

Excerpt from
***Anger and Forgiveness* by Martha Nussbaum**
Oxford University Press
2016

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UNIVERSITY PRESS

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Published in the United States of America by

Oxford University Press

198 Madison Avenue, New York, NY 10016

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ISBN: 978-0-19-933587-9

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Printed in the United States of America on acid-free paper

Chapter 1

Introduction: Furies into Eumenides

At the end of Aeschylus' Oresteia, two transformations take place in the archaic world of the characters, transformations that the fifth-century Athenian audience would recognize as fundamentally structuring their own world. One transformation is famous, the other often neglected. In the famous transformation, Athena introduces legal institutions to replace and terminate the seemingly endless cycle of blood vengeance. Setting up a court with established procedures of reasoned argument and the weighing of evidence, an independent third-party judge, and a jury selected from the citizen body of Athens, she announces that blood guilt will now be settled by law, rather than by the Furies, ancient goddesses of revenge. But – and this is part and parcel of her famous transformation of the Athenian community – the Furies are not simply dismissed. Instead, Athena persuades them to join the city, giving them a place of honor beneath the earth, in recognition of their importance for those same legal institutions and the future health of the city.

Typically this move of Athena's is understood to be a recognition that the legal system must incorporate the dark vindictive passions and honor them. Thus the great Hellenist Hugh Lloyd-Jones concludes, "Far from wishing to abolish the prerogatives of the Erinyes, Athena is anxious to conserve them."¹ The suggestion is that the retributive passions themselves remain

¹ Aeschylus, Eumenides, translation and commentary by Hugh Lloyd-Jones (Englewood Cliffs: Prentice-Hall, 1970), 76.

unaltered; they simply have a new house built around them. They agree to accept the constraints of law, but they retain an unchanged nature, dark and vindictive.

That reading, however, ignores the second transformation, a transformation in the nature and demeanor of the Furies themselves. At the outset of the trilogy's third drama, the Furies are repulsive and horrifying. Apollo's Priestess, catching a glimpse of them, runs in such haste that, an elderly woman, she falls and "runs" on all fours (Eumenides 34-38). They are not women but Gorgons, she exclaims. No, not even Gorgons, since these have no wings.² They are black, disgusting; their eyes drip a hideous liquid, and they snore a fearsome blast. Their attire is totally unfitting for civilized gatherings (51-56). Shortly afterwards, Apollo depicts them as vomiting up clots of blood that they have ingested from their prey (183-4). They exist, he says, only for the sake of evil (72). They belong in some barbarian tyranny where it is customary to kill people arbitrarily, to mutilate and torture them (185-90).³

Nor, when they awaken, do the Furies give the lie to these grim descriptions. As Clytemnestra's ghost calls them, they do not speak, but simply moan and whine: the text mentions mugmos and oigmos, noises characteristic of dogs. Their only words, as they awaken, are "get him get him get him get him" (labe labe etc.), as close to a doggy hunting cry as the genre allows. As Clytemnestra says: "In your dream you pursue your prey, and you bark like a

² Translations mine, with influence from Lattimore. Remarkably, she pauses long enough to mention that she knows what Gorgons look like, since she has seen them in a painting by Phineas.

³ He mentions various cruel punishments that are associated in Greek lore with Persian despotism.

hunting dog hot on the trail of blood” (131-2). If the Furies are later given articulate speech, as the genre demands, we are never to forget this initial characterization.

What Aeschylus has done here is to depict unbridled anger.⁴ It is obsessive, destructive, existing only to inflict pain and ill. In its zeal for blood it is subhuman, doglike. The Greeks were far enough removed from fancy domesticated dog breeds and close enough to raw scenes of canine killing to associate the dog, consistently, with hideous disregard for the victim’s pain. Even the idea of vomiting up the blood of victims is a quite literal depiction of doggy behavior.⁵ The smell on the Furies’ breath is the smell of half-digested blood, the same smell from which one might turn in revulsion today after witnessing unbridled canine behavior.⁶ Apollo’s idea is that this rabid breed belongs somewhere else, in some society that does not try to moderate cruelty or limit the arbitrary infliction of torture – surely not in a society that claims to be civilized.

Unchanged, these Furies could not be part and parcel of a working legal system in a society committed to the rule of law.⁷ You don’t put wild dogs in a cage and come out with justice. But the Furies do not make the transition to democracy unchanged. Until quite late in the drama, they are still their doggy selves, threatening to disgorge their venom (812), blighting the land and

⁴ On the various species of the genus *anger*, see Appendix C.

