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Forgiveness or Fairness?
(forthcoming in *Philosophical Papers*)

Abstract: Several philosophers who argue that forgiveness is an important virtue also wish to maintain the moral value of retributive emotions that forgiveness is meant to overcome. As such, these accounts explicate forgiveness as an Aristotelian mean between too much resentment and too little resentment. I argue that such an account ends up making forgiveness superfluous: it turns out that the forgiving person is not praised for a greater willingness to let go of her resentment, but rather for her fairness or good judgment. I conclude by arguing that the virtue of fair-mindedness is more compatible with maintaining the value of the retributive emotions than the virtue of forgiveness.¹

Forgiveness is thought to be one of the principal features of a virtuous character.² Murphy describes forgiveness as:

“[A] healing virtue that brings with it many blessings – chief among them...its capacity to free us from being consumed by our angers, its capacity to check our tendencies toward cruelty, and its capacity to open the door to the restoration of those relationships in our lives that are worthy of restoration” (2012, 14).

The forgiving person has been described as one who sees others as fellows, one who has general goodwill toward others, and one who values human solidarity.³ Many philosophers who praise forgiveness as a virtue, however, also want to maintain the moral importance of the retributive emotions that forgiveness is meant to help moral agents overcome.⁴ These accounts often seek to strike this balance between the value of forgiveness and the value of retributive emotions using the framework of an Aristotelian mean. The forgiving person must be “virtuously resentful,” which

¹ I am very grateful to Jeffrie Murphy, Glen Pettigrove, Aaron Harper, and Brandon Polite for written comments on earlier versions of this paper. I also presented a short version of this paper at the Pacific APA and received helpful feedback from the audience in that session.

² As Aurel Kolnai writes, “[O]ther things being equal, the more virtuous I am, the more *disposed* I am to forgive” (1974, 104, emphasis original). Hampton (1988) argues that forgiveness liberates both victim and offender from being defined by the wrongdoing. Roberts (1995) and Novitz (1998) argue that it is a virtue. Garrard and McNaughton (2003) argue that it reflects a commitment to human solidarity. Garcia (2011) argues that it is an unconditional moral duty. Murphy (2012) argues that it reflects proper humility.

³ Roberts uses the first description (294), Garcia uses the second (12), and Garrard and McNaughton use the third (53-54).

⁴ Murphy (1988, 2003, 2012), Richards (1988), Novitz (1998), Hieronymi (2001), Griswold (2007), and Garcia (2011) have all recognized this tension.

requires that she forgive under the right kinds of conditions (Garcia 2011, 17). For instance, virtuous resentment might require that an agent only forgive offenders who are remorseful and who repudiate their offenses.⁵ Those who wish to maintain both the moral importance of the retributive emotions and the value of forgiveness thus argue that the willingness to put aside resentment must be employed in the right way and in the right circumstances in order for it to count as virtuous.

It is my aim in this paper to argue that this attempt to balance the value of forgiveness and resentment is ultimately unsatisfactory because it falls prey to a form of what is often called the paradox of forgiveness. The traditional paradox of forgiveness is as follows: forgiveness is not praiseworthy when there is no reason to forgive the offender (e.g., the offender has not apologized or shows no remorse) because that would be condoning the wrong (Kolnai 1973, 97). Forgiveness in response to the offenders “change of heart” however would be mere acknowledgment of the moral value of the offender’s repudiation of her past actions (Kolnai 1973, 98). So, without the change of heart, forgiveness collapses into condonation, but with the change of heart forgiveness collapses into acknowledgment of the wrongdoer’s transformation. As Kolnai puts it, if the paradox is plausible, “forgiveness is either unjustified or pointless” (1973, 99).⁶ I will argue that a similar problem arises for the praise we give to a forgiving person. The forgiving person is meant to be praiseworthy for a willingness to put aside resentment, but the accounts of forgiveness I have described end up claiming that she is praiseworthy for having good judgment about her resentment. The result is that an agent could have good judgment about her resentment without also possessing a willingness to put it aside. Thus, the consequence of these accounts is that forgiveness becomes superfluous and the forgiving person is really praised for a different virtue, what I call *fair-mindedness*.

⁵ Murphy (2003) and Griswold (2007) argue this way.

⁶ Kekes (2009) provides a similar version of the paradox but argues that forgiveness collapses into appropriate or inappropriate blame. Harrison (1992) provides a similar paradox regarding mercy.

On my view, fair-mindedness is more compatible with valuing the retributive emotions than forgiveness.

There are two remarks I need to make in order to set the scope of my argument. First, I will focus on forgiveness as a virtue rather than forgiveness as an act: forgiveness as a virtue is what an act of forgiveness is ideally supposed to express about the person who engages in it.⁷ We may think that it is good to forgive, but we also think it is good to *be forgiving*.⁸ Of course one cannot be forgiving if one never engaged in acts of forgiveness, but being forgiving also means adopting certain attitudes or having certain commitments. A person does not have to be forgiving in order to perform an act of forgiveness. A parent, for example, might force a child to forgive her sibling. Here the child may really forgive (she need not be faking it), but she likely forgives begrudgingly. I take it we would not say the child is being forgiving even though she forgives in this instance. Although a forgiving person may be more disposed to engage in individual acts of forgiveness, it is not necessary to be a forgiving person in order to forgive in one or more particular cases. Likewise, the forgiving person need not forgive every time the opportunity presents itself; she may have all the right attitudes and yet find herself unable to forgive. The focus of my argument, then, will be the praiseworthy attitudes we attribute to the person who forgives rather than the act itself. Second, the arguments I make here are directed toward accounts of forgiveness that also hold the moral importance of resentment. Not every account of forgiveness adopts this model: some philosophers wish to deny that resentment is morally valuable or that forgiveness requires certain conditions in

⁷ Griswold describes the trait this way: “Forgiveness is what forgivingness expresses, it is what a forgiving person’s virtue of forgivingness gives rise to (under the specified conditions and so on)” (2007, 17-18).

