# When One Should Forgive: Eirenistic Responses to Wrongdoing

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## Abstract

In my dissertation I use Nicholas Wolterstorff's conception of the good life (eirenéism), which serves as the foundation for his theory of rights, to argue for a new ethics of forgiveness that incorporates the necessary relational features of forgiveness, while at the same time providing substantive normative guidance in regards to *when* one should forgive. I, then, show that eirenistic forgiveness implies there is an obligation to forgive: a repentant wrongdoer has a right to be forgiven that creates certain obligations for victims to forgive.

I, like Wolterstorff, find such an implication repugnant, and so I spend the majority of my dissertation addressing this implication. I address the obligation to forgive by developing and responding to Wolterstorff's claim that forgiveness is a non-obligation-producing third-party obligation, and I argue that because forgiveness is like all other obligations, the acceptance of such a position implies that all obligations are third-party obligations. To avoid this conclusion, I provide an argument that shows that the two-party obligation to forgive is not repugnant, or at least not as repugnant as first seems. I spend the remainder of my dissertation showing how one can apply eirenistic forgiveness to a wide-range of difficult cases, that the right to seek punishment does not compete or override the obligation to forgive, and by examining whether or not eirenéism is a religious ethic or if it is an ethical system amenable to both theists and non-theists.

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# Chapter One
# Introduction

Most philosophical accounts of forgiveness focus on the nature of forgiveness. Authors take their particular ethical framework and provide impressive arguments to show *what* counts as, and *what* falls short of, "true" or "genuine" forgiveness. The question of *why* one should forgive is given some attention in the philosophical literature, but is usually tackled by psychologists and theologians. A third question, of *when* one should forgive, is given little to no attention in philosophical literature. Authors who claim to be concerned with *when* one should forgive usually focus on crafting a set of conditions that must be met, based on *what* forgiveness is, in order for forgiveness to be appropriate. As a result, such accounts focus mainly on *what* counts as "true" forgiveness, not on the general moral conditions that suggest *when* a person is morally required to forgive. In this dissertation, I make up for this shortcoming by focusing exclusively on the question of *when* a moral agent ought to forgive.

More specifically, I argue for a new ethics of forgiveness based on Nicholas Wolterstorff's conception of the good life, called eirenéism,[1] which serves as the foundation for his theory of inherent natural rights.[2] Eirenéism maintains that each person has certain life-goods (goods in one's life or history) that contribute to making one's life and history a *good* life and history, that individuals have rights to these life-goods, and for a person to live the good life, his or her rights must be respected.

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[1] 'Eirenéism' comes from the Greek translation of the Hebrew word shalom, which is eirenē. Shalom and eirenē are both typically translated in English as 'peace'. Hence, eirenéism is a conception of the good life that maintains creating a state of peace should be the goal of moral agents. This will be fully explained in the next chapter.

[2] Nicholas Wolterstorff, *Justice: Rights and Wrongs* (Princeton: Princeton University Press, 2008).

I maintain that eirenéism offers a new and unique understanding of the good life that provides valuable tools in determining when one ought to forgive. What makes eirenéism unique is that it suggests a theory of rights, explained in terms of the relational features of human morality, and it provides substantive normative guidance in regards to the rights and obligations of moral agents. There exists, however, one major problem: when crafting an ethics of forgiveness based on eirenéism (what I will call eirenistic forgiveness) victims appear to be obligated to forgive repentant wrongdoers, since repentance gives a wrongdoer the right to be forgiven. I, like Wolterstorff, find such an implication repugnant, and so I spend the majority of the following chapters addressing the obligation to forgive, responding to Wolterstorff's attempt to ameliorate it, and showing that even though eirenéism implies an obligation to forgive, the sort of obligation it implies is not repugnant.

My dissertation is divided into seven main chapters. Chapter Two begins with an explanatory overview of eirenéism and how it grounds Wolterstorff's theory rights, and it ends with a comparison of eirenéism with two competing conceptions of the good life—the experientially satisfying life and eudaimonism. First, I briefly present and discuss several key features of eirenéism. This discussion begins with an explanation of eirenéism, and ends with the theory of rights that results from accepting eirenéism. Second, I compare eirenéism with two competing conceptions of the good life: (1) the experientially satisfying life, and (2) eudaimonism; and I argue that eirenéism offers a new way of describing the good life—one that adequately captures what I take to be the necessary relational features of human morality, especially in relation to forgiveness,

while at the same time offering substantive normative guidance after instances of wrongdoing. Correctly understanding the moral relationship between victim and wrongdoer, in relation to the good life, allows one to best make sense of what should happen after instances of wrongdoing. To help facilitate this understanding, I also discuss Wolterstorff's theory of rights and theory of justice, both of which are direct conceptual implications of accepting eirenéism, and are relevant to my overall goal of explaining the eirenistic foundation on which I build my ethics of forgiveness. The main goal of this chapter is to not only illustrate what eirenéism is, and to test its soundness, but to also make clear to the reader what, in fact, sets eirenéism apart from other (more familiar) conceptions of the good life.

In Chapter Three I continue my explanation and comparison of eirenéism by investigating two possible alternative foundations for an ethics of forgiveness, Kathryn Norlock's concept of "feminist forgiveness"[3] and Julia Kristeva's psychoanalytic approach to forgiveness.[4] Norlock's account, like eirenéism, supports a relational understanding of morality, which she maintains is necessary for an adequate ethical basis of forgiveness. Kristeva's account, on the other hand, suggests there are certain deeply-psychological positive effects of forgiveness. I suggest that both of these authors are correct. However, I argue that because both of these accounts fail to offer any substantive normative guidance, difficulties arise when trying to determine *when* one

[3] Kathryn Norlock, *Forgiveness from a Feminist Perspective* (Lanham: Lexington Books, a division of Rowman and Littlefield Publishing, 2009).
[4] Julia Kristeva, *Hatred and Forgiveness*, Trans. Jeanine Herman (New York: Columbia University Press, 2010).

ought to forgive. Within this chapter I also use Norlock and Wolterstorff to discuss the difficulties of using Kantian approaches to ground an ethics of forgiveness.