⁵ Wild dogs feed their puppies by chewing and swallowing the kill, then vomiting it up again in a more digestible form.

⁶ I write this after many hours of unfortunately close observation of wild dogs in Botswana. Strictly speaking, “African wild dogs” are not actual dogs, if we mean members of the genus *canis*: their biological name is *Lycaon pictus*; they are thus canids but not canines.

⁷ See Allen (2000) and Allen (1999).

producing infertility (812). Then, however, Athena – who has already set up her legal institutions without them – persuades them to alter themselves so as to join her enterprise.⁸ “Lull to repose the bitter force of your black wave of anger”, she tells them (832-3).⁹ But of course that means a very profound transformation, indeed a virtual change of identity, so bound up are they with anger’s obsessive force. She offers them incentives to join the city: a place of honor beneath the earth, reverence from the citizens. But the condition of this honor is that they abandon their focus on retribution and adopt a new range of sentiments. In particular, they must adopt benevolent sentiments toward the entire city and refrain from stirring up any trouble within it -- especially not civil war, but also not premature death or any intoxicating angry passion (850-63).¹⁰ Indeed, they are required to invoke blessings upon the land (903 ff.). The deal is that if they do good and have and express kindly sentiments, they will receive good treatment and be honored. Perhaps most fundamentally transformative of all, they must listen to the voice of persuasion (885, 970). All of this, needless to say, is not just external containment: it is a profound inner reorientation, going to the very roots of their personality.

⁸ See Gewirtz (1988). Gewirtz rightly emphasizes that Athena has already gone ahead without them. The question is not whether the law courts will exist: they do exist. The only question is whether they will join or oppose.

⁹ I typically follow Lloyd-Jones’s excellent and very faithful translations, unless I want to bring out a point by greater literalness.

¹⁰ She exempts foreign war, which they are permitted to encourage.

They accept her offer, and express themselves “with a gentle-temper” (preumenôs, 922).¹¹ They prohibit all untimely killing (956). Each, they declare, should give love (charmata) to each, in a “mindset of common love” (koinophilei dianoi, 984-5). Once again: these sentiments are utterly foreign to their previous doggy identity. Not surprisingly, they seem to be transformed physically in related ways. They apparently assume an erect posture for the procession that concludes the drama, and they receive crimson robes from a group of female escorts (1028-9) – the crimson robes that resident aliens wear in the city festival of the Panathenaia. They have become women, rather than beasts, and “resident aliens” in the city. Their very name is changed: they are now The Kindly Ones (Eumenides), not The Furies.¹²

This second transformation is just as significant as the first, indeed crucial to the success of the first. Aeschylus suggests that political justice does not just put a cage around anger, it fundamentally transforms it, from something hardly human, obsessive, bloodthirsty, to something human, accepting of reasons, calm, deliberate, and measured. Moreover, justice focuses not on a past that can never be altered but on the creation of future welfare and prosperity. The sense of accountability that inhabits just institutions is, in fact, not a retributive sentiment at all, it is measured judgment in defense of current and future life. The Furies are still needed, because this is an imperfect world and there will always be crimes to deal with. But they

¹¹ See note 1 above. The term surely suggests that they have put their anger to one side, although it doesn't clearly connote complete renunciation of anger.

¹² Of course Eumenides is, in real Greek life, a cautious euphemism as used by citizens of these goddesses, but Aeschylus is doing something else with it. The ex-Furies are explicitly called metoikoi, resident aliens, and the group of escorts is said by Athena to be composed of those who guard her shrine – thus priestesses of the cult of Athena Polias.

are not wanted or needed in their original shape and form. Indeed, they are not their old selves at all: they have become instruments of justice and welfare. The city is liberated from the scourge of vindictive anger, which produces civil strife and premature death. In the place of anger, the city gets political justice.

There is still room for awe: for would-be criminals and fomenters of civil strife are on notice that bad deeds will not go unpunished. Thus, the faces of the Eumenides are still described by Athena as fearful (990). But legal accountability is not mayhem; indeed, being precisely targeted, measured, and proportional, it is mayhem's opposite. Moreover, accountability for past acts is focused on the future: on deterrence rather than payback.

