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# Forgiveness, Mercy, and Clemency

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# Revising the Past: On the Metaphysics of Repentance, Forgiveness, and Pardon

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MEIR DAN-COHEN

Despite important differences, the three terms listed in the subtitle have much in common. Repentance, forgiveness, and pardon—I call them *revisionary practices*<sup>1</sup>—all pertain to the same object, a wrongdoer, and perform the same function: the cessation of a range of appropriate negative responses triggered by a wrongful action. The three revisionary practices differ primarily in the *subject* of this reorientation: the subject of repentance is the wrongdoer; of forgiveness, the victim<sup>2</sup>; and of pardon, an official acting on behalf of society or the state.<sup>3</sup> Each of the subjects in turn correlates with a distinctive paradigmatic response to wrongdoing. Roughly speaking, by repentance the wrongdoer assuages *guilt*; by forgiveness the victim squelches *resentment*; and through pardon *stigma* is officially removed.<sup>4</sup> There are many differences among guilt, resentment, and stigma, but what is more instructive in the study of revisionary practices is the common thread: A wrongful act gives rise to a range of appropriate negative responses; revisionary practices bring these responses to an end. How can they do so? The question can be raised with a normative or a psychological orientation, and discussions in this area tend to oscillate between the two or conflate them. My interest in this chapter is exclusively with the former: How do the revisionary practices render the negative reactions provoked by the misdeed no longer *appropriate*?<sup>5</sup>

There is a simple and well-known answer, and if this answer were sufficient, philosophers in this area would be mostly out of work. What keeps them busy are the difficulties the standard answer runs into and the consequent efforts to patch them up. I don't believe these efforts have been entirely successful, suggesting that there is room for a new start.

## The Standard Account and Its Problems

Of the three revisionary practices I have listed, the standard account gives priority to repentance. Though there are a number of variants, the basic idea is the same. Repentance involves a change of heart in the wrongdoer; the victim's forgiveness and the state's pardon are adequate responses to this change.<sup>6</sup> It is hard to dispute that some such relation does obtain.<sup>7</sup> But this is only a partial and imprecise story. Various attempts to complete it and bring it into sharper focus have not been an unqualified success. In discussing the standard account, I focus for the most part on repentance and forgiveness, with the understanding that unless otherwise indicated, what is said about forgiveness applies to pardon as well.

We can distinguish three versions of the standard account with different temporal orientations: present, future, and past. In a well-known paper on forgiveness, Jeffrie Murphy characterizes moral wrong along Kantian lines as an expression of disrespect toward the victim. The main significance of repentance, he maintains, is that it negates an inference from the past wrongdoing—namely, that the wrongdoer still disparages the victim. Since the repentant wrongdoer is not “*now* conveying the message that he holds me in contempt,” my forgiveness is deemed appropriate.<sup>8</sup> In contrast to this present-oriented approach, Norvin Richards highlights a future perspective. Repentance amounts to the fixing of a dangerous defect, “like repairing that part of a house which contributed to an accident.” The path to forgiveness is open because “there has been a replacement of (part of) what was responsible for the suffering with something which promises to be harmless.”<sup>9</sup> Neither the present- nor the future-oriented approach is adequate. Since the revisionary practices put an end to reactive attitudes that are otherwise deemed appropriate, any account must imply or presuppose a view about the point of the reactive attitudes themselves. The present-oriented view of forgiveness implies that resentment toward the wrongdoer is a reaction to his or her *ongoing* disparagement, whereas on the future-oriented view resentment is sustained by the *threat* the wrongdoer poses.<sup>10</sup> In these implicit accounts of resentment (and by extension, the other reactive attitudes), the past wrongdoing plays merely an evidentiary role, creating a rebuttable presumption regarding the wrongdoer's present attitudes in the one case or future propensities in the other. Since we could in principle form judgments about these attitudes or propensities apart from the past wrongdoing, that historical action is, strictly speaking, neither necessary nor sufficient for the reactive attitudes to take hold. The present- and future-oriented

accounts of forgiveness as responsive to the wrongdoer's change of heart thus miss or understate the essential rather than merely evidentiary role played by the past wrongdoing as the source of reactive attitudes.

But if guilt, resentment, and stigma are essentially past oriented, how can repentance undo them without erasing the past? Two main lines of argument purport to provide an answer. According to the first, the past action does play an ineliminable role in shaping our attitude to the wrongdoer; nevertheless, subsequent behavior, most notably repentance, casts new light on the past wrongdoing and changes its significance in the overall assessment of the offender, who may turn out not quite so bad as we thought. Forgiveness and pardon express this reassessment.<sup>11</sup> The problem with this argument is that it does after all amount to denying or at any rate considerably weakening the premise that the reactive attitudes are concerned with the wrongful act as such. Although the wrongful act is here acknowledged to play a substantive role in forming the reactions to the wrongdoer, requiring that it be assessed within a broader diachronic perspective dilutes the significance afforded to the act. To see that this dilution is unacceptable, consider that a broader time frame, a backward-looking one, is already available when the wrongful act is committed: The act can be assessed against the background of the offender's record up to that point. And yet we commonly resent a wrong done to us by someone acknowledged to be a good or acceptable person overall, just as that person may experience guilt and remorse for a single moral failure despite an otherwise flawless record.<sup>12</sup>

The second line of argument that retains the reactive attitudes' past orientation makes a more radical claim: The change wrought by repentance may be so profound as to count as a change of identity. Since the repentant individual is not the same one as the wrongdoer to whom we bore a grudge, the offender's transformation deprives the reactive attitudes of their object. But this apparently easy solution fails as well. Even putting aside qualms about discontinuous personal identity, a serious and often-noted objection remains. If we allow that as a result of the change in identity there is no one to resent or attach stigma to anymore, we must also recognize that for the very same reason there is no one to forgive or pardon either. Just as resentment loses its object, so do forgiveness and pardon.<sup>13</sup>

