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Forgiveness and Revenge: Where Is Justice?

Jakub Jirsa

“And when you stand in prayer, forgive whatever you have against anybody, so that your Father in heaven may forgive your failings too.”

(Mark 11:25)

“Father, forgive them they do not know what they are doing.”

(Luke 23:34)

Introduction

The following paper is not supposed to be an exegesis of the epigraphs stated above. Nor does it present an exposition about forgiveness based on verses from the Gospels. First, these quotations should remind us of the fact that forgiveness belongs to very old and important features in moral theory. Second, we will see during the argumentation that the text of the Gospels (besides these two passages, Matthew 18:21-35 could be mentioned) touches on several key points of philosophical problems tied to the analysis of the act of forgiveness. Moreover, with respect to

moral and ethical issues, I am inclined to use examples and expressions originating from the Christian part of Western cultural heritage. Because of the intention of my paper and the limited space devoted to this topic, I will have to avoid deeper work with the theological account. For the same reasons, I do not introduce much of the historical interpretation of forgiveness.¹

According to Aurel Kolnai, forgiveness is either unjustified or empty and pointless. Kolnai raises two objections. First, “Forgiveness is objectionable and ungenue inasmuch as there is no reason to forgive, the offender having undergone no metanoia (‘Change of Heart’) but persisting in his plain identity qua offender.”² Kolnai’s second objection has as its core the fact that when the wrongdoer repents, the former victim has to react with a reconciliatory attitude, in order not to harm or be guilty of vengefulness. And so the forgiveness is only empty formality. “The objection arises that forgiveness has now lost its ground and *raison d’être*: that there is no room for it, seeing that there is nothing to be forgiven.”³ In response to these paradoxes we have to put forward such an interpretation of the forgiveness process that would escape its mainly logical objections.

A preliminary definition of forgiveness that may serve as a common denominator of this term for several authors is that forgiveness is an overcoming of resentment and vengefulness as a reaction to past wrongs.⁴ But already, without any further analysis, we can see certain problems with this definition. To overcome resentment which resulted from some harm done to us, we do not need to forgive. We can forget; the resentment can pass with time. Moreover, is this overcoming of resentment meant to be absolute, or is it enough to overcome our resentful emotions in a certain respect – either temporal or emotional (e.g., I still hate him, but I will not draw any consequences from it; I will not act upon this hatred)? So we have to elaborate on our preliminary definition a bit more. Forgiveness is an intentional act of overcoming resentment and vengefulness as a reaction to past wrongs; it is a recovery

¹ For discussion of forgiveness in most ancient times see Joze Krasovec, *Reward, punishment, and forgiveness: the thinking and beliefs of ancient Israel in the light of greek and modern views*, Brill, Leiden, 1999 or Karin Metzler, *Der griechische Begriff des Verzeihens: untersucht am Wortstamm *syngnome* von den ersten Belegen bis zum vierten Jahrhundert n. Chr.*, Mohr, Tübingen, 1991. For bibliography upon recent history of interpretation of forgiveness see Enright and North (1998).

² Kolnai (1978), p. 216.

³ Kolnai (1978), p. 217.

⁴ Cf. Azar et. al. (1999), pp. 170-171; North in Enright and North (1998), p. 20; or Jeffrie Murphy (paraphrasing Bishop Butler) in Murphy and Hampton (1988), p. 15; Garrard (2002) p. 155.

from negative consequences past wrongs may have for the victim and the perpetrator, as well. But, as will be clear from the following arguments, even this thesis will need certain specifications and explanations.

I. Forgiving: What do we do?

Many problems arising in discussions of forgiveness emerge from unclear usage of the term. In this section, I will discuss mainly interpersonal forgiveness and will only slightly touch on the institutional components that embody features similar to forgiveness. These components fall mostly under the rubric of justice. Usually, at least two are mentioned: mercy and amnesty. South Africa's Truth and Reconciliation Commissions (TRCs)⁵ are a very special and useful example, since they show an intermediate position between interpersonal and institutionalized features of forgiveness. Actually, we could say that establishing the TRCs was an attempt to institutionalize forgiveness without any loss of its interpersonal features. It is clearly stated in the Explanatory memorandum that TRCs function upon the basis of the forgiveness principle: "It is based on the principle that reconciliation depends on forgiveness and that forgiveness can only take place if gross violations of human rights are fully disclosed. What is, therefore, envisaged is reconciliation through a process of national healing."⁶

Such commissions in South Africa, Rwanda, and perhaps similar attempts in Northern Ireland, are special cases in which, I am convinced, several of the principles known to us from interpersonal forgiveness function and must function. At least, these principles are the reasons for which this kind of reconciliation was chosen by the political elites.

Forgiveness is a process that leads to reestablishing and regaining dignity as a human being with a certain objective value.⁷ It is not the exclusive way to regain dignity and self-respect after suffering or committing an acknowledged wrong, but if a given process does not lead to reestablishing the dignity of a victim and a perpetrator, we cannot talk about genuine forgiveness. It is interesting to note that resentment, which we bear towards the wrongdoer, already includes the most impor-

⁵ For the topic of forgiveness and the Truth and Reconciliation Commissions in South Africa (TRC) see Desmond M. Tutu, *No Future Without Forgiveness*, Doubleday, New York 1999; or Marta Minow (1998).

⁶ For both quotation see <http://www.doj.gov.za/trc/>; Explanatory memorandum to the Parliamentary Bill No. 34 of 1995.

⁷ Cf. later discussion in this paper, chapter II.2. *Ought we to forgive? Ought we not?*

tant condition for forgiveness. When someone harms us, resentment nevertheless presupposes that he has the capacity to bear us good will. But he – for any reason – does not.⁸ Resentment is felt towards a human being, and, as we will see, human dignity and humanity play decisive roles in the act of forgiveness.

The process of interpersonal forgiveness takes place in a setting characterized by two people, one of whom is about to forgive the other, and by a past deed, which is the act to be forgiven. If one person forgives another, there has to be a presupposition that the first person was harmed or wronged by the other. The victim is harmed by the past wrong in which the other person, perpetrator, or wrongdoer is the active and responsible agent. Wronging someone means (for the responsible agent) treating the other person in a way that is demeaning and humiliating, or has such a result. I agree with Downie⁹ that the victim's awareness of being harmed is essential for forgiveness.

I.1. Third-party forgiveness and forgiving myself

There are two more special cases of forgiveness that need some explanation before they correspond with our previous analytical description. The first example adds a third person to the schema of, so-called "third-party forgiveness." According to Downie,¹⁰ the case of "third-party forgiveness" does not imply the concept of forgiveness, but the term is used in a related nevertheless different concept. The second example removes the distinction between the victim's and the wrongdoer's roles in the scheme. This case can be called "forgiving myself." As Downie argues, "forgiving-myself" cannot be called forgiveness at all. Third-party forgiveness suggests that a certain person can forgive a given wrongdoer for what he did to another person. Simply, this example seems to deny that only personally experienced harm can be forgiven. I can think of several reasons why someone would feel hurt by a wrong deed done to someone else.

First, we have to exclude the case in which third-party forgiveness can be reduced or reinterpreted to the terms of normal interpersonal forgiveness. Imagine that I like a given person who was harmed. I have positive or very positive feelings about that person. The wrong deed demeans and humiliates the given person and therefore presents him as not worthy of my positive feelings. I can then feel attacked by the wrongdoer as well, because of the positive feelings I have towards the victim. But in this case, I do not forgive what was done to the victim, but what was done –

⁸ Cf. Clahoun (1992) p. 87.