⁸ I don’t mean to claim that being forgiving has to be a stable part of one’s character. What is important here is the attitudes the person has toward offenders, but one could take up these attitudes without necessarily taking them on as a stable character trait.

order to be morally appropriate.⁹ My arguments are not directed toward these accounts, so I will not address them here.

1. Forgiveness as a Virtue

Although much has been written about the nature of the forgiving person, there is one key trait that pervades most of the literature: the forgiving person is ready or willing to overcome retributive feelings such as anger or resentment toward those who do her wrong.¹⁰ The connection between forgiveness and resentment traces its history to Bishop Butler's *Fifteen Sermons*, and several modern scholars have adopted versions of his view.¹¹ According to Butler, anger and resentment are the emotions or attitudes that must be overcome in order to forgive someone.¹² It would be a mistake to think that the forgiving person never experiences retributive emotions.¹³ Although the forgiving person is susceptible to these emotions when others wrong her, she "remains uncomfortable" feeling angry or hostile toward them (Roberts 1995, 294). This willingness or readiness to put aside retributive feelings is emblematic of praiseworthy attitudes or commitments

⁹ See for example Govier (2002), Radzik (2009), Holmgren (2012), and Pettigrove (2012).

¹⁰ This trait is by no means universal in accounts of forgiveness as a virtue and just what 'overcome' means is a controversial point. But the connection between resentment and forgiveness is prominent in many discussions of forgiveness, as the following footnote details.

¹¹ Murphy (1988, 2003), Richards (1988), Hieronymi (2001), Griswold (2007), Allias (2008), and Garcia (2011) all accept some version of this notion either in terms of forgiveness the virtue or forgiveness the act. It should be noted that Garcia argues, contrary to common readings of him, Butler does not ascribe to the idea that the forgiving person must renounce or overcome her resentment, but rather must feel it in the right way (2011, 8-9)

¹² There is some disagreement in the literature about whether forgiveness is meant to overcome anger or resentment. Roberts (1995) argues in favor of anger while Murphy (1988, 2003), Griswold (2007), and Garcia (2011) argue in favor of resentment. For my purposes, we need not make a fine distinction between them because, in my view, the arguments against both emotions are the same. Additionally, there are two ways to understand what it means for these emotions to be overcome. First is the claim that forgiveness requires that we renounce the negative emotion altogether. Second, rather than renouncing these emotions, we continue to feel them, but in the right way. Garcia makes this distinction clear (2011, 6-8).

¹³ It is of course possible that that a forgiving person could overcome all of these emotions, but that overcoming is not a requirement for possessing the virtue.

that the forgiving person has. That is, forgiveness expresses certain good traits and these traits are what make the forgiving person a morally praiseworthy person. There are two good traits that forgiveness is meant to express that I want to focus on: compassion and humility.

Compassion is thought to go hand-in-hand with forgiveness, but a closer look at the literature reveals different conceptions of compassion.¹⁴ Very broadly, compassion is the ability or willingness to, what I will call, “see the humanity” in others. Sometimes, seeing the humanity in others is explained in terms of a type of emotional connection, such as empathy or sympathy. As Richards puts it, the forgiving person can “feel with [others] and for them, share some of their hopes, grasp their fears, their regrets and uncertainties” (1988, 313). Roberts, however, describes the forgiving person as having “an underlying proneness to see others as fellows and a concern to be in peace with them” (1995, 294). If compassion is an “underlying proneness” it may be more like a disposition and may not require any particular affective state. Garcia, by contrast, describes compassion as an attitude of disinterested goodwill (2011, 14-15). Since it is unclear in the literature just what compassion is or what it requires, I suggest that “seeing the humanity in others” captures the main idea of compassion: having compassion toward the offender means that the forgiving person still sees the offender as a fellow human rather than a monster or outsider. (Roberts 1995, 294 and Novitz 1998, 313-314). The refusal to forgive is thus taken to be a failure to have compassion for others. Garcia writes that when we are unforgiving, we “refuse to see the person in terms of her full humanity...we reduce her to a one-dimensional trait, perceiving her solely in terms of the wrongful deeds that morally offend us” (2011, 17). The unforgiving agent thus fails to see others as fellows and afford them the good will that all moral agents deserve (Garcia 2011, 14-15).

¹⁴ For an extended discussions of the complexities of compassion, see Nussbaum (2001) and Crisp (2008).

The forgiving person is willing to overcome her retributive feelings because those feelings prevent her from seeing the humanity in the offender.

The other good trait that forgiveness is meant to express is humility. The forgiving person is willing to put aside her retributive feelings because she realizes that those feelings prevent her from having the right kind of perspective of herself. According to this view, retributive emotions are emotions of judgment: being angry or resentful toward someone presumes that we view him as the wrongdoer and ourselves as the victim. As Murphy reminds us, Nietzsche warned of vindictiveness disguised as justice – our assuredness in the need to punish wrongdoers can actually be a kind of moral hypocrisy (2012, 22). The unforgiving person fails to have humility because she fails to recognize that she is morally imperfect and could easily be in the position the offender currently occupies (Garrard and McNaughton 2003, 54). So while the unforgiving person sees herself as superior to others because she sits in judgment of their wrongs, the forgiving person sees herself as equal to others and so does not wish to judge them. Thus forgiveness expresses the forgiving person's view of herself as one capable of the same wrongs as the offender. As Griswold writes, “[F]orgiveness is a virtue more at home in an ethical scheme that emphasizes our irremediable imperfection” (2007, 44). In addition to Griswold, Murphy (2003, 2012) and Roberts (1995) make similar claims about the link between forgiveness and humility. Since the forgiving person knows that she is morally imperfect, she forgives the offender because could just as easily be in his shoes.

To summarize, forgiveness is a virtue because it involves the positive traits or attitudes of compassion and humility. The forgiving person has compassion toward the offender and recognizes the humanity within him. Likewise, the forgiving person has humility because she realizes that she is not perfect and thus just as prone to wrongdoing as the offender. Since retributive emotions prevent compassion and humility, we praise the forgiving person for her willingness or readiness to get over hostile feelings. The retributive emotions make an agent more prone to see herself as superior to

others rather than to see them as fellows. They also lead her to be deceived about her own imperfections. As such, forgiveness both facilitates and expresses an agent's compassion and humility.