The change brought about by repentance cannot be so radical as to count as a change of identity, nor can it be merely a change of mind. The idiom often used, "change of heart," though perhaps apt, is vague and uninformative. The kind of change required is better indicated by Jeffrie Murphy's observation that through repentance a person may "sever himself from his past wrongdoing."<sup>14</sup> But what

does it mean for a person to sever herself from her past, and how can she do it? Suppose, however, that such a severing is actually accomplished. This brings up a further query in the form of a familiar paradox. If the change of heart does amount to the wrongdoer's successfully distancing herself from the evil deed, what role is left for forgiveness? Resentment is rendered inappropriate; so forgiveness is no longer called for or indeed possible since forgiveness consists in the overcoming of *appropriate* reactive attitudes, not inappropriate ones.<sup>15</sup>

Forgiveness presents additional difficulties of its own. According to the standard account, the essence of forgiveness is the overcoming of (appropriate) resentment or other negative feelings toward the offender. By thus focusing on the forgiver's internal economy of emotions and attitudes, this account leaves out, and unexplained, the wrongdoer's stake in the matter. Why should the wrongdoer desire forgiveness? To be sure, forgiveness may be a prelude to restoring an amicable relationship between the parties, and the wrongdoer may be interested in that. But this need not be the case; an amicable relation may never have existed or its resumption may not be in store, without this detracting from the importance the offender assigns to forgiveness.<sup>16</sup> Nor is the wrongdoer's interest just a matter of not having others entertain negative feelings and attitudes toward her. If, for example, resentment were to cease due to the victim's memory lapse, the wrongdoer's relief would be naturally tinged with disappointment at being deprived of something valuable. The vital interest the wrongdoer has in the victim's active and intentional forgiveness implies that forgiveness has some distinctive impact on the wrongdoer and on her life. Correspondingly, in deciding whether to grant or withhold forgiveness, the victim seems to exercise some kind of power over the wrongdoer. The standard account sheds no light on these facts.

The existing accounts also leave the precise link between repentance and forgiveness unclear and unsettled. It is generally agreed that repentance has a privileged role in regard to forgiveness; the point in dispute is whether it is necessary. Here again, conflicting considerations bear. Ordinary perceptions weigh against positing repentance as a necessary ground for forgiveness. Forgiveness in the absence of repentance seems possible and indeed particularly noble. A philosopher is surely not in a position to legislate it out of existence. The difficulty is how in the absence of repentance we can distinguish forgiveness, with its positive connotations, from an objectionable condonation of the wrongful act. An adequate account would have to solve this difficulty by explaining both why repentance is a

standard but not a strictly necessary ground for forgiveness and how forgiveness without repentance need not slide toward condonation.<sup>17</sup>

Finally, the standard account runs up not only against these difficulties but also, and perhaps even more significantly, against a vague and inchoate yet deeply felt yearning that defines our pretheoretical attitudes in this area. The past sometimes weighs heavily on us, and we desire to shake free of it; we wish for a new start. Revisionary practices appear from this point of view as answering to this yearning.<sup>18</sup> Here pardon provides the most compelling metaphor, that of erasing a nasty event from one's record. But when the record consists in the actual sequence of life's events, in our histories and biographies, how can it be amended? How can we pluck an event out of the past and expunge it? And if we cannot, are we to conclude that the aspiration underlying revisionary practices is incoherent and occasional glimpses of success a mirage?<sup>19</sup>

### Revising the Boundaries of the Self

The preceding comments are not exhaustive. I hope, nonetheless, that they provide a fair representation of a range of difficulties and puzzles so as to vindicate my initial claim that there is room for a fresh start. A plausible place to begin is with the self—the subject as well as the object of the practices we explore. It is natural, in other words, to pose at the outset the following question: What conception of self is presupposed by revisionary practices and makes best sense of them? Though conceptions of the self abound, one metaphor—that of *boundaries*—has become dominant and runs through many otherwise disparate approaches. My main claim is that this locution and this imagery, seriously taken, hold the key to the account we seek. One way to take the boundaries metaphor seriously is to trace it to its original and most natural habitat: the political domain. The first step in the account I propose accordingly consists in observing some prominent features of boundaries among states and in demonstrating how these features, when transposed to the case of the self, help overcome the difficulties and solve the puzzles we observed. However, the transposition must be defended and clarified. This will be the burden of the following step. The result is an account that may be summarized as follows. Reactive attitudes such as guilt and resentment presuppose the offender's responsibility for a wrongful act. Revisionary practices redraw the wrongdoer's boundary so as to leave the offense outside, thereby releasing the

wrongdoer from responsibility and rendering any negative attitudes toward the wrongdoer based on the past misdeed no longer supportable.

### *The Political Analogy*

I turn now to the political analogy, and a simple example is all we need. Imagine that the state of Arcadia has near its border a pollutant that causes environmental damage to the neighboring states. As a matter of course, Arcadia bears responsibility for this pollutant: It is required to take measures to reduce the damage, to compensate the affected states, and so on. It is equally obvious that this responsibility would expire if, say, by treaty or by war, Arcadia's border were redrawn so as to exclude the offensive site.<sup>20</sup>

Five features of this example are noteworthy. First, the example illustrates the general idea of how a border change can affect responsibility by removing a responsibility base. Second, the political scenario makes vivid the constructive and hence indispensable role played with regard to the reallocation of responsibility by the process or action by which the boundary is changed. Many good reasons for retracting Arcadia's border may have existed prior to the change, and these reasons may have prompted the actions, peaceful or belligerent, for making the change. But the reasons themselves, no matter how compelling, are not self-executing. Arcadia's responsibility for the pollutant would persist in face of such reasons until and unless the change in the border is actually made.

