



Week #4: Is It Moral to Forgive Wrongdoers?: Retribution, Revenge, Punishment and the Demands of Justice

- The Morality of Forgiveness:
 - Is Forgiveness Always a Good Thing?
 - Are There Times When Extending Forgiveness Might Be Inappropriate?
- What Is the Proper Role of the Emotions in the Moral Life?
 - Should We View Resentment and Other Negative Reactive Attitudes as Less Than Good, Perhaps Even Inherently Bad?
- How Should Proportionality Function Within the Moral Life?
 - What Is Right About the Desire for Retribution or Vengeance?
 - Where Can This Desire Overstep the Mark?
- What Does Reconciliation Really Mean? What Kind of Forgiveness Does It Require?

Prayer Before Studying Ethics:

Grant, O Lord, that as thy Son our Saviour Jesus Christ prayed for his enemies on the cross, so we may have grace to forgive those that wrongfully or scornfully use us; That we ourselves may be able to receive thy forgiveness; through the same Jesus Christ our Lord.

--Third Sunday in Lent, *Book of Common Worship* (Church of South India)

Is Forgiveness Always a Good Thing?

In *Getting Even*, Murphy argues that Americans today treat forgiveness as an obvious and unconditional good. Murphy, as a scholar who looks at the intersections of law and moral philosophy, is not so sure. He thinks some of our current views about hasty and unconditional forgiveness might be unhelpful and unhealthy,

- trivializing the harms suffered by victims and
- ignoring some of our fundamental assumptions about what constitutes fair and just action.

The Popular View

Murphy is particularly irritated by the flood of popular self-help/self-improvement books which tell the reader that

- forgiveness is always inherently good and beneficial to oneself and one's interests, while
- hesitation about forgiving another person is the sign of a vindictive mind and
 - vindictiveness and other retributive attitudes are inherently bad and harmful to oneself and one's interests.

Cf. Murphy's criticism about the "uncritical upbeat boosterism" which recommends the "hasty adoption" of forgiveness "as a nearly universal panacea for all mental, moral and spiritual ills" (viii-ix).

The Popular View is Questionable Because It Runs Contrary to Our Fundamental Intuitions Concerning the Moral Life—Sometimes We Intuit That It Would Be More Appropriate to Blame and Resent than to Forgive

Murphy thinks this hasty movement to offer unconditional forgiveness is dangerous because it teaches us to disregard our fundamental intuitions concerning the moral life. Following the British philosopher P.F. Strawson, Murphy thinks that we would be better advised to pay close attention to the "reactive attitudes" which give rise to (and constitute the fabric of) the moral life.

- By a "reactive attitude" Strawson means attitudes such as resentment, which are "directed toward wrongs and those who do the wrongs" (p. 19).
 - More specifically, Strawson argues that resentment and gratitude are not simply a means to manipulate people toward some further practical goal, as if resentment and gratitude were just incidental tools used to engage in the regulation, treatment and control of other people.
 - Instead, our reactive attitudes express a notion of the good and establish that person's relation to the good.
 - It is these reactive attitudes that make us moral beings and are an essential part of our humanity.
 - If we lost or devalued these reactive attitudes we would weaken our moral sensibilities and become something less than fully human.

If all this seems very abstract, please read the handout "Tenured and Battered."

- Note the weird lack of affect and emotional response to other's actions in the article.
- Curiously, once affect and emotional response to other's actions becomes attenuated and disappears, the moral aspect of the story also seems to fall out of view and we are left with nothing more than a description of actions, procedures and policies. Even the outcomes (e.g. her husband deciding to commit suicide) are simply and sparsely narrated, without much further reflection, evaluation or insight into the moral value of these events. All one is left with is the narration of policies that simply represent the implementation of choice.

(If time permits, also discuss "Get Counseling, Find Your Self-Esteem.")

Strawson and Murphy have another reason for liking resentment and other reactive attitudes. Not only are they bearers of moral value, they also commonly maintain a sense of proportionality. Thus, for example, if you steal my pencil, I may resent you a little bit, but if you steal my car, I may resent you a lot.

The reactive attitude is

- proportioned to the act and
- can represent nuanced gradations of moral value.

Advocates of the unqualified-forgiveness position that Murphy is criticizing will agree to a limited extent: Yes, resentment and hatred do embody judgments of value and yes, they may initially be proportioned to the act. The problem, however, is that what such negative reactive attitudes embody is a desire for *retribution* and the desire for retribution has an inherent problem—it very quickly tends to get out of control and overstep the mark, so that all sense of proportionality is very quickly lost:

Ex.—“The boss wants me to work during deer hunting season. I am outraged! The boss will pay!”

Once the ball gets rolling with retributive attitudes, all sense of proportion quickly gets lost and people start going postal. This leads to an escalation of violence and the fabric of social life gets torn to shreds.

