another dimension of our moral vulnerability – and of our intrinsic moral dignity. See, for the documentation of this case, Wiesenthal 1998: 42 – 3, and for its discussion Golding 1984/5: 121 – 37, Govier 2002: 100ff., and Vetlesen 2010: 6ff. (in this volume).

²⁷ I would like to thank Charles Griswold, the members of CSMN's *Moral Philosophy Club*, in particular Andreas Brekke Carlsson and Kari Refsdal, Nicholas Allott and the anonymous reviewer for their critical comments to a previous version of this paper. Very special thanks go to Ursula Baumann whose knowledge, personal compassion and mercifulness make her such an excellent academic and moral advisor. But I would like to stress that all remaining errors are mine.