Third, consider more precisely how the change in the border is brought about. I mentioned a treaty and a war as agents of a border change. But how can they bring it about? Since the change is normative, the answer too must be normative: Some events and some parties have the normative power to affect a state's boundary in the sense that the happening of these events or certain actions taken by these parties simply *mean* or *count as* a border change.<sup>21</sup> Why do they mean this, or to whom do they so count? What are the source and the scope of this power? The fourth feature is that neither as a matter of logic nor of political practice must these questions have a clear and uniform answer. There is room among states not just for border disputes but also for disputes about the proper means of settling them, without there being a supreme authority able to settle all such disagreements. There is accordingly room for indeterminacy in the location of a state's border, with different parties accepting different territorial versions of one and the same state.



Finally, note the delicate balance between continuity and change in the hypothetical scenario. To say that Arcadia's boundary has been redrawn implies a change substantial enough to relieve Arcadia of responsibility but not so substantial as to threaten the state's continued identity. Though the region containing the pollutant is no longer part of Arcadia, the state of Arcadia does persist as a viable subject so that saying *it* is no longer responsible for the pollutant is not an empty or a paradoxical claim.

When applied to the self, these five features of the political example offer solutions to the puzzles and difficulties raised by revisionary practices. First and most important, the suggestion is that repentance, forgiveness, and pardon are ways of redrawing the wrongdoer's boundary so as to exclude the wrongful action, thus relieving the wrongdoer of responsibility for it. By doing so, these practices render guilt, resentment, and stigma—the ordinary incidents or ramifications of this responsibility—inappropriate. Second, these practices are constructive in the sense that the effects on the wrongdoer's boundary and responsibility are brought about by the practice itself rather than by any antecedent reasons there may be for activating the practice.<sup>22</sup> This explains the offender's interest in forgiveness for its own sake, apart from any additional effects it may have on the offender's relation with the victim, as well as the sense in which granting or withholding forgiveness is an exercise of normative power over the offender: the power to redraw a particularly consequential segment of the offender's self.

The third feature of the political analogy helps explain the role played by the different subjects: the wrongdoer, the victim, and the state. By engaging in the respective practice, these subjects exercise their normative powers to modify the wrongdoer's boundary. Where do these powers come from and how do they relate to each other? Though roughly speaking the answer must rest on the special interest in the wrongful act of each of the three subjects, the fourth feature of the political analogy teaches that these powers are contestable and vague so that the resulting boundary line may be indeterminate and ill-defined. Consequently, the connection among the three practices is contingent and loose: Repentance does not necessitate forgiveness, nor the other way round; similarly with regard to pardon. Different versions of one and the same self may coexist. It is an advantage of this account, moreover, that while insisting on the practices' logical independence, it highlights their interconnectedness as well. Though disparate drawings of the same self's boundary are possible, there is considerable pressure for convergence exerted by two main factors. One consists in the reasons that trigger any of the three practices.

Since on the present view these are reasons for redrawing the wrongdoer's boundary in a particular way, the reasons that prompt one of the revisionary practices would invite the other practices as well. The other factor concerns the significance of the very fact that a party that is putatively empowered to do so has drawn a boundary in a particular way. As in the political arena, in matters of the self there is also an advantage in uniformity and agreement regarding the location of the boundary line and consequently a tendency to recognize or ratify a boundary simply because it already enjoys some normative support.

Finally, the fifth feature of the political case illuminates the kind of change in the wrongdoer that the revisionary practices involve. As we saw earlier, we need to find a conception of change strong enough to support and explain the cessation of negative attitudes toward the offender without being so strong as to disrupt identity. Redrawing a state's boundary to exclude a chunk of land is a vivid illustration of this middle ground.

### *The Self and Its Past*

An account of revisionary practices along lines suggested by the political analogy seems attractive. But is the analogy apt? Two worries come immediately to mind. First, is the self sufficiently similar to the state in relevant respects to sustain such an analogy and make it fruitful? Second, even if we accept the analogy between self and state in general, extending it to revisionary practices may appear misguided. The change we described in the case of Arcadia is spatial, concerning Arcadia's territorial shape, whereas the corresponding change in the case of revisionary practices is temporal, involving the self's diachronic shape. Spatial changes are a commonplace. Isn't using them as a model for changes regarding past events to blithely ignore or beg the difficult questions that trigger our interest in revisionary practices in the first place?

I consider the second worry first. It is based on the observation that there is a difference between time and space in respect of change: We can rearrange objects in space but not events in time. Excluding the pollutant from Arcadia's geographic scope is easy, but that is quite unlike excluding a wrongful act from the self's temporal scope. The gist of my response is to deny the premise—namely, that the political example involves a change that is spatial in a sense that contrasts in point of feasibility with the ostensibly temporal changes that revisionary practices bring about. Here is why. The alteration in Arcadia's border is indeed a geographic and

hence a spatial change: Arcadia has been cut down and reduced in size; its territory has shrunk. The alteration thus appears to resemble what happens when a tree is reduced in size by having its branches trimmed or a rock by having part of it lopped off. But the appearance is misleading. Reducing the size of a tree or a rock does indeed consist in these physical operations, the trimming or the lopping, and in the material reconfigurations they bring about. Reducing Arcadia's size, by contrast, involves no such physical operations and no material change. Everything on the ground, so to speak, remains just as it was. Specifically, the pollutant does not change its location, and its emissions continue to affect the same region as before. What then does the change of boundary consist in? How does it exempt Arcadia from responsibility?

