

Reflections on the Unforgivable

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Biography

Karen D. Hoffman (hoffmank@hood.edu) received her Ph.D. in philosophy from Saint Louis University in 2000. Since then she has continued the research she began with her dissertation *Forgiveness: Offense and Obligation in Kant and Kierkegaard*. She has presented several papers on forgiveness as an ethical obligation, including “Forgiveness and Commanded Love,” “Kierkegaard on Obligations to Forgive,” and “Forgiveness and the Affective Moral Gap.” Specializing in ethics, her research interests include the virtues, the role of emotions in the moral life, and the nature and scope of the ethical requirement to love one’s neighbor, particularly as presented in the works of Kierkegaard. She is currently an Assistant Professor of Philosophy at Hood College in Frederick, MD.

Abstract

In this paper, I use Derrida’s reflections on forgiveness as a starting point to explore the notion of the unforgivable in interpersonal forgiveness and to discuss what it means to characterize a person or deed as such. After reviewing moral offenses that might be considered unforgivable in practice, as well as those that might be considered unforgivable in principle, I suggest that the most compelling understanding of the unforgivable is to be found in wrongdoers whose actions so dehumanize their victims as to render such persons incapable of forgiving. I then argue that even this way of understanding the unforgivable does not succeed in showing why it would be immoral to forgive. I conclude by discussing some of the potential moral risks associated with the rejection of the unforgivable and by showing that these risks can be answered.

Key Authors

Jacques Derrida, Trudy Govier, Jeffrie Murphy

Key Words

Forgiveness, unforgivable

IN *ON FORGIVENESS*, Derrida characterizes forgiveness as “mad,”¹ specifically a “madness of the impossible,”² and argues that “there is only forgiveness, if there is any, where there is the unforgivable.”³ But what does it mean to characterize something or someone as unforgivable? Does this mean that some moral wrongs cannot be forgiven or that they should not be? It is my aim in this paper to try to remove some of the “madness” of forgiveness by exploring the notion of the unforgivable. I address concerns about both the *practical* impossibility of achieving pure unconditional forgiveness and the *principled* objection that some wrongs are so heinous as to render forgiveness for these morally forbidden. After explaining some of the practical difficulties with forgiveness that might motivate Derrida’s claims about the unforgivable, I examine several additional accounts of the unforgivable, each of which maintains that some moral wrongs are so egregious that it would be morally inappropriate to ever forgive them. After considering several unsuccessful explications of unforgivable acts, I suggest what I believe to be the most compelling characterization of the unforgivable, namely a moral offense which has as its explicit aim the total dehumanization of a victim, the complete destruction of the victim’s moral agency. I then argue that even this way of understanding the unforgivable does not succeed in showing that there are some persons or acts it would always be immoral to forgive.

Before delving into the unforgivable, it will be helpful to say a few things about forgiveness. While there are some variations in the way this has been defined, many contemporary ethicists follow Murphy’s conception of forgiveness as

a moral virtue (a virtue of character) that is essentially a matter of the heart, the inner self, and involves a change in inner feeling more than a change in external action. The change in feeling is this: the overcoming, on moral grounds, of the intense negative reactive attitudes that are quite naturally occasioned when one has been wronged by

¹ Jacques Derrida, *On Cosmopolitanism and Forgiveness*, translated by Mark Dooley and Michael Hughes (New York: Routledge, 2002): 38, 49.

² *Ibid.*, 45.

³ *Ibid.*, 32.

another—mainly the vindictive passions of resentment, anger, hatred, and the desire for revenge.⁴

When a person has been wronged, she naturally experiences negative, often vindictive, reactive attitudes and emotions towards her wrongdoer.⁵ It is these attitudes and emotions that the victim overcomes through the process of forgiving.