Aeschylus is not a philosophical theorist of punishment, and he leaves a lot of questions for later exploration. For example, is there a type of retributivism that can meet his constraints? Punishment must forgo the lex talionis, but is there a type of retributivism that is compatible with rejecting that idea? Or must society, as Socrates and Plato believed, and much of popular Greek thought with them, embrace an altogether different theory of punishment, one based upon deterrence and general utility?¹³ There are hints of the latter approach, but no clear statement.

¹³ For the general shift in attitudes to punishment that occurred in the fifth century, see Harriss (2001). This important and remarkable study provides an extremely convincing argument that the Greeks and Romans came to criticize the spirit of payback, and anger seen as involving it. Harriss documents the shift in speaking of punishment from the timor- word-family, denoting payback, to the kolazein family, denoting punishment without implication of payback. The shift Harriss documents, as he emphasizes on p. 26 and elsewhere, involves non-intellectuals as well as intellectuals, although intellectuals play a prominent role.

Another liberation goes unexplored, but invites our imaginations: it is the liberation of the private realm. In the old world of the Furies, the family and love, familial and friendly, were burdened by the continual need to avenge something for someone. The need for retaliation was unending, and it shadowed all relationships, including those fundamentally benign, such as Orestes' relationship with Elektra. Revenge made it impossible for anyone to love anyone. (The hideous musical world of Richard Strauss's opera Elektra is perhaps the most indelible realization of this Aeschylean/Sophoclean insight. There's not one note, one phrase, that is not bent and twisted by the distorting weight of revenge.¹⁴) But now law takes over the task of dealing with crime, leaving the family free to be a place of philia, of reciprocal good will. It's not that there are no more occasions on which people are likely to feel anger: but if they are serious they are turned over to law, and if they are not serious, why should they long trouble reciprocal concern? (As we shall see, that dichotomy is too simple, since the intense love and trust of intimate relationships may still give legitimate occasions for painful emotions such as grief and fear, whether or not law has stepped in.) As Aristotle will later say, the gentle-tempered person (his name for the virtue in the area of anger) is not vengeful, but, instead, inclined to sympathetic understanding.¹⁵ Law gives a double benefit: it keeps us safe without, and it permits us to care for one another, unburdened by retributive anger, within.

¹⁴ In this regard, the opera is the exact inversion of Mozart's Le Nozze di Figaro, in which every phrase, even those of the "bad" characters, is illuminated by love. Strauss wrote his own Figaro – in Der Rosenkavalier.

¹⁵ Suggnômê: sometimes this is translated "forgiveness," but it just means "thinking-with," i.e. participatory understanding, and its connection to forgiveness is added by modern theorists and

Notice, in particular, that law permits us to care about wrongs done to friends and family members, without spending our lives consumed with angry emotion and projects of retribution. Most of the anger in the pre-law world that Aeschylus depicts had little to do with the actual living people: it tracked past wrongs done to long-ago ancestors, or, occasionally, one's parents or relatives. Thus the Agamemnon opens with the past, in the form of the Chorus's anguished depiction of the long-ago slaughter of Iphigeneia – which Clytemnestra will shortly avenge. And as soon as Aegisthus enters, late in the play, rather than speaking at all about himself or what he cares about, he launches into the gruesome saga of his father Thyestes, who was duped into eating the flesh of his own children by Agamemnon's father Atreus. People don't get to exist as themselves: they are in thrall to a past that burdens them. Anger about wrongs done to oneself is transformed by law too, as we shall see, but perhaps the largest change law effects is to give people a way of caring about others that does not involve exhausting vicarious retributive projects.¹⁶

This book is not about ancient Greek ethics, but it takes its inspiration from the Aeschylean picture I have just sketched – from the idea that political justice offers a thoroughgoing transformation of the moral sentiments in both the personal and the public realms. But I shall go further than Aeschylus, arguing that anger is always normatively problematic, whether in the personal or in the public realm.¹⁷ At the heart of my argument is an analysis of anger, which I

translators. See below n.30, and further in ch. 3. Aristotle's position is not mine, because he still recommends revenge in some cases, particularly in connection with family bonds.

¹⁶ For the place of the Eumenides in the evolving Greek critique of anger, see Harriss (2001, 162).