In Chapter Four, I change the focus of my analysis towards explaining what an ethics of forgiveness, based on eirenéism, looks like. I carefully develop an account of forgiveness based on eirenéism, and with the help of contemporary forgiveness literature, I test its soundness. Based on this analysis, I argue that one major problem exists for Wolterstorff's account, what I call the "repugnant implication," and that this problem must be resolved in order to have an ethics of forgiveness worthy of acceptance. To be more specific, eirenéism has the repugnant implication that a repentant wrongdoer has a right to be forgiven, since he or she makes forgiveness a life-good, and based on this right, a victim has a corresponding obligation to forgive. Such a moral state of affairs is not only offensive but fails to save the phenomenon of an adequate moral response to wrongdoing.

Chapter Four, then, sets up a major conceptual problem for eirenistic forgiveness, and Chapter Five examines Wolterstorff attempt to avoid it. According to Wolterstorff, forgiveness is different from other obligations. It is a third-party obligation: an obligation to some third-party who has authority over the victim, as opposed to a two-party obligation to the wrongdoer. Chapter Five describes what Wolterstorff means by "a third-party obligation to forgive," and I show that this reply is unacceptable. In fact, I maintain that Wolterstorff's explanation threatens the consistency of eirenéism and the collapse of his theory of rights. I argue that forgiveness is no different than other obligations, and as a result, if it is a third-party obligation, then all obligations are third-

party obligations. I, then, argue that we can avoid the repugnancy of the two-party obligation to forgive by carefully teasing out what occurs during and after wrongdoings and during the process of forgiveness.

To help illustrate to readers that the eirenistic obligation to forgive is not repugnant, Chapter Six shows how to avoid the repugnancy of the implication by applying eirenéism to several hypothetical and real life cases dealing with stealing, rape/torture, and genocide/mass atrocities. I maintain that one can avoid the repugnancy of the repugnant implication, if one carefully looks at all of the rights and obligations that result from a wrongdoing. The repugnant implication only results when one looks at forgiveness in isolation from a wrongdoing. Using the cases of wrongdoing mentioned above, I show that when a repentant wrongdoer asks for forgiveness, the victim is obligated to forgive; however, in such cases, victims can only be obligated to forgive when he or she is capable of forgiving (i.e. has the mental and/or physical ability to forgive). In cases where a victim is incapable of forgiving, the obligation to forgive manifests itself as an obligation to work towards being capable of forgiving. By carefully examining eirenéism and the corollary rights and obligations that result from wrongdoing, the reader will see that the life-good of forgiveness is like all other life-goods. Hence, the obligation to forgive is no more repugnant than any other obligation.

In Chapter Seven I shift my focus from what victims owe wrongdoers to the rights of victims. I use Peter French's account of the virtues of vengeance to consider the possibility that victims have a right against wrongdoers to seek revenge, and that this right competes with one's obligation to forgive—possibly overriding it. Based on

French's own arguments, and John Locke's discussion of the right to punish, I argue that the life-good of revenge, if one exists, ceases to exist as a right to seek revenge within the constraints of a well-ordered society; and instead, manifests itself as a right to see that society punishes wrongdoers. Even if we assume there is a right to seek revenge, I use Jessica Wolfendale's argument that the notion of an unforgiveable act should be rejected to show why one should reject vengeance in favor of seeking forgiveness; thereby showing the obligation to forgive overrides any such right to seek revenge.

In addition to examining the rights of victims in Chapter Seven, I also broaden the scope of my analysis to consider what sort of obligations society has in regards to victims, wrongdoers, and forgiveness. I argue that in addition to victims having obligations to forgive repentant wrongdoers, society itself has responsibilities to support victims and to provide means by which victims can work towards, and achieve, forgiveness.

My final substantive chapter, Chapter Eight, reconsiders the possibility of a third-party obligation to forgive, in regards to a theological interpretation of eirenéism. I reformulate eirenéism based on Wolterstorff's theological arguments concerning life-goods, the grounding of human rights, and the good life. I show that a third-party obligation to forgive can be made consistent, if one is a theist who accepts Wolterstorff's theological grounding of eirenéism. The problem, then, is that non-theists will be apt to disregard eirenéism as merely a theistic ethical framework. In an attempt to provide a non-theological grounding for human worth and eirenéism, I use Carol Gould's recent

formulation of a procedural approach to grounding human rights to show eirenéism is amenable to both theist and non-theist.

I finish my dissertation by offering several general conclusions about eirenistic forgiveness, and I offer some suggestions about the appropriate steps towards further developing an eirenistic ethics of forgiveness.

To wrap up, forgiveness is one possible moral response to being wronged, and even though there is an aspect of forgiveness that is deeply personal, morally speaking, it is fundamentally relational. A wrongdoing requires at least one agent (the wrongdoer) to cause some sort of physical, mental, and/or emotional harm to a recipient (the victim). No matter how one defines 'forgiveness', which can vary greatly, forgiveness always occurs within the web of a relationship, either created or damaged.[5] Assuming forgiveness requires some sort of ethical foundation, if forgiveness is a relational concept, then the ethical theory that serves as its foundation must, therefore, be capable of adequately explaining the morally relevant relational aspects that occur during and after the commission of the wrongdoing. What is more, the foundational theory of ethics must provide normative guidance: i.e., be capable of offering guidance, within the morally relevant relational aspects, for how a victim should respond to being harmed by a wrongdoer and how a wrongdoer should respond to the victim. One cannot say "x should forgive in case y, just because." There needs to be some sort of normative justification for why x should forgive. The strength of eirenéism is its ability to describe both the

[5] I will not argue this point, but even in cases of self-forgiveness, individuals feel as though they have harmed themselves, and hence, must come to terms with that harm; in other words, the individual is both victim and wrongdoer together.

relational components of wrongdoing and the relational components of post-wrongdoing, while offering substantive normative guidance in regards to forgiveness in both situations. So, I will begin by examining eirenéism and showing what sets it apart from other conceptions of the good life.

