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CAN WE BE FORGIVEN?: ON "IMPOSSIBLE" AND "COMMUNAL" FORGIVENESS IN CONTEMPORARY PHILOSOPHY AND THEOLOGY

by

JOSHUA S. LUPO

Under the Direction of Vincent Lloyd

ABSTRACT

This essay traces two trends in current philosophical and theological debates concerning forgiveness. One, advocated by Vladimir Jankélévitch and Jacques Derrida, I label "impossible" forgiveness. The second, advanced by John Milbank and L. Gregory Jones, I label "communal" forgiveness. I explore and critically examine each of these positions in the first two sections of the thesis. In the last section of the thesis I examine a recent conversation amongst religious ethicists against the background of the theoretical conversations described in the first half of the essay. Bringing the theoretical conversation together with the religious ethicists' conversation, I argue that whether or not we embrace forgiveness depends in large part in what tradition, religious or secular, we place ourselves.

INDEX WORDS: John Milbank, Jacques Derrida, Roman Polanski, Rey Chow, L. Gregory Jones, Reconciliation, Forgiveness, Northern Ireland, Nigel Biggar, Religious Ethics

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JOSHUA S. LUPO

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2010

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by

JOSHUA S. LUPO

Committee Chair: Vincent Lloyd

Committee: Peter Lindsay
Tim Renick

Electronic Version Approved:

Office of Graduate Studies
College of Arts and Sciences
Georgia State University
May 2010

DEDICATION

To my Mom

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This work would have never been completed without the guidance of my director Vincent Lloyd, who never let me off of the hook with easy answers. I also want to acknowledge Bethanie Harsh and Owais Kahn who discussed the issues raised in this thesis week after week with me.

TABLE OF CONTENTS

ACKNOWLEDGEMENTS v

SECTIONS

1. INTRODUCTION 1

2. THE IMPOSSIBILITY OF FORGIVENESS 9

    A. JANKÉLÉVITCH ON FORGIVENESS 9

    B. DERRIDA ON FORGIVENESS 20

3. THE CHRISTIAN COMMUNITY OF FORGIVENESS 29

    A. MILBANK ON FORGIVENESS 29

    B. CHRISITIAN FORGIVENESS IN PRACTICE 39

4. CONCLUSION: FORGIVENESS IN NORTHERN IRELAND AND BEYOND 45

REFERENCES 61

1. INTRODUCTION

In 1977 the Los Angeles police department arrested Roman Polanski, charging him in the sexual assault of thirteen-year-old Samantha Geimer. The trial that followed played out like a TV drama. The judge sought the attention of the press, the good-looking prosecutor operated in a cool and calculated fashion, and Polanski himself remained confused as to what crime he had actually committed.[1] At the end of the court case, the judge, along with the prosecutor and Polanski's attorney, were unable to come to an agreement the punishment Polanski should receive. Before the Geimer case, Polanski lived in the U.S. at various times to make films in Hollywood. But because of the inability of the parties to reach a decision in the case, he left the U.S. permanently in 1977. Police issued a new warrant for his arrest in the fall of 2009. Swiss authorities recaptured Polanski in Switzerland as he was en route to attend the Zurich Film Festival. He now faces the possibility of returning to the as U.S. to face trial for the events that took place over thirty years ago.

Many Americans reacted strongly to Polanski's fleeing, claiming that it would not be moral to exonerate him of the rape charges, no matter how long ago the events took place and no matter how many good movies he has made since. It seems, according to these Americans, that without the law's ability to punish moral outrages such as Polanski's, there would be no way to achieve justice. When one reads Geimer's court testimony of the events one can see why many people feel this way.[2] As Geimer recalls, at Polanski's friend Jack Nicholson's home, during what was supposed to be a routine photo shoot, Polanski gave her a piece of a Quaalude, offered her champagne, and asked her to remove her clothes. Then, before the sexual encounter, he

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[1] For a sympathetic summary of Polanski's life and this event see *Roman Polanski: Wanted and Desired*, DVD. Directed by Marina Zenovitch (New York: Antidote Films), 2008.

[2] A news article on her testimony, with many quotes from it can be found here: "Roman Polanski: What did he do?" Online: http://abcnews.go.com/Entertainment/roman-polanski/story?id=8705958&page=2

asked her to get into a hot tub so that he could photograph her. Prosecutors displayed these photos during the trial. This display stirred up even more controversy around the case. In the end, Polanski admitted only to "having unlawful sex with a minor," claiming he did not force the girl to engage in sexual acts with him. Perhaps some of the outrage over the case stems from the feeling that, among some people, since Polanski is an artist, he is not subject to the law of ordinary people; art by its very nature is antinomian. And presumably the worry is that if we (Americans) allow Polanski to go unpunished, we are acquiescing to his lawless worldview.[3]

The events that occurred in 1994 complicate this story. In that year Samantha Geimer forgave Polanski. She publicly announced that she was "over it" and ready to move on.[4] This act of forgiveness has had strikingly little effect on public opinion. It seems there are two reasons for critics' rejection of her forgiveness. First, perhaps it is because in secular societies, people often think of forgiveness as a religious, especially Christian, concept. Therefore, it is a concept we should restrict to the private realm. In other words, forgiveness should not stand in place of punishment because forgiveness is a "religious" practice, and the Polanski case is a public matter. Second, if we allow forgiveness to stand in place of law to achieve justice, we endanger the efficacy of the law. If we do not enforce the law on all occasions, the law will become meaningless, and exceptions to the law will become more excusable.

Before moving into an examination of why these two issues have been raised, we should note what they have in common. Both assume that forgiveness is universal, and can be used by

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[3] For an example of this opinion see E.J. Graff "Roman Polanski's Rape." *The Boston Globe.* October 17, 2009, Online: http://www.boston.com/bostonglobe/editorial_opinion/oped/articles/2009/10/17/roman_polanskis_rape/

[4] See: Helen Kennedy, *NY Daily News*. "Roman Polanski's victim Samantha Geimer, 45 'got over it long ago.'" Online: http://www.nydailynews.com/gossip/2009/09/28/2009-09 28_roman_polanskis_victim_now_45_got_over_it_long_ago.html. It is unclear to what extent Geimer used the actual word "forgive," but it appears she does not want to pursue further legal action against him and no longer begrudges him. Recently she has even been fighting to have the charges dropped. For this story see Carlin DeGuerin Miller, "Roman Polanski's Rape Victim Samantha Geimer Fights For Him in Court." *CBS News.com.* Online: http://www.cbsnews.com/blogs/2009/12/11/crimesider/entry5966158.shtml.

anyone who desires to offer forgiveness. Both Polanski's critics and supporters argue that they know the place of forgiveness. However, I will argue that when forgiveness is articulated outside of its theological context it loses meaning and efficacy. Before turning to this argument and the larger theoretical conversation it is a part of let us further examine the reasons some might feel that Geimer's forgiveness is not valid.

Concerning the first reason, that forgiveness is a concept that cannot be debated by the public, one might consider a sentiment expressed by Hannah Arendt. She writes, "The discoverer of the role of forgiveness in the public realm of human affairs was Jesus of Nazareth. The fact that he made this discovery in a religious context and articulated it in a religious language is no reason to take it any less seriously in a strictly secular sense."[5] In other words, we should not immediately discard a religious concept simply because we live in a "secular" nation. We can debate the public value of forgiveness regardless of whether we identify as atheists, Christians, Muslims, Scientologists, et cetera. One might argue that we, in "secular" America and Europe, inherited a Jewish and Christian tradition of ethics, which contains within it the concept of forgiveness. To put it another way, secular forgiveness is in fact a part of a complex tradition that can be classified neither as religious nor secular. One of the underlying goals of this thesis is to further explore this division between the secular and the religious, exploring the unexpressed presumptions on which it rests. Typically we think of the secular as the realm of the public, and the religious as the realm of the private. Forgiveness complicates this distinction between the public and the private as well as the religious and the secular, since it often appears in both the religious and the secular realms and takes on public and private functions. But, whether or not forgiveness *should* be articulated in a secular language will be a subject to return to at the end of this thesis.

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[5] Hannah Arendt, *The Human Condition* (Chicago: The University Of Chicago Press, 1958), 238.

The second worry over Geimer's forgiveness concerns whether it would undermine the rule of law. If we allow forgiveness to stand in for punishment, do we not castrate the law? This is a valid fear, but one that already relies on a pre-given system of justice, to which forgiveness perhaps offers an alternative. If we too quickly assume that the existing law equals justice, we eclipse the possibility of challenging and changing bad laws. In this thesis, I want to take a step back from the law to make it possible to consider different approaches to justice. But I will not rely on the opposite assumption, that justice and forgiveness are one in the same, as many Christian theologians often do.

Much of the current literature on forgiveness assumes forgiveness is inherently good. Not surprisingly, Protestant Christian theologians write most of this literature. In both Timothy Jackson's *The Priority of Love* and Miroslav Volf's *Exclusion and Embrace*, the authors argue *as if* forgiveness is already a morally good practice, one that we need only demonstrate as so through different empirical examples. This is a trend one can note throughout the disciplines of religious studies and theology. In a recent issue of the *Journal of Religious Ethics*, for example, Protestant theologian Nigel Biggar argues that if Northern Irish Nationalists and Unionists do not forgive each other, the country will be unable to achieve real reconciliation.[6] Biggar is careful to distinguish different moments of forgiveness, noting how "forgiveness as compassion" and "forgiveness as absolution" should be distinguished in the process of forgiveness. But, Biggar, as an exemplar of the Protestant Christian tradition, still assumes that we need not really question forgiveness as a concept which may or may not, in the end, be ethical. Instead, we just need to be more precise about what it means to exercise it as a practice in the world. I return to Northern Ireland as a case study at the end of this thesis.

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[6] Nigel Biggar, "Forgiving Enemies in Northern Ireland." *Journal of Religious Ethics* 36.4 (December 2008) 559–579: 561.

For now let us note a common failure of all these approaches: They do not address the deeper conceptual issues with forgiveness. They do not deal with the issue of whether some crimes are so bad as to be unforgivable, nor do they deal with the problem that forgiveness is a specifically "religious" concept. I examine two more philosophical and theological conceptualizations in this paper to grapple with these deeper conceptual issues. The first conceptualization of forgiveness suggests forgiveness is always based on an exception to the law of exchange. In this characterization, forgiveness rejects the claim that justice can only be achieved through an exchange. An example of this exchange, which I evoke throughout this paper, is retributive justice. Retributive justice often requires an exchange of time depending on the degree of the crime. Extra-juridical forgiveness instead achieves justice, in Derrida's phrase, "beyond the law," and for this reason is dependent upon the intentionality of the individual who issues it. But discerning when forgiveness occurs is very difficult if not impossible, due to its antinomian nature. This "impossible" forgiveness rejects any exchange that would take place in a retributive setting or in a setting in which forgiveness were given specific conditions under which it could occur. This leads to a logical and moral contradiction at the core of forgiveness. We might wonder whether the only thing worth forgiving "beyond the law" is that which is so evil that it is beyond the ability to punish, the unforgivable. And then we must ask: Can one forgive the unforgivable? In this conceptualization it seems so. Anything other than the forgivable could be explained with reasons. We could tell why someone committed the crime, what circumstances led to his or her committing it, and what punishment would fit it. But the unforgivable, in its horrendousness, defies all these reasons. It is an evil so vast that there is no way to explain how or why it happened. To examine extra-juridical or impossible forgiveness I examine two 20th century French philosophers who were, perhaps not coincidentally, Jewish.

Vladimir Jankélévitch and Jacques Derrida argue that, as humans, we are too chained to the world to be able to truly forgive; because of this worldliness, to achieve *true* forgiveness will always remain either very difficult or impossible.

The second conceptualization I grapple with is forgiveness within the Christian community, what I call communal forgiveness. To grapple with communal forgiveness I will turn to John Milbank, a thinker often associated with the Radical Orthodoxy camp of contemporary Christian theology. Milbank argues that forgiveness is practical and worth trying to achieve in the world. He also argues that the otherworldly, "beyond the law" conceptualizations of forgiveness that Jankélévitch and Derrida describe focus on individual autonomy at the expense of community. He argues that carrying out forgiveness is possible if we return to the pre-modern shape of the Christian community based on the free exchange of gifts, where people did not merely give what they owed to one another, but gave freely to one another as members of the Christian community. This community has a common, as opposed to an individualistic, conception of the Good. In modern liberal society we tend to think of the good broadly as what an individual wants: *I* should do what is best for *me*. Milbank has a different conception of the Good. In his understanding, the Good is that which the community agrees upon as Good. Thus, individuals will not always be able to pursue what they immediately desire, though in the long run they might find they achieved the greater satisfaction of being part of a larger community. Instead they will pursue what is best for the Good of the community as a whole. Milbank argues that it is only when one takes up or reorients oneself in a Christian narrative structure around the common Good, articulated by the Church and enacted through the free exchange of gifts, instead of the post-modern nihilistic story or Enlightenment story with no common conception of the Good, that *true* forgiveness becomes possible. It is only when the

desires of "secular" people are reoriented to Christian desire that forgiveness becomes the practice originally intended by the Church. It is here that people can truly forgive each other on an intersubjective level. I will use the work of L. Gregory Jones, a contemporary Methodist theologian, to explore what an empirical example of Milbank's philosophical argument might look like.