¹⁷ As Harriss argues, this position becomes gradually more common in Greece and Rome.

present in chapter 2. Concurring with a long philosophical tradition that includes Aristotle, the Greek and Roman Stoics, and Bishop Butler, I argue that anger includes, conceptually, not only the idea of a serious wrong done to someone or something of significance, but also the idea that it would be a good thing if the wrongdoer suffered some bad consequences somehow. Each of these thoughts must be qualified in complex ways, but that's the essence of the analysis. I then argue that anger, so understood, is always normatively problematic in one or the other of two possible ways.

One way, which I call the road of payback, makes the mistake of thinking that the suffering of the wrongdoer somehow restores, or contributes to restore, the important thing that was damaged. That road is normatively problematic because the beliefs involved are false and incoherent, ubiquitous though they are. They derive from deep-rooted but misleading ideas of cosmic balance, and from people's attempt to recover control in situations of helplessness. But the wrongdoer's suffering does not bring back the person or valued item that was damaged. At most it may deter future offending and incapacitate the offender: but this is not all that the person taking the road of payback believes and seeks.

There is one case, however, in which the beliefs involved in anger make a lot of sense, indeed all too much sense. That is the case that I shall call the road of status. If the victim sees the injury as about relative status and only about that – seeing it as a “down-ranking” of the victim's self, as Aristotle put it – then indeed it does turn out to be the case that payback of some sort can be really efficacious. Lowering the status of the wrongdoer by pain or humiliation does indeed put me relatively up. But then there is a different problem: it is normatively problematic to focus exclusively on relative status, and that type of obsessive narrowness, though common enough, is something we ought to discourage in both self and others.

That's the core of my main argument in a nutshell, but of course all these ideas must be unpacked and defended. Anger may still have some limited usefulness as a signal to self and/or others that wrongdoing has taken place, as a source of motivations to address it, and as a deterrent to others, discouraging their aggression. Its core ideas, however, are profoundly flawed: either incoherent in the first case, or normatively ugly in the second.

I then arrive at a crucial concept that I call the Transition. Most average people get angry. But often, noting the normative irrationality of anger, particularly in its payback mode, a reasonable person shifts off the terrain of anger toward more productive forward-looking thoughts, asking what can actually be done to increase either personal or social welfare. I explore the course of reflection that leads to this future-directed thinking, which I prefer. (I interpret the transition undergone by the Furies to be this type of Transition, but that is not essential to my argument.) The Transition is a path that can be followed by an individual, but it may also be, as in Aeschylus, an evolutionary path for a society.

I also recognize a borderline case of genuinely rational and normatively appropriate anger that I call Transition-Anger, whose entire content is: "How outrageous. Something should be done about that." This forward-looking emotion, however, is less common, in that pure form, than one might suppose: most real-life cases of Transition-Anger are infected with the payback wish.

In the core chapter and subsequent chapters, armed with this analysis, I then tackle three commonplaces about anger that bulk large in the philosophical literature, as well as in every day life:

1. Anger is necessary (when one is wronged) to the protection of dignity and self-respect.

2. Anger at wrongdoing is essential to taking the wrongdoer seriously (rather than treating him or her like a child or a person of diminished responsibility.)

3. Anger is an essential part of combatting injustice.

I grant that anger is sometimes instrumentally useful in the three ways I have mentioned. But this limited usefulness does not remove its normative inappropriateness. Nor is it as useful, even in these roles, as it is sometimes taken to be.

Four subsequent chapters (4, 5, 6, and 7) develop this core argument further in four distinct domains of life. A good inquiry into these matters should distinguish several different realms of human interaction, asking carefully what human relations are proper to each, and what virtues are proper to each of these relations. The realm of deep personal affection (whether familial or friendly) is distinct from the political realm; it has distinct virtues and norms, where anger and judgment are concerned. My argument will be structured around this division of realms.

First, in chapter 4, I investigate the role of anger in intimate personal relationships, where it is often thought that anger, though sometimes excessive or misguided, is a valuable assertion of self-respect, and that it should be cultivated, particularly by people (and women are the example so often given) who are inclined to have a deficient sense of their own worth. I argue against this line of thinking, suggesting that the values distinctive of personal intimacy not only do not require anger but are deeply threatened by it. Of course serious damages and breaches of trust do occur, and they are often occasions for short-term anger and long-term grief. But grief for a loss is preferable, I shall argue, to an ongoing determination to pin the loss on someone else – both instrumentally, being better for the self, and intrinsically, being more appropriate to the nature of loving human relations. Though short-term anger is understandable and human, it is rarely helpful, and it certainly should not dictate the course of the future.