2. The Importance of Retributive Emotions and the Aristotelian Mean

There is, however, a tension in the above account of forgiveness. Although the forgiving person is praised for her willingness to put aside her retributive emotions, many philosophers who value forgiveness have recognized that there is also moral value in attitudes like anger and resentment. On these accounts, the retributive emotions are thought to be integral to a moral agent's ability to perceive the wrongs done to her as undeserved. Retributive emotions do not merely follow from the judgment that an agent has been wronged. Rather, these emotions are part of the judgment that the agent has been wronged.¹⁵ As Griswold puts it, “[Resentment] is therefore not just a ‘raw feel’ but embodies a judgment about the fairness of an action or of an intention to do that action” (2007, 26). On this view, retributive feelings are morally appropriate responses to an injury because they respond to the undeserved nature of the act. In this way, retributive emotions express a moral agent's self-respect. Murphy writes that a lack of resentment likely “reveals a servile personality – a personality lacking in respect for himself and respect for his rights and status as a free and equal moral agent” (2012, 11). If there were a moral agent who never resented wrongs done to her, we

¹⁵ Murphy: “[T]he virtuous person will not simply say and believe in a purely intellectual way that he respects himself as a free and equal moral being with basic rights; he will also react emotionally if he is not treated as such a being” (2003, 19). Griswold: “Resentment is a moral sentiment in the sense that it is aroused by the perception of what we...take to be an unwarranted injury” (2007, 26). Heironymi: “In resentment, the victim protests the trespass, affirming both its wrongfulness and the moral significance of both herself and the offender” (2001, 530).

would begin to question either the extent to which she understood the actions as offenses or the extent to which she believed that she was unworthy of such treatment.¹⁶

With respect to this tension we are left with Murphy's question: "How are we to reap the benefits of forgiveness without sacrificing our self-respect or our respect for the moral order in the process" (2003, 35)? One way philosophers have tried to resolve the tension is to appeal to Aristotle's account of the virtue of mildness.¹⁷ Given the importance of the retributive emotions, the virtue of forgiveness cannot require that we rid ourselves of them altogether. Instead, the virtue of forgiveness requires that we feel the retributive emotions moderately or in the right way. In classic Aristotelian language, Griswold writes, "The forgiving person, then, will experience anger in the right way, at the right time, and toward the right object" (2007, 18). If we are too willing to put aside our retributive emotions, we either do not experience enough resentment or we fail to treat the wrong we suffer seriously. In this case, we lack the proper amount of self-respect. If we are too unwilling to put aside our retributive emotions, we feel too much resentment. In this case, we lack compassion or humility. Garcia refers to this intermediate state as being "virtuously resentful" in which we avoid excessive resentment and deficient resentment (2011, 17). Griswold argues that proper anger is the mean between "servility" that causes us to excuse injury too willingly and "hard-heartedness" that causes us to be too unwilling to excuse injury (2007, 18). Thus the virtue of forgiveness does not consist in abandoning retributive emotions, but rather expresses both compassion and self-respect. In feeling virtuous resentment, we maintain self-respect, and in being willing to put aside resentment, we show compassion.

¹⁶ Both Holmgren (2012) and Pettigrove (2012) have offered accounts of forgiveness that deny this claim. Pettigrove has argued that this presumption undermines the praiseworthiness of moral exemplars like Christ or Gandhi. See especially Chapter 7. Holmgren argues that resentment is in fact antithetical to respect for others and for self (2012, 11).

¹⁷ Aristotle (1999), IV.5, p. 61-62.

Although this Aristotelian mean is meant to resolve the tension between the importance of resentment and the value of forgiveness, I argue that this account is ultimately undesirable for those who cast forgiveness as a virtue in this way. As I will argue, this account ends up unhooking the virtue of forgiveness from the willingness to put aside retributive feelings and instead hooking it to good judgment. As such, it turns out that the reason we praise the forgiving person has nothing to do with her willingness to put aside her resentment. Instead, we praise her because of her good judgment, or what I will call her *fair-mindedness*.

3. The Virtue of Fair-Mindedness

On the previous account, forgiveness is praiseworthy because it is an expression of the forgiving person's compassion and humility. Her willingness to put aside her retributive emotions shows that she recognizes the humanity in others and her own potential for wrongdoing. Because of the moral importance of the retributive emotions, however, that willingness must be employed in the right way and in the right circumstances. How can we judge when we ought to be willing to put these feelings aside? Philosophers who want to maintain the value of the retributive emotions have answered this question by providing conditions that make setting aside retributive feelings appropriate without offending the forgiving agent's self-respect.

Murphy, for example, argues that we can reap the benefits of forgiveness while maintaining the importance of resentment if we make forgiveness contingent on the repentance of the wrongdoer. He writes, "If the wrongdoer sincerely repents...he now joins me in repudiating the degrading and insulting message – allowing me to relate to him...as an equal without fear that a failure to resent him will be read as a failure to resent what he has done" (2003, 35). On Murphy's account, forgiveness can be a virtue if we forgive in the right sort of way, namely when the wrongdoer reaffirms his commitment to the moral order by repenting. In cases like this, there is no

worry about the tension between self-respect and putting aside resentment. Similarly, Griswold places six conditions on forgiveness so that it does not threaten self-respect: (1) the wrongdoer must disavow his action, (2) he must repudiate the wrong, (3) he must experience regret at having caused injury, (4) he must commit to being a person who will not do similar injuries in the future, (5) he must understand the victim's point of view, and (6) he must offer an account of the injury that puts it in context (2007, 49-51). These six conditions comprise a proper kind of forgiveness that can reconcile the victim and the offender without diminishing the moral importance of the retributive emotions. Novitz identifies his account expressly with Aristotle's: "The task of the rational person, whose heart is neither too hard nor too soft, is to find the Aristotelian mean – and to be willing to undertake and persist in the task of forgiving only if it is rationally and morally warranted" (1998, 314). For Garcia, while forgiveness does not require that we abandon our resentment, it does require that we extend minimal goodwill toward even those who do us wrong. Thus Garcia recommends tempered or "virtuous" resentment (2011, 17). Again, this way of understanding forgiveness seems to navigate the worry about self-respect: owing others basic goodwill does not require that we damage our self-respect, only that we acknowledge the wrongdoers as moral agents like ourselves and not as moral monsters (2011, 17).