⁹ Downie (1965), p. 128.

¹⁰ Cf. Downie (1965), p. 128-130.

indirectly or vicariously – to me. Further, part of having positive feelings towards a victim may mean that we accept his interests as our own. Violating his interests would harm ours as well. Again, it is the case of interpersonal forgiveness; we forgive to mediate harming our interests.

In another case, Downie says we can sympathize with the victim and identify with somebody who was wronged.¹¹ But here we have to ask what it means to sympathize with a victim or to identify ourselves with him. Some cases of sympathizing might fall under the description of reducing third-party forgiveness to an interpersonal level, just as we have seen above.

More problematic is the notion of identifying ourselves with the victim. Under these circumstances, I believe, we can count the rest of the sympathy cases. Let me bring forward two examples,¹² the first being Franz Werfel's book, *The Forty Days of Musa Dagh*, about the Armenian genocide, which was written after his meeting with Armenian refugees from Turkey in 1906. In this book, Werfel – on the basis of his appalling experience – strongly identifies himself with the main hero, Gabriel Baradin, and through his opinions expresses his own disgust at what was happening. Werfel is strongly sympathetic with Armenians, identifies himself with them, and describes the evil that was inflicted on the nation. The second example is the book written by the so-called Binjamin Wilkomirski, *Bruchstücke aus einer Kindheit 1939-1948*, which describes the life of a Jewish child in a clearly autobiographical style. (The author, whose real name was Bruno Grosjean, was born in 1941 and spent his whole his childhood in Zurich.) The “autobiographical” memoirs of his time in Majdanek, Auschwitz-Birkenau, and an orphanage in Krakow are indeed very touching and impressive – so much so that even Holocaust researcher Israel Gutman acknowledges the authenticity of the pain expressed in the book.¹³

Jewish philosopher Avishai Margalit, in his discussion of these examples, denies authenticity of both of them. Werfel did not suffer what the Armenians did, “no matter how strongly [he] identifies with the Armenians, and how concretely he was able to depict the evil inflicted on them.” To the Grosjean case, Margalit adds, “a mere act of identification with children of Holocaust does not establish identity as one of them.”¹⁴ An act of sympathy or identification is simply not enough to gain the identity of the victim, to experience what he has experienced, to suffer what he

¹¹ Downie (1965), p. 128.

¹² Taken from Margalit (2002), pp. 171-176.

¹³ Cf. Lappin (1999).

¹⁴ Margalit (2002), p. 172 and p. 174.

suffers. No matter how well we can imagine having been in someone's place, we never clearly *are* in his place without having had the same experience.

In order to forgive, there also has to be a past wrong that we remember. We can remember something what we have been told, what we have read, or what we have been taught. In that way, we remember that there was a Thirty Years' War; in the same manner, my generation remembers that there was World War II. The mode of remembering how we experienced something (e.g., for older generations how they experienced World War II) differs from the mode of remembering in the same manner, as it distinguishes the remembrance that there was a Thirty Years' War from the mode of remembering what we were experiencing while we were being taught about it. The first mode of memory is sometimes called semantic memory; the second, episodic memory.

The past wrong, which we do forgive, entails a certain demeaning act of humiliation. Remembering suffering means more than knowing that such an action happened to somebody else. As Margalit argues,¹⁵ past humiliation is very hard to remember without reliving it. This recurrent reliving might even urge us to get over this humiliating act. But if we never lived through such an act, if we remember it merely in the same way we remember that there was a Thirty Years' War, we can never relive it. We simply have never experienced what we should forgive.

So it would not be a genuine case of forgiveness if we think that by mere identification with a victim, we can forgive his wrongdoer. We can never forgive for someone – we can only forgive for ourselves.

On the other hand, there are problems connected to “forgiving myself,” where the line between the victim and the wrongdoer is not very clear. The distinction needed for properly identifying forgiveness is really hard to find. It does not have to be the case that we can or cannot forgive ourselves for the wrong we did to someone else, which is the case to which it seems Downie restricts himself.¹⁶ These cases involve the concept of remorse rather than forgiveness. Since we have not suffered directly from the evil act we inflicted upon some victim, we cannot forgive this act. Here we could follow the second part of the previous argumentation about third-party forgiveness. The remorse we feel usually stops when we are forgiven by a victim. But is it not the case that we usually use the phrase, “I cannot forgive myself,” after being forgiven by our former victim? It as if reconciliation with a victim would not be enough for reconciliation with ourselves.

¹⁵ Margalit (2002), p. 130.

¹⁶ Cf. Downie (1965), p. 129.

In order to make my last statement more clear, imagine a situation in which, due to a wrong decision I made or bad habit I have and did not make effort to correct or eliminate, I have harmed myself. It was clearly my mistake, carelessness, impatience, or bad habit. When I realize the harm without realizing my own responsibility for it, there is still nothing for which I could forgive myself, since I usually look for other reasons that it happened. But when I find out that it was simply my impatience or lack of strong will that caused me this harm, it is right to see myself responsible for the harm I now suffer.

In such a case we clearly have a victim, wrongdoer, and some wrong between them. Paradoxically, the victim and the wrongdoer are one and the same person. Indeed, the identity of a person consists of dealing with his own matters.¹⁷ Coping with one's own past wrong decisions, or submitting to some of our "not so good" characteristics forms an inevitable part of our identity. Therefore, we are not facing a problem of either temporal or psychological identity of a given person; we do not have to be numerically different in order to forgive ourselves, nor do we have to be schizophrenic to do so.

In a similar but different case, we again recognize our responsibility in harming someone else, and it has a strong and deep effect on us. Suppose we are forgiven by the victim. But we are still not satisfied; interpersonal forgiveness was not enough to bring reconciliation to our soul. This would seem to suggest that, beside regular interpersonal forgiveness in the case of wronging someone, there is self-forgiveness as well. But are we really justified in such cases to call our inner reconciliation "forgiveness?" I think that such usage would be inappropriate. We have to learn to live with our past – that is what we call reconciliation or dealing with our past. But since we wronged someone, we can be forgiven only by our victim, not by ourselves. And indeed, if we have not done wrong to ourselves – as, for example, when we realize we violated the moral code we admire – there is nothing we could forgive ourselves. We have to cope with it, and forgiveness is not an appropriate term for describing this "coping with it."

I.2. Forgiving and forgetting

As I stated above, forgiveness is an intentional act of overcoming resentment and vengefulness as a reaction to past wrongs. Forgiveness could be understood in one way as a recovery from bad consequences past wrongs may have had on the victim and on the perpetrator. In any reasonable explanation of forgiveness, there must

¹⁷ This concept of identity is being developed by Alice Kliková in her dissertation and it has been presented on the public lecture of Center for Theoretical Studies, Prague, 23.6.2003.

have been a certain past act inflicted by the wrongdoer on his victim. So acknowledgment of the evil or immoral character of the past act is an essential part of forgiveness. Therefore, forgiveness does not mean forgetting a given act.