To answer these questions, a more basic question must be posed: Why is Arcadia held responsible for the pollutant in the first place? The common reply would be that the pollutant is on Arcadia's territory and forms part of it. Though this reply is valid and plays an indispensable pragmatic role in our ordinary dealings with the kinds of issues that Arcadia's border change illustrates, it hides more than it reveals. At a deeper explanatory level, a more informative answer is available. Put somewhat roughly, it is this. Rather than it being the case that a state is responsible for X because X is within its boundaries, it is the other way round: X is said to be within the state's boundary and counts as part of that state insofar as and in the sense that the state bears responsibility for it. To say about the pollutant that it is in Arcadia is not to specify its geographic location in the same sense as pointing out that it is, say, a hundred miles south of the Rockies. It is instead to indicate a normative, jurisdictional property, one that alludes to a complicated network of institutional and other normative arrangements that can be summarized, if somewhat crudely, by the statement that Arcadia is responsible for that pollutant. We can now provide a single answer to the two questions we posed about Arcadia's boundary change. The answer to the question what is a boundary change and to the question how it releases Arcadia from responsibility is one and the same: A border change ultimately just *is* a reallocation of responsibility concerning the pollutant.

How are we to reconcile the two replies I've contrasted—the common, pragmatic one, which views the fact that the pollutant is within Arcadia's borders as the ground of Arcadia's responsibility for it, and the theoretical, explanatory one, which reverses this statement? Correspondingly, how can a reallocation of responsibility over the pollutant be explained by a border change when border changes

just are or amount to reallocations of responsibility? Doing full justice to the difficult issues that arise would take us too far afield, but the gist of the matter can be briefly indicated by considering a variant on the original example. Imagine that in Arcadia's case the usual incidents of the border line do not converge on a single geographic location: Some people are allowed to enter Arcadia's territory at one point, while others may enter elsewhere; customs are paid at some putative "entry points" but not at others; Arcadia bears only partial responsibility for certain goings on in some scattered territories, whereas others are responsible for the remaining goings on and the remaining regions; and so forth. Obviously, at some point, such arrangements would drain talk of a *border* of all meaning, and at about that point, any talk of *Arcadia* would be empty too.

The impracticality of this alternative arrangement, at least in the world as we know or think we know it, is also apparent. Such impracticality serves as a backdrop for understanding the pragmatic role of reifying *border* and *state*. Though a state's border is nothing but the reflection of such normative arrangements as I have mentioned, it provides various norms and attitudes with an indispensable focal point, thus allowing for an easy consolidation of what would otherwise be both cognitively and practically an unwieldy jumble of such norms and attitudes. Correspondingly, border-changing practices such as treaties are devices for inducing in one fell swoop the modification of an entire battery of norms and attitudes that are considered the common incidents of the border's location, a modification which in principle, but probably not in actuality, could be wrought piecemeal, without recourse to the orienting or unifying idea of a border or its change. So when we cite, as we commonly do, the location of the border or changes in it as the ground for judgments of responsibility, we simply take advantage of the orientation and unification that these ideas provide.

I have stressed the relationship of borders and their changes mostly to the location of responsibility, but it should be recognized that usually more is at stake. Other factors, such as various people's attitudes and attachments regarding the territory in question, are significant too. But taking account of these additional factors, though doubtlessly complicating matters, does not affect my main point. To see the point more clearly, we need to distinguish between two senses of *spatial*: *in space* and *pertaining to space*. Trimming trees and breaking stones are spatial in the first sense since they involve essentially the redistribution of matter *in space*. Redrawing a country's boundary, by contrast, is spatial in the second sense; it is changing the network of normative relations, as well as other understandings and

attitudes, *pertaining to* a particular piece of land. Now a similar distinction applies to *temporal* as well. In one sense, a temporal change would require an alteration in the sequence of events. It is a fundamental tenet at least of our common-sense metaphysics, that unlike the corresponding spatial changes, temporal changes of this kind are impossible. A second sense of temporal, however, is that of *pertaining to* or *concerning time*. Changes in the significance we attach to past events, in our attitudes toward them, and most important for our purposes, in their normative ramifications are temporal in this second, innocuous sense.

We can now identify with precision the faulty premise of the objection to the analogy between the self's temporal change and the state's geographic change. The objection implicitly views the spatial border change, and correspondingly the temporal change wrought by revisionary practices, as involving the first sense of the respective adjectives, whereas they actually involve the second sense. The bearing this has on the argument must by now be clear. Just as redrawing Arcadia's border does not require any rearrangement of material objects but consists instead in a reduction in the spatial scope or field of application of some norms and attitudes, specifically with regard to the pollutant, so also in redrawing the self's temporal boundaries revisionary practices need not interfere with the sequence of events; all they need to accomplish is a contraction in the temporal scope or field of application of some norms and attitudes, specifically with regard to the past misdeed.

These considerations help overcome one metaphysical obstacle to analogizing revisionary practices to Arcadia's border change; but an additional obstacle remains. This is the first worry I mentioned earlier: Is the self such that its boundaries and shape are the product or reflection of such things as norms, practices, and attitudes? A dominant conception of self leads to a negative answer. This is the view of human beings as natural kinds, not relevantly different from trees and animals. The question where a tree ends or whether a cat caught a mouse has a determinate answer that no amount of fiddling with norms and attitudes will affect. On this conception, the same must be true of people as well. To remove this obstacle, this conception of self would have to be modified or debunked, but this is not my present aim. Instead of removing the obstacle, I only try to circumvent it by pointing to another widely held conception of self, or rather a family of such conceptions, with which the political analogy and the boundary metaphor are associated and in terms of which attaching to revisionary practices the significance I do makes better sense.