It should be noted that nothing has been said here about the removal of guilt. When one person commits a moral wrong against another, at least two things are violated: the person who has been harmed and the moral law. In interpersonal forgiveness one individual overcomes resentment and forgives another, thereby addressing the first violation. But the objective guilt incurred by violation of the moral law remains, even in the absence of subjective feelings of guilt. Since it is not clear how objective guilt can be removed by human beings (indeed, since there are good reasons to think that it cannot be),⁶ it seems to me that considerations about forgiveness as the removal of guilt must be left to theologians. Divine forgiveness may be capable of transforming guilt. Discussions of interpersonal forgiveness, however, must focus on considerations of how the wronged person ought to respond to the harm that she has suffered. Since it does not seem to be in the victim's power to remove guilt, questions about whether she ought to do so and about the morality of removing guilt do not arise.

Derrida may disagree. His treatment of forgiveness focuses more attention on the aporias, puzzles, and paradoxes of forgiveness than on stipulating a definition of the term. One such aporia concerns the persons involved in forgiving (specifically who can request forgiveness and of whom forgiveness can be asked).⁷ Derrida explains that “in a certain way, it seems to us that forgiveness can only be asked or granted ‘one to one,’ face to face, ... between the one who has committed the irreparable or irreversible wrong and he or she who has suffered it.”⁸ A careful reader will note the qualifiers in place here. What is asserted is only true “in a certain way,” and

⁴ Jeffrie G. Murphy, *Getting Even: Forgiveness and Its Limits* (New York: Oxford, 2003): 13. Murphy himself attributes this understanding of forgiveness to Butler's *Fifteen Sermons*. See Joseph Butler, *Fifteen Sermons* (Classworks, 1986).

⁵ In fact, Murphy notes that the failure experience resentment or other negative reactive attitudes can itself be a moral failure, indicating failure to respect the self and the moral order. (*Ibid.*, 19)

⁶ Among these reasons is the fact that humans are unable to change the past and that guilt for actions committed in the past does not expire. To have broken the moral law is to be in violation of the moral law, to be guilty. And, if the moral law does not change, then the infraction of that law will remain.

⁷ Jacques Derrida, “To Forgive: The Unforgivable and the Imprescriptible” in *Questioning God*, edited John D. Caputo, et al, translated by Mark Dooley (Bloomington: Indiana University Press, 2001): 21-51, p. 25.

⁸ *Ibid.*

it may only be what “seems to us” to be true. This latter phrase strikes me as particularly important, since part of Derrida’s aim is to talk about what forgiveness means as part of our history and heritage. But, since this heritage itself includes internal tensions (if not outright contradictions), these tensions appear in Derrida’s discussion of forgiveness. Indeed, part of his task seems to be to make these tensions explicit and to thereby reveal the paradoxical nature of forgiveness, at least within our tradition. Perhaps an awareness of these tensions and paradoxes leaves Derrida reluctant to stipulate any concise definition of what forgiveness is.

But even though Derrida does not stipulate exactly what the forgivable and the unforgivable are, he does tell us something about what they are not. The unforgivable, he explains, is not to be identified with the imprescriptible. “The imprescriptible – namely, what is beyond any ‘statute of limitations’ – is not the un-forgivable.”⁹ While Derrida admits that there is within our heritage a belief shared by many that it is only after remorse, apology, and contrition that forgiveness is morally appropriate, there is also within our heritage an endorsement of unconditional forgiveness, which fails to establish any list of necessary or sufficient conditions for the moral permissibility of forgiveness. This unconditional forgiveness is a demand “that forgiveness be granted, if it can be, even to someone who does not ask for it, who does not repent or confess or improve or redeem himself.”¹⁰ In other words, the same tradition that leads us to believe that apology and repentance render forgiveness morally appropriate also leads us to believe that forgiveness should be granted, even in the absence of these conditions.

Moreover, as we push the notion of unconditional forgiveness, Derrida thinks we start to realize that this is the purest form of forgiveness. This is the type of forgiveness that most resembles a gift given without any thought of reciprocity or “the economy of exchange.”¹¹ In much the same way that a gift given without reason and without expectation for return would be the truest gift, forgiveness given without justification and without expectation of benefit would be the truest forgiveness. Here forgiveness is pushed to its limits. As Derrida argues, “forgiveness only acquir[es] its meaning and its possibility of forgiveness where it is called on to do the impossible and forgive the un-forgivable.”¹² Even those acts that are beyond any statute of limitations, even those acts that are irreparable, irreversible, unforgettable, and irrevocable are

⁹ *Ibid.*

¹⁰ *Ibid.*, 28.