If someone has forgotten what has happened to him, he can hardly forgive anybody for it, unless a slight bit of remembrance is awakened. We need to know that we were wronged. The only possible knowledge here is remembrance. As I argued above, if we are only taught or told that someone wronged us, without having at least a slight personal remembrance of it, the concept of interpersonal forgiveness cannot be applied in this situation. Within the concept of interpersonal forgiveness, we have to know what we are forgiving; we have to remember what was done to us. An act of forgiveness without this remembrance, saying, "I forgive you, but I do not know why," is empty, vague, and degrades the act of forgiveness. So forgiveness is definitely not the same as forgetting; it is quite the opposite. Forgiveness in fact demands remembrance. According to Calhoun's interpretation, forgiveness includes changing one's heart, but does not include changing one's mind about the character of an act itself.¹⁸

There is another fact that shows the difference between forgiving someone for what he has done to me and forgetting that someone has done something to me. Forgiving, as we have said, is an intentional process. We decide whom and when to forgive. On the other hand, forgetting cannot be intentional. It is actually characteristic of forgetting that it happens unintentionally. We definitely forget, not only the things we are glad to get rid of, but many useful and important things as well. And the more we try to forget something, the more we remember that thing and think about it. Forgetting is not a voluntary action; it does not depend on our decision. If it would constitute a part of forgiveness, we would have to admit that forgiveness does not wholly depend on our will. Forgetfulness as a part of forgiveness would result in an inability to decide to forgive.

Forgiving is an overcoming or forswearing of resentment and vengefulness. Forgetting is in a way the same – we may get rid of our vengefulness that results from some past harm by forgetting about our past suffering. But it does not follow that forgiving entails forgetting, or that these two concepts are one and the same. Forgiveness is a conscious and intentional decision to overcome past wrongs and their

¹⁸ Cf. Calhoun (1992) p. 80-81.

consequences in a very specific manner. As Margalit nicely puts it: “since [forgetfulness] is an omission rather than decision, it is not forgiveness.”¹⁹

Remembering a past wrong means remembering how we have suffered or have been wronged; we may remember, as well, who did it to us. If forgetting would be part of forgiveness, both aspects of a given memory – the wrong act and the wrongdoer – would be entirely blotted out. But forgiveness is a response to the act that is acknowledged as wrong, that is, remembered by the victim. My resentful and vengeful feelings towards the wrongdoer are derived from this wrong act. The hard feelings someone has toward the wrongdoer are expressions of one’s feelings about the act and its unjust and wrong character.

What genuine forgiveness changes in the victim is just the hard feelings about the wrongdoer. That is part of the overcoming or forswearing of resentment and vengefulness. Feelings about a given act do not have to change. We consider harming other people – and with that, the concrete act which was done to us – still as bad as we did before. Our judgment and attitude towards such acts, or towards the act in particular, does not change. What changes is our attitude to a concrete person who did something to us, which we do not forget but for which we forgive him.

Of course, we remember that it was *this* person who did *that* to us. And it is right to argue that there is no reason that the ideal goal of forgiveness would be the full restoration of the original relationship between the offender and the forgiver.²⁰ Even if we presuppose a just state of affairs as an initial situation, there is no reason to argue for full reconciliation of the relationship between the wrongdoer and his victim. Even though I have forgiven someone who did not pay back the money I lent him, there is no reason to suppose that I will lend him money again, as I would have done before my bad experience with him. So forgiveness means a certain resto-

¹⁹ Margalit (2002), p. 193; cf. further *ibid.* p. 206: “The decision to forgive is an expression of a second-order desire not to act upon our first-order feelings of resentment or vengefulness. We do not forget, but we do forgive.”

²⁰ Cf. Susie Linfield (2003). Linfield argues in reviewing Margalit’s *Ethics of Memory* that his claim about restoration of relationships as an ultimate goal in forgiveness is mistaken. For example in the case of the South Africa’s Truth and Reconciliation Commissions restoration could not be a goal since, according to Linfield, it would mean restoration of apartheid. In such cases forgiveness establishes fundamentally new relations. But in a defense of Margalit, I am not sure if Linfield is fully right to his text, since what he says in his concluding chapter is that “*forgiveness restores the personal relationship between the offender and the offended to where it was before the offence took place.*” Margalit here clearly presupposes non-violent and just state of affairs to be an initial position, and in such a case the claim of restoration has certain value.

ration of relationships, but not necessarily of all components. Sometimes, as in the case of South Africa's Truth and Reconciliation Commissions (cf. footnote), forgiveness establishes completely new relationships. Forgiveness removes open hostility, resentment, vengefulness, and remorse from the mutual relationship between the offender and the forgiver, but it does not have to restore relationships as they were before the wrong was done.²¹

Committing a wrong burns a Cain's mark on our forehead. Forgiveness perhaps can clear the consequences of that mark for the relationship between the wrongdoer and his victim; it can even clear the consequences of this mark for social relationships (e.g., settling the wrongdoer's relations towards others and vice versa, the way in which others look upon a given person, etc.), but it does not clean the mark itself. What was done cannot be undone; this is an ethical rule no less than an ontological one. A past wrong can be forgiven, resentment and remorse swept away, but the act stays. The past wrong is not an obstacle to future actions and relations; it is not a source of hard feelings anymore, but that does not mean that it does not exist or did not exist.

1.3. Interpersonal forgiveness and the demand for justice

What is the relationship of forgiveness to justice? Some authors are afraid that an act of forgiveness – incorrectly interpreted – might go against the demands of justice.²² But I believe that there are several features distinguishing concepts of justice from those of forgiveness. Let us start with perhaps the deepest and most problematic one. Justice is based on equality and sameness; forgiveness fundamentally demands unevenness, distinct identity, individuality, and personality.²³ If we follow the construction of justice in Rawls's *A Theory of Justice*, we see how much he develops his hypothetical original position in such a way that the people are the same in many respects, and are definitely equal. In the original position, we know that we have earthly interests, but we do not know what they will be in concreto. "Since the

²¹ Indeed forgiveness opens something new, what is not stained by resentment or remorse. Cf. Arendt (1958), chapter V.33: Irreversibility and the Power To Forgive.

²² Hampton in Murphie and Hampton (1988) p. 146-148; North in Enright and North (1998).

²³ For further discussion of justice and more bibliographical sources: John Lucas, *On Justice*, Oxford University Press 1966; John Rawls, *Theory Of Justice*, Harvard University Press 1971; Michael Walzer, *Spheres of Justice: A Defense of Pluralism and Equality*, Basic Books, 1983; Thomas Nagel, *Equality and Partiality*, Oxford University Press 1991; Paul Ricoeur, *The Just*, University of Chicago 2000. Focusing primarily on the very grounds of the idea of justice it is possible to discuss both social and juridical justice at once, since the main features, which differs them from forgiveness underlay them both.

differences among the parties are unknown to them, and everyone is equally rational and similarly situated, each is convinced by the same arguments.” Furthermore, “if anyone after due reflection prefers a conception of justice to another, then they all do, and a unanimous agreement can be reached.”²⁴ The perspectives from the original position and from behind the veil of ignorance are fully interchangeable.