Using recent articles published in the *Journal of Religious Ethics* on the Troubles in Northern Ireland, I explore what the theoretical debates that most of this paper is devoted to fleshing out tell us about forgiveness on the ground. I use this example to open up what I see to be missing in the debate thus far and what one recent commentator suggests is the bigger problem with forgiveness, which is its "globalizing" intention. Rey Chow argues that forgiveness is a practice that plays into the effort to extend global capitalism to every square inch of the world, which leaves those outside the "Judeo-Christian" order in a precarious position. In this final section I hope to show that the impossible conceptualization of forgiveness as well as the communal conceptualization of forgiveness miss. I argue that they miss the way the "Judeo-Christian" conception of forgiveness can only be practiced with meaning within Christian or Jewish communities. Since so much of modern Christian thought argues for a reconciliation of the world or gathering the world together as a universal Christian community, the concept of forgiveness is left in a precarious state. In both "communal" and "impossible" forgiveness, forgiveness is argued about *as if* it is a universal concept. Forgiveness, in this context, is extending beyond the bounds within which it has always been articulated and is creating more strife where it seeks to heal it. I see this as the danger of forgiveness in the modern world.

Perhaps this contribution will help in clearing up why cases like that of Roman Polanski and Samantha Geimer. In Geimer's forgiveness we can begin to see a moment when forgiveness

shines forth not as Derrida and Jankélévitch describe it, as “impossible,” or as Milbank describes it, as “communal,” but as an attempt to make right what cannot be made right. A helpful metaphor might be the following: When forgiveness is performed we see the cracks in the existing juridical order. This order claims that the positive law provides a sufficient account of justice. In these cracks there is not a light that radiates with the promise of a prolonged salvation, nor the work of God in the world, instead there is a darkness to be explored. The concept of forgiveness opens our view to this darkness, which is the irresolvable nature of the relationship between justice and law.

2. THE IMPOSSIBILITY OF FORGIVENESS

A. JANKÉLÉVITCH ON FORGIVENESS

Vladimir Jankélévitch was born in 1903 in Borges, France. Two of his important works on forgiveness have been translated into English and have attracted significant critical attention. The first, a book entitled *Forgiveness*, which appeared in 1967, discusses forgiveness, according to the author, from a "purely philosophical perspective."[7] The second, a short essay titled "Should We Pardon Them?" appeared in 1971 and addresses the more practical question of whether Jews should forgive Nazis for the crimes of the Holocaust. While *Forgiveness* argues that one should attempt to forgive in the face of Absolute Evil (even forgive the "unforgivable," that which is so evil as to seem impossible to forgive), "Should We Pardon Them?" claims that Jews should not forgive the crimes committed against them by the Nazis (perhaps *the* definitive example of an unforgivable crime). To understand why Jankélévitch seems to hold this contradictory position, I want to first explore his argument in *Forgiveness*, and then move into a discussion of the shorter essay. What I hope to map in this section is the beginnings of what one might call impossible forgiveness.

Jankélévitch has only recently come to the attention of philosophers and theologians in the U.S. In his review of *Forgiveness*, Kevin Hart notes that this is most likely because of Jacques Derrida's recent essays and seminars on forgiveness that discuss Jankélévitch's work at length. (Hart notes that Derrida has also discussed the subject at philosophy of religion seminars in the U.S.)[8] For this reason, those who have an interest in the intersection of philosophy,

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[7] Vladimir Jankélévitch "Should We Pardon Them," translated by Ann Hobart. *Critical Inquiry* 22 no.3 (Spring 1996): 556. This work was originally published in Jankélévitch's larger work *L 'Imprescriptible*, which has yet to be translated into English.

[8] Kevin Hart, "Book Review: *Forgiveness*." *Christianity and Literature* 56, no. 3 (Spring 2007): 534.

theology, and ethics have read Jankélévitch's work. His work has bearing on all three of these fields.

Jankélévitch's philosophical approach, while never systematic, nonetheless hinges on an important distinction between what he calls the "instant" and the "interval."[9] Colin Smith notes, "Jankélévitch is content to see certain tracts of reality as causally or sequentially connected, while others are characterized by 'absolute' beginnings."[10] Absolute beginnings relate to the instant or moment of action, while sequenced reality relates to the interval. Jankélévitch is more interested in the instant, as both Colin Smith and Andrew Kelley (the translator of *Forgiveness*) note at different points in their studies of Jankélévitch. The interval and instant each have distinct structures, and ethical possibilities that flow from them. Over an interval one can foster a virtue. Through practices and habits over a period of time, one can become more honorable, brave, or honest. But in the instant, the creation of a new order is possible. Thus, there are ethical virtues that correspond to the interval, while there are ethical events that correspond to the instant. As noted already, the interval involves virtues that are formed over time. One might think of the virtue of friendship. Friendship requires devotion and attention to another person over some period of time. Without this duration, it is impossible to develop friendship. On the other hand, events like love and forgiveness, according to Jankélévitch, are events that occur only in the instant. This is because there is no way to explain or instill love as a virtue. Instantaneous actions are in some sense "miracles" since they do not come not from reason, or deliberation, or the time it takes for those two things to occur.[11] Jankélévitch thus claims, regarding forgiveness, "the grace of forgiveness and of selfless love is granted to us in an instant and as a disappearing

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[9] I am indebted to Andrew Kelly's introduction to *Forgiveness* as well as Colin Smith's "The Philosophy of Vladimir Jankélévitch," *Philosophy* 32, no. 123 (Oct., 1957), 315–324 for articulating this distinction.
[10] Smith, "The Philosophy of Vladimir Jankélévitch," 320.
[11] Vladimir Jankélévitch, *Forgiveness* (Chicago: University of Chicago Press, 2005), 48.

appearance—this is to say that at the same moment it is found and lost again."[12] This does not detract from its value, however. On the contrary, these events create the possibility for radical change and can perhaps do more ethical work than a virtue.[13] Love, for example, is always a risk. The risk involved in the instant is its uncontrollability. When one loves one never makes a rational decision to do so. But this risk to love is what Jankélévitch finds valuable in virtues like love and forgiveness. It is also its danger. Since the instant does not rely on habits built up over a period of time or on rational justifications, it is just as likely for the event that occurs in the instant to take the shape of hate or love. I will say more on this below. But for now, we should say that the instant contains the possibility for something "new" that cannot be found within the order of reasons and temporality, two concepts Jankélévitch is careful to dissociate from forgiveness.

This structure of the instant, as already mentioned, pertains to forgiveness.[14] Indeed, of the three defining features of forgiveness Jankélévitch lays out at the beginning of his book, the instant is treated first and with great attention. The other two features of forgiveness include, first, that forgiveness happens in "personal relation with another person," since forgiveness takes into account the full personhood of the other.[15] If it fails to do this, it might look something like clemency or compassion, but would fail to resolve the broken relationship between the victim and offender. Only when I recognize the shared brokenness of others' humanity along with mine, Jankélévitch claims, is forgiveness possible. Second, forgiveness must be a gratuitous gift. To ask for anything in return would amount to an economic exchange, and would appear to be

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[12] Ibid., 4.
[13] Colin Smith discusses this on pp. 321–322 of his article. Though the distinction between the interval and the instant is not expressly discussed in *Forgiveness*, it nonetheless seems to undergird the work. The philosopher discusses this in earlier works like *Philosophic première: Introduction à une philosophie du preque*. (Paris: Presses Universitaires de France, 1953), which, as of yet, remains untranslated into English.
[14] Jankélévitch, 3–4.
[15] Ibid., 5.

something more like reconciliation or excuse. This would return one the interval. Like friendship, reconciliation requires time and energy to develop. It doesn't happen over night. But forgiveness does. Reconciliation also requires giving reasons why a misdeed has occurred. But this cannot be forgiveness, since forgiveness gives without reasons. If forgiveness forgave for a reason it would no longer be a gift. It would be an exchange. Because of this gratuitous nature, for Jankélévitch, forgiveness operates "outside" the jurisdiction of the legal code, since this code always attempts to explain and justify why a misdeed occurred and what punishments fit it.

Jankélévitch does not give a specific reason why these three characteristics are necessary for forgiveness. And one might question why he fails to do so. I would argue that Jankélévitch is writing from a general cultural background that springs from the Jewish and Christian perspectives, one that he expects his readers to identify with because of their shared background.[16] But Jankélévitch does not merely accept what this background has thus far said about forgiveness. He also wants to push beyond it by imagining the difference between everyday forgiveness (which he considers pseudo-forgiveness) and pure forgiveness, which is more difficult to capture with ordinary language.

We might analogize Jankélévitch's philosophy of the instant to that of a Jewish understanding of the place of God. From a Christian perspective, Jesus was God and, therefore, with his birth into the world, God was made manifest in the world. From a Jewish perspective, however, God has yet to appear in the world. Like God, we might say that forgiveness remains an Absolute, never appearing in the world. In this broadly Jewish conception, we continue to long for God, but fail to reach Him and His divine forgiveness. This is perhaps the reason

[16] John Milbank critiques this common conception in his essay "Forgiveness and Incarnation", noting how our understanding of what forgiveness consists of has changed and developed over time. But Jankélévitch also explicitly states cited by Derrida, Jankélévitch indeed notes that he is attempting to give an account of forgiveness from a "Jewish–Christian" perspective.. See pg. 29 of "To Forgive: The Unforgivable and the Imprescriptable,." In *Questioning God*, edited by John D. Caputo, et al (Bloomington: Indiana University Press, 2001).

Jankélévitch argues we see many forms of "pseudo-forgiveness," or false messiahs that may look like and seem to serve similar functions as forgiveness.

Jankélévitch examines three forms of pseudo-forgiveness—temporal decay, intellection, and liquidation. He shows how each of these, while looking like forgiveness, differs from it in significant ways. He spends most of his time on temporal decay, dividing it into three species. The first species is basic decay, which we might broadly identify as the passage of time. Jankélévitch's problem with equating forgiveness with the passage of time is that time, by itself, is a neutral category; it has both positive and negative moral possibilities. Because it can either be positive or negative, time lacks the gratuitous nature one associates with forgiveness.[17] Time itself cannot forgive. It takes an intentional being to perform this action. Jankélévitch thus writes, "[D]ecay is the caricature of grace."[18] Indeed, for Jankélévitch, without a gracious gesture forgiveness would merely be the forgetting of the misdeed and would return one to the interval, allowing time to mitigate the resentment associated with the misdeed. The second species associated with temporal decay is that of integration. This pseudo-forgiveness is what Jankélévitch calls "stomaching." Here one accepts the misdeed without dealing with the ramifications of it. This makes it possible for the misdeed to re-present itself (both coming back and showing itself in a new form) as a defense mechanism, which hinders the development of a person. In the category of temporal decay Jankélévitch also includes "integration," which he claims is "more impoverishment than enrichment" because it fails to truly renounce the misdeed committed. Instead it allows the victim to ignore misdeed committed by the other, which is one of Jankélévitch's essential components for forgiveness. [19] Put another way, integration does not erase resentment and replace it with love; it merely makes it possible for one to live with anger.

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[17] Jankélévitch often describes this drive, following from Bergson, as *élan,* which might generally be described as "life energy."
[18] Jankélévitch, *Forgiveness*, 27.

These three species of decay, then, lack what is necessary for Jankélévitch's characterization of forgiveness. In a sense, they all try to turn forgiveness into a virtue of the interval, which takes away its potential to overturn the current order of things and completely erase resentment.

The second and third categories of pseudo-forgiveness are much more easily summarized. An excuse or "intellection," as Jankélévitch often calls it, attempts to make sense out of the wrong committed. It seeks to find out *why* a person "would do such a thing," and in doing so give *reason* to the misdeed. Intellection lacks the instantaneous, gratuitous, and relational nature of forgiveness. If one were to forgive instead of excuse, one would have to give up the hope of having knowledge of the misdeed committed. Excuse is akin to many situations we call reconciliation, as the excuse presents what *really* went on in the commitment of a misdeed. It thus bases itself in the assumption that all misdeeds are in fact understandable once they are perceived correctly, and, deep down, one had a viable reason to commit the crime she committed. If one presumes this, then forgiveness becomes unnecessary. For Jankélévitch's conception of forgiveness to be Absolute evil has to exist. It is only in the face of radical evil where forgiveness is necessary.[19] Everything else is explainable, excusable. We will turn to this subject in more detail below.

The final category of pseudo-forgiveness is liquidation. Liquidation simply means forgetting the misdeed entirely. More precisely, for Jankélévitch, it means renouncing the painful event without actually dealing with it. In other words, to liquidate is to ignore. As Jankélévitch writes, "to liquidate is to agree to pass over the misdeed and not to hold it against the guilty person."[20] Liquidation is thus similar to forgetting in that it erases the past. But unlike forgetting, liquidating does not do work to let go of the past; instead, it acts as if the past never happened.

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[19] Ibid., 59–61.
[20] Ibid., 99–100.

This, of course, can be instantaneous, but liquidation lacks a relation with the other, and it also not a freely given gift.