The trouble with these sorts of conditions, however, is that the forgiving person's willingness to put aside her retributive emotions is not what makes forgiveness praiseworthy. What makes forgiveness praiseworthy is that it takes place when the proper conditions are met. These conditions provide the forgiving person with the right sorts of reasons to forgive. As Heironymi writes, these conditions allow us to "revise our resentment while maintaining the judgments that occasioned it" (2001, 535). Thus, the forgiving person's willingness to put aside her retributive feelings is only praiseworthy if she expresses that willingness in response to the right sorts of reasons. Forgiveness is a virtue when it is expressed toward a repentant wrongdoer or when it is an

expression of the basic moral consideration that all agents deserve. If in order to circumvent the problem of proper self-respect the forgiving person has to be forgiving at the right time and in the right way, the mere fact that she is ready to overcome resentment has no moral value as such. Thus her willingness to put aside her retributive feelings cannot be an expression of compassion or humility on its own.

Without these proper conditions for forgiveness, the willingness to set aside retributive emotions on these accounts cannot differentiate the compassion and humility of the forgiving person from the lack of self-respect of the servile person. That is, we cannot conclude just from the fact that an agent has a greater willingness to get over resentment that she is forgiving. The willingness alone might instead signal servility. It is only once we know the conditions under which an agent lets go of her resentment that we can see whether she is forgiving or whether she lacks self-respect. Likewise, if we want to maintain the moral importance of resentment, an unwillingness to put aside one's retributive feelings cannot be inherently problematic. The person unwilling to put aside her resentment will only be hard-hearted in certain circumstances. Something like Aristotelian practical wisdom, then, is required to ensure that we forgive in the right way – as Garcia puts it, forgiveness must be “highly context-sensitive” (2011, 11). That is, the person with the virtue of forgiveness would need to assess the circumstances in a measured and reasonable way in order to know if putting aside her retributive emotions would injure her self-respect or whether it would express proper compassion. This good judgment, then, is what allows the willingness to put aside one's retributive emotions to be virtuous. In order to be forgiving, we must first be what I will call fair-minded.

Those who accept the Aristotelian account of mildness as way to solve the tension between forgiveness and resentment will no doubt accept that fair-mindedness has to be a part of the virtue

of forgiveness.¹⁸ The trouble, however, is not just that forgiveness requires practical reason in order to be a virtue.¹⁹ The trouble arises once we see that the fair-minded person can possess both compassion and humility without being forgiving. Once we see that forgiveness requires good judgment in order to be virtuous, that good judgment turns out to provide the fair-minded person with the same positive traits that forgiveness is meant to provide. The fair-minded person need not possess a greater willingness to put aside her retributive emotions in order to have both compassion and humility.

4. Compassion, Humility, and the Retributive Emotions

Retributive emotions such as resentment and anger are thought to be incompatible with both compassion and humility, which is why forgiveness as the willingness to put these feelings aside is considered a virtue. I suggest this claim is mistaken: the retributive emotions do not *express* compassion and humility, but this fact does not make them *incompatible* with compassion and humility. There are two primary reasons why one might think anger and resentment are incompatible with compassion and humility. First, retributive emotions are thought to be alienating. Roberts writes, “[The] facet of anger that makes it important to overcome...is the ‘view’ of the offender as bad, alien, guilty, worthy of suffering, unwelcome, offensive, an enemy, etc.” (1995, 293). In other words, it is a natural consequence of anger or resentment that it casts the perpetrator in a certain light where he appears an outsider – someone the victim wants to keep at a distance. Second, retributive emotions are thought to be judgmental. Anger or resentment is “downward-looking” because the person who feels it presumes that she is in a position to judge the offender (Roberts 1995, 298). In this way, the superiority of anger provides its own justification – the person who feels

¹⁸ Griswold, for example, accepts that forgiveness will require “good judgment” (2007, 18). Of Butler’s account, Garcia argues that forgiveness will require “good practical judgment” (2011, 11).

¹⁹ I am grateful to an anonymous reviewer for asking me to clarify this point.

angry also feels justified in being angry. As Griswold puts it, “The passion of settled anger has...a powerful tendency to feed on itself and to justify its own aggrandizement” (2007, 30). In being angry or resentful, the agent is sure that she is in the right and equally sure that the perpetrator is in the wrong. Both of these features imply that the retributive emotions are incompatible with compassion (because they are alienating) and humility (because they are judgmental).

With regard to the first feature, the retributive emotions are thought to be an obstacle to compassion that forgiveness removes.²⁰ Recall that the precise definition of compassion differs among accounts of forgiveness, but broadly it means that the forgiving person sees the humanity in the offender. As such, the presumption is that anger prevents us from seeing the humanity in others. One way to understand this claim is that anger prevents us from feeling concern or care for the offender in the way that we should feel care and concern for our fellow humans. Given that we can be angry with friends, family members, and spouses, this conclusion seems not to follow.²¹ Indeed, the people whose good we care about most are also those we can be the most angry with and those who we sometimes have the hardest time forgiving. An offense done by a loved one is more serious than the same offense done by an acquaintance precisely because of the personal investment we share with our loved ones. I may not be able to feel love while at the same time feeling angry, but that does not mean that my anger precludes love. Caring about someone does not mean that we will always forgive her and refusing to forgive someone does not mean that we fail to care about her.