Within the necessary grounds for forgiveness we have to presuppose a strong division of roles, a strong distinction between the actors. The perspective of the forgiver is absolutely not interchangeable with that of the wrongdoer who is being forgiven. They may have a similar interest – reconciliation, for example – but their roles and positions are strictly individual and irreversible. Forgiveness does not presuppose equality. Many authors describe forgiveness with the help of another concept, namely the concept of a gift.²⁵ This metaphor is based on a structural analysis of a gift by Marcel Mauss.²⁶ According to Mauss’s questionable interpretation, the concept of a gift does not presuppose equilibrium within a society. It always creates new obligations and bonds, where someone is clearly the giver and the other the receiver. As opposed to justice, as treated by Rawls or by Ricoeur, forgiveness is essentially based on personal identity and individuality. We talked about a victim and a wrongdoer in order to be able to conceptualize forgiveness on a certain explanatively useful level. But in forgiveness, as Joanna North stresses, a person “is not simply or solely a wrongdoer but is a person who has done a particular wrong.”²⁷

Justice nowadays is characteristic of institutions. John Rawls clearly states at the very beginning of his book: “Justice is the first virtue of social institutions, as truth is of systems of thought.”²⁸ So justice is not governing interpersonal and bilateral relations; rather, it is governing social institutions. Interpersonal forgiveness happens on the intimate level, which cannot be institutionalized. Forgiveness, as opposed to justice, cannot be an institution, since it cannot be generalized, as it needs to be to function as an institution. Each act of forgiveness is genuine and unique; forgiveness cannot be claimed on the basis of previous examples of it, no matter how similar a past incident is to a current case.

²⁴ Rawls (1971), p. 139.

²⁵ Ricoeur (2000) p. 144; North in Enright and North (1998), p. 14; Margalit (2002), p. 195; Calhoun (1992), p. 81.

²⁶ Mauss (1990).

²⁷ North in Enright and North (1998), p. 26.

²⁸ Rawls (1971), p. 3.

Justice is basically a social matter that demands institutions. “The other for friendship is the ‘you’; the other for justice is ‘anyone,’” claims Ricoeur.²⁹ His phrase nicely shows the difference, since in this respect forgiveness is much closer to friendship than it is to justice. So justice stands in relation, not to a concrete “you,” identifiable by a face and voice, but rather to “everyone” as a collective third person. Moreover, this relationship to the other is immediately mediated by the institution, which in our societies is usually personified by the judge at the court. We can say that the concepts of resentment and forgiveness are individual and personal in a way that justice (i.e., legal guilt and responsibility) is not.³⁰

We can see that the concepts of justice and of forgiveness differ on many serious points, so it would be hard to make them collide. Simply, there are not so many contact surfaces between those two concepts that they could seriously restrict each other. In a previous chapter, I argued that forgiveness does not mean wiping out a wrong act – when described in juridical jargon, “crime” – but rather that the act has to be acknowledged as wrong so it can be forgiven. It is reasonable and understandable that even though someone is forgiven by his victim, he can be put in front of court; being forgiven means *not* being freed from responsibility and the demands of justice. “For not only is forgiveness compatible with not excusing and not denying, it actually requires these things.”³¹ What makes forgiveness even harder is this need for recognizing the full horror of the actions that are supposed to be forgiven.

Is it right to demand justice after forgiving? Is it right when one person both forgives his wrongdoer and demands his punishment? One similar case is forgiveness given on the condition of a certain restoring of just relations: “I forgive you, but you have to give me back what you have stolen.” Or even: “I forgive you, but your crime cannot stay unpunished.” In such cases, an act of forgiveness is promised, but that has to be fulfilled under certain conditions. If a victim forgives someone with this precondition, he acts in an appropriate way. Moreover, since we have seen that forgiveness sets a strict distinction between the wrong and the wrongdoer, he can still be urged to take responsibility for what he did, even if he has been forgiven. Nevertheless, it would be odd if, in the case in which the only possible plaintiff is the forgiver himself, he would accuse the forgiven wrongdoer without stating so while forgiving him.

²⁹ Ricoeur (2000), p. xiii.

³⁰ Cf. Jeffrie Murphy, *Forgiveness and resentment*, in Murphy and Hampton (1988), p. 33.

³¹ Garrard (2002), p. 153.

II. Forgiveness – how and why do we forgive?

It has to be clarified whether there is such a moment when it would be not only permissible to forgive an offender but when it would be wrong not to forgive, i.e., when I ought to forgive. In this section I will first examine several conditions for acknowledging certain decision and its processing as forgiveness. Under conditions I understand the steps that classify a given act as an act of forgiveness on one hand (i.e., what a forgiver does), and the possible conditions created for forgiveness by the wrongdoer on the other (question of repentance, possibility of recidivism, etc.). The Christian concept of unconditional forgiveness is here one extreme example to which I will delimit my understanding of forgiveness.

If there is such a condition, either internal (for victim's action) or external (for wrongdoer), that is essential for the forgiveness, its absence marks such cases when it would be wrong to claim that I forgive someone or that I was forgiven. Moreover, if any of the conditions will not be morally neutral, we could define first cases when it would be wrong to forgive or when we ought to forgive. So the following analysis focuses on particular steps within an act of forgiveness in order to find out possible arguments for or against appropriateness of forgiveness in certain situations of human conduct.

As it was said above, I take the evangelical example of unconditional claim for forgiveness as an extreme example of ethical rule, and I will argue that there are certain circumstances and situations when forgiveness is morally inappropriate.

II.1. Conditional or unconditional act

Subsequent stages within an act of forgiveness are described in detail in Joanna North's article, *The "Ideal" of Forgiveness*.³² In the following paragraphs I do not restrict myself to mere interpretation of North's standpoint but, nevertheless, I take her analyses as grounding for own approach.

It is clear from North's analysis of forgiveness that a victim or injured party experiences negative feelings and is subject to negative, hostile feelings directed towards the wrongdoer. I am positive about the first demand, but a bit skeptical about the second. The injured party certainly experiences negative feelings. Such feelings simply accompany any situation in which one is hurt or harmed. The demeaning act or humiliation is actually based on these negative feelings experienced by a victim. Yet I am not sure whether the second claim is as obvious as the first

³² In Enright and North (1998), pp. 16-33.

one. Hostile feelings are perhaps the most typical emotional reaction towards the perpetrator. But what about the situation in which, as a reaction to a gradual and successive humiliation, the only thing a depressed and humiliated victim feels is sorrow and fear?³³

Considering this situation of deep humiliation, we can claim that it is either a stage preceding the proper acknowledgment of a past wrong as a precursor of an act of forgiveness, or, on the other hand, that when the humiliation and demeaning of a given victim is so deep, forgiveness would be an inappropriate action.³⁴ In the first case, we could claim that in order to forgive one must reconcile himself with humiliation, where the only feelings he has is abasement and degradation. This first step of recovery would lead to the stage in which he acknowledges his position of victim in contrast to that of a perpetrator and starts to feel not only humiliation, but hatred and perhaps anger.³⁵ After this step, the injured party is ready to acknowledge the past wrong, and to proceed in forgiving or dealing with the past in some other way.

In the event that we do not share the conviction that there is a natural process of post-trauma recovery from feelings of humiliation to possible retributive anger, we can claim that, when humiliation is that deep, the act of forgiveness is not the proper response at all. If the act was by its scale and extent so evil that it produced such deep humiliation, forgiveness is already not a morally good act. This usually happens in the cases in which, in a process of acknowledging a past act as wrong, we find that it is not possible to separate acts and agents. Rather, we do the opposite: we reinforce the identification of the wrongdoer with his action.³⁶

Further on in the analysis of forgiving, there might be some impersonal claim which encourages the victim to forgive. This might be a matter of religious belief, or simply a suggestion by friends or relatives that the victim should forgive. But this would not be enough. We have seen that interpersonal forgiveness is an intimate matter and cannot be mediated by a third party. So the decision to forgive must

³³ Many victims of the most terrible crimes within last century felt so; compare the reactions of humiliated, depressed, famished and slowly dying prisoners of communist or fascist concentration camps. There is not much of anger or hatred opposed to fear in the description of larger life by those who survived and serve now as a moral witnesses of these evils. Cf. Kertész, (1996); Levi (1989); Buber-Neumann (2002).