- Time permitting, look at “Vengeance Will Be Mine!”; “Two Dead After Parties Clash” and “The Dark Side of ‘Webtribution’”
- Thus, it is argued, even if negative reactive attitudes initially hit the mark and maintain a sense of proportionality in describing wrongs, we are still asked to forswear them for the greater good of the whole (lest we, and others with us, be destroyed by the violence of our passions).
 - It is assumed that where resentment exists, one will eventually and inevitably be dominated and consumed by it to such an extent that one can never overcome and moderate these violent feelings (which exceed what is reasonable and appropriately proportioned to past harm).
 - Such vindictive feelings, it is argued, will inevitably lead one to act in an irresponsible, harmful manner (i.e. out of malice and cruelty).
 - Acting upon such vindictive feelings will inevitably harm/destroy oneself, as well as others.
 - See the case studies in J.C. Arnold, *Seventy Times Seven*, pp. 10-11 contrasted with pp. 109-111
- To prevent this outcome, we are therefore asked to forgive the the wrongs that were done and to repudiate all negative and vindictive attitudes toward the offender.
 - This opens the door to reconciliation, which can repair the social fabric and restore social relationships to their previous state.
- Any retribution that strictly must be enacted will be transferred to the institutional realm and be carried out by the state, which is expected to inflict suffering proportionate to the wrong previously done (not engaging in excessive or arbitrary and capricious action under the influence of powerful emotions).
 - Any retribution that needs to be carried out by the state can be justified by the deterrent effect such suffering has on potential future offenders (preventing future wrongful harm is a social benefit).
 - Continuing resentment and vindictiveness have no place here.

Murphy—there are some serious problems with this.

- (1) Mandating hasty, unconditional forgiveness at the interpersonal level simply
 - (a) Trivializes and effectively denies the wrong/harm that was done;

- (b) Encourages people not to tell truthful stories, but instead to live in denial (“forgive and forget”) and tell oneself the lie that what happened to wasn’t that bad and therefore I should feel this way
 - (c) Lacks a deterrent effect and simply encourages potential offenders to behave badly. (So much for the social benefit which is supposed to attach to forgiveness.)
- (2) Justifying the state’s inflicting of suffering on individuals to secure some social benefit is a bad idea. It takes the focus off proportional response to a past act (which was the virtue of resentment) and justifies things in terms of a future oriented goals of social control and behavior management. Pretty soon, Murphy argues, the institution or state will feel justified in forcing people to suffer just to get people to behave in a certain way. (E.g., you will stay indefinitely in the Russian psychiatric hospital until you agree to renounce the Christian faith.)
- (3) It would be better if we either
- Separated *forgiveness* from *reconciliation* or
 - were at least more careful about how we used the word “forgiveness” and how we granted to others forgiveness in the strictest sense (i.e. the sort of forgiveness which includes the goal of reconciliation and the restoration of social relationships).
- (a) If by forgiveness, one means
- (i) renouncing a personal desire to take immediate violent action against the offender (commitment to not retaliating against the offender)
 - (ii) desiring God to change the awful, wrong character and acts of the offender
 1. “God does not desire the death of a sinner, but that he should turn from his wickedness and live”
 2. To tear down and destroy God’s creature is the work of the Devil and we must not assent to it. In some way, we must ask God to change them and restore them to the good and to wholeness.
 - (iii) with this desire not being incompatible with civil punishment proportioned to their acts (there is no obligation to rescue offenders from the consequences of their acts),
then there may be something to be said for this; see Arnold, pp. 70-71 and Ortberg “No Apology” for an example of this. Compare the prayer in Appleton, *The Oxford Book of Prayer*, p. 111, no. 363.
- (b) If by forgiveness, one means moving toward *reconciliation* and *the restoration of prior relationships*, let this be contingent upon true and sincere repentance on the part of the wrongdoer. The latter should
- (i) recognize that one’s evil was one’s own, was evil and did injure another
 - (ii) be willing to openly confess this and take full responsibility
 - (iii) should demonstrate remorse,

1. repudiating his/her own wrongdoing and the values/character that gave rise to it
2. resolving not to endorse or commit this wrong again.

Where these conditions exist, it becomes possible to separate the sin from the sinner, so that true, non-superficial reconciliation becomes possible. Cf. Festo Kivengere *Revolutionary Love*, pp. 25-26, 28 and perhaps also Arnold, pp. 20-24.

At the same time, reconciliation is a process that depends not just on oneself, but on the offender as well, and an invitation to reconciliation can be abused or refused, making reconciliation impossible.

The problem comes when we speak loosely and unreflectively about forgiveness and assume that

- (1) renouncing personal retribution and
- (2) asking God to change the offender

will always (and obviously) lead to

- (3) reconciliation with the offender and
- (4) the return to relationships that are roughly as they were prior to the wrong/harm that was done.

A person who failed to distinguish these things might recommend to a battered wife that she should forgive her unrepentant husband and stay with him, since her forgiveness was sufficient to restore the relationship to the way it was before the abuse.

In response to this confusion, one might note that while forgiveness can sometimes be a one-way street, reconciliation is always a two-way street and it involves a great deal of work over time.

Reconciliation aims not to restore some previous arrangement *as if the offense had never happened*; instead reconciliation must take seriously that the offense *has happened* and *has undermined or destroyed the previously existing relationship*.