I next investigate (in chapter 5) what I shall call a “Middle Realm,” the realm of the multitude of daily transactions we have with people and social groups who are not our close friends and are also not our political institutions or their official agents. A great deal of resentment is generated in the Middle Realm, from slights to reputation to that unpardonable sin – mentioned already by Aristotle – in which someone forgets your name. In this realm, I make a different argument from the one I advance for the intimate realm, where I recommend strong emotional upset, albeit grief and not anger. Here, I argue that the Roman Stoics, whose culture was unusually disfigured by resentments in the Middle Realm, are entirely correct: the right attitude is to get to a point where one understands how petty all these slights are, and one not only doesn’t get angry but also does not grieve. The damage simply is not serious enough. Seneca never quite got there, but he records his self-struggle in a way that offers good guidance. (Thus I shall be following Adam Smith in holding that the Stoics give sound advice except when they tell us not to care deeply for our loved ones, family, and friends.)

But that cannot be the entire story, for of course, although a great deal of daily anger does deal with trivia such as insults and incompetence, sometimes damages in the Middle Realm are extremely serious: stranger-rape, murder by strangers, and so forth. These cases are not like the petty irritations and insults with which Stoic texts and daily life are typically filled. Here is where the insights of Aeschylus become so important. In such a case, the thing to do is to turn matters over to the law, which should deal with them without anger and in a forward-looking spirit. Although serious matters in the personal realm may also be turned over to law, they leave, and appropriately so, a residue of deep emotion (grief, fear, compassion) that are integral to a relationship of love and trust. In the Middle Realm, by contrast, there is no point to any ongoing relationship with the malefactor, and law can assume the full burden of dealing with the wrong.

I turn next to the Political Realm. In this realm, the primary virtue is impartial justice, a benevolent virtue that looks to the common good. It is first and foremost a virtue of institutions, but it is also, importantly, if derivatively, a virtue of the people who inhabit and support these institutions. But what sentiments animate and support justice? Here, once again, it is often held that anger is important, as a sentiment vindicating the equal dignity of the oppressed and expressing respect for the human being as an end. I divide my treatment of the Political Realm into two parts: everyday justice (chapter 6) and revolutionary justice (chapter 7).

In the case of everyday justice I shall argue that the pursuit of justice is ill-served by a narrow focus on punishment of any type, but especially ill served by criminal law retributivism, even of a sophisticated sort. Above all, society should take an ex ante perspective, analyzing the whole problem of crime and searching for the best strategies to address it going forward. Such strategies may certainly include punishment of offenders, but as just one part of a much larger project that would also include nutrition, education, health care, housing, employment, and much more. Although I shall not be able to carry out, here, the wide inquiry into social welfare that is really demanded, I offer at least an idea of what it would look like, and I then look more narrowly at criminal punishment as one tiny sliver of that enterprise.

But what about revolutionary justice? Here it is often believed that anger can be both noble and essential, helping the oppressed to assert themselves and pursue justice, I argue, however, following the theoretical writings of Mohandas Gandhi and Martin Luther King, Jr., that anger is not only not necessary for the pursuit of justice, but also a large impediment to the generosity and empathy that help to construct a future of justice. Anger may still have limited utility in the three instrumental ways I have identified (as signal, as motivation, and as deterrent), but it is crucial that the leader of a revolutionary movement, and many of the followers, be strange sorts

of people, part Stoic and part creatures of love. Nonetheless there have been such leaders and followers, as the thought and life of Nelson Mandela demonstrate. And maybe they are not so strange after all, since human life does contain surprising stretches of joy and generosity, qualities that go well with the project of building something better than what exists already.

This clean division of realms is too simple, of course, because the realms intersect and influence one another in many ways. The family is a realm of love, but it is also a political institution shaped by law, and it contains a many wrongs (such as rape, assault, and child abuse) that the law must take extremely seriously. Slightings in the workplace (for example) are Middle Realm wrongs, but they may also be instances of racial or gender discrimination, of harassment, or of tortious negligence, thus bringing them within the ambit of the law, and of the sort of carefully limited Transition-Anger (the Eumenides in their new basement abode) that is proper to political wrongs. Moreover, our relationships with colleagues, unlike relationships with strangers on airplanes and on the road, are ongoing relationships that have at least some weight and significance: so they lie between the full intimacy of love and friendship and the forgettable encounter with a rude seatmate. Furthermore, as I have already emphasized, serious crimes against the person, such as assault, rape, and homicide by non-intimates, are serious wrongs and also legal offenses in the Middle Realm. The proper attitudes toward these wrongs, in their different aspects, will take a lot of sorting out.