³⁴ Imre Kertész's novels *Fateless* or *Kaddish for a Child Not Born* are great examples of a victim's view which makes the forgiveness impossible and morally discredits it

³⁵ For justifying retributive hatred cf. Jeffrie Murphy, *Hatred: a qualified defense*, in Murphy and Hampton (1988), pp. 90-109.

³⁶ Cf. Joanna North, *The "Ideal" of Forgiveness*, in Enright and North (1998), p. 27.

originate from the forgiver himself. That would be the next important step in the process of forgiveness: a victim acknowledges a personal claim to his forgiveness and therefore the injured party, as North says, recognizes that it would be appropriate to forgive and that he wants to forgive. No act of forgiveness can be genuine, no matter how many times and how strongly expressed, if the forgiver does not want to forgive.

Now, when a victim realizes that he wants to forgive a given person, he usually “reframes” the whole past situation. Reframing is interpreted by Joanna North as “a process whereby the wrongdoer is viewed in a context in an attempt to build up a complete picture of the wrongdoer and his action.”³⁷ This does not mean automatically excusing or condoning the wrongdoer. Though we might find some partial reasons for an excuse, we still acknowledge the act as evil and the wrongdoer as responsible for it. By putting the wrongdoer and the past wrong deed into a full picture, we separate the wrongdoer from the wrong which he has committed. The more structuralized picture allows us to distinguish both aspects; it does not mean doing away with the wrong itself, nor does it deny the responsibility of the wrongdoer. As a result of such a reframing, we see the perpetrator as a person, as the wrongdoer who did this or that to us. The individuality of the wrongdoer, which was demanded in one of the structural distinctions between the concepts of justice and forgiveness, is established in this way.

As a result of reframing, the victim sees that it is possible to forgive the wrongdoer without reconsidering the opinion of the wrong act itself. So, though still considering a given act wrong or evil, the injured party can forgive the wrongdoer, who is now treated separately from the act. What usually follows is a certain form of expression of forgiveness, either public or private, between the victim and the perpetrator. Finally, this shows that the process is in the stage in which the negative feelings of hatred and resentment are overcome and the relationship between the victim and wrongdoer is on a different level than before.

So far, we have seen several steps and conditions for the victim when forgiving someone. If an act of forgiveness is to be considered a so-called “unconditional” forgiveness in the sense of Christian interpretation, it would be enough for the analysis. Since forgiveness is an unconditional ethical demand, it is appropriate to forgive independently of the outer circumstances. As the quotation taken from the New Testament, Mark 11:25, states: “And when you stand in prayer, forgive whatever you have against anybody...” Demanding to forgive whatever you have against

³⁷ Ibid., p. 24-6.

someone seems to exclude the two most important reasons for the inappropriateness of forgiveness. It tells us not to take into consideration the extent of the crime – since we should forgive whatever was done – and the reasons arising from the personality of the wrongdoer; we should forgive anybody. The following analysis discusses some reasons that emerge from the personality of the wrongdoer, for which an act of forgiveness may be considered as inappropriate.

In my opinion repentance of the wrongdoer forms an important part of the complex concept of forgiveness.³⁸ In the same way the victim has to acknowledge the act as wrong, so in the best and exemplary case the perpetrator has to change his meaning that what he did was right. If the perpetrator still insists that what he did was good or justifiable, the forgiveness must be considered as problematic. Why? Since forgiveness means reconciliation of the relations between the former victim and perpetrator, it is obvious that wrongdoer willing not to repent is not willing to change his attitude and thinking about the victim, so there cannot be any talk about reconciliation. Victim can forgive in such a case, but his act would be viewed as morally dubious especially considering big wrongs and harms, since we could say that the wrongdoer did not deserve it.

Unrepentant wrongdoer does not deserve the abolishing and overcoming of negative feelings towards his personality by his victim. Since forgiveness is being treated as a gift, unrepentant wrongdoer is not worthy of being given it. Forgiveness has to be accepted by the wrongdoer. Moreover, wrongdoer should in his repentance ask for the forgiveness. “The process of repentance – recognition of wrong, experience of remorse, and determination to change – is essential to the process of accepting forgiveness,” writes North very firmly.³⁹ I would say that repentance makes forgiveness a less risky task and removes certain irrationality involved in unconditional forgiving not repentant wrongdoer.

Such an unrepentant wrongdoer, as described by North, does not accept forgiveness since he does not recognize any committed wrong, not to talk about his willingness to change. But how to judge such a case as the unconditional forgiveness of Gordon Wilson at the Enniskillen bombing in Northern Ireland?⁴⁰ Right after the

³⁸ Beside the conceptual importance, apology (and repentance) is one of the most important psychological factors having an effect on propensity to forgive. For these results see the article by Fabiola Azar and others, Azar et al. (1999). It is not an absolute part; there can be an act of forgiveness without repentance, especially considering lesser wrongs.

³⁹ Joanna North, *The “Ideal” of Forgiveness*, in Enright and North (1998), p. 32.

⁴⁰ Story taken from BBC news article: Just before 11.00am on 8 November 1987 a Provisional IRA bomb exploded without warning as people gathered at the war memorial in Enniskillen for the annual Remembrance Day service. All sides condemned the bombing. Loyalist para-

attack, still beside his dying daughter he expressed no resentment and forgave the terrorists that killed his daughter and injured him. There was no evidence of repentance and nobody could be possibly sure that there will be any such a sign. But the only argument against Wilson's attitude that could be constructed is indeed a moral one. So we have to conclude that repentance is a moral – not a metaphysical – condition for an act of forgiveness.

The previous case does not include the situation when the agent is not willing to accept forgiveness on the bases of excuses he has for his action. In ideal case, if the excuses would be enough to release him from the responsibility for a given act, they would be recognized by the injured party within the process of reframing, i.e., getting fuller and complex picture of the past situation. Such excuses have to show that there is some other external factor responsible for the act that is supposed to be forgiven. "He could not act otherwise." Or "He was forced to do so." are one kind of such excuses; excuses based on good intentions ("He did not meant to do this.") imply the idea of limited responsibility which humans have in their conduct. Excusing someone differs from forgiveness in several aspects. We either acknowledge the agent as not fully responsible for the past wrong, or reevaluate the act itself. Excuse does not mean the same as forgiveness, actually it is incompatible with forgiveness. When we excuse someone, there is nothing left to be forgiven to him.

During the interpretation of the relation between justice and forgiveness it was mentioned that one of the reasons why it is better to treat the concept of forgiveness as not colliding with the one of justice is that an unpunished crime or wrong act might support other potential wrongdoers or lead to recidivism. Such recidivism is another serious obstacle for forgiveness. If there is sufficient reason to suppose that the wrongdoer is about to repeat his evil action, or he actually repeated it already, the gift of forgiveness is inappropriate again.

II.2. Ought we to forgive? Ought we not?