Many thinkers have spoken of the self in dramaturgical, narrative, or semiotic terms.<sup>23</sup> These imageries and metaphors dovetail with another broad theme. The view that “man has no essence” and must create his own originated at least as far back as the fifteenth century,<sup>24</sup> but has been given new impetus and significance in the twentieth, forming a common ground for some of the most influential and otherwise diverse schools of thought of the recent past, such as existentialism, postmodernism, and communitarianism. Two main variants on this theme that are particularly relevant to our present concerns can be discerned: one emphasizing the idea of *self-constitution* and the other of *social construction*.<sup>25</sup> Both purport to describe how as human beings we create ourselves, with the *we* interpreted either distributively—each individual is the author of his or her own identity—to yield the first variant, or jointly—social practices, discursive and otherwise shape our selves—to yield the second. In either case, the self-creation takes place in the medium of meaning: The self is the product of the web of meanings we spin around various objects and events, most importantly the human body and its career. This is of course a very cursory sketch of these conceptions of self, but I trust that they are familiar enough for the sketch to be recognizable. And no matter what details define and distinguish the various variants, it seems plausible that for all of them, norms, practices, and attitudes are precisely the kinds of materials that constitute selves and circumscribe them.<sup>26</sup> So although vast differences between the constitution of a state and of a self no doubt exist, the way is nonetheless clear to an instructive analogy between the two. Specifically, judgments of individual responsibility, as well as other personal norms and attitudes, which we commonly validate by reference to the constituents and the boundaries of the predicate self, are also the kinds of factors that shape the self and delineate its boundaries.<sup>27</sup>

However, removing the metaphysical obstacles to an account of revisionary practices as changing the temporal boundaries of the self gives only qualified support to this account. Even if the account does not encounter insurmountable metaphysical obstacles, is it true to the facts? It will be specifically objected that revisions in the self's temporal boundary, though conceivable, do not ever occur. For example, if asked point blank whether she had done the wrongful act, the offender would have to avow that she had despite having repented the act and having been forgiven and pardoned for it. To be sure, under these conditions the matter is unlikely to arise. It is inappropriate for the truly repentant to dwell on the past misdeed, and the hypothetical interrogator's bringing up the nasty event would

be deemed unfair and obtuse. Still, the mere possibility of such an avowal seems to belie the claim that revisionary practices accomplish anything approaching the removal of the misdeed from the ambit of the wrongdoer's self.

To defuse this objection we need only take a closer look at the facts. These, as I had the objector recount them, are complex. One fact, the one that gives the objection its bite, is the counterfactual avowal. But an equally salient fact is that the avowal is for the most part counterfactual or hypothetical, prompted, if at all, by an inappropriate question certain to provoke indignation and disdain. However, if the misdeed were forever inscribed in the offender's past, as the objector implies, the latter aspects of the situation would be puzzling. Admittedly, an inquiry into the truth may sometimes be considered tactless or tasteless, but why would it meet, as it does in this case, with severe aversion? How can dredging up the past strike us not just as uncouth but also as unfair? Obviously, important norms are here at play, colloquially rendered by expressions such as "let bygones be bygones," designed to discourage an appeal to the past by rendering such an appeal highly inappropriate. Barring a rude violation of these norms, the offense will not come up, and the various attitudes and other ramifications ordinarily associated with it will have been effectively extinguished. These are powerful facts that need to be accounted for no less than what happens when the norms are breached and the past exhumed.

The proposed account offers a straightforward explanation for all these facts. A serious wrongdoing invariably casts a long shadow over the offender's life in the form of lasting negative attitudes and other consequences. When, due to the operation of the revisionary practices, the shadow disappears, we ought to conclude that its source in the wrongdoer's life has been removed. But this is only half the story. The possibility, no matter how remote, that the past misdeed may still surface must be accounted for as well. The key is a point I made earlier concerning the indeterminacy of Arcadia's border change: Various parties can draw a state's border in different ways without there being a single overriding authority or fact of the matter to choose among them or reconcile them once and for all. A similar indeterminacy, the product of a plurality of competing versions, pertains to the self's temporal shape. Revisionary practices give rise to a new version of the self from which the wrongful act is excluded. When this version is inhabited and enacted, it replaces the older one as superior or more authoritative. As long as this version is adhered to, as by and large it will be, the misdeed is indeed excluded from the self

and does not cast a shadow. But the new version does not obliterate the other one; it only supersedes it. So if one insists, cruelly or obtusely, on unearthing the older version and on resorting to it, one is not strictly speaking mistaken but merely cruel or obtuse.<sup>28</sup>

### Limits of Revision

Many believe that forgiveness has its limits and that certain acts are unforgivable: The enormity of evil may defy our capacity to overcome resentment.<sup>29</sup> Without disputing this view, I note that it does not, and does not purport to, provide any principled reasons against forgiving even the most egregious crimes; it only underscores people's inability to do so. Since forgiveness is generally thought to be a good thing, this inability appears to be a regrettable external limitation. Moreover, this approach opens up a gap between repentance and forgiveness. The psychological limitations on forgiveness need not have their counterpart in the case of repentance, and at any rate, the limitations in both cases are unlikely to be the same. Consequently, cases may arise in which an offender truly repents an offense with no prospect of forgiveness. The tighter the link between forgiveness and repentance, the more disturbing this state of affairs would be.<sup>30</sup> My proposed account contrasts with the standard one in both of these respects. First, rather than focusing on the victim's psychological limitations, the constraints my account implies reflect the normative significance of the wrongdoer's identity. Second, since the constraints focus on the wrongdoer, who is the common object of all the revisionary practices, they apply not only to forgiveness but also and to the same extent to repentance and pardon. The magnitude of evil plays a role here as well, but its significance is different from the standard account, and additional considerations come into play.