¹¹ *Ibid.*, 46.

¹² *Ibid.*, 29.

nevertheless not unforgivable. In fact, just the opposite is true.¹³ For Derrida, these are the very candidates for pure unconditional forgiveness. True forgiveness is forgiveness of the unforgivable.

It is important to note, however, that Derrida is not entirely certain that true unconditional forgiveness is possible. He repeatedly refers to pure forgiveness as a hypothetical: “*if there is such a thing,*” true forgiveness must be unconditional.¹⁴ Forgiveness must be granted, “*if it can be,*”¹⁵ when the offended party has no reason to forgive. Given the enormous difficulty of the task of forgiving unconditionally, Derrida seems somewhat skeptical about whether it will be possible for us to accomplish this. True forgiveness may be impossible. And, if it is impossible, then the moral wrongs which we should forgive remain unforgivable. Here, though, the unforgivable is not that which is in *principle* unforgivable but that which people are *practically* incapable of forgiving.

But are there some moral offenses that are so monstrous as to render them not just practically unforgivable but also unforgivable in principle? In the next section of this paper, I consider several candidates for the unforgivable and argue that none of these is sufficient to show why it would always be immoral to forgive such offenses. In other words, I argue that there is no morally sufficient reason to maintain that some crimes or persons are in principle unforgivable.

One of the first reasons one might think that some actions or persons are unforgivable is that the wrongdoer has not repented. Since the wrongdoer is still guilty of her crime, the argument might proceed, it would be wrong to forgive her and thereby remove the guilt that is appropriately hers.

In response it should be noted there is no reason to think that interpersonal forgiveness removes guilt at all. As indicated above, there is good reason to think that it is with divine forgiveness that the question of removing guilt becomes a possibility. Discussions of the unforgivable within interpersonal forgiveness should not appeal to the need to retain guilt as the justification for deeming some persons unforgivable. As much of the secondary literature is careful to note, there is an important distinction between pardon and forgiveness.¹⁶ To forgive is not to claim that the wrongdoer is no longer guilty. Rather, it is to say her victim no longer resents her. So concerns about the need to withhold forgiveness in order to retain the guilt of the wrongdoer are misplaced. There is no danger that a victim’s forgiveness will improperly remove

¹³ Ibid., 31.

¹⁴ See, for example, Derrida, “To Forgive,” 34 (my italics).

¹⁵ Ibid., 28, (emphasis added).

¹⁶ On this point, see Murphy, *Getting Even*, especially p. 13-16. See also Trudy Govier, *Forgiveness and Revenge* (New York: Routledge, 2002).

guilt and no reason to think that, because of his continued guilt, a wrongdoer is therefore unforgivable.

Yet there might be other good reasons to think that a person is unforgivable. As Derrida notes,¹⁷ one might follow Jankelevitch and Arendt in deriving the unforgivable from the inexpressible or the irreparable. According to this understanding, persons who have committed monstrous acts for which no reparation is possible are incapable of being appropriately punished (since no proportionate human penalty exists) and are, therefore, incapable of being forgiven. The suggestion here is that forgiveness would only be morally appropriate under the condition that the wrongdoer make restitution and suffer an appropriate punishment. So any person committing a crime for which no reparations can be made, for which no penance will be appropriate, for which no proportionate punishment can be found, is unforgivable.

Derrida contends that this conception of the unforgivable is mistaken because it implies that forgiveness requires a “*human possibility*” that is “the correlate to the possibility of punishment.”¹⁸ As discussed above, he is concerned about the idea of placing any conditions on forgiveness. Throughout his text he speaks of a pure and unconditional forgiveness that is one of the products of the Abrahamic tradition. And unconditional forgiveness, the purest form of forgiveness, must by definition eschew all conditions. “[P]ure and unconditional forgiveness, in order to have its meaning, must have no ‘meaning.’”¹⁹ Even though the actions of some people defy punishment, there is no reason why human forgiveness should be contingent on human punishment.