What Jankélévitch is doing in the first half of *Forgiveness*, then, is beginning with a definition of forgiveness based on Jewish and Christian ethics, showing how many of the concepts we usually associate with forgiveness *are not* forgiveness, and then narrowing in on the minute point where forgiveness might appear. Here forgiveness beyond retributive justice, beyond the decay of time, intellection, and liquidation finds its true power, or *élan*, as Jankélévitch describes it. Forgiveness here becomes madness, ignoring the constraints of reason justice, and time, favoring a grace, which can be glimpsed only in the moment or instant of action. To forgive anything but the unforgivable, or the absolutely Evil, in Jankélévitch's understanding of forgiveness, would be to reduce forgiveness to one of its "pseudo" forms discussed above.

But if forgiveness is absolute, then the unforgivable must be as well. He thus writes,

> When a crime can neither be justified, nor explained, nor even understood, when, with everything that could be explained having been explained . . . when the atrocity of has neither mitigating circumstances, nor excuses of any sort . . . then there is no longer anything else to do but to forgive.[21]

For Jankélévitch, forgiveness must reject any *because* (by which he means any excuse or reason) in coming to terms with a misdeed. Forgiveness is asymmetrical to justice if by justice one understands justice as retributive, which, as Kelley points out in the introduction, Jankélévitch obviously does.[22] It is asymmetrical in this case because, instead of returning evil for evil, or good for good, as we normally expect to happen on the level retributive justice, it returns good for evil.[23]

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[21] Ibid., 106.
[22] Kelley, "Introduction," xviii.
[23] Ibid., 142.

Let us go back to the Polanski case to see how this understanding of forgiveness might play out. In the introduction to this thesis we saw the public expecting a fair punishment be returned for the crime committed. The public expected a justice that would balance the misdeed committed with an equal punishment. As pointed out earlier, many Americans feel that if Polanski is not punished, then the law to which they are subject will become less meaningful. In order to achieve justice in this case, it seems that many want to see Polanski subject to the "economic" law, where the "punishment fits the crime." Geimer's forgiveness is not pure since she isn't offering a gratuitous gift to Polanski (she seems more interested in leaving the event behind rather than healing the relationship between her and Polanski), and in some sense believes Polanski has already been punished (through being forced to live outside the U.S. for thirty years, the press' constant questioning, et cetera). But Geimer's forgiveness is still aneconomic in some ways, since Polanski cannot truly be exonerated of the charges until he faces the Court and she wants to relieve him of this duty of having to do so. In many ways Geimer has turned her back on retributive justice, which is for Jankélévitch, an essential component of forgiveness. Jankélévitch writes, "To pardon is to turn one's back on the direction that justice indicates to us," and also,

> Forgiveness . . . forgives in one fell swoop and in a single, invisible *élan*, and it pardons undividedly; in a single, radical, and incomprehensible movement, forgiveness effaces all, sweeps away all, and forgets all. In one blink of an eye, forgiveness makes a tabula rasa of the past, and this miracle is as simple for it as saying hello and good evening.[24]

Characterizing forgiveness as a complete renunciation of the misdeed leads Jankélévitch to reflect on the impossibility of forgiveness and is perhaps why, in a conclusion that concerns the relationship between the forgivable and the unforgivable, Jankélévitch's writing turns chaotic. Over the course of nine pages and only two paragraphs Jankélévitch oscillates back and

[24] Jankélévitch, *Forgiveness*, 153.

forth between the forgivable and unforgivable, taking numerous turns on the mad journey to forgiveness.[25]

For Jankélévitch there is no such thing as the unforgivable. But forgiveness is a choice in the face of both Absolute Good and Absolute Evil.[26] Returning to the instant versus interval, Jankélévitch might again emphasize the risk involved in the event of the instant. In this last section of the book, Jankélévitch is exploring that risk, noting the madness but also possibility that comes with acting in the instant. For Jankélévitch, both Absolute Evil and Absolute Good are always on the horizon of possibility. Both, in a sense, occur "outside" the realm of normative ethics. They both take place in the instant, as an exception to the regular order. As soon as forgiveness is accomplished, Evil could appear again, and vice versa: "Love is stronger than evil and evil is stronger than love; each is stronger than the other!"[27] In the event of forgiveness, one sees the Good appear, but this Good is impermanent, and Evil can always appears on the horizon, and indeed must remain there, if there is to be anything called forgiveness. Forgiveness is impossible or nearly impossible in this conceptualization. But this is the *aporia*, or impossibility, which in Jankélévitch's argument will always haunt forgiveness.

In "Should We Pardon Them?," Jankélévitch argues that Absolute Evil overwhelms Absolute Good in the Holocaust. Here, in what some have characterized as a polemical tract, Jankélévitch lays out why it is impossible for Jews to forgive the Nazis.[28] It was in the creation

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[25] Jankélévitch typically writes in longer paragraphs, but the style in this conclusion seems to become vital to his argument. Here, Jankélévitch refuses "normal" writing conventions, taking us on the ambivalent, law-breaking ride that is, for him, forgiveness. "However's" proliferate in these pages, further demonstrating the constant tug and pull of Absolute Evil and Good which can never be resolved.

[26] Jankélévitch describes the concept of the Absolute as split into two irreconcilable, but necessary forms. He thus writes, "the Absolute is plural and irremediably torn apart" (162). If unforgivable wickedness (Absolute Evil) is possible, the only thing that can counteract its force is Absolute Good, or "the inexhaustible good of forgiveness" (163). What Jankélévitch finds troubling and contradictory is that both Goods must exist in order for either one have a purpose. Indeed, without Absolute Evil what would forgiveness have to forgiven? Without Absolute Evil to forgive, forgiveness turns back into a pseudo form of forgiveness.

[27] Ibid., 164.

[28] See Kevin Hart's "Review." He indeed calls it, on pg. 532, "one of the most piercing short works of

of concentration camps that Good seems to have vanished. He writes, "[T]he extermination of the Jews is the product of pure wickedness, of *ontological* wickedness, of the most diabolical and gratuitous wickedness that history has ever know**."**[29] Because Nazis went after not only a system of beliefs or practices, but also, as Jankélévitch characterizes it, the "very being of humanity," nothing more evil than it can be imagined.[30] Here we see Absolute Evil, as described in the last pages of *Forgiveness*, find a home. And it is here that the possibility of Good disappears: "Pardoning died in the death camps."[31] It is interesting that Jankélévitch at the beginning of the essay notes that his book *Forgiveness* was treated purely as a "philosophical" text. He does not compare that book to his work here. But one might conclude with an old cliché that perhaps forgiveness is "good in theory" while "bad in practice." While forgiveness is possible in a philosophical conversation, when it comes to actually describing the event of forgiveness in the real world the complications of worldly existence become make it impossible to say exactly what forgiveness is.

In the preface to *Forgiveness*, Kelley suggests that the possible contradiction between the texts can be made sense of if we pay closer attention to Jankélévitch's larger philosophical project. As noted and repeated throughout this section, a key component of his project is to distinguish between the instant and the interval. Thus, where one might be tempted to argue that forgiveness disappeared in the death camps, a more nuanced approach, according to Kelley, would be to argue that since forgiveness can occur only in the instant and in relation with the other, a systematic forgiveness of the Nazis would be impossible. This would negate the very

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moral polemic in recent history"

[29] Jankélévitch, "Should We Pardon Them," 556, emphasis his.

[30] Ibid., 555. On this page, Jankélévitch also describes the "very being of humanity" as humanity's essence or hominity. When the Jews were single out for oppression by the Germans, it was not any creed that singled them out, but simply the fact that they were Jewish. The Germans wanted to destroy their existence and humanity. Thus their crime was one against humanity.

[31] Ibid., 567.

essence of forgiveness. In one's heart, one might forgive a Nazi that has wronged one. But to generalize and say it is possible for all Jews to forgive all Nazis seems absurd if we agree with Jankélévitch's characterization of forgiveness as an instantaneous event that wipes away all resentment.

Whichever side we might take on the issue, Jankélévitch's work aides those who practice or want to advocate forgiveness by distinguishing between what we commonly call forgiveness and true forgiveness. Those advocating forgiveness might argue that the advantage of Jankélévitch's description of forgiveness as an instantaneous action is its ability to operate outside a moral code and to make it possible to overturn an existing totalitarian moral order. Where totalitarian regimes always seek to maintain the existing order, the instant, and the possibilities that exist in it, can overturn totalitarian orders since, for Jankélévitch, as noted previously, the instant is an "absolute beginning" that erases the past. But the instant shares with the creation of a new Good the risk of a new danger and perhaps Evil to begin. This is possible because, as we noted earlier, in the instant both Absolute Good and Absolute Evil appear as possibilities. This is why Jankélévitch leaves us unsure as to whether events of the instant should be advocated or avoided.

In the work of Derrida, we see a similar position advocated, albeit from a different philosophical standpoint. Derrida takes Jankélévitch's concern for the unforgivable, expands it, and attempts to show the inconsistent premises on which it rests. He then universalizes the concept of impossible forgiveness.

B. DERRIDA ON FORGIVENESS

Lecturing to a large group of white students at a South African university, Jacques Derrida challenged the notion that one can forgive the unforgivable.[32] Responding to Derrida, one student, identifying herself as a "potential object of forgiveness," asked how unconditional forgiveness was possible in a country like South Africa. The student then questioned Derrida's intentions, wondering if he was less concerned with the practical effects of forgiveness than with the "purity" of the concept of forgiveness. Derrida responded by emphasizing what is perhaps one of his most important distinctions concerning forgiveness and reconciliation. He said:

> I want to precisely draw a very rigorous border between the pure concept of forgiveness and the idea of reconciliation and the idea of excuse and the process that is going on. I think that as soon as you mix the concept of forgiveness with all the connected concepts which are at work in this current process . . . you introduce confusion and obscurity in something which has to be as clear as possible.[33]

Derrida here argues that forgiveness, in its pure form, is *not* reconciliation, but instead a pure act that occurs "beyond the law."[34] Derrida makes this distinction in several essays on forgiveness as well.[35] In this section I turn to explicate the Derridean concept of forgiveness.

Derrida is indebted to and in line with the work of Jankélévitch on one basic level. Like Jankélévitch, Derrida is concerned with identifying false forms of forgiveness—the excuse, decay, et cetera—and distinguishing them from "true" forgiveness. But, on Derrida's reading, Jankélévitch lost his critical rigor on the subject when, in "Should We Pardon Them," he claimed that forgiveness "died in the death camps." Derrida, in contrast, continues to argue that the unforgivable is the only place where true forgiveness can take place. Whether Derrida's characterization of Jankélévitch's position is accurate is debatable (as discussed in the previous

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[32] *Derrida*, DVD. Directed by Kirby Dick and Amy Ziering (USA: Jane Doe Films, 2003).
[33] Kirby Dick and Amy Ziering, *Derrida: Screenplay and Essays on Film* (New York: Routledge, 2005), 90:91.
[34] Jacques Derrida, *On Cosmopolitanism and Forgiveness* (Routledge: London, 2001), 53.
[35] See also Derrida, "To Forgive: The Unforgivable and the Imprescriptable."

section). In either case, however, Derrida has a slightly different approach to constructing the problem of forgiveness. For Derrida, forgiveness only becomes a possibility when a person is attempting to forgive the unforgivable, which is impossible. Thus, where Jankélévitch saw forgiveness as always a fresh possibility in the instant, in Derrida's view, forgiveness is not yet possible, but remains on the edge of our ethical horizon.

Forgiveness is impossible because the only thing worthy of receiving forgiveness is the unforgivable, which, by definition, cannot be forgiven. In his essay "On Forgiveness" Derrida cites "crimes against humanity" and "monstrous crimes" as modern examples of the unforgivable.[36] Similar to Jankélévitch's characterization of the unforgivable as crimes against the essence of humanity, Derrida sees the unforgivable as that which is beyond the scope of law; something that is so terrible that no punishment will fit the crime. Derrida claims that anything other than the unforgivable could be explained by offering different reasons for why it happened. These reasons look something like Jankélévitch's forms of pseudo-forgiveness. "[F]orgiveness," Derrida claims, "falls into ruin as soon as it is deprived of its pole of absolute reference, namely its unconditional purity."[37] But forgiveness is also tied up in the empirical world and inseparable from it: "[I]t remains nonetheless inseparable from what is heterogeneous to it, namely the order of conditions, repentance, transformation, as many things as allow it to inscribe itself in history, law, politics, existence itself."[38] "Pure" forgiveness, for Derrida, is always in some sense outside the empirical realm, but also always attached to it, since it can only appear in the social world. The aporetic structure of forgiveness prevents "pure" forgiveness from ever actually taking place. It will always, in some sense, become corrupt when put into practice. So far, Derrida is in agreement with Jankélévitch's characterization, at least as it is presented in *Forgiveness*.

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[36] Derrida, *On Cosmopolitanism and Forgiveness,* 33.
[37] Ibid., 44
[38] Ibid.