## Chapter Two
## Eirenéism as the Good Life

My first task is to show the reader why Nicholas Wolterstorff's conception of the good life, known as eirenéism, provides a strong and unique foundation for a new ethics of forgiveness that differs from other conceptions of the good life. I will do this in two ways. First, I will briefly present and discuss several key features of eirenéism. This discussion will begin with an explanation of eirenéism, and will end with the theory of rights that results from accepting eirenéism. Second, I will compare eirenéism with two competing conceptions of the good life: (1) the experientially satisfying life, and (2) eudaimonism; and I will argue that eirenéism offers a new way of describing the good life—one that adequately captures the necessary relational features of human morality, especially in relation to forgiveness, while at the same time offering substantive normative guidance after instances of wrongdoing. Correctly understanding the moral relationship between victim and wrongdoer, in relation to the good life, will allow the reader to better make sense of what should happen after instances of wrongdoing. To help facilitate this understanding, I will also discuss Wolterstorff's theory of rights and theory of justice, both of which are direct conceptual implications of accepting eirenéism, and are relevant to my overall goal of explaining the eirenistic foundation on which I will build my ethics of forgiveness.

**Eirenéism as the Good Life**

By way of a general explanation, Nicholas Wolterstorff argues that each human has intrinsic worth,[6] and a result of this worth is that each human has particular "life-goods" to which he or she has a right. Wolterstorff claims that the goods every human has a right to "are all goods in one's life or history, states or events that contribute to making one's life and history a *good* life and history."[7] Life-goods are states and events in one's life that are good (either intrinsically or instrumentally) for the person and contribute to one's flourishing, like food, water, shelter, privacy, clean air, good health, and myriad of other goods. History-goods, on the other hand, are states and events that contribute to one's history having the worth that it does, like not having someone spread vicious rumors about your character.[8] From this understanding of human goods, he derives a unique theory of rights that has both consequentialist and non-consequentialist components and serves as the basis for his theory of distributive (i.e. primary) justice. For Wolterstorff, justice occurs when moral agents get what they deserve—their rights are respected, and they respect the rights of others. Performing right actions and creating a just state of affairs, then, requires moral agents to both consider their own life-goods *and* the life-goods of others at the same time. In the following paragraphs, I will explain, in detail, Wolterstorff's explanation of, and arguments for, eirenéism.

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[6] For the most part, I will use 'inherent worth', but at times I will use 'intrinsic worth' to mean the same thing.
[7] Wolterstorff, *Rights and Wrongs*, 207.
[8] Ibid., 227.

Wolterstorff formulates a conception of the good life as the life that is *lived well*,[9] and he says, "The philosophical tradition has no name for this particular moral vision…it is not deontologism, nor is it consequentialism."[10] This new understanding of the good life is called eirenéism, which comes from the Greek translation ('eirenē') of the Hebrew word 'shalom', which is translated in English as 'peace'. Unlike some contemporary understandings of peace, as a lack of conflict, shalom refers to the state of affairs between moral agents, where agents not only lack conflict but also enjoy the goods necessary for their flourishing.

Eirenéism is an ethic of vulnerability and compassion. For Wolterstorff, "Vulnerability is intrinsic to eirenéism. My flourishing is not and cannot be in my own hands."[11] To achieve shalom, then, one must not only be in relation to others and respect their rights, but they must also embrace (i.e. *enjoy*) his or her own vulnerability in this relationship. Consequently, moral agents must accept their own vulnerability, the vulnerability of others, and then should act in ways that promote all parties' flourishing.

The good of eirenéism is to have one's life go well, and for one's life to go well, among other things, one's rights (life- and history-goods) must be respected and one must respect others' rights. One of the most important features of eirenéism is that it maintains there are two necessary components of morality, the agent-dimension and the recipient-dimension.

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[9] It is important to make note that this is the life that is *lived well*, not a *well-lived* life. The latter is eudaimonism. Wolterstorff also refers to eirenéism as the flourishing life, but since eudaimonism is referred to in the same way by many, I will refrain from calling it the flourishing life.
[10] Wolterstorff, *Rights and Wrongs*, 226.
[11] Ibid.

The agent-dimension of morality is the feature of morality that claims: a moral agent is guilty of wronging another moral agent (or agents) when that moral agent fails to respect an obligation he or she has to another moral agent (or agents). As the name suggests, the agent-dimension focuses primarily on the moral agent who commits a moral harm or wrongdoing, and it says nothing directly of the recipient(s) (i.e. victim(s)) of the agent's wrongdoing. The closest the agent-dimension comes to addressing the recipient(s) of wrongdoing is when it refers to the obligation(s) the agent has to others, but even then, the wrong is discussed primarily in relation to what the agent should have done, the status of the agent, and what is required of the agent.

On the other hand, according to the recipient-dimension of morality, a moral agent is a recipient of wrongdoing when another moral agent disrespects or ignores what the recipient-agent is morally entitled to. The recipient-dimension of morality provides a relational counterbalance to the agent-dimension by focusing on how and in what way the victim is wronged. As a result, the recipient-dimension enables a moral agent to meaningfully discuss the victims of wrongdoing, what they are owed, and how they should act after being wronged. Including the recipient-dimension provides the conceptual tools to meaningfully discuss what the agent is required to do, in *relation* to the recipient, after wronging a recipient. Without both dimensions of morality, ethical theories are lacking when it comes to discussing the *recipient* of wrongdoing.