Is forgiveness a general and objective claim according to which we are supposed to forgive anything and anybody as written in New Testament (Mark 11:25)? Or

militaries were intent on retaliation but may have been stopped by the words of Gordon Wilson when he was interviewed on BBC Northern Ireland about the death of his daughter Marie. In a voice charged with emotion Gordon Wilson's words touched the hearts of many who heard them at home and abroad. "*I have lost my daughter and we shall miss her,*" Gordon Wilson said, "*but I bear no ill will. I bear no grudge. Dirty sort of talk is not going to bring her back to life. She was a great wee lassie.*" His words were seen as a fitting memorial to his daughter and to the other ten people who lost their lives because they encouraged a spirit of reconciliation in the area.

<http://www.bbc.co.uk/history/war/troubles/agreement/ennibomb.shtml>

are there situations when forgiveness would be inappropriate or in even harder interpretation when we ought not to forgive? As it was said, evangelical unconditional forgiveness is a limit case. But even if we find reasons when it would be morally questionable not to forget, under certainty forgiveness cannot be required by the perpetrator. The following answers related problems described by Calhoun as “double vision”⁴¹ – problems with treating forgiveness as both an elective and an “ought” moral problem.

To see what we can already deduce from what was said so far, let us recapitulate the main and most frequent moral objections against forgiveness:

(1) Perpetrators should be punished, not forgiven. This objection, I believe, was successfully answered in the previous chapter on forgiveness and mercy. Since forgiveness makes a distinction between the wrongdoer, who is being forgiven, and an act, that is being acknowledged by both sides as wrong, punishment is not excluded.

(2) Forgiveness could encourage future perpetrators in their misdeeds. This is certainly argument *ad hoc* or better *ad case*. Generally, we can claim that, since forgiveness is based on individuality, nobody is supposed to be forgiven based on an example of forgiveness in a similar case. Moreover, we have seen that juridical punishment, which usually threatens potential wrongdoers, is possible even together with forgiveness.

(3) Forgiveness may involve a morally obnoxious motivation. In such cases, someone could forgive only to be seen as interesting and generous by others in order to gain a personal profit. If forgiveness happens on such grounds, then it clearly would be morally objectionable. Eve Garrard comments on this objection in the following way: “The trouble with the *ad hominem* objection is that it is as damaging to the case against forgiveness as to the case for it. The insistence on purity of motivation for morally permissible actions always leaves the moral terrain devastated, since it is so rarely to be found.”⁴²

(4) Forgiveness is wrong since it harms the victims. This is perhaps the case for third-party forgiveness, but, as I explained, we cannot forgive by proxy. Moreover, how exactly does forgiveness harm, since it does not involve forgetting or denying a given past wrong? It instead demands acknowledgment of the wrong or evil nature of the act by both the forgiver and the perpetrator.

⁴¹ Calhoun (1992), p. 82ff.

⁴² Garrard (2002), p. 154.

After this summary, I want to argue that sometimes it would be reasonable to say that we ought to forgive. Yet mere inappropriateness of not forgiving is a weaker claim. The repentance of the wrongdoer is an important part of the complete concept of forgiveness, as stated above. Although repentance does not create any right for the perpetrator to be forgiven, there is a sense, as Jeffrie Murphy claims,⁴³ in which after the perpetrator showed real remorse and repented, so that any further holding of resentment and negative feelings towards him would be inappropriate. Not to treat past wrongs seriously is morally hazardous; to be obsessed with certain past wrongs, especially minor ones, is not much better.

Cheshire Calhoun argues that a certain kind of forgiveness becomes morally required, since it would be irrational not to forgive, when forgiveness would promote something more important than retributive satisfaction.⁴⁴ This claim is a purely consequentialist one, but still needs clarification. The following explains what is it to be preserved so that it possibly changes the elective feature of forgiveness into ethical obligation.

Within the Christian tradition there are two arguments why one should forgive. According to the first one, we should forgive in order to reform the wrongdoer. Forgiveness thus would be, not a response to the deep repentance and remorse showed by the wrongdoer, but a first step towards his change. Being forgiven then would make it easier for the wrongdoer to repent and acknowledge his deed as wrong.⁴⁵

The other reason is grounded in a well-known parable about the unforgiving servant in Matthew 18:21-35. The king, so Jesus tells us, had a servant whom he forgave payment of a debt, on the basis of servant's repentance and pleas. The following day, the same servant ignored the pleas of his own debtor and put him into prison. When the king heard that, he got angry and called the servant again and handed him to the torturers till he should pay all his debt. "And this is how my heavenly Father will deal with you unless you each forgive your brother from your heart," continues Jesus in the parable (Matt. 18:35). The principle could be stated like this: we ought to forgive in order to be forgiven as well.

Another possible thought underlying the concept "forgive to be forgiven" is that of forgiving the wrongdoer because of our common share in humanity.⁴⁶ The main core of this idea, I think, can be summarized in the following way. First, in the case

⁴³ Jeffrie Murphy, *Forgiveness and resentment*, in Murphy and Hampton (1988), p. 29.

⁴⁴ Calhoun (1992), p. 80.

⁴⁵ Jeffrie Murphy, *Forgiveness and resentment*, in Murphy and Hampton (1988), p. 30.

⁴⁶ Cf. Garrard (2002), p. 158 ff.

of lesser crimes, I could imagine myself in the place of the wrongdoer and forgive him on the basis of sympathy. Again, since I could sometimes do the same, I forgive him – to err is human. Moreover, very important discoveries in the collective psychology of perpetrators of the worst possible crimes in modern history (i.e., the Holocaust) showed that these people were actually ordinary men, as Christopher Browning says.⁴⁷ Unfortunately, evil is not always perpetrated by psychopaths or deviants. Garrard's remark shows us that even in the case of extreme evil, there is something that we share with the perpetrators and on the basis of which the concept of "forgive to be forgiven" can function: "So the perpetrators do share a common human nature with us; we share, to some unknown extent, their capacity for evil."⁴⁸ This sharing of the capacity for both good and evil creates a bond on which we could ground the claim for forgiveness.

The previous two reasons to forgive could be covered by the phrase "forgive for the sake of something." Now I turn to a case in which we forgive "for the sake of someone." We usually say that we forgive a given person for who he is. This means that there is something in his personality or in our relationship with him that gives us reason to forgive. Such a person has a clear value for us. In modern philosophy, there are two remarkable ways of ascertaining the value of human being as a person. First, follows Hobbes, the value of a human being is instrumental: "The value or worth of a man, is as of all other things, his price; that is to say so much as would be given for the use of his power: and therefore is not absolute; but a thing dependant on the need and judgment of others."⁴⁹ The other way of thinking about human beings claims that a person has value that is non-instrumental and objective. Such a claim could be traced to Kant's notion of a person, not as a mere mean, but always as an end – in – itself, as well: "Handle so, dass du die Menschheit sowohl in deiner Person, als in der Person eines jeden andern jederzeit zugleich als Zweck, niemals bloss als Mittel brauchst."⁵⁰

These two ways of interpreting human value are exclusive if we claim that both of them are intrinsic and are the only worth a person has. But rather than taking one or another standpoint, we could combine them in the following manner.

⁴⁷ Cf. Browning (1998); or reaction upon Browning's book, Goldhagen, Daniel Jonah, *Hitler's Willing Executioners. Ordinary Germans and the Holocaust*, Alfred A. Knopf Publ., New York 1996.

⁴⁸ Garrard (2002), p. 161.