There is a difference between the two philosophers when we begin to think about how Derrida's conception of forgiveness fits into his larger philosophical project. Richard Beardsworth suggests that we understand Derrida's philosophical arguments as stemming from the concept of "arche-writing."[39] In what follows I use Beardsworth's take on Derrida to further understand what Derrida is trying to demonstrate in his discussion of forgiveness. This concept concerns the middle ground between the transcendent ideal and the empirical reality. For Derrida, any concept is always tied both to its transcendental ideal and empirical reality. We might take the concept of a "chair." For Derrida, when a person thinks of a chair, she forms a picture of an ideal chair in her mind, one that she imagines when she says the word chair. This chair has no "real" existence in the world. But it is only through repetition of the signifier "chair" in conjunction with the recognition of real chairs out in the world that she is able to refer to a "transcendental" concept of the chair. Thus, each time a new "chair" is recognized, the transcendental concept undergoes subtle changes. The conclusion Derrida draws from this argument is that there is no original or empirical "chair." There is neither a transcendental reality, nor an empirical reality. Instead, both the transcendent and empirical sides of a concept inflect each other, giving rise to what is currently called a chair.[40] All concepts are therefore necessarily transcendent-empirical concepts.

The structure of "arche-writing" identified by Beardsworth applies to philosophical ideas. There are concepts (e.g., the gift, love, forgiveness) that have certain transcendental ideals, that when matched next to their empirical realities (i.e., practices of those ideals) are forced to undergo revision (and vice versa). Thus, a concept like forgiveness has both an ideal form and an

[39] This paragraph and the paragraph that follows draw on Richard Beardsworth's discussion of arche-writing in the first chapter of his book *Derrida and the Political* (Routledge: London, 1996).
[40] Ibid., 17. When a word is written or said, it is only expressed as difference. Beardsworth thus writes, "There can be no identity without repetition; and yet, this very repetition puts into question the identity which it procures, since repetition is always made in difference" (17). We can never arrive at the truth or reality of a written word, we only continue to articulate its difference.

empirical form. For Derrida, the concept of forgiveness is always caught up between the transcendental and empirical, never fully either one. The pure or transcendental concept of forgiveness always remains heterogeneous to the empirical world while the concept can also never be articulated without the empirical world. Forgiveness, then, can only be expressed as difference. This forgiveness is different from both the empirical and transcendental pole of around which it articulates itself.

Now I will use Beardsworth's analysis to address Derrida on forgiveness. For Derrida it follows that "Forgiveness is not, it *should not be*, normal, normative, normalizing. It *should* remain exceptional and extraordinary, in the face of the impossible: as if it interrupted the ordinary course of historical temporality."[41] While recognizing that forgiveness is often wrapped up and must take place in the empirical world, Derrida wants to be more precise about what is meant by forgiveness. He wants to avoid the misstep he sees many people taking: confusing forgiveness with either an empirical or transcendental reality. Thus, as with other philosophical concepts, Derrida wants to differentiate the empirical and ideal first, be more precise about what is meant by each, and then move forward by articulating a different way of thinking about a concept that privileges neither. This makes it possible for him, following Jankélévitch (albeit from a different philosophical vantage point), to differentiate pure forgiveness from pseudo-forgiveness. Derrida's conception of forgiveness eliminates the dangerous and pervasive language that implies unconditional or ideal forgiveness has occurred when, in reality, a form of pseudo-forgiveness has taken place.[42] But Derrida always remains "'torn' (between a 'hyperbolic' ethical vision of forgiveness, pure forgiveness, and the reality of a society at work

[41] Derrida, "On Forgiveness," 32; italics in original.
[42] In his text, for example, he writes of how Desmond Tutu problematically Christianized the truth and reconciliation project in South Africa, forcing victims, in subtle ways, to claim they had forgiven the wrong doers completely, when lingering resentments still remained. They were forced to claim pure forgiveness, when they had perhaps only experienced some empirical form of forgiveness. See pg. 43 in "On Forgiveness."

in pragmatic processes of reconciliation)."[43] And there is no way to resolve the tension between the ideal and the empirical. They are forever intertwined with one another because the repetition that sustains them is required for any form of writing or speaking to occur.

He argues that unconditional or ideal (transcendent) forgiveness exists external to the judicial law as we usually conceive it. It can be unconditional in two ways, according to Derrida. First, forgiveness can be unconditional when granted by a sovereign. Here an autonomous individual or a bureaucratic power forgives. Derrida (following Carl Schmitt) claims that sovereignty has traditionally been established from an exception to the law, as an illegal act that establishes the law, but also takes place "outside" of it. Forgiveness, when issued by a sovereign, becomes an exception to the law and in some sense becomes a transcendent act. The second version of sovereignty is that of individual sovereignty. Individual sovereignty shares with bureaucratic sovereignty the assumption that issuing forgiveness must take from within a position of power. Derrida seems to be suggesting that, in modernity, sovereignty takes place at both the individual level and the bureaucratic level. These are the version of transcendence Derrida wants to move away from. The version of transcendence Derrida wants to move towards consists of transcendence without sovereignty. Here, when an individual enacts forgiveness, he or she also acts outside of the law.[44] Not outside of the law in the sense that she no longer lives under its constraints, but outside of the law in that the forgiver does not rely on the punishment of the law to resolve the resentment that the forgiven created in her. When an individual engages in forgiveness, she executes an action not based on retribution, returning a punishment that fits the crime, but instead based on an ethics "beyond the law." It is this forgiveness that takes place outside retributive justice that Derrida claims to be the most promising version of forgiveness.

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[43] Ibid., 51.
[44] Ibid., 59.

Here forgiveness becomes a secret; secret not because no one witnesses it, but because it takes place outside the parameters of the judicial law:

> We can imagine that someone, a victim of the worst, himself, a member of his family, in his generation or the preceding, demands that justice be done, that the criminals appear before a court, be judged and condemned by a court—and yet in his heart forgives.[45]

Derrida claims that he would

> [M]ake of this trans-political principle a political principle, a political rule or position taking: it is necessary also in politics to respect the secret, that which exceeds the political or that which is no longer in the juridical domain. This is what I would call 'democracy to come'."[46]

Thus, what Derrida wants to advocate is individual forgiveness, not offered through an institution or court, but through the "heart" of an individual. It is here, outside the realm of law, where Derrida glimpses the real potential for and the possibility of transcendence divorced from power. At the end of "On Forgiveness," Derrida claims that forgiveness without sovereignty and forgiveness without power are the most desirable "Abrahamic" ethical conception of forgiveness.[47]

But forgiveness is not only contained to the Abrahamic tradition. At the beginning of "On forgiveness" Derrida notes that forgiveness has become a "universal idiom," practiced across different cultures and nations.[48] Derrida notes that this sometimes results in confusion over the function of forgiveness, but he does not seem to concern himself with thinking about the problems practicing forgiveness outside of a Western Context. I find this aspect of Derrida's

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[45] Ibid., 54.
[46] Ibid., 55.
[47] He finds this form most desirable because it avoids the violence often associated with sovereignty. When a sovereign state power establishes itself, it hides the fact that it has made an exception to the law. Forgiveness, when issue by the sovereign is also an illegal act. The problem with this approach to forgiveness, Derrida seems to be suggesting, is that it does not put into question the power issuing the forgiveness, the power that could just as easily distribute harsh punishment. For Derrida, if forgiveness is to move away from this problem, it must be dissociated from sovereignty (see 57–59).
[48] Ibid., 28. Some examples of nations typically thought of outside the "Abrahamic" tradition include, for Derrida, Japan and Korea. In the last section of this thesis I look closer at a particular example coming out of Korea.

argument troubling. In the last section of this essay, I will return to a more detailed answer as to why, but, let us note, for now a possible danger of evaluating forgiveness as a universal idiom: When forgiveness is practiced out of context it might lose its meaning. And when it loses its meaning, practitioners of forgiveness might mistakenly assume they have forgiven, when, in fact, they have uttered the word forgiveness without properly knowing the full extent of what forgiving means.

Derrida's analysis leads us to see that concepts like forgiveness, love, and the gift have a potential for a different ethical outlook (a "hyperbolic" ethical order in excess of the normal law) if they are divorced from their (powerful) transcendental signification but are also divorced from the empirical political-judicial sphere that would want to define forgiveness as "reconciliation." Derrida is thus gesturing to the possibility of forgiveness in the future, one we have not yet arrived at, but one that becomes possible again and again in those individual and "secret" moments of forgiveness. These moments of forgiveness take place outside the law. This is the universal appeal for forgiveness. The "transcendental" ideal can never be truly articulated in the world, it cannot be constrained by particularities. And we can never say that forgiveness has truly happened in the empirical world. In this sense, forgiveness remains impossible.

To return to our test case: Perhaps Samantha Geimer "truly" forgave Polanski. According to Derrida, we will never know. It is beyond the recognition of the juridical realm. In Derrida's view, forgiveness occurs as an exceptional moment to the law. It is an event that occurs in spite of what the law says should usually be done. It is not a concept we can promote in the judicial or political realm, because this would be to falsely imagine empirical reconciliation as the truth of forgiveness. A "secret" forgiveness might take place, but it can only happen at the level of the individual who forgives, and can never be brought onto the juridicial-political level since this is

where punishment is decided and enforced.[49] Because we can only forgive the unforgivable, and because the unforgivable and forgiveness are outside the scope of the judicial understanding of justice, forgiveness is exceptional. Thus for both Jankélévitch and Derrida forgiving remains on the horizon of ethical possibility, always disappearing over the edge of the horizon before being reached. For Jankélévitch, the *aporia* revolves around the problem of Absolute Good and Evil, which are always possible in the event of the instant. It is possible to forgive, but only because there is Absolute Evil, the unforgivable, that which is so terrible that no punishment would fit its offense. For Derrida, the problem with forgiveness is its entanglement with the juridical-political order, which always imagines justice as retributive. Forgiveness, for him, can never be recognized in the empirical world. This creates an endless debate about forgiveness and reconciliation that can never be resolved. For Derrida, casting forgiveness into a juridical or political role would be especially problematic. Since the political necessarily takes a public space, allowing forgiveness to enter into this space would contradict the very essence of forgiveness. This could lead to situations in which it is mistakenly assumed that forgiveness has taken place, when in fact only reconciliation has really taken place.[50]

The important difference between Jankélévitch and Derrida is that, in Jankélévitch's argument, forgiveness still has a place as a "live" event, albeit a rarely occurring one, whereas for Derrida forgiveness remains forever postponed or hidden. Where the instant allows for the possibility of forgiveness in Jankélévitch's view, in Derrida's it is already negated in its very definition. Perhaps an advantage of Jankélévitch's position for those wanting to promote a universal ideal of forgiveness is that it doesn't relegate events like forgiveness, love, and charity

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[50] One might consider, for example, the recent news coming out of South Africa, where officials publicly claimed that it the TRC had helped the country move on and forgive. In a recent news article it was reported that the efficacy of the forgiveness might not be as great as the rhetoric of those involved in the Truth and Reconciliation suggests. See: David Smith, "Rainbow Nation Ideal is Waning Finds Survey," *Guardian* (December 10, 2009), http://www.guardian.co.uk/world/2009/dec/10/rainbow-nation-ideal-wane-south-africa.

to an indefinitely postponed future. Instead it notes their exceptionality and difference from virtues of the interval, and in doing so makes it clear why they should not be thrown around lightly. A disadvantage is that it still assumes a universal definition of justice, one that those practicing forgiveness might not all agree on. We will return to this criticism at the end of this thesis.

But Jankélévitch and Derrida do share a proclivity towards the juridical law (some may call this a "Jewish" proclivity). For both Derrida and Jankélévitch the law is the means to achieve justice. Because of this understanding of the law, forgiveness is exceptional to "normal" justice. In Derrida's view, the moment of forgiveness is a "secret" which takes place outside the rule of law and in some sense is an impossibility we should forever strive for. From what might be called a "Christian" standpoint, one might argue that forgiveness is already here, that with the coming of Christ the transcendent was made empirical. We see this approach in the work of John Milbank, who I turn to in the next section.

If Derrida takes Jankélévitch's approach to one extreme in ruling out the possibility of forgiveness entirely, then John Milbank's approach might be said to take it to the opposite extreme. In Milbank's view, forgiveness is fully possible in the world we live in. It simply requires a shift in thinking from "secular" forgiveness to Christian forgiveness. In the next section, I explore Milbank's critique of Jankélévitch and Derrida. Milbank claims that "secular" versions of forgiveness (which he associates with Jankélévitch and Derrida) are inadequate because they attempt to divorce forgiveness from the Christian context out of which it comes.

3. THE CHRISTIAN COMMUNITY OF FORGIVENESS

A. MILBANK ON FORGIVENESS

In his essay "Forgiveness and Incarnation," John Milbank argues against the unconditional conception of forgiveness advanced by Derrida and Jankélévitch. Instead of focusing on *negative* forgiveness, as he claims both of them do, Milbank focuses on a notion of positive forgiveness. By negative forgiveness, Milbank means forgiveness that attempts to erase or negate the past. Positive forgiveness, in contrast, seeks to re-narrate the past and build from it. He returns to the work of Aquinas and Dante to recover the Christian practice of forgiveness that has been lost in modernity. In these writers, Milbank finds a positive form of forgiveness concerned not with making past wrongs disappear, but with atoning for and reconciling the past with the present. In this portion of the thesis I wish to first describe a few features of Milbank's overall theological thought and then move into his treatment of forgiveness. I will then turn to the work of L. Gregory Jones, who takes Milbank's notion of forgiveness and shows how it might be put into practice within Christian communities.