Equally important, the Political Realm is not simply a realm of impartial justice. If a nation is to survive and motivate people to care about the common good, the public realm will need some of the generosity and the non-inquisitorial spirit that I think of as proper to the personal realm, where keeping score of all one's wrongs may be carried too far and poison the common endeavor. That, really, is the core of Aeschylus' insight: that instead of exporting to the city the

vindictiveness and bloodthirstiness of the family at its worst, the city should draw on the bonds of trust and the emotions of loving generosity that characterize the family at its best.

Although my central topic is anger and its proper management in the three realms, my project also has a subtheme, which involves a critical examination of one prominent candidate to replace anger as the central attitude in the area of wrongdoing. This substitute attitude is forgiveness, and its candidacy is vigorously championed in modern discussions. The concept of forgiveness is strikingly absent from the Eumenides, as, indeed, (I would say) from all of ancient Greek ethics,¹⁸ but it is so central to modern discussions of anger that one cannot approach the topic without grappling with it extensively. I therefore propose to do so here, addressing the familiar contention that forgiveness is a central political and personal virtue. At the end of the day we will be close, in at least some crucial respects, to where Aeschylus left us – but after clearing away a great deal that intervening centuries have bequeathed. Thus we will be able to see more clearly what the insights of the Eumenides might offer to a modern world. Let me now introduce that subsidiary theme.

We live in what is often described as a “culture of apology and forgiveness.”¹⁹ A cursory Amazon book search turns up scores of titles. Most are works of popular psychology and self-help. Frequently they couple the idea of forgiveness with that of a “journey” or a “road.”

¹⁸ See also Konstan (2010), to be discussed further in chapter 3.

¹⁹ See Griswold (2007, xxiii). Griswold does not unequivocally endorse this development. His first-rate, subtle, and carefully argued book is an indispensable starting point for any further work on these questions, especially work like mine, which disagrees with some of his main contentions.

Taking this journey, usually guided by a therapist, the wronged person moves from some terrible place of pain to a lovely place of transfiguring happiness. My favorite such title is Breaking Night: A Memoir of Forgiveness, Survival, and My Journey from Homeless to Harvard.²⁰

Imagine that. From the horrors of homelessness, and the anger one can imagine that life evoking in a young person, this same young person, embarking on the journey of forgiveness, arrives, at last, at the most coveted of all earthly destinations.

Forgiveness is “a very ‘in’ topic,”²¹ with many defenders in both in politics and philosophy. Leading political figures extol its potential benefits, and even leaders who never spoke about forgiveness at all are lauded for their alleged focus on forgiveness, an unsurprising but unfortunate aspect of the many memorials of Nelson Mandela – who, as we shall see, did not use that concept, and framed his efforts in different terms.²² A growing philosophical literature, meanwhile, addresses the place of forgiveness among the virtues and its potential benefits in both personal and political relations.²³ One finds dissenters, but typically in the direction of greater interpersonal harshness, as the dissident philosophers reassert the benefits of retribution

²⁰ Murray (2010). The book itself is actually a great deal better than its title, and, not coincidentally, has nothing to do with forgiveness: the author’s generous and nonjudgmental attitude toward her parents is evident throughout. She does not even contemplate forgiving them, because she simply loves them.

²¹ Murphy (2003, viii).

²² See chapter 7.

²³ Griswold’s book is the best example, in its detail and thoroughness, and it gives a balanced discussion of many other people’s views and a full bibliography.

and “getting even.”²⁴ Jeffrie Murphy’s fine dissident study, for example, repeatedly asserts the S. J. Perelman bon mot: “To err is human, to forgive, supine.”²⁵ Nobody seems to be interested in criticizing forgiveness from the other side, so to speak -- arguing, as I shall here, that, in its classic transactional form at any rate, forgiveness exhibits a mentality that is all too inquisitorial and disciplinary. This, however, is to get ahead of our story: first we must understand the “journey” on which forgiveness invites us to embark.