⁴⁹ Thomas Hobbes, *Leviathan*, Ch. X.16., (ed.) Richard Tuck, Cambridge University Press, 1991; p. 63.

⁵⁰ Immanuel Kant, *Grundlegung zur Metaphysik der Sitten*, in Kant's Werke, Königlich Preussischen Akademie der Wissenschaften, Berlin 1911; Abteilung I. Band 4., p. 429.

Hobbes's description suits the situation and the respect each person gains from his role within a certain social system. Kant's approach shows the value a human person has as a human person in itself. So even a lord could think that he is intrinsically of the same worth as a pauper. But he is not a pauper, and as a lord he wants to get better social treatment in several ways. Since Hobbesian worth can change and varies by person according to social circumstances, the Kantian worth cannot be lost at all. What could be modified is the respect that we have for a given person as a human being. According to Kant, the ultimate grounds for both respect for others and self-respect is the moral law which we accept as an incentive for our action.⁵¹ Respect does not arise from any object or its representation, but is purely based on and affected by intellectual grounds, by purely practical reason alone. Any person acting according to and from the moral law is worthy of our respect.

As I said, to wrong someone means to treat him in a demeaning or humiliating way, to treat him as unworthy of our fair and good treatment. Thus, a hard negative feeling is not an inappropriate response to someone who harms us, who is not acting morally. But if someone really repents, shows remorse, and proceeds in what we call a change of heart,⁵² he shows himself to be worthy of our respect. If a given wrongdoer changes, acknowledge his past wrong, and continues to behave according to the rules of morality, our further relationship with and treatment of such a person with hard feelings and negative emotions would be not only inappropriate but even demeaning to him.

Naturally, one could ask if it would be appropriate to forgive any repentant wrongdoer without taking into consideration the character and extent of the wrong he has committed. First, I have to repeat that forgiveness is about regaining human dignity – both on the part of the victim and on the side of the perpetrator. If an act of forgiveness would be diminishing to or demeaning to the victim, it is not only inappropriate, it is morally unacceptable. Therefore, it is evident that, if a victim has suffered extreme humiliation, it is hard to forgive even to a repentant wrongdoer. The burden of the past wrong is simply so big that the victim cannot forswear it without losing face and his moral dignity.

Eve Garrard mentions one argument which supports forgiving a person based on his status as an autonomous rational agent. "Respect for human worth and dignity founded in that capacity," so the argument goes, "gives us reason to overcome hatred of the perpetrators, and regard them once again as members of a moral com-

⁵¹ Cf. Immanuel Kant, *Kritik der praktischen Vernunft*, in Kant's Werke, Königlich Preussischen Akademie der Wissenschaften, Berlin 1911; Abtheilung I. Band 5., p. 79-81.

⁵² Cf. Calhoun (1992), pp. 76-96.

munity.”⁵³ But this argument is not enough to give us a reason to forgive, since acknowledgement of human worth and dignity is included in the decision to forgive; if the victim makes a decision not to forgive, the same worth and dignity is attributed to the perpetrator. For example, we do not forgive animals, we do not decide whether to forgive a dog or a sheep. Just the fact of considering someone a possible recipient of our forgiveness shows that we consider such a person to be an autonomous rational agent.

North might be close to truth with her claim about the essentiality of repentance.⁵⁴ But that does not mean that the inability of the wrongdoer to feel remorse leaves the burden of the past wrong forever on the victim. Forgiveness, as we have seen, is not the only possible way of dealing with past evil deeds. A victim can gain his self-esteem and identity without necessarily forgiving his wrongdoer. Time heals, says an old proverb. A past wrong can be “healed” by time; hatred and resentment do not have to lie awake forever. Suffering and its responsible author can be forgotten. Since forgiveness is not the only way in which a victim can recover from the past wrong, the hard claim for the repentance of the wrongdoer is fully justified.

On the other hand, repentance may be one reason to forgive, but it does not mean that having a reason for forgiving the perpetrator amounts to a requirement to forgive him.⁵⁵ When the perpetrator openly shows a willingness to continue with his wrongdoing, and does not feel remorse for what he has done, he sets an obstacle to the process of forgiving. On the other hand, when he openly shows a willingness to repent, to feel remorse for what he has done, and to change his future feelings or conduct towards the victim, he makes an important step towards being forgiven.

As I described in the conceptual analyses of forgiveness, in forgiving, a victim reframes the whole situation, and sees the wrongdoer as part of a more complex concept. Within the moral level of a given act, we can see that the victim gets such a description of the wrongdoer under which he becomes an object for a changed heart – he becomes a person to whom I change my feelings, forswear resentment and hatred.⁵⁶ Thus, we can see that reframing is not simply a conceptual part of forgiveness, as it could seem from North’s account,⁵⁷ but that it has its moral side of the coin as well.

⁵³ Eve Garrard referring Tracy Govier’s argument in Garrard (2002), p. 157.

⁵⁴ Cf. Joanna North, *The “Ideal” of Forgiveness*, in Enright and North (1998), p. 32.

⁵⁵ Cf. Garrard (2002), p. 148.

⁵⁶ Calhoun (1992), p. 76.

⁵⁷ North in Enright and North (1998), p. 24-26.

From the previous argumentation, it is obvious that I cannot agree with Kolnai's objections against the logical consistency of forgiveness.⁵⁸ Kolnai claims that, since there are no reasons for genuine forgiveness, such an act is unjustified. As we have seen, there are reasons – although not possible demands – for forgiveness. It is true that repentance is an important part of forgiveness, but is not a necessary part. If the concept of the moral appropriateness of forgiveness is based on human dignity and not on the conceptual equality between the forgiver and the wrongdoer (which as we have seen is illusory), forgiveness without repentance is possible, though it may be questionable.

Moreover, when the wrongdoer underwent a change of heart, our attitude towards him must change as well, and so forgiveness is only an empty formal act. This objection is again based on the wrong assumption of equality between the wrongdoer and the former victim. As we have seen, even when the perpetrator repents there is still the act as an object of forgiveness. The act itself does not vanish, is not forgotten. Forgiveness is thus possible and is not formally empty.

III. Resentment and justice: what is left when we do not forgive

In the previous text, I said that forgiveness is not the only way of overcoming a past wrong. We can forget. The harm can pass away. Usually, after being hurt we feel humiliated and later angry; perhaps both at the same time. This reaction to the harm done to us is usually called resentment. It can be accompanied by some kind of hatred, but these two feelings are not one and the same (besides other things, there does not have to be a past wrong upon which hatred reacts). But do we have to feel morally obnoxious when we feel this hatred? Is resentment indeed something which is inherently bad and wrong?

I have already mentioned that resentment derives, in part, from respect. We usually feel resentment only towards someone who is worthy of our basic respect. We suppose that a given person could treat us in a better way, but he does not. We resent him for this treatment of us, which we consider humiliating and unnecessary. In resenting someone, we attribute to him a certain sense of moral responsibility, free choice, and the capability to choose on the basis of certain incentives. For example, animals and nature are excluded from our feeling of resentment. If we would say that we feel something like resentment towards some animal, I believe it is a case of wrong imposing of an anthropomorphous view upon an animal.

⁵⁸ Kolnai (1978), pp. 216-217.