We might characterize Milbank as a post-modern Christian theologian (though he would perhaps be wary of labeling himself as such). Milbank accepts the post-modern critique of modernity, which claims that modern philosophy has been wrong to view the world as organized by one single "meta narrative," but he also moves beyond it to suggest a Christian answer to the problems post-modernism poses. "The end of modernity," Milbank claims, " . . . means the end of a single system of truth based on universal reason."[51] Because there is no single system of truth in the wake of post-modernism, it is possible for different truths to compete with one another. For Milbank, Christianity is one of these systems of truths.

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[51] John Milbank, "'Postmodern Critical Augustinianism': A Short *Summa* in Forty Two Responses to Unasked Questions." *Modern Theology* 7, no. 3 (April 1991): 225–237.

But Christianity is not only one among many equally valid forms of truth for Milbank. Christianity is an especially potent system since it creates a way to live meaningfully and is suspicious of the same "essences" post-modernism criticizes. For Milbank, this is in contrast to the conclusion of secular post-modern philosophy, which ultimately fails to create a meaningful way to live, because it leaves no way for people to decide which system of truth to live by. The position of Jacques Derrida and other post-modernists, Milbank claims, leaves one only with nihilism.[52] If every system of truth is contingent and self-contained, each can be treated as equally valid. This leads to a relativistic approach to ethics, which offers no common Good around which to orient oneself and the community. All that can be hoped for in the post-modern view is the "mitigation of the severity of conflict."[53] All we can hope for is the balancing of different discourses. In some liberal political theory, for example, Christians, Jews, Muslims, and Hindus cannot and should not unite under any universal truth. Instead, they can merely try to live with one another peacefully. When different religious groups come together to argue, they must check their religious commitments at the door. The secular version of post-modernism shares a similar view, in Milbank's argument, with this type of liberalism. Post-modernism also attempts to hold together disparate views without privileging one because it claims that "truth" is always contingent. "Christianity, however," remarks Milbank, "unlike many other discourses, pursued from the outset a universalism which tried to subsume rather than merely abolish difference."[54] Christianity, unlike the liberal tradition, does not seek to be a discourse among others, but instead to be a discourse that breaks through conflict, and creates a way to gather all different forms of existence together. There is not an abstract essence which all people share, but instead there is "harmony of difference," which all varying forms of being share in. Milbank compares this

[52] Democracy, forgiveness, and the gift are always "to come," never realized in the empirical world.
[53] Milbank, "'Post-Critical Augustinianism,'" 227.
[54] Ibid.

harmony to musical arrangement or musical composition. As in a musical piece, where "different" notes are added to create a harmony within a composition (notes which at first may sound "off" or out of key), Christianity adds "difference," which at first may seem strange or off putting, while continuing to work towards the community coming together.[55] Thus, unlike liberalism, which allegedly keeps all difference at a distance, Christianity gathers difference under its universal truth.

But what happens to God in this conception of Christianity's place in the world? Milbank claims that God is embodied implicitly in the community. This means that one cannot find God "outside" the world. On the contrary, God can be found only in the Christian community. God is "like the ideal, the goal of the community implicit is its practices."[56] God does not exclude differences in the community. Instead God gathers all people within the community into a shared Good. Only that which takes away from being, namely violence, takes away from the community.[57] To return to the musical metaphor, one might say that violence is merely a wrong note in the performance of a song. Atrocities like the Holocaust were not moments when evil became "real," but instead were moments that took away from positive being; wrong notes in the Christian melody.[58]

The resurrection is central for Christians. For Milbank, "[it] is about the persistence of the ordinary," but also the radically other.[59] Christ, as God incarnate on Earth, embodies the ordinary life in which we are all taking part. But Christ is also the ideal, by which all Christians should

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[55] Ibid.
[56] Milbank, "Post-Modern Critical Augustianism," 228.
[57] Ibid., 229. Also, see Chapter 1 of *Being Reconciled: Ontology and Pardon* (New York: Routledge, 2003). Violence, in Milbank's view, is not necessarily a physical act. Instead it is that which harms a community by creating differences within it. Liberalism is particularly "violent," since it seeks only to hold together different systems of truth rather than offer a common Good around which they can gather. Liberalism tries make sure Christians, Jews, and Scientologists, for example, can live together. But liberalism does not seek to create a way of being that unites all of them.
[58] Milbank, "Post-Modern Critical Augustianism," 228.
[59] Ibid., 233.

judge themselves. The Christian community is a community committed to the love and reconciliation embodied in Jesus Christ, who is the ideal Christians should measure themselves against. For Milbank the system of truth founded by Jesus gives shape to the Christian "way."[60] This way (or style of being) offers universal forgiveness.

Milbank thus differs from Derrida and Jankélévitch, who claim forgiveness is unconditional. For Milbank, Jankélévitch and Derrida's version of forgiveness appears at a particular historical moment, and thus is not the only possible way to examine the concept of forgiveness. Milbank claims that Derrida and Jankélévitch's negative notion of forgiveness has its roots in Greek and oriental (which he associates with the ancient Egyptians) empires. This forgiveness "was very much an act of sovereign whim, a gesture of pure negative cancellation, and an act quite prepared to violate justice."[61] Milbank traces this influence to ancient despotic and "oriental" regimes, and he notes that in these regimes only the sovereign was able to forgive. The power to forgive came from the power of an individual in a high office and was not aimed at reconciling the community or individuals within it. This theme resurfaces during the late-Medieval period, when the "individual" becomes sovereign.[62] Here Milbank locates the dangerous movement towards non-communal, independent identity and away from communal identity defined by one's relationship to the Church and community. This should sound similar to the earlier discussion of Milbank's theology, where we saw Milbank moving towards a community oriented around a common Good. Milbank wants to move away from defining the

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[60] Ibid., 235.
[61] John Milbank, "Forgiveness and Incarnation." In *Questioning God*, ed. John Caputo, et al., (Bloomington: Indiana University Press, 2001), 96.
[62] A modern day example of this "negative" forgiveness is the presidential pardon. Here forgiveness, granted by the U.S. president, completely nullifies the crimes committed by the criminal. And it is because the president is sovereign in some sense that he is granted this power to forgive or pardon. Of course this practice is heavily criticized (one need only to look to the controversy surrounding President Clinton's final, last minute pardons), but nonetheless it remains a striking example of how this notion of forgiveness persists in the Western cultural milieu. Derrida briefly mentions this in his essay "On Forgiveness," in *On Cosmopolitanism and Forgiveness.*

individual as autonomous, and towards defining her as a part of a community. It is in this community and only in this community that the *aporias* of forgiveness disappear. Forgiveness can only be imagined if we renounce the post-modern and secular view of the world and imagine forgiveness within the Christian story. Here forgiveness can become a universal law.

Milbank explores what this "positive" notion of forgiveness looked like in the European Middle Ages:

> [S]ince divine forgiveness was, for Aquinas, and the Middle Ages in general, mediated by the Church through the sacrament of penance, it was to some extent the case that, at an interhuman level also, to forgive someone was actively to bring about reconciliation through the provision to the other of a positive means of recompense.[63]

Milbank argues that during the Middle Ages, since communities were centered around the churches, both literally and metaphorically, and interaction with other individuals was mediated through the Church, forgiveness could be imagined as the mutual work of members of a community similarly devoted to God. Here, one does not falsely imagine having the power to forgive (as with a presidential pardon), but instead recognizes that, as a member of the community, one has a responsibility to work through issues with other community members, finding forgiveness in the empirical world. And this might mean making recompense or making amends through restitution. Milbank finds, in the work of Aquinas, a pre-modern notion of forgiveness that avoids the problems of interhuman forgiveness, whether issued from an individual or from the sovereign power.

Milbank argues that Aquinas saw forgiveness as working "to right the wrongs committed."[64] Justice was not so far from the work of forgiveness as it perhaps is now imagined to be in liberal society. Justice and forgiveness, in the Middle Ages, took place as exchange. We

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[63] Milbank, "Forgiveness and Incarnation," 94. Milbank takes most of his account of forgiveness in the Middle Ages from St. Thomas Aquinas *Summa Theologica* III Q. 68

discussed this "exchange" earlier when looking at how Derrida and Jankélévitch conceptualized forgiveness. They saw forgiveness existing as an exception to the exchange of retributive justice. Milbank, on the other hand, claims that in the Middle Ages, "[Forgiveness] obeyed no ordinary, calculable economy, since it was without finite price. . . . The aim of forgiveness was not a lone, self-righteous certainty of the will to exonerate . . . but rather charity, which the Middle Ages regarded less as a performance than as a *state* of fraternal, friendly, and harmonious co-existence."[65] Forgiveness, then, was not so much the forswearing of resentment, the unconditional renouncing of the misdeed, but instead consisted of *working through* the problem, a process that could only happen through a community bonded as the Church, where the life of Christ continues to be felt. And it was this harmonious state of being in the community that fostered justice within a society. Thus, justice was not based on retribution, but on the harmonious co-existence of individuals within a community.

To show why "theological" forgiveness is the only plausible way to conceptualize forgiveness, Milbank suggests in the latter half of his essay the ways in which forgiveness without God is impossible. He lists five *aporias* that make human forgiveness (what he also calls "secular forgiveness"), unmediated by the divine, impossible. In the next part of this essay I examine each *aporia* that Milbank lists.

The first problem concerns who is to forgive. Milbank points to what he sees as a major problem for Jankélévitch: the effect of any misdeed committed is incalculable. One cannot control how far and how wide the evil caused by one's misdeed has spread. Since no single member of a community can speak for the experience of a whole community, the only possible forgiver is the leader or sovereign of the community, since she is supposed to represent the community. But this also is also problematic, suggests Milbank. What right does this sovereign

[65] Ibid., 95., italics his.

have to forgive in the name of a whole people? And who can guarantee that every member of the community will share in this feeling of forgiveness? In the face of such *aporias*, Milbank says that there is no way for human forgiveness to be possible.

The second *aporia* Milbank identifies involves time. Here Milbank refers us again to the work of Jankélévitch who, as shown in the first half of this thesis, argues time is not a substitute for forgiveness. Time in and of itself has no moral function and therefore lacks the *élan* of forgiveness. What happened in the past must remain a reality. Milbank claims this to be too hasty a conclusion. Recalling Augustine's work, Milbank notes, "The past . . . only *is* through memory, and while this does not abolish the ontological inviolability and irreversibility of pastness, it does mean that the event in its very originality is open to alteration and mutation."[66] He goes on to make the stronger claim that the "remembered past . . . is rather itself the ontologically real past."[67] In other words, what we imagine as the past can indeed *become* the past. Thus in quickly discounting temporality in the work of forgiveness, Jankélévitch misses the potential of re-imaging the past in time, of reconciling the past through reevaluating what happened in it.

This notion of time is directly linked to that of evil in Milbank's theology. In remembering the past, in a particular way, one begins to see that the misdeeds committed against oneself previously really were "nothing," literally non-being. For Milbank and Milbank's Augustine, as time moves forward and one begins to reconcile oneself to the event of the misdeed, hatred subsides: "[A]t the heart of his hatred, he re-discovers the love for his own and others' real good, which essentially motivated it, and sees indeed that this love is the entire, real,

[66] Ibid., 101.
[67] Ibid.

actual content of hatred, since what was really hated was the negative impairment of love and the good."[68] Thus, what once seemed evil is just privation of the good.[69]

Unlike Jankélévitch, who sees the Holocaust as Absolute Evil, where forgiveness died, Milbank sees the Holocaust as an instance of the privation of the Good, and therefore as a detour on the road to the Good. Once one realizes that the Holocaust was a *lack* of Good and not an *abundance* of evil, Milbank suggests that it becomes possible to reconcile or re-narrate the memory of the event. The advantage of this theory, according to Milbank, is that it reduces the almost reverential regard in which the Holocaust is held by some.[70] Instead of "glamorizing" the Holocaust as an Absolute Evil, the privation theory of evil sees it literally as "nothing." The advantage of this approach, on Milbank's view, is that it refuses to see Evil as Absolute, and thus alleviates the despair people are often left with after tragic events like the Holocaust. For Milbank the privation theory of evil is a necessarily theological claim. He writes, "Time as remembered in its ontological positivity is only real because it participates in the divine, infinite eternal memory."[71] Thus, it is only through re-imagining the past that the past comes into existence, and it is only through the divine that this past can be seen as positive. For without the recognition of the positive nature of being, all past events become equally nothing, the good is reduced to evil, and no forgiveness is possible. We might further say that without the view of human nature as created by God, forgiveness is a meaningless activity, one that has no purpose beyond trying to change a past, which we cannot change. Only when we turn towards God does human life have a sense of purpose; without this purpose, the activity of forgiveness seems a vain attempt at becoming gods. Without the divine element, reconciliation is doomed to failure.

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[68] Ibid., 102.
[69] For a more detailed account of Milbank's disagreement with the "radical evil" camp, and his own argument for a "privation" theory of evil, see "Evil" in *Being Reconciled: Ontology and Pardon*, 1–25.
[70] For more on this subject, see Norman G. Finkelstein's *The Holocaust Industry: Reflections on the Exploitation of Jewish Suffering* (London: Verso, 2003).
[71] Milbank, "Forgiveness and Incarnation," 103.