The “road” of forgiveness begins, standardly, in terrible anger over a wrong one has suffered at the hands of another. Through a typically dyadic procedure involving confrontation, confession, apology, and “working through,” the wronged person emerges triumphant, unburdened from angry emotion, her claims fully acknowledged, ready to bestow the grace of her non-anger. That is what I shall call “transactional forgiveness,” and it is both enormously influential historically and very common today. It is plausible to think of it as the canonical form of forgiveness in today’s world.²⁶

As chapter 3 will demonstrate, these procedural aspects of forgiveness have their origin in, and are organized by, a Judeo-Christian world-view, especially as structured by organized religion, in which the primary moral relationship is that between an omniscient score-keeping God and erring mortals. God keeps a record of all our errors, a kind of eternal list, the liber

²⁴ Leading examples are Murphy (2003) and Miller (2006).

²⁵ See Murphy (2003, ix and 19).

²⁶ See Griswold (2007) and Konstan (2010). Konstan refers to this form of forgiveness as capturing “the strict or ample sense of the English word” (57), and as forgiveness “in the full sense of the word” (ibid.).

scriptus that greets the dead at the last judgment.²⁷ Then if there is enough weeping, imploring, and apologizing – typically involving considerable self-abasement – God may decide to waive the penalty for some or all transgressions and to restore the penitent person to heavenly blessings. The abasement is the precondition of the elevation.²⁸ The relationship between one human and another is then, in a second stage, modeled on the primary relationship, so as to incorporate its motifs of list-keeping, confession, abasement, and indelible memory.

This constellation of sentiments and actions is, as such, absent in ancient Greco-Roman ethics, although that tradition does contain some valuable attitudes in the general neighborhood of forgiveness -- gentleness of temper, generosity, sympathetic understanding,²⁹ pardon, and, importantly, mercy in punishing -- into which translators and commentators sometimes inject the

²⁷ From the Dies Irae, incorporated in the Requiem Mass: Liber scriptus proferetur, in quo totum continetur, unde mundus iudicetur (A written book will be brought out, in which is contained everything from which the world will be judged). For full text, see Appendix to Chapter 3.

²⁸ The hymn continues: Oro supplex et acclinis, cor contritum quasi cinis gere curam mei finis (I implore, abased and suppliant, my heart as humble as ashes, take care for my destiny.)

²⁹ Suggnômê, often wrongly associated with forgiveness (above n. 16), and even translated that way: see the Oxford translation of Aristotle Nicomachean Ethics IV.5, 1126a1-3. Griswold's discussion of the Greeks also goes too far at times in this direction: see p. 4 and n. 5. I used the term "forgiveness" loosely in part of my discussion of Aristotle's Rhetoric in Nussbaum (1999a, 161), and hereby withdraw that sentence! An important point made by Konstan (2010) is that suggnômê, unlike forgiveness, often involves denial or diminution of responsibility: see pp. 28-33, and the similar point made about Latin ignoscere, p. 55.

forgiveness journey. All these notions, however, I shall argue, are in crucial ways distinct from the modern notion of forgiveness, and available to one who rejects the guidance of that notion.³⁰

There is something remarkably unpleasant in the confessional idea of groveling and abasement – even, I would say, when one imagines any God whom one could revere, but certainly when one thinks about one’s friends, family, and fellow citizens. Indeed it is very hard (as chapter 3 will show) to reconcile the emphasis on these attitudes with the idea of unconditional love that inhabits the same tradition. And there is also something remarkably narcissistic in the idea of a drama that revolves around oneself, the wrong one has suffered, and the gift of atonement one is offered. (The astonishing narcissism of the liber scriptus, where the record of the entire universe prominently contains one’s own name, is replicated in the interpersonal realm.) In short, forgiveness of the transactional sort, far from being an antidote to anger, looks like a continuation of anger’s payback wish by another name.

Some thinkers in a loosely Judeo-Christian tradition improve on the core ideas of transactional forgiveness by departing significantly from them, and I shall find both Bishop Butler and Adam Smith valuable sources. (Even though Butler uses the term “forgiveness,” what he says has less to do with the score-keeping mentality I deplore than with sheer generosity and humanity. And Smith, interestingly, avoids the term “forgiveness” altogether substituting the useful Ciceronian term “humanity.”) I shall also argue in chapter 3 that both Jewish and Christian texts and traditions contain alternatives to transactional forgiveness, in which

³⁰ I agree here with Konstan (2010) and Konstan (2012, 22). The impressive emotion study of Robert Kaster comes to the same conclusion: see Kaster (2005, 80-81). Another interesting contrast is that between transactional forgiveness and ancient supplication: see Naiden (2006), discussed in Konstan (2010, 13).

generosity, love, and even humor replace the grim drama of penance and exacted contrition.