Suppose we amend slightly the understanding of compassion to mean something closer to disinterested goodwill. On this view, retributive emotions are incompatible with the basic form of moral consideration that we owe to others. As Holmgren puts it, to resent someone is to “fail to respect the offender as...a moral agent who retains his basic moral capacities despite his

²⁰ I am indebted to Glenn Pettigrove for this point.

²¹ Hieronymi argues that love and anger are not incompatible (2003, 539).

wrongdoing” (2102, 11). But why do the retributive emotions preclude basic moral consideration? If we understand basic moral consideration as seeing someone as a moral agent, then anger seems to require this attitude. As Hieronymi writes, “It is the special moral dignity of the wrongdoer that makes the injury we sustained at her hand not simply an unfortunate harm, like a natural accident, but an offense against us” (2001, 553). Anger or resentment seems to require that we recognize the person with whom we are angry as a moral subject. If this is true, then anger does not preclude moral consideration; rather, anger presupposes it. Even if we understand basic moral consideration as goodwill rather than mere recognition of another as an agent, retributive emotions need not preclude benevolence. The claim that retributive emotions are incompatible with benevolence conflates *being* benevolent toward others with *feeling* benevolent toward others. As Hieronymi has observed, “Compassion and resentment are incompatible in much *weaker* way: they compete for one’s *attention*, but they do not compete with one another for *justification*” (2001, 543, emphasis original). As in the case with love, just because we do not feel benevolent toward someone with whom we are angry, it does not mean we have given up the basic form of moral consideration we might owe him.

The second reason that retributive emotions are supposed to be incompatible with compassion and humility is because they are thought to be judgmental. Understood this way, resentment is judgmental in the sense that it is the perception of the offender as lesser than the victim: if an agent sees herself as the victim, she holds herself above the offender and so sits in judgment of him. Perhaps if anger reduces a person to an offender – if the victim sees him as *only* an offender and nothing else – anger would be incompatible with humility. But to see someone as an offender does not entail that we see him as an inferior: “In resentment, the victim protests the trespass, affirming both its wrongfulness and the moral significance of both herself and the offender” (Hieronymi 2001, 530). The anger the victim feels is not just the recognition of her own

moral standing, but also the recognition of the offender's moral standing. In order to be angry, she must initially perceive the act as a wrong, but presupposed in seeing the act as a wrong is the notion that the act originates in another moral agent.²² If the victim sees the action in as a wrong, her anger requires that she see the wrongdoer as someone capable of wronging. Implicit in this recognition is the understanding that the offender is a moral agent like herself who speaks the same moral language.²³

If anger requires the recognition that both victim and offender are moral agents, then anger is no threat to proper humility. Proper humility requires that the humble person realize that she is just as capable of moral missteps as others, but that realization alone cannot determine what kind attitude she ought to have toward wrongdoing including her own. If an agent believed that undeserved injuries deserve anger, she would still be properly humble as long as she accepted that her moral mistakes also deserved anger. The notion that anger implies superiority conflates two different attitudes: being angry and being judgmental. Being judgmental of an offender surely does require setting oneself above him and it can often occur with anger, but the two attitudes can be disentangled. If the victim sees the offender as beneath her, then she can judge him unworthy of her time and energy. In fact, we can appeal to an offender's inferiority precisely to defuse someone's anger; we can say of the offender, "He's not worth it."²⁴ Here we try to convince the victim that to be angry with this offender is to treat him with too much importance. Such a strategy would be nonsensical if anger presupposed superiority in the first place.

²² I say "perceived as" because it might turn out that the wrong is not as she believed it to be. What she initially believes to be an offense may turn out to be something else. If she misperceives the wrong, her anger will likely subside, but that does not mean her anger was mistaken all along. Her anger was fitting at the time she perceived the action as a wrong.

²³ Darwall (2006) provides an account of reactive attitudes such as resentment as a form of moral communication that presuppose the recognition of moral agency (pp. 70-80)

²⁴ Hieronymi provides a similar example (2001, 547)

Retributive emotions may not be expressions of compassion or humility, but they do not block or preclude compassion and humility. If this is true, then the person who is not ready, willing, or able to put aside her retributive feelings could be both compassionate and humble. Although she may not feel positively toward the person with whom she is angry, she still can be benevolent and respectful toward that person, and she can still care about that person's wellbeing. This combination of attitudes is most common in loving relationships: we can be angry with our romantic partners while at the same time continuing to love and care about them. Likewise, we can be angry with our romantic partners without thinking of them as inferior and without being judgmental of them. Since anger can coexist with compassion and humility in these cases, there is no reason to think it cannot coexist in cases where we are angry with acquaintances or strangers. One may object here that the forgiving person is more virtuous precisely because she is willing to actually express compassion and humility toward offenders. But if we conceive of forgiveness as an Aristotelian mean, whether or not putting aside resentment in any particular case really counts as showing compassion depends on the agent's ability to properly judge the circumstances. If she misjudges the situation and forgives too readily, she may injure her self-respect rather than express compassion. If showing compassion and humility are only virtuous under certain conditions, then their expression alone cannot support the claim that the forgiving person is more virtuous than the fair person. As long as the fair person can be compassionate and humble without a readiness to let go of resentment, she and the forgiving person will be on the same moral footing.

Good judgment is required to make forgiveness virtuous, but the person with good judgment need not also possess a readiness to put aside her retributive feelings. The person with good judgment could just be fair. Treating others fairly simply requires that we give them their due: the fair person will be compassionate toward wrongdoers who deserve compassion and continue to resent wrongdoers who deserve resentment. The fair person may judge that wrongdoers who are

insincere or unrepentant, for example, may not deserve her compassion. Her fairness is what will allow her to know when to forgive others and when to maintain her retributive feelings toward them.

Those who praise forgiveness can claim that the forgiving person might likewise judge that she should withhold her forgiveness in certain cases, but this response only highlights the problem. Once we conceive of forgiveness as an Aristotelian mean that requires good judgment, it becomes increasingly difficult to tell the difference between a forgiving person and a fair person. Given that good judgment is needed to know when to put aside resentment, the fair person and the forgiving person might end up resisting forgiveness in the same situations: the fair person resists because she does not think her compassion is deserved and the forgiving person resists because she does not wish to injure her self-respect. If the fair person possesses both compassion and humility under the right conditions just as the forgiving person does, then the fact that the forgiving person has a greater willingness to let go of her resentment cannot explain why she should be considered more virtuous.