Without the good of being guaranteed by the divine, all possibilities of forgiveness vanish, according to Milbank. Jankélévitch and Derrida's conceptualization of forgiveness becomes impossible on this view. As long as forgiveness is unable to forgive the unforgivable, or the greatest evil, it is enslaved to the transcendence of evil. Thus, for Milbank it is only in God (whose essence is embodied in the practices of the community), and his vision of being as good, that forgiveness is possible.

The third *aporia* Milbank identifies concerns forgetting. In the "secular" view "as soon as forgiveness becomes possible it is already redundant" because a person is only ready to forgive once she has forgotten the pain associated with the misdeed.[72] Since the past is immutable, (in Milbank's characterization of the secular view) the only way to forgive is to forget, which is redundant.[73]

The fourth *aporia* involves the problem of exchange, or returning what one is owed based on what one has received. On this subject, Milbank claims that as long as forgiveness is imagined only on an inter-human basis, there will always be a worry about the intention of the forgiver. In Milbank's view, one might worry that a forgiver is only interested in "personal disinterested benevolence."[74] To the contrary, Milbank claims that, within a Christian community,

> [M]y interest in my own happiness cannot compromise the disinterest of my will to forgive, since my happiness is from the outset less a possession than a relational ecstatis: my fulfilling myself by orienting myself beyond myself to the other, my realizing myself and letting myself go and receiving back from the other a new interpretation of myself.[75]

Thus, in forgiving, one is not seeking a selfish satisfaction but is instead seeking to make right her position in relation to other people within the community. To forgive is to restore the

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[72] Ibid., 104
[73] Ibid.
[74] Ibid.
[75] Ibid., 105.

harmony of the community. This is in opposition to "negative," secular forgiveness which, in Milbank's view, attempts to circumvent the work of reconciliation to avoid the pain associated with meeting problems head on.

The last *aporia* is finality. Recall the discussion of finality in Jankélévitch's work offered at the first half of this thesis. There we saw Jankélévitch concerned with the possibility that evil could arise at any moment. Indeed, it seemed that it was possible that in forgiving one might be in danger of letting go too soon, and in doing so creating the possibility for evil to resurface. This anxiety leaves the reader hanging at the end of the "Forgiveness and Incarnation" essay, unsure of whether or not forgiveness is an ethical concept. The worry, in Milbank's words, is that "to forgive one must utterly forget, as if this alone guarantees an ultimate and irreversible reconciliation, and yet in forgetting one is blinding oneself to an actual or possible absence of reconciliation."[76] For Milbank as long as we imagine forgiveness in a negative way, we can never use forgiveness to advance towards reconciliation.

At the end of Milbank's essay, he returns to the "positive" role of forgiveness as imagined by Thomas Aquinas. What is important for the discussion here is that this forgiveness is positive and not negative. Milbank concludes that "it remains our task to forgive and to go on receiving the forgiveness of other human beings, since what God offers us is *not* his negative forgiveness but the positive possibility of intra-human reconciliation."[77] Christian forgiveness is participation in God's plan, in Milbank's view.

Thus, to tie together Milbank's overarching theological project with his understanding of forgiveness one might say that forgiveness is foundational to the Christian community. Demonstrated by Jesus and practiced by His community, this understanding of forgiveness

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[76] Ibid., 107.
[77] Ibid., 109–110, italics his.

challenges the "empirical-ideal" forgiveness conceptualized by Derrida and the unforgivable *aporia* of Jankélévitch. Forgiveness becomes possible when the Christian community and the Christian message are no longer enslaved to the "secular" narrative of modernity or nihilistic post-modernism but recognizes its own narrative as a powerful and persuasive way of being. But similar to Derrida Milbank also wants to imagine forgiveness as a universal principle that can cut across differences in culture and ethnicity. For Milbank, unlike Derrida, the universal practice of forgiveness should not be relegated it to private moments of forgiveness. Instead it should be practiced under the universal Christian message. In this message, as noted previously, forgiveness "subsumes" differences, rather than balances them. In final section of this paper, I will turn to a critique of this universal tendency in both these accounts of forgiveness, as I believe they both miss the danger of spreading forgiveness outside its original context.

B. CHRISTIAN FORGIVENESS IN PRACTICE

In *Embodying Forgiveness: A Theological Analysis*, L. Gregory Jones follows the "narrative" communal account of forgiveness offered by Milbank, though his aim is to talk about forgiveness in a more practical way.[78] Jones' work is useful for the present purposes because he frames forgiveness as a virtue that can be practiced here and now, and thus serves as a nice connector between the more theoretical debates that I have discussed thus far and the more empirical debates I discuss in the final section. Stories of forgiveness proliferate throughout Jones' work, from the life and work of Dietrich Bonhoffer, to the film *Unforgiven,* to Simon Wiesenthal's *The Sunflower*. Each of these writers or works grapples with whether forgiveness is possible in a world where evil seems to proliferate endlessly. There is logic behind this abundance of stories, though. While all of these stories do not exemplify the Christian narrative,

[78] L. Gregory Jones, *Embodying Forgiveness: A Theological Analysis* (Wm. B. Eerdmans Publishing Company: Grand Rapids, 1995).

they all grapple with the practice of forgiveness in the modern, "western" world. In his book, Jones uses stories of Christian forgiveness to argue that forgiveness must be embodied in and practiced within a Christian narrative. He argues that the problem with many modern notions of forgiveness is that have been taken out of their Christian context. Therefore, he claims, it is only through this narrative that we can come to understand what forgiveness *truly* looks like.

I place emphasis on the "truly" because essential to Jones' argument is that, in modernity, forgiveness has become confused with therapeutic forgiveness.[79] Jones claims that therapeutic forgiveness doesn't really change the relationship between the offender and the offended. Instead it merely "softens" the blow. Perhaps not unlike Jankélévitch or Derrida, Jones wants us to see that forgiveness, to be understood correctly, needs to be differentiated from its false simulacra. Unlike Derrida, however, Jones does not argue that forgiveness remains forever "to come," and unlike Jankélévitch, he sees forgiveness as a virtue learned over time, not as an exception to justice, but as justice itself. For Jones, to reduce forgiveness to an event results in an unhelpful conceptualization of forgiveness. Jones claims, "[B]eginning to think about forgiveness by focusing on a specifically horrifying 'crisis' is a bit like beginning to think about sexual ethics in the backseat of an automobile."[80] He thus follows along the same lines as Milbank, who also argues that forgiveness is a virtue to be practiced over time. But Milbank and Jones are not completely in agreement. Unlike Milbank, Jones maintains that the past exists as an ontological reality, and cannot not be merely be narrated away. He writes, "This is the problem with John Milbank's formulation, according to which Christian forgiveness and reconciliation involve acting 'as if [people's] sin was not there.' By contrast, it is only by acknowledging that sin *is*

[79] Ibid., Chapter 2. Therapeutic forgiveness, according to Jones, aims to make one "feel better" rather than work through the difficult task of reconciliation, which requires judgment and sacrifice (see pg. 44).
[80] Ibid., 234.

there, but dealing with it through a judgment of grace, that we can genuinely achieve reconciliation."[81]

In some sense, then, Jones stakes out a place between the two broad conceptualizations thus far outlines. As noted previously, Jones wants to differentiate his analysis of forgiveness from modern forms of what he regards as pseudo-forgiveness. In a rather MacIntyrian fashion, Jones argues that forgiveness, while still in our vocabulary, has lost the thick theological language in which it was once embedded, and that once supported it.[82] He attacks theologians like Lewis B. Smedes who opt for "cheap forgiveness" or therapeutic forgiveness and not see forgiveness critiques a virtue that also requires challenging and critiquing the parties involved. According to Jones, "Smedes internalizes and privatizes forgiveness by making it primarily an activity that goes on within individual persons' hearts and minds."[83] He continues, "It is neither a way of life for people who must unlearn entrenched habits through specific practices (hence dealing with the always-already pervasiveness of ruptures of communion), nor is it an activity in which people must struggle *together* to overcome brokenness."[84] Opposed to this Dr. Phil-style forgiveness, Jones prefers the forgiveness articulated in the stories of Flannery O'Connor. In the story "Revelation," for example, Ruby Turpin, a judgmental and narcissistic Southern woman, is challenged to rethink her ethical decisions when Mary Grace attacks her while she is gossiping in a doctor's waiting room. This causes Ruby to re-think how she judges others, which in turn allows for what Jones calls the "judgment of grace," forcing Ruby to re-think her own actions

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[81] Ibid., 146n4.
[82] In *After Virtue* Alasdair MacIntyre argues that we have lost the thick traditional lens out of which to exercise virtues properly. Modern people still talk about virtues like bravery and honesty, but they don't know how to actually develop them. He argues we need to return to the Aristotlilean model of virtue ethics.
[83] Ibid., 49.
[84] Ibid., 49–50, italics his.

and dispositions in light of how they are effecting other people in her community.[85] This grace allows for one to "see rightly" the consequences of her actions.

It is through the community of believers that such "seeing rightly" is made possible. Specifically it is through practices like Baptism, the Eucharist, and prayer that a community of believers can embody forgiveness and its "judgment of grace." These practices instill Christian virtues like forgiveness. Let us take Baptism as an example. Jones writes,

> Baptism signifies that, by the grace of Jesus Christ, people are set free from the patterns of sin and evil, of betrayals and of being betrayed, of vicious cycles of being caught as victimizers and victims, so that they can bear to remember the past in hope for the future. They can do so because they are given a new perspective on that past, the perspective of forgiveness.[86]

Thus, baptism teaches Christians how to live with the violence inherent in the world. Christians learn this because they follow the example of Christ, the teacher of forgiveness. Further, for Jones, people are baptized into the Christian community, the Body of Christ. In this supportive community, which attempts to embody Christ's message of forgiveness, one learns the habit of forgiveness. This is not an easy habit to embody, Jones argues, because it requires one to continually refuse to give in to the violence and sin of the world, and instead to practice forgiveness.

Through re-telling the slave narrative of "Old Elizabeth," Jones describes how one comes to embody and practice forgiveness. In this story Elizabeth is separated at a young age from her parents and is told that from then on she would only have God to rely on.[87] This leads to a period of deep mourning during which she identifies herself as a sinner, unfit for the sight of God. But held together by the memory of her parents' devout faith in God, she finds her way through the

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[85] God, for Jones, is understood not as the noun "being" but as the verb "love." Thus God is enacted and represented through the love expressed by members of a community.
[86] Ibid., 166–167.
[87] Jones cites this story, "Memoir of Old Elizabeth, a Slave Woman," from Henry Louis Gates Jr. (ed.). *Six Women's Slave Narratives* (New York: Oxford University, 1988).

struggle. At the end of six months of crying and grieving for the loss of her parents, she has a vision of Jesus. In this vision Jesus forgives her sins, after which she is told to go out and continue to practice forgiveness. This is not an easy task, for the white Christians see her as only a slave, and therefore refuse to acknowledge her as a part of the Christian community. But she perseveres in embodying this Christian forgiveness until her death.[88]

Jones wants us to see in this story that forgiveness requires sacrifice and an attempt to live out the message of God in the face of the violence and evil that is inherent in the world. As baptized Christians initiated into the community of believers, the way Christians accomplish this is to stay true to their own personal experience of God, but also to the community from which they come. This involves being true to the message of God even when those around them claiming to forgive refuse to acknowledge their message. For Elizabeth, this meant confronting the white Christian community and all of its prejudices. This is what Jones wants to call real Christian forgiveness, the judgment of grace.

Jones is rather unclear on what he hopes to achieve in his account of forgiveness. On the one hand, he is quite emphatic that violence and evil are part of the human being's existence in the world. On the other hand, he thinks that the Christian community, through the practice of its virtues, can offer a possible alternative to this world. To state it more bluntly: it appears that Jones has located an ideal community of forgiveness outside the violent world we currently inhabit, while also arguing that the violence of the world cannot be escaped. What are we to make of this apparent contradiction?

Throughout the book he alludes to this problem. Each time it is brought up, Jones wants to say that forgiveness should always remain on our horizon as a hope. Indeed, on the last page of the book, Jones writes,

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[88] Ibid., 169–172.

> For what we have been given and forgiven, in the power of the Spirit of Jesus Christ, is the ability to live and die in such a way that we can trust in the triumph of God's grace. We do so even as we mark the Easter vigil, longing for that day when we will see — and, we hope, live in—the "new Jerusalem" (Revelation 21: 1–5a), where all will have been made new.[89]

In a sense, Jones is offering a hopeful but also realistic conception of forgiveness, one that seeks to balance the possibility of a pure community of forgiveness in the future when Christ will redeem the fallen world, and also accounting for the fact that there's work to do in the world we live in now. Christians' goal, on Jones' view, is thus to *attempt* to embody Christian practices like forgiveness, because the alternative of acquiescing to violence would give up the hope important to Christians.