Two alternatives are salient. The first is unconditional forgiveness, the waiving of angry feelings by the wronged person's own free choice, without exacting a prior penance. The second, which I like even better, is unconditional love and generosity. I examine the Biblical credentials of each and examine them as moral alternatives.

On the whole, I shall be arguing that Nietzsche's instincts are sound when he sees in prominent aspects of Judeo-Christian morality, including its idea of transactional forgiveness, a displaced vindictiveness and a concealed resentment that are pretty ungenerous and actually not so helpful in human relations. He goes wrong, however, by not seeing the multiplicity and complexity in these same traditions. Both Judaism and Christianity contain all three of the attitudes I consider.

We should remain alert, then, to the fact that not everything that is called by the name "forgiveness" has the features of transactional forgiveness. Once the term is in general use as a virtue, writers steeped in the Judeo-Christian tradition have a way of attaching it to whatever they favor in that general area of life.³¹ Sometimes it would not even be correct to find unconditional forgiveness there: what is called "forgiveness" is best understood as some type of unconditional generosity. Thus not everyone who praised Nelson Mandela for "forgiveness" really meant to associate him with transactional forgiveness, and perhaps not even with unconditional forgiveness (which presupposes angry feelings that are being waived). They might have used the term to describe the type of generosity that, as I shall argue, he actually

³¹ As we'll see in ch. 3, this tendency even influences translation: the Greek term charizesthai, which means simply "to be gracious to," often gets translated "to forgive" in the New Testament, where, however, a very different word, aphiesthai, is the canonical term for forgiveness.

instantiated. But it is also clear that many do endorse attitudes of transactional forgiveness as the appropriate ones for the South African reconciliation process, as did Desmond Tutu in the last chapter of his book No Future Without Forgiveness, with its detailed discussion of contrition, apology, humility and absolution – although Tutu carefully and accurately refrains from imputing these notions to Mandela or indeed to the procedures of the Truth Commission.³²

As I proceed through the steps in my argument, then, I first investigate the claims of anger in each realm, and then ask whether transactional forgiveness, as classically defined, is the replacement we need. I argue that the Judeo-Christian “virtue” of transactional forgiveness is not a virtue in any of the three realms. In the personal realm, the whole machinery of confession, apology, and forgiveness is retentive, unloving, and quite often vindictive in its own way. The offer of forgiveness, though seemingly so attractive and gracious, all too often displays what Bernard Williams, in a different context, called “one thought too many,” that is a list-keeping, inquisitorial mentality that a generous and loving person should eschew. Bishop Butler warned of the narcissism of resentment, and I shall argue that the “journey” of forgiveness all too often gives aid and comfort to that narcissism. The personal realm at its best is characterized by a generosity that gets ahead of forgiveness and prevents its procedural thoughts from taking shape. In a very real sense, love does mean never having to say you’re sorry. The fact that this was said in a light-weight popular novel (albeit one written by a fine classical scholar) does not make it false.³³ Apologies can sometimes be useful, but as evidence of what a future relationship might hold.

³² Tutu (1999).

³³ Segal (1970). Segal, a Classics professor, was an expert on ancient comedy, known for Roman Laughter: The Comedy of Plautus (1968), and The Death of Comedy (2001).

The Middle Realm, similarly, contains a significant role for apology as evidence that, going forward, the offending worker or boss can be trusted; it is a useful device that smooths the way for respectful interactions after a breach. But the desire to extract apologies from others as a kind of payback or “down-ranking” haunts this realm as well, and we should beware of it.

Although at times apology will play a valuable role in political reconciliation, political apologies turn out to be distinct from transactional forgiveness in important ways.³⁴ Often they are signals of trustworthiness going forward, and expressions of a set of shared values on which trust may be based. Moreover, since humiliation always threatens to undermine reconciliation, it is sometimes important to avoid the whole issue of apology, as the Truth and Reconciliation Commission wisely did. The focus should be on establish accountability for wrongdoing, as a crucial ingredient of building public trust, on expressing shared values, and then on moving beyond the whole drama of anger and forgiveness to forge attitudes that actually support trust and reconciliation.

What values promise such support? Generosity, justice, and truth.

³⁴ Here I shall be agreeing with Griswold, who distinguishes political apology from forgiveness.