Since eirenéism recognizes both dimensions of morality, an individual has both obligations to treat others in a certain way (i.e. respect their rights) and rights to be treated in certain ways (i.e. others have obligations to respect those rights). In other

words, there is a correlation between your rights and my obligations (and vice versa). We are both morally required to provide for each other's rights, while at the same time discharging our obligations that result from these rights, which is what I will refer to as 'respecting one's rights'. Living well for an eirenéist, then, becomes a matter of respecting the rights of others and having one's own rights respected, which culminates in a *just* state of affairs.

Part of being an eirenéist is the recognition that much of our own well-being is in the hands of others, that many of the goods to which we have a right, based on our inherent moral worth, are in the hands of others—and the well-being of others is in our own hands. For instance, your ability to enjoy the right to walk in World's Fair Park is partially dependent upon me not preventing you from going on your walk, and my ability to enjoy the right to the basic good of food will be dependent on others not hindering me from obtaining food and, in some cases, actually providing me with food. As individuals, we are *not* in control of our well-being as much as more agent-centered moralities suggest.

According to Wolterstorff, human life is intrinsically social (i.e. based on social relationships), and so the good life is intrinsically social too. As a result of this social feature of morality, and that each person has a set of rights based on his or her inherent moral worth, we must accept the fact that we are vulnerable to having our rights disrespected and realize that others are vulnerable to us disrespecting their rights. In other words, each moral agent is vulnerable to varying degrees, depending on his or her abilities and circumstances, to other agents not carrying out the obligations that arise

from one's rights. Eirenéism requires that moral agents become cognizant of these vulnerabilities, and obligates them to provide for the rights others have, in order for everyone to flourish. To create a just state of affairs a moral agent cannot simply consider his or her own moral well-being and actions, while only instrumentally considering (or not considering at all) the needs of others, but must also consider other moral agents who are socially connected to him or her.

A relational conception of morality requires the inclusion of the recipient-dimension of morality, in order to adequately describe what actually occurs when one is wronged and to make concessions for the recipients of wrongdoing. The recipient-dimension of morality allows for those who are wronged to make the claim that they have been wronged—they have not been given what they have a right to. It gives a recipient of wrongdoing a voice in which to make their own moral claims, based on their inherent worth.

When the agent- and recipient-dimensions comprise morality, we begin to see that individuals, as agents and recipients, both have certain rights and certain obligations to respect those rights. In fact, the agent- and recipient-dimensions of morality are why Wolterstorff formulates a rights-based theory of ethics; he says, "The language of rights and of being wronged enables the oppressed to bring their own moral condition into the picture: they have been deprived of their right to better treatment, treated as though they are of little worth."[12] Rights talk, then, allows one to discuss wrongdoing in terms of each moral agent as an end in themselves—as both agents and recipients.

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[12] Ibid., 9.

A result of respecting the life- and history-goods of other moral agents is that, at times, one is required to refrain from acting, while at other times one is required to act, in order to help ensure the flourishing of all moral agents. The goal of eirenéism is a moral state of affairs where all moral agents are better prepared to live a just life that results in peaceful flourishing and the peaceful flourishing of others, because we recognize vulnerabilities and live appropriately.

One of Wolterstorff's favorite examples is the right to go for a walk, let us say in World's Fair Park. Not only does Wolterstorff have a right to go for a walk in World's Fair Park, but all other moral agents have a corollary obligation not to prevent him from enjoying his right to go for a walk. This description of a negative right (a right to not have others interfere), however, is common amongst right theories. Eirenéism suggests moral agents are obligated to also provide for the life-goods of others, if possible and when it is appropriate. For instance, imagine a friend who is going through a difficult time in her life, and all she needs in order to be happy is for you to spend the afternoon consoling her. Your friend's need of consolation is a life-good, since it is what she needs in order to peacefully flourish. Eirenéism, then, maintains that you have an obligation to spend the afternoon with your friend, unless there are morally significant reasons for why you are incapable of spending the afternoon with her. In all cases, eirenéism requires that we attend to the life-goods of others, if we are capable of doing so, whether that involves acting or refraining from acting.

Miroslav Volf's description of eirenéism explains this aspect nicely. Eirenéism requires individuals to live their lives "in harmony with and delight in the physical world,

fellow human beings, God, and themselves."[13] Volf says, "When I care, then I attend not just to a person's rights—respecting them as well as making sure that others respect them—but also to her needs, her wants, and her delights; then I take an interest in her, in her particularity, and for her own sake, and I seek to enhance her life-goods. It takes mutual generosity of this sort, as well as mutual respect for rights, for human beings to flourish fully."[14] Volf's description is influenced by the theological features of eirenéism, but it makes an important general point about eirenéism. The harmony eirenéism envisions is a moral landscape where agents work together to become aware of the needs of both oneself and others; this is why eirenéism focuses on compassion and awareness of vulnerability. With the needs of all moral agents in mind, eirenéism maintains that one should work towards providing for one's own needs *and* the needs of others—refraining from hindering others obtaining life-goods, and, if possible, providing the life-goods for others.

Because one's life-goods are states or events that are good for one's flourishing, "natural preferables" play an important role in determining the life-goods to which one has rights. Natural preferables are things that are part of our lives, simply by virtue of being born, or things that become part of our lives during the process of living, and they are causally responsible for our happiness and flourishing. They include, among other things, life, health, pleasure, family, love, beauty, strength, good reputation, and wealth. These preferables are part of what it means to be a social being (i.e. human), and we are

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[13] Miroslav Volf, "God, Justice, and Love: The Grounds for Human Flourishing. Review of *Justice: Rights and Wrongs*, Nicholas Wolterstorff. Online at www.christianitytoday.com/bc/2009/ janfeb/16.26. html (Accessed February 6, 2010).
[14] Ibid.

vulnerable to having them taken away and in some cases, simply not having them—either by natural events (e.g. natural death, sickness, etc) or by others. As seen in the example above, of the friend who has a right to the life-good of having you console her, moral agents are required to both not purposely cause someone's unhappiness and, if necessary, strive to bring happiness to those who need it.