The constraints on revisionary practices can be best understood in light of an earlier observation. In discussing Arcadia's border change, I have highlighted the balance between continuity and change that this case illustrates: To remove the pollutant from Arcadia's territory is to release Arcadia from responsibility while retaining its integrity as the object of these changes and as the beneficiary of the release. Since in my view revisionary practices redraw the temporal boundaries of the self, the redrawing cannot be so extensive as to effectively destroy the offender's self or amount to a change of identity. The wrongdoer's identity conditions thus set the limits of revision. Though specific conceptions of self and varying conditions of identity will have different implications on the permissible scope of



revisionary practices, the general point is straightforward. Considerations of identity preclude revision when the wrongdoing looms so large within the offender's self that removing the wrongdoing would not result in a viable or recognizable version of that self.<sup>31</sup>

The severity of the wrong done clearly retains its relevance within this account.<sup>32</sup> Doing major harm ordinarily requires greater effort and resolve than inflicting minor harm, and the features of mind and character on which such an act depends are likely to be pervasive and central. It may not be possible, therefore, to effect a neat excision of an egregious misdeed without destroying the offender's identity in the process.

My account also draws attention to constraining factors other than the magnitude of evil. Without trying to be exhaustive, I will mention three. One concerns the way wrongfulness is to be measured. If the offender harmed many individuals, the standard view will tend to assess wrongfulness distributively. People's capacity to overcome resentment is likely to be more sensitive to the wrong experienced by each of them. Consequently, victims may find it possible to forgive their individual injuries without regard to aggregate harm. In my approach, by contrast, the aggregate harm dominates. Since we're primarily interested in the overall significance of the wrongful behavior in the *wrongdoer's* life, the sum total of harmful actions is a more suitable measure. The second factor is the duration of the wrongful behavior within the offender's life. Revision is less appropriate and less likely to satisfy the identity conditions in the case of a lifelong hit man than in the case of someone who killed the same number of people in one shooting spree early in life. Even if the crimes are equally heinous, committing them as part of an enduring career makes them a more central source of meaning and a defining characteristic of the life story as a whole. The third factor concerns the distinction between "personal" and "impersonal" activities, such as those done in an official capacity. Since the latter typically call for, and perhaps are defined by, a large measure of detachment and compartmentalization, they are relatively confined within the offender's self and kept secluded from the rest of it. Other things being equal, it is easier to recreate a viable version of a self with impersonal wrongs removed than in the case of someone who commits wrongs in a personal capacity.

One final comment. I earlier noted that the limitations that are commonly thought to apply to forgiveness are for the most part a matter of the victims' psychology, specifically their finite capacity to overcome resentment. This appears as a brute fact and, given the value of forgiveness, an unfortunate one. Are the

constraints imposed on revisionary practices by the offender's conditions of identity any different? Aren't they also regrettable shackles on what could be a gentler and more lenient world? This is a nagging thought, so it is important to underscore the fundamental difference between these two sets of limitations. Unlike the victim's psychology, the offender's identity is essentially implicated in the operation of revisionary practices from the start. To see this, recall that the reactive attitudes such as guilt and resentment play a decisive role in defining a person's responsibility and that by doing so they participate in the construction of a self. Now revisionary practices are involved in this construction by setting limits on the scope or operation of the reactive attitudes. But their ability to do so is in turn limited by the identity-based constraints. The main point is this: Constructing a self, like anything else, must accord with some imperatives. In building a house, you cannot build the roof first. Such imperatives aren't just constraints on the enterprise but are just as much its enabling conditions. The identity-based constraints to which revisionary practices are subject form a part of a single set of imperatives that guide and enable the construction of selves. The reactive attitudes, the limitations imposed on them by revisionary practices, and the identity-based constraints that limit revisionary practices' capacity to terminate reactive attitudes are all interlocking parts of one and the same enterprise, the enterprise of creating a self or, which comes down to the same thing, being one.

## Notes

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1. By speaking of *practices*, I only mean to imply that some public criteria exist as to what counts as repentance and so on. It doesn't follow that the practices themselves must consist in public acts. For example, internal, subjective acts of contrition may in principle satisfy the criteria for repentance, though in such a case these acts would obviously have to be communicated for repentance to play its usual interpersonal roles (e.g., as a reason for forgiveness).

2. This is the dominant view and clearly the paradigm case, but borderline cases sometimes arise, complicated by the occasional difficulty of establishing who counts as the victim

of a wrongdoing. See, e.g., Trudy Govier and Wilhelm Verwoerd, "Forgiveness: The Victim's Prerogative," *South African J. Phil.* 21 (2002), 97.

3. It is quite common to view pardon as a form of official forgiveness. See, e.g., Joram Graf Haber, *Forgiveness* (Savage, MD: Rowman & Littlefield, 1991), 60–61. The proximity between forgiveness and pardon is also suggested by the French word *pardoner*, meaning "to forgive," a usage that has a colloquial echo in the English expression "pardon me."

4. This corresponds to the three types of reactive attitudes distinguished by Peter Strawson in "Freedom and Resentment," in *Freedom and Resentment and Other Essays* (Methuen, 1973): *personal*, *self-reactive*, and *vicarious*. The view of forgiveness as the overcoming of resentment probably originated with Bishop Butler, see Joseph Butler, "Upon Forgiveness of Injuries," in *The Works of the Right Reverend Father in God, Joseph Butler, D.C.L.*, ed. Samuel Halifax (New York: Carter, 1846), 106–107, and has been reinforced by Strawson's influential paper, in which resentment is seen as the paradigm reactive attitude and thus the natural focal point of discussions of forgiveness. This is not to deny, however, that other negative attitudes exist and that complete forgiveness ought to suppress those as well. See on this point Norvin Richards, "Forgiveness," *Ethics* 99 (1988), 77, 79; and Robert C. Roberts, "Forgiveness," *Am. Phil. Q.* 32 (1995), 289.