I want to conclude by defending the virtue of fair-mindedness against a possible worry. One might think that the person who is merely fair is more susceptible to the negative traits of the person who is unforgiving. That is, forgiveness as a virtue better combats certain vicious attitudes that fairness would be less able to combat. In the section that follows, however, I argue that the claims underlying criticism of the unforgiving person arise not from her unwillingness to forgive but precisely because she is not being fair-minded.

5. The Unforgiving Person as the Unfair Person

Even if the fair-minded person can be both properly compassionate and humble, there may be still be something more that forgiveness gives us and fair-mindedness does not. Think, for

example, of a long-standing fight between two siblings. A brother and sister have at some point in the past traded wrongs. Neither party will apologize until the other apologizes first. Both siblings want to protect their senses of self-respect, and so they are only willing to put aside their hard feelings when the conditions are appropriate. We might think that since the proper conditions for forgiveness have not been met, each party is being fair-minded. But surely, one could object, their unwillingness to forgive is begrudging and petty even if the conditions for forgiveness have not technically been met. One could argue that fairness simply is not sufficient in cases like these: if both parties were willing to be forgiving, they would both be more virtuous. As it stands, the siblings are being fair, but they ought to be forgiving. If the brother, however, decided to reach out to his sister in spite of the fact that her apology is not forthcoming, he would express a generosity, openness, or “greatness of soul” that the fair-minded person does not.²⁵ This greatness of soul makes forgiveness more praiseworthy than fair-mindedness. Being forgiving in this way is most commonly associated with what is sometimes called unconditional forgiveness.²⁶ Here the willingness to put aside resentment would extend even to cases of serious offenses where the offender is unapologetic and unremorseful.

We tend to be particularly impressed with people who are forgiving in this way, but admiration for unconditional forgiveness is in tension with whatever moral value we think the retributive emotions have. If we claim that resentment is morally valuable—that it is central to an agent’s sense of self-respect—then what is praiseworthy about a person who gets over an important and morally valuable feeling? The claim that it is praiseworthy to let go of perfectly justified resentment rests on the notion that there is something higher and better that we should give up our

²⁵ I do not mean for “greatness of soul” to refer to Aristotle’s *megalopsuchos*. As Griswold (2007, 7-10) and Garrard and McNaughton (2003, 44) point out, there is reason to think that the *megalopsuchos* sees himself as unconnected to others in a way that is problematic for the virtue of forgiveness.

²⁶ Garrard and McNaughton (2003), Griswold (2007), and Allais (2008) use this term.

resentment for: whatever greatness of soul is supposed to represent. As Calhoun writes, the person who is forgiving in this way chooses forgiveness over “resentfully enforcing moral standards” (1992, 95). This view presents holding on to resentment as a bad thing, but if we think resentment is morally valuable, why should we characterize it this way? We can only claim that greatness of soul is better than resentment if we assume that the retributive emotions are incompatible with the positive traits that forgiveness expresses. I have argued, however, that this is false. When we praise unconditional forgiveness, we are tacitly claiming that the truly admirable person “rises above” her retributive feelings, but if we hold that the retributive emotions have moral value, we cannot also hold that it is morally better to not feel them when we are perfectly justified in doing so. The admiration we have for the person who unconditionally forgives rests largely on the notion even when retributive emotions are justified it is still on the whole morally better not to feel them. But there is a clear tension in claiming that retributive emotions are morally valuable while at the same time claiming that the unconditionally forgiving person is a better person because she gets over those very same valuable feelings.

The intuition that the forgiving person is somehow better than the fair person is also supported by the traditional unflattering characterization of the unforgiving person. Consider the typical character of the unforgiving person. There are two negative traits normally identified with the unforgiving person: she holds grudges (what I will call hard-heartedness) and she is petty. It might be reasonable to think that a willingness to put aside resentment is necessary to combat these vices and that simply being fair-minded will not properly prevent agents from developing these traits.

If we claim that resentment has moral value, the charge of hard-heartedness only seems plausible if the offenses are relatively trivial. If the siblings fight over something small, we are more apt to think they should be forgiving even absent the right conditions. But someone who has suffered a serious wrong is rarely thought to be hard-hearted even when she refuses to forgive.

Imagine that the fight between the siblings is over something serious: suppose the brother was once a drug addict and put his sister in danger many times. Suppose in turn she turned him into the police and he had to spend time in jail, which ruined his marriage. We could imagine that each sibling feels deeply betrayed by the other. In cases like these, intuitions about hard-heartedness are less clear. Faced with serious wrongs even otherwise forgiving people may find themselves unable to forgive, but we do not charge them with hard-heartedness. Further, if the sense of betrayal is deep enough, maintaining resentment cannot be problematic: continued resentment simply acknowledges that real damage has been done to both parties. If, on the other hand, the wrong done is fairly trivial, it seems easier to claim that the parties are being hard-hearted. The charge of hard-heartedness is more intuitively plausible in cases of small family squabbles that cause long-standing strife over something relatively minor.

What explains this kind of asymmetry with regard to judgments of hard-heartedness? Hard-heartedness is often equated with an unwillingness to forgive.²⁷ But if that were all there is to hard-heartedness, it would apply equally to serious wrongs and petty squabbles. I suggest we call someone hard-hearted not simply because she is holding on to her retributive feelings, but because she holds on to them for the wrong reasons, namely because she misjudges the severity of the wrong. If this characterization is correct, the real critique of the hard-hearted person is that she is not being fair: her response to small wrongs is too harsh in much the same way that a punishment can be unfair if it is too harsh. If the real problem with the hard-hearted person were her unwillingness to let go of resentment, we would charge the victims of serious wrongs with being hard-hearted as well. What the hard-hearted person lacks is what we might call perspective. When we implore people to “have some perspective,” we ask them to better assess the situation at hand. We ask them to consider

²⁷ Griswold (2007) describes the person who refuses to forgive as “hardhearted” (70). Murphy (2012) argues that forgiveness is needed to combat “vindictiveness” (14).

things differently and to be more measured. Forgiveness in these cases, then, seems to be a stand-in for being fair or having perspective. That is, if the hard-hearted person were to be forgiving, it would signal that she has reconsidered the wrong in the correct way and now treats it proportionately. The problem with the hard-hearted person is not just that she is unwilling to let go her resentment, but that she is not being fair in how and what she resents.