Because natural preferables are causally related to our flourishing, and they help to determine the life-goods to which we have rights, eirenéism is a much stronger theory of rights than is typically formulated. As I will show throughout this dissertation, eirenéism requires much more from moral agents than most ethical theories. In fact, the main focus of this dissertation deals with the possibility that eirenéism is too strong in regards to what it requires from moral agents who are wronged, but I will show that such a conclusion is too hasty. It is true that eirenéism requires much from moral agents, but I will continually argue throughout this dissertation that what eirenéism requires is *not* so burdensome that it should be rejected.

Some conceptions of the good life, like eudaimonism, conceptualize natural preferables in a much different way. Eudaimonism suggests that one should be wary of becoming too attached to natural preferables because their loss (or abundance) may hinder one's ability to be happy—they might cloud one's judgment about what a virtuous person would do or create some type of emotional disturbance that inhibits an agent's ability to live the good life.[15] Eudaimonism maintains the virtues are skills by which one deals with the loss and/or gain of natural preferables. Natural preferables can produce

[15] Wolterstorff, *Rights and Wrongs*, 161.

great pleasure for a person, and their loss can cause great pain. Either way, natural preferables run the risk of hindering the eudaimonist's ability to be happy. A eudaimonist seeks to live a life of moderation, and becoming overly attached to natural preferables might cause one to act viciously. For instance, if a person became overly attached to a lover, she might do incredibly foolish things in order to impress her lover, or if the lover died, she could become incredibly sad. In order to avoid these vicious extremes, which hinder one's happiness, it is best for a eudaimonist to remain somewhat separated from their natural preferables, in order to live a life of moderation.

On the other hand, the eirenéist maintains these preferables are both a necessary component of being human and vital to one's flourishing—they illustrate our vulnerabilities and call us to action. Eirenéists accept the fact that these preferables might be taken away, and that we are vulnerable to them being taken away by others. Instead of constructing a barrier between oneself and one's natural preferables, eirenéism suggests we embrace these unique features of life and work towards living a life where one's right to his or her natural preferables are respected, and others' rights to their preferables are respected.

For eirenéism, the good life requires one to work towards a state of peace for all moral agents, based on the inherent worth of all agents, and providing for one's natural preferables (i.e. the goods in one's life) is part of this peace. The rights we have are determined by the goods we need in order to flourish, and we can be prevented from obtaining these goods, or we can have others provide these goods for us. Enjoying the life-goods to which we have rights are dependent on ourselves and others, due to the

social nature of human existence, and as a result, rights demarcate the "normative relationships that incorporate life-goods."[16] Such a suggestion emphasizes the role of vulnerability (and as we will see below, compassion) in living the good life. Put simply, an eirenéist would say, we are not in control of our own well-being as much as we would wish for ourselves in a perfect world, perhaps; but it is the best we can hope for in this world.

The above is a brief explanation of what Wolterstorff maintains is the good life, and it suggests a shift in the typical philosophical understanding of moral relationships. Not only does eirenéism ask one to recognize the role of inherent worth in creating the need for a theory of rights, how one's flourishing is in the hands of others, and how natural preferables are important to human flourishing, relationships, and life in general, but it also requires *much* more from moral agents than traditional conceptions of the good life. Wolterstorff states, "The eirenéist holds that having adequate food available and decent shelter are constitutive of one's flourishing, not just instrumental to it; the natural preferables are constitutive of flourishing…[, and] having one's rights honored is likewise constitutive of one's flourishing."[17] It is now time to turn to a discussion of Wolterstorff's theory of inherent natural rights, which will help the reader better understand eirenéism and what sort of implications arise from its acceptance.

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[16] Ibid., 222.
[17] Ibid., 226.

**Wolterstorff's Theory of Rights and Justice**

With a basic understanding of eirenéism and its core characteristics, I will fill in this account by presenting Wolterstorff's theory of rights and justice, both of which are direct extensions of accepting eirenéism. Wolterstorff argues in *Justice: Rights and Wrongs* that primary justice is a state of affairs in which persons enjoy what they have a right to.[18] When a person does not enjoy what she has a right to, an unjust state of affairs exists, and therefore, she is wronged. By 'primary justice' Wolterstorff means distributive justice, where the goods to which one has rights are properly distributed. Wolterstorff is not concerned with retributive (or rectifying) justice.

In terms of rights, Wolterstorff argues that individuals have a set of rights based on the inherent worth that each human has, respectively. For the most part, I will assume that Wolterstorff's argument that humans have inherent worth that serves as the foundation for human rights, and creates obligations in other individuals to respect those rights, is correct. Delving into his arguments for the inherent worth of humans takes me too far away from issues of forgiveness, and avoiding these arguments will *not* affect my ethics of forgiveness.[19]

Wolterstorff conceives three fundamental features of rights. First, rights are normative social relationships. According to Wolterstorff, rights only exist in regards to

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[18] Ibid., xii.

[19] The reader might object: how can one make use of theory of rights based on the inherent worth of humans, without providing arguments for why humans have inherent worth; for, if humans lack the inherent worth that Wolterstorff claims they have, then Wolterstorff's theory of rights appears to have no way of explaining how and why humans have inherent natural rights? I see nothing wrong with assuming the inherent worth of humans, and seeing what sort of implications follow from such an assumption. There is a wide range of literature on the topic of human worth, and I would direct the reader to this literature or to Wolterstorff's arguments concerning human worth in *Justice: Rights and Wrongs*.

others. Rights require a community of individuals. An individual cannot make a claim to one's rights unless there are other individuals to make a claim against. A single solitary human, on a planet with no other humans, still has the inherent worth that rights are based on; the only thing missing are the social relationships that allow for claims-rights to be made.