5. Related to my normative focus is another qualification—namely, that I discuss a decisively idealized conception of revisionary practices both in the sense of a (Weberian) ideal type and in the sense of something worth aspiring for. I believe that both of these idealizations are consonant (in the respectively appropriate ways) with widely spread ordinary perceptions and aspirations, but I will not try to buttress this belief.

6. See, e.g. Haber, *Forgiveness*; John Wilson, "Why Forgiveness Requires Repentance," *Philosophy* 63 (1988), 524; Zoltan Balazs, "Forgiveness and Repentance," *Public Affairs Q.* 14 (2000), 105, 120–124; Richards, "Forgiveness," 88. Authors differ, though, on how tight the connection is between repentance and forgiveness. As I point out later, my proposed account aims to accommodate this difference of opinion.

7. Hard, but not impossible. For a rather extreme dissent, see Margaret R. Holmgren who maintains that "the appropriateness of forgiveness has nothing to do with the actions, attitudes, or position of the wrongdoer," in "Forgiveness and the Intrinsic Value of Persons," *Am. Phil. Q.* 30 (1993), 341, 342.

8. Jeffrie G. Murphy and Jean Hampton, *Forgiveness and Mercy* (Cambridge: Cambridge University Press, 1988), 26 (emphasis in the original).

9. Richards, "Forgiveness," 88.

10. Both of these moments are combined in a sophisticated version of these accounts offered by Pamela Hieronymi, on whose view "*resentment protests a past action that persists as a present threat*," in "Articulating an Uncompromising Forgiveness," *Phil. and Phenom. Research* 62 (2001), 529, 546 (italics in the original; note omitted).

11. This is the gist of Jean Hampton's position. "The forgiver comes to see [the wrongdoer] as still *decent*, *not* rotten as a person, and someone with whom he may be able to

renew a relationship." In Murphy and Hampton, *Forgiveness and Mercy*, 83. On her view, repentance provides the main reason for such a change in the forgiver's conception of the wrongdoer, though Hampton also allows for forgiveness "for old times' sake."

12. The distinctive role played by the wrongful act is sometimes exaggerated and distorted by the recommendation, associated most famously with St. Augustine, that one hate the sin but not the sinner. Despite the noble sentiment (and the august provenance), the recommendation is incoherent. We can't conceive of an action in abstraction from an actor. To see correctly the role played by the wrongful act in regard to the reactive attitudes, we must distinguish between their *ground* and their *object*. Resentment is addressed to the offender as its object, but its ground is the misdeed, not the person as a whole; we resent the actor *qua* the author of the wrong.

13. For a critical discussion of the change-of-identity approach, see Haber, *Forgiveness*, 95–98; Joanna North, "Wrongdoing and Forgiveness," *Philosophy* 62 (1987), 499.

14. In Murphy and Hampton, *Forgiveness and Mercy*, 26.

15. See Aurel Kolnai, "Forgiveness," *Proceedings of the Aristotelian Society* 74 (1973–1974), 98–99.

16. Contrast in this regard Joanna North's view that "Forgiveness is a way of healing the damage done to one's relation with the wrongdoer," "Wrongdoing and Forgiveness," 503, with the observation by Tara Smith that "one person can forgive another even when they have had no relationship to continue," in "Tolerance and Forgiveness: Virtues or Vices?" *J. Applied Phil.* 1 (1997), 31, 37.

17. Cf., e.g., R. S. Downie, "Forgiveness," *Phil. Q.* 15 (1965), 128, esp. 130; Martin P. Golding, "Forgiveness and Regret," *The Philosophical Forum* 16 (1984–1985), 121, 130; Jean Harvey, "Forgiveness as an Obligation of the Moral Life," *International J. Moral and Social Stud.* 8 (1993), 211; and Berel Lang, "Forgiveness," *Am. Phil. Q.* 31 (1994), 105.

18. Cf. Hannah Arendt, *The Human Condition* (Chicago: University of Chicago Press, 1958), § 33.

19. As indeed some firmly believe. It has been said, for example, that "repentance consists in our setting ourselves against a past reality and absurdly attempting to efface that reality from the world." Haber, *Forgiveness*, 94. See also Lucien Jerphagnon, "Repentance," *Phil. Today* 3 (1959), 176, for a discussion of several approaches to this general theme.

20. In light of the analogy to revisionary practices that I wish to draw, two clarifications of this example are in order. First, the border change obviously does not relieve Arcadia of obligations that have already accrued prior to the change. My point is only that pursuant to the change, no new obligations will accrue. Second, it is immaterial whether after Arcadia's border changes, the pollutant is joined to another state or winds up in some unowned territory. The latter possibility is less likely on a globe that is mostly divided among states, but this is a contingent, and indeed a relatively recent, state of affairs.

21. On the significance of "counting as" as fundamental to social phenomena in general, see John Searle, *The Construction of Social Reality* (New York: The Free Press, 1995), esp. 43–51.

22. This point is sometimes conveyed by describing some revisionary practices as *performative*. Compare, e.g., Haber, *Forgiveness*, 6–7, and Lang, “Forgiveness,” both of whom conceive forgiveness in this way, with Downie, “Forgiveness,” who denies that forgiveness is or requires a performative but believes that pardon does. Since I speak more broadly, and vaguely, about revisionary *practices*, and thus don’t limit myself to speech acts, the more general designation *constructive* is more apt than *performative*, and I need not enter the debate regarding the applicability of the latter to any of the revisionary practices. See also in this connection my comment in note 1.