Getting the hard-hearted person to be fair, however, does not require that she possess a willingness to let go of her retributive feelings. On accounts of conditional forgiveness, merely increasing her willingness to let go of her resentment presents the danger of a lack of self-respect. As Hampton argues, a hard-hearted person may use her anger to build up her low self-esteem (1988, 60). That is, when a hard-hearted person holds on to the slights she suffered, she feels better about herself because she gets to reaffirm herself as the victim of injustice. But her low self-worth will not be fixed by a greater readiness to let go of her resentment. Putting aside her resentment will not show her how to value herself in the right way. In fact, for someone in her state, developing such a disposition may be harmful. She may risk becoming servile if she lacks requisite self-respect. Or, as Nietzsche warns, she might develop the disposition to forgive as a new way of feeling better about herself because it will make her feel morally superior to her offenders.²⁸ If we urge her to be fair-minded, however, she will likewise have to reassess the way she uses the minor offenses to build up her sense of self. If she comes to see the wrongs as not so severe, then she can no longer paint herself as the victim of injustice and so she will be forced to address whatever underlies her low self-esteem. So, not only can we ask the hard-hearted person to be fair without asking her to be

²⁸ “The inoffensiveness of the weak man, even the cowardice of which he has so much, his lingering at the door, his being ineluctably compelled to wait, here acquire flattering names, such as ‘patience,’ and are even called virtue itself; his inability to for revenge is called unwillingness to revenge, perhaps even forgiveness (for they know not what they do – we alone know what they do!)” (GM I, 14). Here forgiveness is an expression of *ressentiment* because it turns weakness into something valuable.

forgiving, asking her to be fair rather than forgiving curbs the possibility of doing more damage to her self-worth. What the hard-hearted person needs is the right kind of perspective shift. Her perspective could be changed not by a greater willingness to put aside resentment, but simply by helping her come to see the wrongs in question more proportionately.

A second worry about fair-mindedness is that the fair person will run the risk of being the petty scorekeeper. A common criticism of the person who is unwilling to let go of her retributive emotions is that she will be a bad friend, spouse, or co-worker if she does not forgive the small offenses that people in close relations inevitably trade. But the fair person can let go of small offenses without forgiveness. We do not respond to every offense with either forgiveness or resentment: many times we simply get over things. We can get over offenses not merely because we are more willing to put aside resentment, but because we decide they are not important enough to merit any further attention.

Suppose a friend is late to a lunch date. One possibility is that we have no reaction at all to this event: we just may not care. In this case, these actions are not offenses at all and they do not require forgiveness or getting over. But these actions might also make us annoyed or irritated. In this case, they are minor offenses and so require some response. My suggestion is that these are cases of getting over offenses rather than forgiving them. Getting over minor offenses is neither to forgive nor to excuse them. To excuse an offense, we must come to see our annoyance as unfair or unwarranted.²⁹ In this case, I might excuse my friend for being late if she gets stuck in an unexpected traffic jam. It would be unfair for me to be annoyed at her lateness because it was beyond her control and because it does not reflect her disregard for me. By contrast, to forgive the offense we must see it as an affront, insult, or injury. In this case, the friend has no reasonable excuse for her

²⁹ Murphy makes this point about the difference between excuse and forgiveness (1988, 20 and 2003, 13).

lateness; she simply loses track of time or does not get ready quickly enough. But do we really see the friend's lateness in this case as an affront? Surely these actions could be: suppose my friend is intentionally late because she knows it annoys me or suppose her lateness is a reflection of a more general disregard for my feelings. In that case, her action may count as an insult. Barring these scenarios, however, her failure to properly attend to the time seems little more than an inconvenience to me. To see her lateness as an offense in need of forgiveness attributes too much importance to it. If I, for example, demand an apology from her, she might rightly claim that I am overreacting, not because she is not in the wrong, but because the offense is not serious enough to require an apology. Of course, if she does apologize for her lateness it might help abate my annoyance, but not every apology must then be met with forgiveness. My friend could likewise apologize in the case where she has a legitimate excuse, as in the case with the unexpected traffic jam. I cannot forgive her in that case because her excuse precludes my forgiveness, so the apology is serving some other function. It could be, for instance, an acknowledgement of the fact that I was briefly inconvenienced or an expression of her consideration for my feelings. But in apologizing she need not literally seek my forgiveness.

In the case where my friend is late without any excuse, I could simply get over her lateness rather than forgiving it. If I get over my friend's lateness, I maintain the belief that she had no excuse for being late and I see her lateness as a source of irritation or inconvenience. But I do not see her lateness as important enough to be an injury or insult. Because the offense is minor, there is no need for forgiveness, so I simply get over it. I shrug it off, drop it, or let it go. While forgiveness might require getting over something, getting over something does not require forgiveness. I suggest that, especially in the context of close relationships, most offenses are the sort that we simply get over. We may get annoyed with a late friend, but annoyance need not rise to the level of resentment. In order to avoid scorekeeping, then, what we need is not a willingness to let go of resentment, but

the good judgment to treat wrongs proportionately. We would be bad friends, spouses, children, or parents if we registered every minor slight as worthy of resentment, so it is important that we get over small offenses. But getting over offenses does not require a greater willingness to put aside resentment. It requires the right kind of perspective about offenses, namely that minor offenses should be treated with less gravity than majors ones.