The next characteristic of rights is that one's rights are rights to goods in one's life. By "goods in one's life" Wolterstorff means the state of affairs (i.e. the event or happening) of having one's life- and history-goods met, not a right to any specific object or good. There are two features of this characteristic. The first concerns the notion that the rights a person can legitimately claim are to events or states of affairs, not to specific goods. A person's rights are determined by one's life-goods, but one's rights are not to specific items; rather, they are rights to enjoy such items. This is a subtle point, but it gives rights theorists a way of avoiding certain conundrums. For example, imagine the case referred to above, where your friend has a right for you to console her, since it is one of her natural preferables. The appropriate way to explain her right is to say, she has a right to enjoy your consolation. Her natural preferables do not grant her any rights over your personal body; rather, she has a right to the state of affairs that involves your consolation. As a result, if for some reason you are unable to console her, you do not necessarily wrong her. She might feel wrong, but if you are incapable of consoling her, then you do not wrong her by not consoling her. More will be said about this feature throughout the dissertation.

The second component of this characteristic shows that Wolterstorff's theory of rights has consequentialist features, along with the non-consequentialist features (i.e. inherent worth) that are most commonly associated with rights theories. For Wolterstorff, a moral agent has a right to life- and history-goods. These goods are determined by what an individual needs. Some basic examples of such life- and history-goods are food, shelter, privacy, freedom, not to be lied about, etc. A consequence-based rights theory is quite a departure from Contractarian rights theories that base one's rights on the moral status (or capacities) of individuals and the explicit and/or implicit contracts they make. This characteristic separates Wolterstorff's theory of rights from other agent-centered rights theories that neglect the recipient-dimension of morality.

The third, and final, characteristic is that rights are boundary-markers. Wolterstorff explains that rights serve as "trumps" on our behavior by giving us normative guidance when dealing with others, while at the same time delineating when, and in what way, others *should* not wrong us. For instance, rights tell us we should not harm others for our own benefit, while at the same time telling others that they cannot harm us for their benefit. Rights give us a way of explaining what one is owed, and why we must act in certain ways to discharge our responsibility to others. According to Wolterstorff, "The concept of a right…is conceptually posterior to the concept of the good, so also the concept of a moral virtue is conceptually posterior to the concept of a morally admirable act."[20] Due to this conceptual framework, others have rights to certain goods, which we must act on, even if it goes against what we think is the virtuous (or

[20] Wolterstorff, *Rights and Wrongs*, 289.

good) thing to do. In other words, "If I have a right against you to the good of some action on your part, then your performing that action is to take precedence for you over whatever balance of life-goods and evils might ensue from not performing that action, provided no one has a right to any of those life-goods."[21]

So, if I am owed a fair and impartial decision concerning a piece of art that I entered into a competition, then the judge is obligated to give me a fair and impartial decision, even if the judge has several "good" reasons for not being impartial. One "good" reason might be that one of the contestants will be devastated by the loss that results from a fair and impartial decision, and because the judge knows about this contestant he wants to act compassionately to prevent the contestant's emotional distress. However, my rights act as a trump on the behavior of the judge, marking out the boundaries of acceptable moral behavior. Just because the other contestant will suffer great distress, and eirenéism requires moral agents to act compassionately, the judge does not gain the right to ignore that to which I have a right. I have a right to win, assuming I have the best piece of art, and the other contestant lacks such a right. What the other contestant has a right to is to being told of his loss in a gentle and compassionate way as possible and some sort of therapy or counseling. Therefore, if the judge has knowledge of the emotional instability of the contestant, the judge should not ignore my rights and grant the prize to the other contestant; instead, he should grant me the prize, while at the same time providing some sort of assistance to the other contestant to ensure s/he gets the

[21] Ibid., 291.

life-good that s/he has a right to. The rights of both me and the other contestant require the judge perform certain morally appropriate actions.

To better understand Wolterstorff's theory of rights and justice, let us look at what he calls the *principle of correlatives*:

> If Y belongs to the sort of entity that can have rights, then X has an obligation toward Y to do or refrain from doing A if and only if Y has a right against X to X's doing or refraining from doing A.[22]

Wolterstorff uses the principle of correlatives as a framework in which each individual has certain claim-rights (rights to which one can make a claim) that correlate to certain obligations that others have to respect those rights. So, unlike rights theories that focus primarily on the negative rights of individuals and the negative rights of others to not infringe upon those rights, Wolterstorff's theory maintains there are both a set of negative rights that tell us not to infringe upon others' rights, and there are positive rights (i.e. obligations) that require us to make available the goods to which others have rights.

To illustrate, a Contractarian rights-theorist might claim that someone, let us call her Sally, has a right to, and is entitled to, the food that she produces; in other words, Sally can do as she chooses with the fruits of her labor. And, if another neighbor (Susan) fails to have enough food, then Susan has no right to Sally's extra food, nor is Sally obligated to give Susan any food—there are no contracts, agreements, or other moral features that obligate Sally to give. Eirenéism disagrees, and the principle of correlatives shows us why.

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[22] Ibid., 34.

Assuming having enough food to live is a life-good, then Susan has a right to enough food to live; and if Sally has more than enough food, she is obligated to (along with everyone else who has more-than-enough food) to make food available to Susan. Not making food available to Susan violates her right to such a life-good, and as a result Susan is wronged—an injustice occurs because she is denied what she has a right to. So, not only does Sally have a right to her own food, but Sally also has a corollary obligation that results from Susan's right to the life-good of food.

Why does Sally only have an obligation to provide Susan food, if Sally has excess (i.e. more food than she needs to survive); would she not have an obligation to provide food for Susan, regardless of the amount of food she has? For eirenéism, the answer lies somewhere between "yes" and "no." An unqualified "no" is inadequate because it implies a type of self-centeredness that eirenéism conceptually opposes. One is not to place one's own needs solely above the needs of others; rather, one is to strive to address the needs of others in relation to one's own needs. An unqualified "yes" is also inadequate because it ignores Sally's life-goods. Eirenéism does not imply a type of radical altruism where moral agents must sacrifice their own health and well-being, in order to provide for the health and well-being of others.