Moreover, as Govier rightly notes, even an ethicist making the case for *conditional* forgiveness might actually be advancing an argument for *conditional* unforgivability. If a person is unforgivable so long as the conditions that would make her forgiveness permissible do not obtain, then she is only conditionally, not absolutely, unforgivable. Govier points out that, even though we often speak of deeds as forgivable or unforgivable, forgiveness involves one person overcoming resentment of another. As a result, persons rather than deeds are the true objects of forgiveness. “No deed ever expressed remorse, apologized, asked for forgiveness, or faced the challenge of moral transformation.... It is not with deeds that we could, or could not, co-exist or reconcile. All these things involve persons: it is persons who are the subjects of and object of

¹⁷ Derrida, *On Forgiveness*, 36-7. Also Derrida, “To Forgive,” 30.

¹⁸ Derrida, *On Forgiveness*, 37.

¹⁹ *Ibid.*, 45.

forgiveness.”²⁰ And persons are not static. Individual agents are always capable of moral transformation. So, even those who advocate conditional forgiveness can say, at most, that some wrongdoers might be conditionally unforgivable, pending the apology, penance and reparation that might accompany a moral transformation. As Govier rightly notes, “to ignore these possibilities for moral transformation is profoundly wrong, from an ethical point of view. To do so is to presume the perpetrator is no longer deemed to be a human being, and this to violate the norms of respect for persons.”²¹

While Govier makes a number of compelling points, one might worry whether she has sufficiently appreciated the extent of the possible argument for the unforgivable, since she seems to take as a given that the conditions required to make forgiveness appropriate (apology, repentance, remorse, regret) remain within the power of the wrongdoer. As a result, so long as there is the possibility of transformation of the wrongdoer, there is a possibility that the requisite conditions needed for the moral appropriateness of forgiveness can be realized. As Govier puts it in her discussion of Desmond Tutu, “even one who has been a perpetrator of crimes against humanity, [is] *in principle* capable of remorse and reform and thus [is] *in principle* forgivable.”²² But what if one of the conditions required for forgiveness resides not with the wrongdoer but with the *victim*? What if a violation is such that the victim of the monstrous act is unable to forgive, perhaps because he dies as a result of his injuries or because he is so dehumanized as to be incapable of forgiving? Would these cases be examples of unforgivability? Would a person that so dehumanizes an agent as to leave her incapable of continuing to respond as a moral agent thereby be a person that is unforgivable in principle?

With regard to the first of these, the case in which the victim perishes, there are several possible responses. One is to note, as Govier herself does, that many violations have secondary and tertiary victims who might be capable of forgiving the wrongdoer.²³ While these cannot replace the forgiveness of the primary victim, the significance of secondary victims should be acknowledged and should be seen as mitigating any claims to absolute unforgivability. Another response worth mentioning here is the possibility that the mere fact the victim dies is not necessarily indicative of his failure to forgive. In light of the fact that interpersonal forgiveness is an internal process of overcoming negative reactive attitudes, it is always possible that the victim has forgiven her wrongdoer with her dying breath. Those who take Christ as a model, might

²⁰ Govier, *op cit.*, 109.

²¹ *Ibid.*, 118.

²² *Ibid.*, 110.

²³ *Ibid.*, 109.

point to his forgiveness of his crucifiers as an example of forgiveness granted under such circumstances. So death of the victim does not necessarily render a moral offense unforgivable.