One might object that the forgiving person can likewise get over minor offenses without resenting them, but this only highlights the problem of keeping fairness separate from forgiveness. If forgiveness is a praiseworthy willingness to put aside one's resentment, the forgiving person would first have to experience resentment in order to put it aside. She would have to first register the action as an affront even if it were a small one. Griswold explains, "If one felt *no* resentment in response to someone's injurious action against oneself, it would make no sense to forgive them for their deed" (2007, 40, emphasis original). Forgiveness requires seeing the action as an affront because otherwise, as in the cases of excuses, there is nothing to feel resentment about and thus no resentment to get over.³⁰ If even in these small cases there were no resentment at all, then there would be nothing to put aside. Likewise, there could be no praiseworthy expression of compassion or humility. As Kolnai points out, if the offender is not really an offender, then forgiveness would merely be acknowledging this fact and there would be nothing special about it (1973, 98-99). The forgiving person is supposed to be praiseworthy for her willingness to put aside resentment. Without seeing small offenses as wrongs and seeing them as (at least) meriting resentment, then there is no reason to praise the forgiving person for her willingness to set that resentment aside.

If the accounts of forgiveness I have been describing wish to claim that the forgiving person is not required to register minor wrongs as injuries in this way, they are left with the burden of

³⁰ Novitz (1998, 302), Kolnai (1973, 101), Hieronymi (2001, 530) also accept this claim.

explaining how the willingness to forgive differs from the fair perspective.³¹ There are two possible explanations. First, suppose we say that the forgiving person experiences no resentment toward these wrongs because she does not seem them as offenses. She would have to do so for the right reasons. Recall that if she lacks resentment because she does not properly recognize wrongs done to her, then failing to resent even minor wrongs would not be praiseworthy. So, the forgiving person has to lack resentment in the right way. If she fails to resent these wrongs because she sees them as unimportant, then she is responding to the same set of reasons as the fair-minded person: because the wrongs are minor, she does not resent them. But then her greater willingness to let go of resentment is doing no moral work. Her good judgment about the size and proportion of wrongs is what allows her to see these minor offenses as unimportant, so the forgiving person is indistinguishable from the fair person.

Second, she might see the offense as worthy of (mild) resentment, but since she possesses a greater willingness to let it go, she does so easily. In this case, her greater willingness to get over her retributive feelings would be doing moral work. Notice, however, that having to see minor offenses as injuries is similar to the mindset of the person who keeps score. The only difference is rather than holding onto the offense, the forgiving person forgives the offense. Yet this behavior requires the same disproportionate attitude toward small offenses: like the scorekeeper, the forgiving person sees even small offenses as affronts in need of forgiveness. Even if the forgiving person has a greater willingness to set aside resentment for minor offenses, it does not seem praiseworthy. Imagine a bank teller who resents a customer for absent-mindedly walking off with her pen. Although she resents the customer, she ultimately decides to put that resentment aside because she sees the humanity in the customer. That she sees this offense as worth (even a little) resentment in the first

³¹ Accounts of forgiveness that do not maintain the moral importance of retributive emotions may be able to provide an argument along these lines, but my arguments are not responding to these types of accounts.

place seems disproportionate. The customer shouldn't have walked off with the pen and surely the bank teller has every right to be annoyed. If the bank teller was disproportionately angry ("How dare you take my pen!") we would no doubt think she was being too sensitive. But if the bank teller resents and then forgives the customer ("I know that deep down you are a good person, and so I forgive you for taking my pen") she is being likewise too sensitive. The person who is too angry and the person who resents and then forgives both take the offense too seriously; they are both failing to be fair-minded.

One could object that what may seem like a minor offense that does not merit considerations of forgiveness to one person may not seem so minor to someone else.³² Some apparently minor offenses may turn out to be extremely hurtful given the specifics of the situation. In spite of these variations, however, we can and do criticize people for reacting disproportionately to minor offenses—we charge people with overreacting. Of course, faced with a charge of overreacting, an agent can argue her side: she can show that what seemed like a minor slight at the time was actually a serious one. But what is happening in this exchange has little to do with forgiveness. What we argue about in cases like this is the severity of the wrong: should this offense be resented or not? To know whether a minor slight is actually not so minor after all, we will need to know the specifics of the agents involved and we will need to consider the relevant factors. Deciding whether an offense is worth resenting, in other words, requires the good judgment that the fair-minded person possesses. Forgiveness thus only becomes a possibility for the fair-minded person if the offenses (even if they seem small) have a certain weight or severity. She recognizes that small offenses are simply not that weighty and the fair-minded person is no more prone to petty scorekeeping than the forgiving person. Furthermore, either the forgiving person turns out to have the same mindset as the scorekeeping person in seeing even minor offenses as injuries or she does

³² I am grateful to an anonymous reviewer for asking me to clarify this point.

not register them as injuries and thus gets over them rather than forgives them. In the first case, the forgiving person lacks the right kind of proportional attitude toward minor offenses. In the second case, the willingness to put retributive emotions aside does no work in explaining what is praiseworthy about the forgiving person.

If we want to maintain both the value of the retributive emotions and the good aspects of the virtue of forgiveness, I suggest that we should praise fairness rather than forgiveness. If the retributive emotions are to maintain their moral value, then the willingness to put them aside cannot be good in an unqualified way. The claim that forgiveness requires the right sorts of conditions or contexts in order to be morally good shifts the importance of forgiveness away from the willingness to put aside resentment and on to the ability to properly judge the circumstances. Thus in these cases what we really praise in the forgiving person is her fairness – her ability to judge some wrongs worthy of resentment and others as not. The fair-minded person treats wrongs proportionately and as such she can possess both humility and compassion because retributive emotions are not incompatible with these positive traits even if they do not express them. The fair person lets go of minor offenses and has healthy relations with her friends, loved ones, and co-workers. Her fairness will ensure that she is not too servile or too hard-hearted and so she need not possess a readiness to put aside her retributive emotions. If we want to acknowledge the moral importance of resentment and anger, then fair-mindedness becomes more important than forgiveness. As long as we are fair-minded, we can be good without being forgiving.

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