23. The dramaturgical perspective is most famously associated with the work of Erving Goffman, e.g., *Encounters* (Indianapolis, IN: Bobbs-Merrill, 1961), 85–152, and *Frame Analysis: An Essay on the Organization of Experience* (Chicago: Northwestern University Press, 1974). For sources that canvass the literature on the two other approaches I mention, see Charles Taylor, *The Sources of the Self* (Cambridge: Cambridge University Press, 1989), and Marya Schechtman, *The Constitution of Selves* (Ithaca, NY: Cornell University Press, 1989), on narrative conceptions; and Norbert Wiley, *The Semiotic Self* (Chicago: University of Chicago Press, 1994), on the semiotic conception.

24. In a well-known text by Giovanni Pico della Mirandola, *Oration on the Dignity of Man*, trans. A. Robert Caponigri (Washington, DC: Regency Gateway, 1956).

25. The connection between the self-constitution idea and the political analogy is made explicitly in J. David Velleman, “The Self as Narrator,” in *Autonomy and the Challenges to Liberalism: New Essays*, ed. Joel Anderson and John Christman (Cambridge: Cambridge University Press, 2005), 56. See also Tamar Schapiro, “What Is a Child?” *Ethics* 109 (1999), 715.

26. Cf. Max Scheler’s view of repentance as involving not a change of the past but of the meaning with which we endow the past, e.g., in “Repentance and Rebirth,” in *On the Eternal in Man* (Hamden, CT: Shoe String Press, 1972), 35. Scheler’s views on this subject are discussed in Peter H. Spader, “A Change of Heart: Scheler’s *Ordo Amoris*, Repentance and Rebirth,” *Listening* 21 (1986), 188. In a similar vein, Pamela Hieronymi stresses the social meaning of the wrongful act as well as of repentance and forgiveness, linking the social meaning to the bearing of revisionary practices on the offender’s identity. “Articulating an Uncompromising Forgiveness,” 549–551.

27. Although the conceptions of self to which I allude are broadly speaking hospitable to my approach, they do not settle without further argument, which I cannot attempt here, all the issues that the version of “ascriptivism” to which I subscribe gives rise. I spell out this view somewhat more fully in “Responsibility and the Boundaries of the Self,” *Harvard L. Rev.* 105 (1992), 959; a revised version appears as chap. 7 of my *Harmful Thoughts: Essays on Law, Self, and Morality* (Princeton, NJ: Princeton University Press, 2002). For an earlier relevant debate, see H. L. A. Hart, “The Ascription of Responsibility and Rights,” *Proceedings of the Aristotelian Society, New Series* 49 (1949), 171; P. T. Geach, “Ascriptivism,” and George Pitcher, “Hart on Action and Responsibility,” both in *The Philosophical Review* 69 (1960), 221–225 and 226–235, respectively.

28. Let me mention briefly two other questions that may arise. One concerns the relationship between revisionary practices and punishment. My account implies that the revisionary practices are inconsistent with a continued insistence on punishment so that they must either occur subsequent to punishment or as a substitute for it. For the contrary view, see, e.g., Jeffrie Murphy, in Murphy and Hampton, *Forgiveness and Mercy*, 33. See also Anthony Duff's view that the purpose of punishment is to induce and express repentance, in *Trials and Punishment* (Cambridge: Cambridge University Press, 1986) chap. 8–10, and "Punishment and Penance—A Reply to Harrison," *The Aristotelian Society Supp.* Vol. 62 (1988), 153–167. The second question concerns the status of the revisionary practice itself relative to the reconstituted self. For example, if due to my repentance I am no longer the author of the wrongful act, there is nothing to which my act of repentance can latch on or be about. Does that mean that I am deprived of credit for having repented and am otherwise precluded from counting the process of contrition itself as part of my life? I can see three responses. The first is to acknowledge that a successful process of repentance does result in having the entire episode, including the repentance, excised from the self. Credit for repenting is indeed lost together with the guilt for the offense. The second option is to draw a line between the wrong done and the revisionary practice, removing the former from within the boundary of the self but retaining the latter. What makes this seemingly incoherent suggestion viable is the narrative conception of the self. Since a story need not contain an answer to every question that its plot invites, it is possible for a process of repentance to be part of a narrative while leaving unanswered the question of what was the repentance for. The third possibility, and the one toward which I most incline, is to deny that the revisionary practice must either be within the boundary of the self or outside it. Rather, the practice is itself the marker of the self's boundary. On this view, to ask with respect to a revisionary practice whether it falls within or without the self's temporal boundary is like inquiring with respect to Arcadia on which side of its border the border itself lies.

29. See, e.g., Golding, "Forgiveness and Regret," 122.

30. This has led some to play down the psychological difficulties and to deny any limitation on forgiveness. See, e.g., Trudy Govier, "Forgiveness and the Unforgivable," *Am. Phil. Q.* 36 (1999), 59.

31. Despite the surface similarity, my point differs fundamentally from the position critiqued by Trudy Govier. Using the example of Pol Pot, Govier examines the possibility that "in such a case the moral person is defined by his acts over so much of his lifetime—that ultimately we cannot draw a moral distinction between these terrible things to which he committed so much of his life and the person that he is." *Ibid.*, 68. Govier rejects this line of reasoning, arguing that "We go too far if we insist that some people have become so indelibly evil that there is no possibility of their moral change . . . Many persons do change, and even some persons who have been guilty of appalling evil do change," 69. But this is essentially the future-oriented conception of revisionary practices and, by implication, of the reactive attitudes, which I criticized earlier on. This approach does not take seriously

enough the significance of the ongoing presence of the past atrocities in the person's life and identity quite apart from any subsequent changes in the person's attitudes or values. A future-oriented change of heart does not by itself explain why reactions to these features of the person's identity become no longer appropriate.

32. Cf. Lang, "Forgiveness," who lists this and some other factors as bearing on whether an action is in principle unforgivable. I am not quite clear what theory is supposed to unite these considerations in his view.