The case of the living victim who is rendered incapable of forgiving because of the harms she suffers seems to present a more compelling case for the unforgivable. Consider the example of a person who is repeatedly brutalized, dehumanized, subjected to gross medical experimentation and bodily distortion, systematically tortured, and perhaps even forced to witness the torture and execution of beloved family and friends. It certainly seems possible that such a person might, as a result of such an ordeal, be unable to experience the same kinds of emotional responses and reactive attitudes that she would have experienced before she was so violently victimized. She might, in fact, find herself incapable of overcoming her resentment towards her wrongdoers because she has been so brutalized. Sadly, this *may even have been the intent of her wrongdoer*: to disrupt her moral agency, to deprive her of certain aspects of her humanity, to make her into something that she would never choose to be. A victim who cannot forgive her violators, cannot overcome her resentment towards them, and cannot do so *precisely because* they so thoroughly dehumanized her, would be the victim of a violation that has unforgivability as its aim. Perhaps this is, at least in part, what is meant by the demonic. This seems to me to be the most compelling candidate for the unforgivable.

Something like this might be what Derrida has in mind when he discusses his concerns about “absolute victimization.” He explains that this victimization

depriv[es] the victim of life, or the right to speak, or that freedom, that force and that power which authorizes, which permits the accession to the position of ‘I forgive’. There, the unforgivable would consist of depriving the victim of this right to speech, of speech itself, of the possibility of all manifestation, of all testimony. The victim would then be a victim, in addition, of seeing himself stripped of the minimal, elementary *possibility* of *virtually* considering forgiving the unforgivable.²⁴

Derrida seems to be suggesting that crimes that aim at depriving the victim of the ability to see himself as having the moral authority and strong sense of self needed to overcome resentment and forgive might be candidates for moral offenses that are both practically unforgivable and unforgivable in principle. In the situation Derrida envisions, the victim sees himself as powerless, as stripped of the possibility of overcoming resentment, perhaps even unable to comprehend the depth of the unspeakable harm he has suffered, much less to believe

²⁴ Derrida, *On Forgiveness*, 59.

himself capable of forgiving it. This absolute victimization is a reason for thinking that the person who wronged him may be unforgivable.

Earlier we saw that Govier argues against the notion of the unforgivable on the grounds that any person is at most conditionally unforgivable, since it is always possible that the conditions which would render her forgiveness appropriate might be met through the moral transformation of the wrongdoer. But here we have a case in which the transformation of the *victim* is at issue.²⁵ Could an individual be harmed to such an extent that she might be rendered emotionally incapable of forgiving? I confess I am not sure of the answer to this question. But if Govier is correct that it is always preferable to hold out hope for the transformation of wrongdoers, does it not make even more sense to hold out hope for the transformation of the victims of heinous crimes? And if it is possible that such victims might eventually overcome their very legitimate negative reactive attitudes, then wouldn't it follow that there are no moral wrongs that are necessarily unforgivable?

My point is this: if, in the absence of empirical evidence, we must choose to believe either that people are capable of transformation or that they are not, we are better off believing that such transformation is possible and rejecting the notion of the unforgivable. Those who embrace the notion of the unforgivable run the moral risk of disrespecting the humanity of persons by assuming that human beings merely are what we are (whether this be moral monsters or ineffectual victims) and by failing to acknowledge our continued capacities for transcendence and renewal.²⁶ It is for this reason that I ultimately agree with Derrida's rejection of moral wrongs that are in principle unforgivable and hold out hope for the possibility of forgiveness in situations where it seems to be a practical impossibility.

But, some readers will object, if we run a moral risk of disrespecting persons by *accepting* the notion of the unforgivable, do we not similarly run a moral risk by *rejecting* this? The moral

²⁵ Some readers might find it offensive that here the victim, who has already suffered great harms, is burdened with the additional task of overcoming this trauma and transforming her self in order to forgive her perpetrator. But if the victim has been brutalized as part of the attempt to dehumanize her, then it may be important for the victim to do what she can to defy this dehumanization by engaging in such a transformation. Additionally, it may be important for her to assert herself and to take control of her emotional response to the brutality she has suffered. Some thinkers, like Soren Kierkegaard, suggest that it may be quite empowering to unconditionally forgive wrongdoers, as this places the control over the emotional response to violations completely within the victim's power, rather than making the victim's emotional response contingent on something that the wrongdoer does or fails to do.