Thus, Jones' work shows the way in which the Christian practice of forgiveness can be put into use as a virtue. He takes Milbank's critique of secular modernity and begins to develop an alternative vision of the world. While he is perhaps a bit more pessimistic than Milbank, he agrees with Milbank on a fundamental point: the Christian story offers a counter-narrative to that of secularism and modernity. This brings us to the final section of this thesis. We now have a theoretical map, with two somewhat opposing views of the role of forgiveness. For Jankélévitch and Derrida, as we noted in the first section, forgiveness is always a distant possibility, one only glimpsed in worldly action. For Milbank and Jones, on the other hand, forgiveness can be practiced here and now, within a (Christian) community. In the last section I want to explore what these two different analyses of the concept might tell us, and also what they might fail to tell us, in light of recent ethical conversations that concern whether forgiveness is possible in a country torn apart by violence. I will show how both their notions of universal forgiveness fail to account for difference.

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[89] Ibid., 302.

4. CONCLUSION: FORGIVENESS IN NORTHERN IRELAND AND BEYOND

In the last section of this thesis I take the mostly theoretical arguments examined thus far and apply them to a specific situation. Looking at the language surrounding the place of forgiveness in Northern Ireland, I analyze what the exceptional and communal views of forgiveness show us is missing in some recent conversation among religious ethicists about Northern Ireland. But I do so in a way that avoids problems that I see in much of the recent scholarly literature on forgiveness. The problem is that much of this literature either reduces forgiveness to the theoretical or reduces it to the empirical. Ordinary language blurs the line between the empirical and the transcendent. The theorists I have introduced thus far seek to avoid this. In this section I also seek to privilege neither the empirical nor the theoretical. I do this through an examination of arguments for forgiveness in one particular case that takes place at the level of theological debate.

In a recent issue of the *Journal of Religious Ethics*, Nigel Biggar, Stephen N. William, and David Tombs debate the use of forgiveness in the post-conflict environment of Northern Ireland. In examining Biggar's essay as well as William's and Tombs' responses, I will show that their approaches are too focused on the ordinary language of forgiveness and use the theory examined in the previous sections preceding this portion of the thesis to help clarify their positions. Then, I seek to show how this debate among theologians, which in this case attempts to persuade academic theologians what type of forgiveness should take place in Northern Ireland, might also point out the limitations in the theoretical debates. I see the work of the theologians in the *Journal of Religious Ethics* taking place between, on the one hand, the philosophical and theological arguments of Milbank, Derrida, and Jankélévitch and to some extent Jones, and, on the other hand, the empirical situation on the ground in Northern Ireland. These *JRE* articles are

attempting to clarify the place of forgiveness in Northern Ireland in light of Christian commitments. For this reason, they share the assumption that forgiveness is inherently good, but do not feel it is necessary to debate about the concept of forgiveness on a more theoretical level. If the theoretical is what we focused on in examining Jankélévitch, Derrida, and Milbank, then this final section should be seen as an attempt to make sense of these conversations in light of recent debates concerning more practical matters.

Let us turn to the case of forgiveness in Northern Ireland. Nigel Biggar's essay, "Forgiving Enemies in Northern Ireland," attempts, in light of recent investigations into ways to best bring the disparate communities in Northern Ireland together, to suggest a role that forgiveness could play in the Northern Ireland peace process. His essay is divided into three parts. The first deals with forgiveness from a theological standpoint. The second gives a brief history of the "Troubles" in Northern Ireland. The last argues that forgiveness should play a minor role in the reconciliation process. For the purposes of this thesis, I will be focusing more on the first and last parts of Biggar's essay.

Biggar begins by dividing forgiveness into two moments. The first moment he describes as compassion. He writes, "[T]he victim allows her feelings of resentment to be moderated by a measure of sympathy for the perpetrator."[90] We might characterize this as the victim "reaching out" to the perpetrator. In doing so, as Biggar notes, one begins by recognizing a "common humanity" between the victim and the perpetrator. This reaching out is also characterized by a general feeling that to embrace "reconciliation rather than vengeance" is an inherently good thing to do. It is something, to put it in Biggar's words, which allows for the "proper care for one's own soul." Notice how Biggar is framing the picture: from the outset it appears that

[90] Biggar, "Forgiving Enemies in Northern Ireland." 561.

victims have only two options. Either they can forgive, or they can wallow in resentment. I leave this as an observation for now, but will explore it more below.

Following this initial stage of forgiveness, however, is the equally important second stage of absolution: "This is the moment when, paradigmatically, the victim addresses the perpetrator and says 'I forgive you . . . The future will no longer be haunted by our haunted past.'"[91] For Biggar, before this happens repentance must occur, thereby making it reasonable for the victim to give absolution. Once absolution occurs, reconciliation is achieved, and the process of forgiveness complete.

The advantage to this approach, according to Biggar, is that it allows forgiveness to work in conjunction with justice. An important component of justice is that it seeks to return a punishment that is harsh enough to equal the pain caused by the crime. Biggar turns to September 11th to show how forgiveness can work together with justice. He claims that for the U.S. to have "forgiven" Al-Qaeda outright for the crimes they committed would have been foolish and illogical. But to have seen them as completely "other," and thus to have no regard for their humanity, would have been equally problematic. Another advantage of the approach, according to Biggar, is that it could be used to make reasonable decisions regarding the use of force, while still having the goal of peace in mind. Forgiveness as compassion, in Biggar's view, does the work of reconciling without preemptively claiming to have reached absolution or achieved complete justice. This is not to say absolution will not come, but it is to say that absolution is not the only work forgiveness can do. Forgiveness, in these arguments, serves mainly to moderate resentment, rather than erase it.

The next section of Biggar's essay deals both with the history of Northern Ireland and Biggar's own sentiments regarding the Troubles. Biggar self-identifies as a Unionist early on

[91] Ibid., 563.

(meaning he identifies with the Protestant struggle to keep Northern Ireland a part of the United Kingdom). What makes this identification interesting is the work it does in recognizing the difficulty in moving towards peace in Northern Ireland. He notes, "If there is to be any measure of the reconciliation in Northern Ireland, it will be the reconciliation of partisans."[92] Biggar sees himself as a part of this struggle for reconciliation. I find this one of the more interesting and productive parts of Biggar's essay because, unlike much of the literature on reconciliation, it refuses to neutralize the parties involved in reconciliation.[93]

But Biggar, who sees himself as a member of the Christian community, also refuses to fully embrace his English identity. Ultimately, he suggests, he is a Christian, and all Christians' "true" home is the kingdom of heaven. It seems surprising in light of this commitment that his approach to forgiveness follows along more pragmatic lines.

We see more of this pragmatism come through when Biggar begins his discussion of the new Historical Enquiries Team (HET) in Northern Ireland which shares some but not all of the characteristics of the Truth and Reconciliation Commission (TRC) of South Africa. Like the TRC, this team wants to find out the truth of incidents involving sectarian violence. But unlike the TRC's mission, the HET's mission is not to provide public amnesty or forgiveness to those they find to be guilty. And Biggar argues that the Team should stay committed to this approach. This Team, he argues, might be helpful in getting closer to the "truth" of some of the killings that occurred during the Troubles but, in the end, will not achieve the full reconciliation he wants. He notes, "We should not assume that discovering the truth will pacify (all) the cries for justice."[94] This is what makes it a good thing in Biggar's mind, since any type of reconciliation commission

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[92] Ibid., 568.
[93] For example in *Exclusion and Embrace* Miroslav Volf claims that the loving embrace of forgiveness must preclude the work of justice, and therefore must cut across sectarian boundaries.
[94] Ibid., 570.

risks alienating those still seeking justice in the form of retribution, and might lead to the resumption of fighting.

But Biggar does not give up on forgiveness entirely. At the end of his article, Biggar argues that there is still some room for forgiveness as compassion. Forgiveness, here, moderating resentment, makes it possible to "inject into the bloodstream of public discourse and policy hope, gratitude, and patience."[95] Thus, in Biggar's view, forgiveness can pacify public policy and calm its reckless power. But beyond merely pacifying state power, "forgiveness as compassion" can also make those in power more reflective about their own position. Forgiveness is a contributor, but by no means the only contributor, to the process of reconciliation. We might return to Jankélévitch in order to better understand what Biggar's notion of forgiveness looks like. Here, forgiveness looks very much like Jankélévitch's concept of "intellection." Intellection, as I noted in the first section of this essay, concerns "making sense" of the misdeed committed. It seeks to find a reason for why the offender committed the misdeed. For Jankélévitch, Biggar's forgiveness is no forgiveness at all. Instead it is pseudo-forgiveness, hiding in the language of real forgiveness.

In both Williams' and Tombs' responses to Biggar, we see how our map of the theoretical landscape might be of further help.[96] Williams, for example, claims that Biggar is a little too optimistic in his advocacy of forgiveness. Williams argues that Biggar places too much hope in the virtue of compassion, which Williams argues can only go so far in reconciling former enemies. At the end of his short essay, Williams writes, "[T]here are ways of evil and forms of violence so horrendous that the purest and humblest consciousness will surely be aware that our world features both a mystery of shared iniquity and a mystery of distinguished iniquities that we

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[95] Ibid., 576.
[96] Stephen N. Williams, "Forgiveness, Compassion, and Northern Ireland: A Response to Nigel Biggar." *Journal of Religious Ethics* 36, no. 4 (December 2008): 581–593.

cannot unravel but should not risk obscuring by sympathy."[97] Williams' comments can perhaps be better understood in the context of Derrida or Jankélévitch's thought. Remember that they both claimed forgiveness takes place in an exceptional moment, one not recognizable to the judicial and political sphere. Perhaps Derrida might push Williams' contention and claim that there are evils so bad that they are unforgivable. But he would also extend this contention, and note that this is where the possibility of forgiveness begins. Derrida's account would then push Williams to a new view of forgiveness, one that does not rely on the power of sovereign individuals or leaders to offer forgiveness. He would go on to say that pure forgiveness is always "to come." The "to come," recall, is the promise of forgiveness in between the empirical and transcendental ideals that Derrida gestures towards at the end of his essay "On Forgiveness."

But notice that Derrida's version of forgiveness is not quite the same as Jankélévitch's account. Recall that Jankélévitch argues that forgiveness happens in an instant, and should only be understood as an event. Forgiveness could never be made a political virtue, for this would corrupt the very quality that makes forgiveness useful (the quality being its exceptionality to the law). If people are forgiving in Northern Ireland, on Jankélévitch's view, it will have to remain outside the realm of politics. To bring forgiveness into politics would necessarily corrupt the concept of forgiveness.

David Tombs is less critical of Biggar's essay than is Williams.[98] He argues that Biggar's account is helpful, in that it shows the way in which forgiveness does not consist merely of the moment at which absolution is granted but is instead a virtue that takes time to fulfill. Biggar, argues Tombs, makes a significant contribution by thinking about forgiveness this way. Tombs, later in the essay, leans more towards a communal understanding of forgiveness. At the end of

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[97] Ibid., 585.
[98] David Tombs, "The Offer of Forgiveness." *Journal of Religious Ethics* 36, no. 4 (December 2008): 587–593.

his response, he argues that Biggar underplays the centrality of communal forgiveness in the Christian tradition. He notes that this characterization of forgiveness is what makes forgiveness a distinctively Christian virtue. He also hints at the ways in which forgiveness understood in this way refuses the standards of justice within secular societies by rejecting retributive punishment as the only means to achieve justice. We might turn to Milbank's account of forgiveness to give a more thickly theological context to Tomb's response. As I noted previously, essential to Milbank's understanding of forgiveness was that it could become, literally, its own law. For Milbank, forgiveness must be rooted in the practices of the Christian community and its unique way of thinking about justice, which refuses the retributive model of justice and replaces it with the justice of forgiveness. Returning to a communal society, structured around a common good, makes forgiveness possible. Without a Christian society, forgiveness will never work correctly.

Perhaps the way in which Protestants and Catholics in Northern Ireland are divided by their theologies should lead us to wonder whether the deadlock between impossible forgiveness and communal forgiveness really comes down to a matter of how much of the transcendental can exist in the world. For Derrida, forgiveness between the transcendental and empirical is always impossible to articulate, destined always "to come." For Jankélévitch, forgiveness is only glimpsed in the instant. For Milbank, in contrast, the transcendent God is implicit in the practices of Christian communities. If forgiveness is the quintessential virtue of Christians, demonstrated by Jesus' life, the question that becomes necessary to answer is how much Christian theology should influence society as a whole and vice versa: how much secular society should influence Christian theology. While Milbank or Jones' might not find this to be a pressing question because of their sole commitment to the Christian community, for the purpose of this paper, we will continue to use their work to analyze the place of forgiveness should have in the world.

How can this conflict be overcome? Should it be overcome? To respond to the latter, we would need to think more deeply about the relationship between religion and secularism, and what real differences they have. We would also need to consider the ways in which culture and religion mutually influence one another. Everyone can talk about forgiveness, or so it seems. It is in our common vocabulary. But what we mean when we say forgiveness will differ depending on whether we come out of a Protestant, Catholic, Jewish, or other religious tradition.