Nietzsche's critique of resentment has, I believe, a different focus. His man of resentment conceals his entrenched hatred. He creates a morality in order to hide his hatred under it and to give an apology to his acts, which are based on resentment but cannot be shown as such.⁵⁹ Nietzsche attacks the hypocrisy and deception of the slave morality. My question focuses on something much more primitive and on hand. Can we somehow find a justification for resenting someone? Can we find a moral justification for our hatred, or do we have to feel guilty of having hostile and negative feelings?

If respect is part of the feeling of resentment, then resenting someone does not humiliate him. We can even argue that this feeling of resentment (and perhaps hatred within it) plays an important role in our conception of justice. Most of the contemporary theories of justice and social relations (e.g., Rawls, Nozick, Walzer)⁶⁰ speak about a justice in the sense of the characterization of institutions and their processes. They do not take seriously the distinction mentioned by Thomas Hobbes in *The Leviathan*: "The names of Just, and Injust, when they are attributed to Men, signifie one thing; and when they are attributed to Actions, another."⁶¹ Robert C. Solomon comments the modern development within the conception of justice in the following way: "the most striking and immediate result of any such conception of justice [e.g., institutional justice as a paradigm] is that it is always at a distance, something other, a state to be hoped for, prayed for, or perhaps desperately worked for, but not as such something already 'in us', something very much our own."⁶² Justice is, according to this concept, blind to individuals and individual cases.

But just a brief look over past thoughts about justice shows us a different picture. In *The Iliad*, justice is simple self-assertion, insistence that one's honor and integrity must be defended, and that any defender deserves the worst. This does not mean that at that time there was no conception of justice corresponding with its expression in Homer, even though the first incorporation of the Homeric principle of justice into the context of somewhat more theoretical thinking first happens two centuries later. Anaximander's fragment can be understood, in my opinion, as an expression of a certain theory of justice embracing both nature and human affairs: Whence things have their origin, Thence also their destruction happens, As is the

⁵⁹ Cf. Nietzsche (1994), pp. 22-23.

⁶⁰ John Rawls, *A Theory of Justice*, Harvard University Press, 1971; Robert Nozick, *Anarchy, State and Utopia*, Basic Books, 1974; Michael Walzer, *Spheres of Justice*, Basic Books, 1983.

⁶¹ Thomas Hobbes, *Leviathan*, Cambridge University Press, 1991. Chap. 15, p. 103 [74].

⁶² Solomon (1995), pp. 5-6.

order of things; For they execute the sentence upon one another - The condemnation for the crime - In conformity with the ordinance of Time (DK12 B1).

The Old Testament sets already a strong restriction to the retribution, but does not question the principle itself. “Eye for eye, tooth for tooth” is a restriction; you take just what has been taken, not more. As punishing in a retributive way, you are not allowed to kill the offender and his entirely family anymore, but equality, or a prototype of some kind of fairness, is demanded. Nowadays, the restriction of vengeance by law is entirely understandable, but, as Solomon argues, the wholesale denial of vengeance may be a cultural and psychological disaster.⁶³

Modern conceptions of justice are based on the idea of a purely selfish or at least self-interested human nature and on human existence in a society that consists of such strongly self-oriented individuals. I do not think it is only by chance that the most important versions of the theory of social contract, which influence the ideas of justice up to our days, were constructed after Descartes published his works in which he is trying to face solipsism coming from his view of human self as *res cogitans*. All the concepts from Hobbes’s *Leviathan* (1651), Locke’s *Two Treatises of Government* (1690), to Rousseau’s *Du Contrat Social* (1762), accept at certain moments that human beings are primarily self-interested individuals, and as such they make the social contract.

Justice, in this manner, was connected with the rationality of autonomous and independent human beings. Emotions started to be more or less disregarded, and the feelings of vengeance or resentment started to be viewed in the same manner as sexuality and sexual desire were in Victorian times.

I do not think that the notion of justice can do without at least some influence of emotions. Let us consider the usual debate about the justification of punishment. On one hand, there is the utilitarian theory of punishment, with a seemingly brilliant and easy rational argument justifying the punishment. We punish to reduce harm done; we punish for the consequences punishment brings. Punishment is not inherently good – indeed it is something which brings about harm – but it prevents even greater harm and suffering, and as such, it is justified.

But in order to form a coherent theory of punishment, I believe, we have to use the other, retributive principle as well. We must punish those (and only those) who did some wrong, and only for the wrong that they did. Punishment also must be justified on the basis of the principle that an offender deserves to be punished, since he has voluntarily committed a wrong act.⁶⁴ This retributive principle connecting

⁶³ Solomon (1995), p. 42.

⁶⁴ Cf. Ten (1991).

the punishment and the wrong done is hard to defend on a purely rational basis. And I think that it is our feeling of justice and of what is just (or perhaps of what is unjust) which lies at the bottom of this fact.

I do not defend only the retributive concept of punishment. I claim that there have to be accepted principles from both conceptions to justify the punishment principle as well as concrete acts of punishment. Margaret Falls⁶⁵ tries to ground the retributive theory in understanding punishment as a part of holding a given person (offender or wrongdoer) morally accountable, i.e., respectful. The universality of her theory of punishment is then explained on the basis of reciprocity theory. But reciprocity theory can explain, in my view, only restoring balance, and not the punishment, as such. Moreover, as Falls remarks herself, reciprocity theory as a by-product tells us that actually doing evil is good and profitable as long as you can get away with it.⁶⁶

In this case, I trust an opinion developed by John Rawls in his early, pre-Theory-of-Justice period of his work more. In the article “Two Concepts of Rules” (1955),⁶⁷ he distinguishes between justifying a practice and a concrete example that falls under such a practice. In a similar way, I claim that, to justify a concrete act of punishment we have to use the retributive concept. Nevertheless, the concept or the general practice of punishment only can be justified on utilitarian grounds based on consequences.

And, as I argued, the retributive conception is closer to our emotions and our feeling of justice, while the utilitarian concept satisfies our demand for a reasonable rational concept. Reason is, in this sense, essential for the concept of justice as a whole. It gives boundaries to feelings of vengeance; justice without reason would lack sense, as would the concept of punishment without its utilitarian part.

Feelings of resentment are thus nothing to be embarrassed about. So far, it does not prevail to be only a blind hatred without its reasonable and respectful part on one side, or hidden and hypocritical hatred on another. At these moments, resentment, like any other feeling, comes to be self-destructive, and as such, self-contradicting. Justice, I believe, is more than a concept, theory, and idea – it is the way one lives and one feels, as well. Moreover, it is the way one acts, responds, and seeks out situations in everyday life. At that moment, emotions are necessarily connected with the notion of justice, since life without emotions is not human life.

⁶⁵ Falls (1987).

⁶⁶ Ibid., p. 32.

⁶⁷ John Rawls, (1999). Originally published in *Philosophical Review*, 64, no.1 (January 1955): pp. 3-32.

The basic idea at this point in my paper was that, even though we do not forgive someone and do feel resentment, which may be accompanied by hatred, it is not necessary to consider this feeling as something morally wrong and which has to be overcome at any cost. Moreover, I was trying to show that emotions – namely, feelings of resentment – are at certain moments important parts of justice, which is considered to be a virtue in itself. Therefore, forgiveness is one of several ways to overcome a past wrong. It is not the only ethical response to wrong and evil deeds. Actually, to demand forgiveness as the only possible way often has worse moral outcomes, and violates more ethical principles (e.g., respect for human dignity, freedom, and responsibility) than staying with feelings of resentment towards someone.

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