²⁶ For additional discussion of the kind of transformation of which humans may be capable, as well as for a more detailed rejection of the philosophical view that character is rather impervious to change, see Govier's *Forgiveness and Revenge*, particularly chapter seven, "Monstrous Deeds, Not Monstrous People."

risk of rejecting the unforgivable might take several forms. One might worry that such a rejection runs the risk of making us morally insensitive to the harms suffered by the victim. Alternately, one might worry that such a rejection risks disrespecting the moral agency of the wrongdoer, who has chosen to commit the offense for which he is resented. I will conclude my paper by briefly discussing both of these concerns.

According to the first of these concerns, the refusal to believe that some persons are absolutely unforgivable may be morally problematic because of its insensitivity to the depth of the harm suffered by some victims. To reject the unforgivable is to suggest that there are no limits to the kinds of suffering, injustice and resentment that can (and perhaps even should) be overcome. A person advocating this view would argue that the recognition of limits are important, that morality dictates the acknowledgment of certain point beyond which a person has been so brutalized that forgiveness is no longer possible, where continued resentment and other negative reactive attitudes are the only moral responses to such depravity.

I admit there is something to this claim. It is important to recognize the depth of moral injury, and setting limits beyond which a person becomes unforgivable seems to be one way of doing this. But recall that forgiveness requires the moral wrong to be acknowledged (at least by the victim). The wrong must be understood to be such for forgiveness to be at issue. If a victim fails to acknowledge the serious moral wrong he forgives, then he has not so much forgiven as he has justified, excused, or condoned the offense he suffered. A person who fails to acknowledge the depth of moral injury cannot forgive. Moreover, since the forgiveness that is at issue in interpersonal forgiveness does not remove guilt, a rejection of the unforgivable is not an acceptance of the claim that guilt can similarly always be overcome. Finally, regarding the desire to establish limits beyond which it is inappropriate to suggest that the victim forgive, we must ask if such limits are really most respectful of the victim. If the concern to set limits is motivated by moral sensitivity to the fact that some people have committed crimes so monstrous that any victim might find it difficult to forgive, I see no reason why we can't acknowledge this while holding out hope for the victim that she may someday be able to overcome her resentment. To have such hope that victims who are ready to forgive will find themselves able to do so seems to me to be more respectful of the moral agency of such victims. Thus concerns about the moral insensitivity to victims in rejecting the unforgivable can be answered.

But what about concerns involving possible disrespect to wrongdoers in rejecting the unforgivable, can these also be answered? Some might contend that a morality that rejects the unforgivable also mistakenly rejects the notion that some people might prefer to be

unforgivable – might, for example, make moral choices with the demonic aim of rendering themselves beyond any possible redemption. Would it not be disrespectful to such persons to invalidate their moral choices by forgiving them?

I think not, for several reasons. First, it is important to once again bear in mind that interpersonal forgiveness does not remove guilt, so the question of whether forgiveness errs by disrespecting the wrongdoer's guilt is not at issue here. Second, forgiveness does not diminish accountability and need not involve the relinquishment of punishment.²⁷ Similarly, forgiveness does not diminish the transgressor's moral responsibility. Indeed, forgiveness *requires* that the victim acknowledge the moral agency and accountability of the person who has wronged her.²⁸ Finally, the act of being forgiven, even against his will, might be the very thing that prompts a wrongdoer to repent, to acknowledge his own culpability, and to enact a moral transformation. Receiving the unwanted gift of forgiveness, realizing that even his victim is able to recognize his humanity might be the very thing that forces a wrongdoer to recognize this humanity himself. As a result, a rejection of the unforgivable is not necessarily disrespectful to wrongdoers.

Reflection on the unforgivable, then, shows that morally sensitive people need not commit themselves to the belief that some moral offenses and offenders are so monstrous as to render these unforgivable in practice or in principle. Regardless of whether forgiveness begins with the unforgivable, as Derrida contends, I have tried to show that forgiveness may be appropriate even for those actions and persons that might seem unforgivable and irredeemable.

²⁷ See Murphy's *Getting Even* for a fuller discussion of this argument.

²⁸ If the wrongdoer lacks agency and accountability, then he might be able to be excused, but he cannot be forgiven.