If we align ourselves with Milbank, we see forgiveness as a purely Christian concept, one corrupted over time by empires, heresies, and secularism. Milbank argues that if we start living like good Christians again, the *aporias* of forgiveness will disappear and the universal Christian community can come into being.[99] The conception of forgiveness that sees forgiveness only happening "beyond the law" is only a problem because of "heretical" radical evil (evil that is so bad as to be beyond explanation) and the worry that the past is ontologically fixed and cannot be changed. In Northern Ireland, from Milbank's conceptualization, the task would be to sort out which Christians have the right concept of forgiveness. But one might worry about the division between different Christianities. The fact that Christians are unable to forgive each other should make us question whether it is really reasonable to see forgiveness and reconciliation as noble goals, and to see Christian community as the universal and ideal community. Though the concept of sin might incorporate such failures, it is difficult to imagine that it could it could account for such theologically divided people's as the Protestants and Catholics in Northern Ireland. Even in Milbank's communal Christianity the notion that a community of forgiveness is possible still seems troubling, because it assumes all commitments can be reduced to a common and universal conception of the Good. The people of Northern Ireland share a variety of commitments (to

[99] Milbank argues for this in "The Ethics of Honour and the Possibility of Promise." *Proceedings of the American Catholic Philosophical Association* (2008).

religions, nationalities, ethnicities, et cetera). It seems problematic to reduce a person's commitments to one single (religious) ideal, and to reduce all other commitments (secular ones especially) to heresies, as Milbank does. In doing so he wants to claim that the only commitment that should matter to Christians should be the commitment to the Christian community. In this way, forgiveness remains universal for Milbank. It is just a matter of stating the right universal: Christianity.

In a recent essay on the problems with a Christian understanding of forgiveness, Rey Chow begins to gesture towards the deeper division between Christianity and the modern world. Chow approaches the subject of forgiveness from somewhat of a different standpoint than our other thinkers. Chow traces the genealogy of the concept of forgiveness back to its roots in Judeo-Christian culture. Using Erich Auerbach's *Mimesis*, she shows the history and development of the concept of forgiveness within the Western landscape. She argues that forgiveness seems today to be a global concern because of the history of Christianity. But she does not merely argue that forgiveness is a religious concept. On the contrary she notes that the worry that the world needs to be reconciled is reflective of the liberal approach of Western society going back to the Hebraic and Greek cultures on which it is founded. She is careful to note that, whether in the guise of Christian transcendence or secular humanitarianism, forgiveness is a concept that relies on a notion of a "common humanity." Here secular liberal society is merely another guise of the earlier Christian society. Chow argues that, in the modern world, religion and secularism are both troubling when they spread a notion of "reconciling" humanity, which inevitably excludes those who do not share similar conceptualizations of forgiveness. There is a definitive contrast here to Milbank's argument, where secularism is seen as a Christian heresy. Here universal secularism is the underside to universal Christianity.

One way to respond to the suggestion that Christianity lies at the heart of secularism and globalization is to more strictly divorce the two spheres of society, as Biggar's, Williams', and Tomb's essays suggest. Two other ways to react to Chow's argument is to either return to the Christian foundation of forgiveness as a universal and give up on dialogue of any sort (Milbank and Jones), or to give up on finding forgiveness in the realm of the political (Derrida and Jankélévitch). Both impossible and communal forgiveness rely on a universal forgiveness. One version of forgiveness proclaims it can be found here in the world, another, that it is always a "secret" outside of the world. Both also assume that retributive justice is universal as well. In impossible forgiveness all secular forms of justice are retributive in nature. In Milbank's forgiveness, for example, Christian justice is defined as the opposite of secular retributive justice. Universal Christian justice replaces universal secular retributive justice in the Christian story. What Chow's essay suggests is that the histories of both secular retributive justice (which Jankélévitch and Derrida rely on) and Christian justice are bound up with each other, and they cannot really be divorced from one another. Thus, both have particular image of what forgiveness looks like from which they cannot divorce themselves. Using Chow's article, I will now suggest what is problematic about proclaiming a scope for universal forgiveness, and for retributive justice.

At the beginning of her essay, Chow recounts the plot of a recent Korean movie, *Secret Sunshine*, which tells the story of a widowed woman's son being kidnapped and murdered.[100] After an ecstatic religious conversion to Christianity, the widow visits the man who murdered her son in prison. Upon learning that the murderer has also converted to Christianity, and in turn

[100] Rey Chow. "'I insist on the Christian dimension': On Forgiveness . . . and the Outside of the Human." *differences* 20, no. 2–3 (Summer/Fall, 2009): 224-249; 225–229.

forgiven himself, the widow is overwhelmed with anger and loses her sanity. The movie ends with the woman moving into an insane asylum.

What Chow wants us to see in this story is that forgiveness can take on an irrational and dangerous function in situations where the potency of forgiveness is taken away from the victim. In the widow's case, her forgiveness did not heal her wounds, but instead exposed the resentment that she had not yet dealt with. Further, both the victim and the criminal "are not the two sides of a selfsame order of benediction and prayer, but simply consumers of a worldwide web of evangelically disseminated Christian messages."[101] This story flies in the face of the idea of a common humanity, which assumes that all people can take part in real forgiveness regardless of their background. When the criminal forgives himself, the accuser is no longer able to see her forgiveness as valid. If forgiveness is available to everyone, regardless of whether they have faced the victim, then forgiveness loses its potency. For this reason, Chow argues that as Christianity continues to spread worldwide, it becomes divorced from the original context in which it was given meaning. Where the approaches discussed above saw forgiveness as a uniting feature of the Christian community or as an event that occurs outside of the judicial and political realms, Chow's reading shows the way in which forgiveness's occurrence can, in both the communal and impossible conceptualizations, mask deeper resentments to those outside Christian communities of forgiveness since forgiveness relies on the assumption of a universal model of retributive justice to which it opposes itself. In Milbank's account forgiveness trumps retribution as the model for justice. Milbank assumes that all forms of justice in the world are inherently retributive, and therefore can be replaced by forgiveness. What Chow's example shows is the danger of that assumption. Though it is unclear which model of justice the woman

[101] Ibid., 236.

might have otherwise taken part in, it is clear that forgiveness was not a viable alternative to that form of justice.

What if the problem with much of the thinking about forgiveness is not that it is logically impossible, or in modernity corrupted by false forms of forgiveness, but that within its history forgiveness calls us to an ideal state, which always refuses entrance? Chow writes,

> Whether it is from above to below, as in Christian transcendence (according to Shakespeare's Portia and to Derrida), or from a divine voice with no specified location, as in the Bible, or a matter of the multiple vulgar voices of a common humanity, as in modern Western literature (according to Auerbach), the lesson of forgiveness is about being able to start afresh, to inaugurate/imagine *a new history* of human collective life based on the transcendence/overcoming of (ethnic and linguistic) boundaries and conflicts.[102]

Thus, according to Chow, forgiveness seeks to reconcile the world. But, as the *Secret Sunshine* example demonstrates, it often has the opposite effect. Forgiveness ends up excluding those who enact forgiveness outside the right context. Different from Jankélévitch and Derrida, forgiveness in Chow's view is not an event that happens as a private event; it is a cultural concept that has expanded beyond its original context, but in doing so has excluded those who do not share that original context. Different from Milbank, forgiveness is not a concept that is purely Christian; instead it is one that also falls within the bounds of universal secular liberalism that is impossible to separate from Christianity.

When Protestants and Catholics fight over who should have control within the government of Northern Ireland, don't they also show that, in many instances, forgiveness is a concept that, deep down, relies on a common humanity that always excludes some (i.e. those who have much at stake in there different commitments to Nationalism, Unionism, Catholicism, or Protestantism)? Isn't this the real reason forgiveness is impossible? Namely, it requires

[102] Ibid., 242–243; italics in original.

Protestants and Catholics to find a state of universal common humanity, where forgiveness comes from a transcendent God that is only the God for some.

What Chow's essay argues, then, is that the discourse surrounding forgiveness has a darker side. She suggests Christians wants to reconcile the world to a globalized evangelical Christianity, a Christianity that both wants to spread itself around the world and reconcile all people to its message. Derrida and Jankélévitch perhaps unwittingly engage in this spreading when they universalize a retributive model of justice and the exceptional forgiveness that springs from it. Reconciling the world turns out, in the case of the widow, and perhaps in the case of Northern Ireland, not as a way to make things whole but instead as a way to refuse entrance into this reconciled world to those who cannot forgive, not because they do not have the potential to necessarily, but because they lack the context out of which to properly forgive. The lack of a shared sense of community between the Protestants and Catholics has led, perhaps, to a lack of commitment to a shared system of retributive justice between the two. Forgiveness also requires the forgiver and forgivee to give up the identity that has made her into the person she is. If I am a Northern Irish Catholic, for example, forgiving my neighbor might mean not being the same kind of person I was before. I might not go to the same meetings or have conversations with the same people. If I choose to forgive, I have to give up some of these practices and change who I am. What Chow shows us—convincingly I believe—is just how dangerous such forgiveness can be, and how outside of a "thick" theological context it can be destructive. In fact, it can leave a person without a sense of who she is, leading one to spiral out of control (as does the main character in *Secret Sunshine*).

Whether or not we embrace forgiveness depends on how we imagine the relationship between religion and society at large, and whether or not we believe that there is a way to

separate society and religion. As Chow's argument shows, separating Christianity from secularism and humanism indeed is troubling when thinking about concepts such as forgiveness because doing so relies on an inaccurate division between what counts as Christian and what counts as secular. I embrace Chow's argument and argue with her that if the ties between liberalism and Christianity are different than Milbank suggests, then what must begin to happen is an analysis of forgiveness where that does not assume forgiveness to be an *a priori* given, and instead sees it as reliant upon the norms of justice within the community it arises in.

Analyzing conceptualizations of forgiveness like Milbank's, Jankélévitch's, or Derrida's makes clear that the type of community that is embraced and the standards of justice those within that community will be accountable to are important to understanding the function of forgiveness. In this thesis I have pointed out the language surrounding forgiveness and the possible effects of this language on people who use it. With Chow, I want to argue that forgiveness outside its original context will take on different functions, and will need to be analyzed based on the norms and commitments of those within the community. Our theoretical debaters overlook this necessity when they claim forgiveness and retributive justice to be universal concepts.

To return to our first case we might wonder whether it is difficult to understand Samantha Geimer's forgiveness because the relationship between forgiveness and justice is unclear. Taking Chow's implicit critique of Derrida, Jankélévitch, and Milbank, and applying it to Geimer's case, we might ask whether the reason Geimer's forgiveness is impossible to articulate is because it is flimsy. In both the communal account of forgiveness and the impossible account, forgiveness is a practice anyone can take up, given that they agree on a universal definition of justice. As the Geimer case shows, justice is not universal. Geimer clearly has a different view of how justice

can be achieved that is different from the public's. For her, it appears justice is achieved when she no longer feels resentment against Polanski. She does not want retribution. But for the public, justice is only achieved through the punishment of Polanski to the fullest extent of the law, when retribution is achieved. Perhaps we, when examining the parties involved in the act of forgiveness in *Secret Sunshine* or in the Geimer/Polanski case, cannot decide whether forgiveness has occurred because its relationship to justice is unclear. Everyone thinks they can talk about forgiveness, it seems to be a universal subject that applies across different understandings of justice. But this is not the case. On the contrary, forgiveness is particular to contextual understandings of justice. We might turn this confusion back to Milbank as well. When the universal message of Christianity "subsumes," as Milbank argues it should, it can leave those it subsumes without the proper social context out of which to practice forgiveness. Forgiveness loses its weight outside Christian communities Milbank longs for. But as Chow's article shows, Christianity is also responsible for the lack of clarity in forgiveness, as Christianity is what lies at the heart of universal secular humanism. Perhaps the confusion in the offering of ordinary forgiveness stems from the lack of clarity in forgiveness at a larger conceptual level. If an anti-retributive system of justice is embraced, as in Milbank's case, forgiveness becomes possible through shared work towards reconciliation by members of a community. If a retributive model of justice is embraced, as in Jankélévitch or Derrida's case, forgiveness remains exceptional to retributive justice. But justice has not always been clear and therefore needs more requires clarity at the conceptual level in order for it to be intelligible at the level of ordinary usage. Making clear the standards of justice will make clear the criteria necessary for forgiveness.

Perhaps a helpful allegory to end on is that of Polanski's film *Chinatown*.[103] When the main character, Nick (played by Jack Nicholson), confronts the facts at that the bottom of the mystery he has just solved, he finds that morality has degenerated into an incoherent state where "anything is possible." The criminal who he has been chasing, the father of Nick's love interest and owner of the local waterworks, Mulwray, turns out to be a corrupt child molester and the mastermind behind a scandal to develop a new suburb at the expense of the taxpayers of the city of Los Angeles. And worse of all, the police have been duped into thinking he is innocent. The character of Mulwray displays the worst side of modernity: The father with no rule or law to live by other than his own, whose ethics are driven only by his perverse desires. As the main character and his detective friends walk away from the scene, one of them, referring to the part of the city notorious for lawlessness, utters, "forget it Jake, it's Chinatown." Not unlike Jake we find ourselves unable to decipher the relationship between justice and law at the end of this thesis. At the end of the film, he was left impotent as to how justice might be achieved. It seemed the law was on the side of the bad guy, and justice is nowhere to be found. Perhaps if we might say that like Jake, even when we solve the mystery we find that justice is unclear, there is no clear way to decide how to best move on from the horrible events. There is no clear way of achieving justice.

[103] *Chinatown*. DVD. Directed by Roman Polanski. (USA: Paramount Pictures, Inc. 1974).

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