To understand the eirenistic answer, we must look closely at the set of life-goods that each agent has and their corollary obligations. Both neighbors have a right to sufficient food. For this case, assume Sally has nothing above the minimum amount of food she needs to survive. To take away part of Sally's food because Susan has less than what is needed to live would be to wrong Sally. In fact, to take such a position is to

create a contradiction: Sally would both have a right to sufficient food and an obligation to give away part (or all) of the food she has a right to. What is more, if this were true, upon receiving the food, Susan would be obligated to give it back because Sally would still have a right to sufficient food. We, therefore, are at an impasse.

In *Justice in Love*, Wolterstorff deals with this particular impasse by listing three eirenistic "rules of application":

> Rule 1: *Seeking to promote someone's good or secure someone's rights as ends in-themselves should never be done at the cost of wronging someone.*
>
> Rule 2: *One should seek to promote one's own good and secure justice for oneself as ends in themselves, though never at the cost of wronging someone.*
>
> Rule 3: Rule 3: *One should never seek to…diminish the person's flourishing*[23] *as an end in itself; one should seek to…[diminish the persons flourishing] only if doing so is an indispensable means to promoting greater goods in the life of that person and/or others, only if one should be promoting those greater life-goods, and never at the cost of wronging someone.*[24]

Rules 1 and 2 lead to the impasse discussed above, because they require moral agents to provide for their own needs, provide for the needs of others, while at the same time neither wronging oneself or the other. In other words, Sally wrongs Susan by not providing the food that Susan has a right to and Sally wrongs herself by not retaining the food that she has a right to.

Rule 3 breaks the impasse by allowing moral agents to "diminish the flourishing of agents" (*but not wrong them*), when doing so promotes the greater good, in the sense

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[23] I replaced Wolterstorff's use of 'evil' with 'diminish the person's flourishing' in this rule to avoid a lengthy explanation within the text of why he uses 'evil'. Wolterstorff uses 'evil' to represent "life-evils," as opposed to life-goods. In the text, he defines 'evil' as that which diminishes a person's flourishing, which is why I replaced the term. To be clear, he does not use 'evil' in the stronger sense of willfully causing great harm to others.

[24] Nicholas Wolterstorff, *Justice in Love* (Grand Rapids, MI and Cambridge: William B. Eerdmans Publishing Company, 2011), 119 and 130.

of a more just state of affairs. The rejoinder '*and never at the cost of wronging someone*' keeps eirenéism from becoming utilitarianism by only allowing temporary harm (i.e. diminishing flourishing); as long as the harm is done in conjunction with one's working towards the greater flourishing of the other. Only then, does the diminishing of one's flourishing not wrong the other person.

The impasse of Rules 1 and 2 create a state of affairs where neither agent can enjoy the life-good to which they have a right, but Rule 3 allows Sally to have the food that she has possession of, for the sake of promoting the greater good. To see how this is possible, Rule 3 needs to be examined carefully.

"Seek to impose some evil' should be interpreted as 'act in such a way as to diminish someone's flourishing'; and the only justification for performing such an act is:

> 1. The act is necessary for promoting the greater good of that person or other;
> 2. It is justified for one to promote that particular greater good of that person or other; and
> 3. The promotion of the greater good is never at the cost of wronging that person or other.

To make sense of this rule we must distinguish between "wronging" someone and "diminishing the person's flourishing." To wrong someone is to not make available the goods to which one has a right, which creates a state of injustice; while to diminish a person's flourishing is to somehow perform an action or to say something that inhibits (or limits) the enjoyment of some good or activity. To more clearly see how this works, it is best to first imagine Sally with more than enough food. Simply put, Sally is not wronged by having a portion of her "extra" food removed. As noted above, Susan's right to sufficient food *trumps* Sally's right to her extra food. Susan does not wrong Sally by

taking her extra food, since Susan has a right to it. She, at most, diminishes Sally's flourishing by preventing her from enjoying the nutrition contained in the extra food. According to eirenéism, because Susan has a right to sufficient food, and her right trumps Sally's right to having extra food, Sally is not wronged by having a portion of her extra food taken away. It is in this sense that one can diminish one's flourishing without wronging him or her.

Now back to the case where Sally only has sufficient food. Since Sally has a right to sufficient food, she does not wrong Susan by withholding food from Susan. Granted, Susan's flourishing is not increased because she does not receive any food, but she is not wronged by Sally in any way. So, the impasse is broken. But with the impasse broken, we can draw at least one very important conclusion from the 3 rules of application.

Rule 1 requires one to seek the good of others (to make sure they have the goods to which they have a right), and Rule 2 requires one to seek one's own life-goods to which one has a right. The combination of these Rules, along with Rule 3, implies that moral agents should be continually seeking (i.e. working towards) ensuring all moral agents have the life-goods to which they have a right, on a personal level, an interpersonal level, and on a broader social level. So, we can make the following conclusion concerning what is required of moral agents: in instances when a moral agent cannot provide for the life-goods for himself or herself, or others, other moral agents are required to work towards providing said life-goods. In the Sally and Susan case, then, when Sally cannot provide food for Susan, she is still required to *work towards* providing

food, since the greatest good, in terms of creating the most just state of affairs, is for both of them to have sufficient food.

