

Two arguments against the punishment-forbearance account of forgiveness

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Abstract One account of forgiveness claims that to forgive is to forbear punishment. Call this the Punishment-Forbearance Account of forgiveness. In this paper I argue that forbearing punishment is neither necessary nor sufficient for forgiveness.

Keywords Forgiveness · Punishment · Blame · Revenge

1 Background

What is it to forgive? Standard accounts of moral forgiveness understand it to involve essentially the overcoming or forswearing of resentment, or the “vindictive passions” of vengeful anger and hatred (e.g. Murphy 2003, p. 16). According to this view, to forgive someone for her past wrongful harm against you is (roughly speaking) to overcome (or forswear) the resentment you have towards her because of what she did. A less popular view—though one that has been at times defended in various ways (e.g. Hobbes 1969; Zaibert 2009)—is that forgiveness is (roughly speaking) the forbearance of punishment.¹ In other words, according to this view, to forgive is to refuse to punish. Call this the Punishment-Forbearance Account of forgiveness, which we can gloss as:

(PFA) Agent A forgives agent B for B’s action X iff A forbears punishing B for B’s having done X.

¹ According to Zaibert’s account, “to forgive is deliberately to refuse to punish” (2009, p. 368). Hobbes connects forgiveness to pardon and therefore punishment in his Sixth Law of Nature: “A sixth law of Nature is this, ‘that, upon caution of the future time, a man ought to pardon the offences past of them that, repenting, desire it.’” (1969 [1651]). Of this law, Bernard Gert observes: “This virtue, which Hobbes calls having the facility to pardon, one can also call being forgiving” (2010, p. 98).

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Here, I argue that forbearing punishment is neither necessary nor sufficient for forgiving, and that therefore PFA is false.

2 Forbearing punishment

A few features of PFA warrant attention. The first is the notion of punishment itself. The nature and norms of punishment are contentious and I need not commit to any particular views here. I use the term ‘punishment’ broadly, to denote both judicially-administered criminal punishments (e.g. punishments by the state), as well as non-judicially-administered interpersonal punishments (e.g. the punishments given to a child by a parent). I will assume that one of the goals of punishment is *either* to cause pain *or* bring about harm to the one being punished.² There are various ways of specifying the manner in which this is a goal of punishment. Options include: that one must *intend* to cause pain when one punishes (Feinberg 1970, p. 71), or that one must cause pain *intentionally* when one punishes, or that one must *try* to cause pain when one punishes (Zaibert 2009, p. 387). For our purposes I assume that to punish minimally requires that one try to cause pain. Finally, I assume that *to forbear* punishment is to do something intentionally. One does not forbear punishment by accidentally dozing off, or forgetting about the issue altogether. To forbear punishment is to refuse to punish and to do so for reasons.

3 Forbearing punishment is not sufficient

In this section I present an argument showing that forbearing punishment is not sufficient for forgiveness. Here is the argument:

- (1) Punishment essentially involves trying to cause pain.

Premise (1) is true in virtue of my supposition above that one of the essential goals of punishment is to cause pain.

- (2) Blame does not essentially involve trying to cause pain.

Premise (2) is supported by two facts. First, consider private blame, which concerns how we *regard* others in light of their blameworthy behavior. We can privately blame (say, via the reactive attitude of resentment) without trying to cause the object of blame any pain. We may never act on our resentment and we may never even try to do so. Second, consider overt blame, which concerns how we *treat* others in light of their blameworthy behavior. We can overtly blame (say, via a reprimand or disapproving scowl), with only the goals of making moral demands or expressing our disapproval. We need not try to cause anyone any pain at all. Indeed, with respect to those whom we dearly love, we may try to blame them in ways that

² For ease of expression, I will suppress this disjunction and simply speak in terms of causing pain. In doing so, I do not mean to imply that a goal of punishment must be to cause pain (as opposed to harm), or that one cannot punish by causing harm.

manifestly do *not* cause them pain. And even if we *know* we will cause pain by blaming, this does not mean that we are *trying* to cause pain by blaming. I may run a marathon all the while knowing that I will cause myself pain. But this does not mean that I am *trying* to cause myself pain.

(3) One can forbear punishment without forbearing blame.

Premise (3) trades on the difference between blame and punishment brought into relief by (1) and (2). One can forbear punishing for what another has done and yet still blame that other either privately (perhaps via the reactive attitude of resentment) or overtly (perhaps via a reprimand or disapproving scowl, with the goal of expressing disapproval or making moral demands).

(4) Some blaming is inconsistent with forgiveness.

In support of (4), first consider the case of private blame and suppose that resenting someone for what she did is one way that blame may be manifest. It is widely thought that a necessary condition on forgiveness is the forswearing or overcoming of resentment (Strawson 1962; Twambley 1976; Lauritzen 1987; Holmgren 1993; Hughes 1993; Garrard and McNaughton 2003; Murphy 2003; Darwall 2006; Griswold 2007). If so, then if one had continued to be willfully resentful towards you because of something you did (i.e. did not forswear or overcome resentment towards you, and did not even try to do so), this would be strong evidence that she had not forgiven you. Now consider overt blaming behavior. Were someone repeatedly to request apologies, express disapproval over what you did, withhold friendly relations so as to make a point, and tell you that you really should have treated her better (say, because you did not see your wrong and had not apologized), this would provide very good evidence that she had not forgiven you for what you did. Perhaps not all blaming is inconsistent with forgiveness, but at least some is. If so, then (4) holds.

(5) Therefore, forbearing punishment is not sufficient for forgiveness.

If one can fail to forgive because one still engages in blame even though one forbore punishment, then forbearing punishment is not sufficient for forgiveness. Here is a case that can perhaps help to bring into relief this argumentative strategy:

SANDWICH: You and I are friends and co-workers. You wrongfully take and eat my lunch out of the fridge one day. Every day at work thereafter I experience pangs of resentment, express my moral disapproval and ask that you apologize. I believe that I could punish you for what you did but I refuse even to try to do so. After all, you are a friend, and I'd rather not try to cause you pain. And yet I still resent you for what you did, continue to express my disapproval, and daily ask you for an apology with the hope that you come to recognize your wrong and make amends.³

Here I ask: have I forgiven you? If not, then forbearing punishment is not sufficient for forgiveness.

³ Cf. Warmke (2011).

4 Forbearing punishment is not necessary

Forbearing punishing is also not necessary for forgiveness. We can bring this into relief by way of the following case:

MOTHER: Suppose that a child speaks harmful words to her mother. The mother experiences slight feelings of resentment towards her child (who knows better than to say such things to her mother), and gives her child a disapproving scowl. The child apologizes and the mother tells her that she forgives her—she will no longer resent her or blame her for it. However, the child’s behavior was a breach of the “house rules,” which, along with a list of the consequences for breaching the rules, are posted in the kitchen. As the agent responsible for enforcing the house rules, the mother reminds the child that she still needs to be punished for breaking the house rules and therefore sends the child to her room for the evening. This is her punishment.

I see nothing incoherent or irrational in the description of this case. The mother can forgive the child and yet still carry out her responsibilities as enforcer of the house rules.⁴ This is because MOTHER reveals an interesting fact about our practices of blame and punishment. To see it, we can, following McKenna (2012), think of the back and forth of our interpersonal moral responsibility practices along the lines of a literal conversation. McKenna suggests that if the original moral contribution—the moral wrongdoing—is understood as initiating (minimally, an analogue to) a kind of conversation, then both blame and punishment can be seen as responses to this contribution. Importantly, however, these responses typically take place at different stages in the conversation. Blame, perhaps in the form of a certain kind of reactive attitude taken towards the wrongdoer, can occur both immediately and through no effort on our part as a response to wrongdoing. At this point we often ask wrongdoers to give account for what they have done, we seek out possible excuses or justifications, and we make moral demands (“You owe me an apology!”) or express disapproval (“That was a shoddy thing to do to me!”). This is all part and parcel of the vast constellation of our blaming practices. Punishment, however, typically has a home at a stage further along in the conversation: after the wrongdoer has given account, or admitted to wrong, or what have you. Punishment is typically also enacted by someone with a special sort of standing (a judge, parent, school teacher, etc.), and is done with the goal of causing pain or setting back one’s welfare interests.⁵

When we distinguish these two different constellations of practices, we can see how it is possible for forgiveness to be consistent with some members of one constellation (punishment) even if it is inconsistent with some members of another constellation (blame). And so if forgiveness is inconsistent with (at least some) blame but is consistent with (at least some) punishment, then we explain cases like

⁴ This is to say nothing about whether such forgiveness is appropriate or not. Not all forgiveness is appropriate. But inappropriate forgiveness is still forgiveness, and what we are concerned with here are the conditions for forgiveness as such.

⁵ It may not always be clear to the wrongdoer whether on a given occasion she is the recipient of blame or punishment, but these two constellations of practices *are distinct constellations*.

MOTHER in which one forgives but also punishes. If this is correct, then the forbearance of punishment is not necessary for forgiveness, for punishment is sometimes consistent with forgiveness. Therefore, forbearing punishment is neither necessary nor sufficient for forgiveness.

5 Revenge and punishment

At this point, one might wonder: if punishment is consistent with forgiveness, is revenge consistent with forgiveness as well?⁶ Revenge (or vengeance), as I understand it, is “the infliction of suffering on a person in order to satisfy vindictive emotions or passions” (Murphy 2003, p. 17). It is widely thought that forgiveness requires one to forebear revenge. Indeed, this is one way of understanding Bishop Butler’s often-discussed account of forgiveness (cf. Griswold 2007, p. 36), and I agree that this is a requirement of forgiveness. And yet if, as I have argued, forgiveness does not require forbearing punishment, how can it require forbearing revenge? We can see the answer simply by showing that punishment and revenge are not equivalent. If revenge and punishment are not equivalent, then one is not committed to the view that forgiveness is consistent with revenge simply because one holds the view that forgiveness is consistent with punishment. The case of MOTHER can bring this to light. First, the mother can punish her child without taking revenge on her: she might send her to her room, not in order to satisfy vindictive emotions (she may not even have these emotions at all, or she may wait a few hours until her passions have died down, or she may have these emotions but act for other reasons), but in order to fulfill her responsibility to punish her child.⁷ It is therefore possible to punish without taking revenge. Second, on the plausible assumption that one must be in a certain position of authority to punish, it is possible to take revenge without punishing. Suppose the child decided that she did not like being punished and therefore sought to harm her mother by screaming more harmful words. This is a case of revenge, not of punishment. Therefore, revenge and punishment come apart, conceptually and in practice. Therefore, there is no incoherence in *rejecting* the view that forbearing *punishment* is necessary for forgiveness and yet *holding* the view that forbearing *revenge* is, in fact, necessary for forgiveness.

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⁶ I am grateful to an anonymous referee for raising this question.

⁷ Or consider a judge whose job it is to punish criminals he has never encountered, a job he does “coolly”—he simply looks at the paperwork, decides what punishments to give, and pushes a button that effects the relevant punishments via a very complicated machine. Surely it would be a mistake to describe his actions as revenge-taking simply because he is punishing.

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