For an eirenéist, the obligation to provide for others, based on their inherent worth, still exists, but when one is incapable of making a life-good available, the obligation manifests itself differently, as an obligation to work towards providing said life-good(s). As Wolterstorff says, "What each of us should do, and more narrowly, what each of us ought to do, depends crucially on our abilities, our resources, our circumstances, our opportunities, even our convictions."[25] So, a moral agent who has only sufficient goods to which s/he has a right is not required to give up said goods, in order to provide for others, since doing so creates an impasse; but, in such cases, the obligation to provide for other's life-goods manifests itself as an obligation to work towards providing for those life-goods.

In order to be clear, here is another example. Imagine you are on an airplane with just one other passenger who is sitting next to you, and due to a decrease in cabin pressure, oxygen masks are needed. Unfortunately, for the other passenger, the only masks that deploy are the one in front of you and one at the front of the plane. Both of you have a right to an oxygen mask, but without a mask, neither of you can reach the front of the plane in time. As anyone who has ever flown knows, you should first put your mask on *before* helping others, and because the mask that deploys in front of you is "yours," your obligation is to put the mask on, and only then, should you attempt to get the other person oxygen. Hence, you have a right to the life-good of the mask, even at

[25] Ibid., 131.

the *temporary* expense of the other passenger, because doing so produces the greatest good. Of course, once you have your mask, you have the obligation to help your fellow passenger get oxygen. To not allow for such a moral feature would suggest that you both have (and do not have) a right to the mask in front of you, which means you both will die. It is only by allowing the individual who has ownership of the mask, the right to the life-good of the mask, and then obligating the one with the mask to seek the good of the other, that both individuals are saved. The same is true for food: both can starve or one can eat and strive to provide for the other. This is the sort of just moral landscape that eirenéism supports.

Wolterstorff uses this theory of inherent rights to ground his theory of justice. For Wolterstorff, justice is the state of affairs where one's life- and history-goods are respected, while at the same time respecting the life- and history-goods of others. For Wolterstorff, justice requires more than just an abstract notion of what a moral agent is due; instead, it requires an explanation of the *relationship* between moral agents and recipients. On his account, justice results from the relationships between individuals and others, which allow one to make claims concerning what one is owed, while also creating obligations for others to respect those claims. More precisely, he says:

> I think of justice as constituted of rights: a society is just insofar as its members enjoy the goods to which they have a right. And I think of rights as ultimately grounded in what respect for the worth of persons and human beings requires.[26]

Within this explanation of Wolterstorff's project, one can already see how justice occurs between individuals who are relationally connected. A society is just insofar as

[26] Ibid., xii.

the individuals within the society enjoy the goods to which they have a right (i.e. have their rights respected). An implication of this is each individual within a society is obligated to respect the rights of others—because each and every individual is worthy of this respect. Inherent rights are not a result of society being structured in a certain way;[27] rather society should be ordered in such a way as to respect the inherent natural rights of individuals and to promote individuals' ability to meet their obligations of respecting these rights.[28]

To wrap up, for Wolterstorff, the most important reason for having rights-talk is that it is the only ethical position that makes possible the meaningful discussion of the recipient-dimension of morality, which is necessary to adequately understand human morality and to ensure justice. On Wolterstorff's account, rights are prior to justice; without rights, we cannot make sense of primary justice: "justice is the rendering to each their right."[29] It is by enjoying one's right to a good—getting what one is due—that individuals are is treated justly, and these rights exist as a result of moral agents with inherent worth standing in a relationship to each other. Justice requires that we resist the egoistic desire to ignore the claim that others' inherent worth places on us; and that while providing for our own needs, we should provide for the needs of others. This strong (action guiding) relational feature of Wolterstorff's theory of justice provides a unique foundation on which to formulate a new relational ethics of forgiveness.

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[27] Though certain civil rights might result from the structure of society, these civil rights are not the rights that result from the inherent worth of humans: hence, that are not relevant to the current discussion.
[28] Much more could be said about what society is obligated to do, but for now such concerns are irrelevant.
[29] Wolterstorff, *Rights and Wrongs*, 22.

**Comparing Eirenéism with Eudaimonism and the Experientially Satisfying Life**[30]

In the next several paragraphs I will examine both the experientially satisfying life and eudaimonism in order to show the reader how exactly both differ from eirenéism. The majority of this section will be devoted to contrasting eirenéism with eudaimonism, since both share many similarities. My goal in this section is to further illustrate the uniqueness of eirenéism as a foundation for a new ethics of forgiveness. My goal is not to argue against the acceptability of either eudaimonism or the experientially satisfying life, and any criticism of either is merely meant to help distinguish them from eirenéism.

The experientially satisfying life, referred to as utilitarianism, is one component of many consequentialist theories. There are many kinds of utilitarianism, but all are ends-based theories of ethics that make use of a decision-making procedure that focuses on maximizing the best consequences, while at the same time minimizing negative consequences. More precisely, utilitarians maintain that the morally correct outcome is the one that produces the most good, but utilitarians disagree on what counts as 'good'. For some, good means pleasure, but for others it means preference satisfaction. Also, utilitarians disagree on the loci of applying their decision-making procedure. Some focus on individual actions, some general rules, and others focus on codes of ethics, all of which should produce the best consequences. To help limit the discussion, I will focus mainly on hedonistic act utilitarianism, which maintains that when faced with a decision of how to act in a particular situation, individuals must choose the course of action that

[30] Portions of this subsection and the following two subsections originally appeared in: Court Lewis, "Interference, The Doctor, and The Good-life," *Ruminations, Peregrinations, and Regenerations: A Critical Approach to* Doctor Who, edited by Christopher J. Hanson (New Castle upon Tyne: Cambridge Scholars Publishing, 2010).

will produce the most pleasure for the most people, while at the same time minimizing the amount of pain produced. Because all forms of utilitarianism focus on the production of good outcomes, while simultaneously rejecting the notion of intrinsic value, the differences between the experientially satisfying life and eirenéism can be demonstrated without examining each type and feature of utilitarianism.

Let us begin by looking at the relational features of utilitarianism. There is a definite relational component with utilitarianism, in the sense that utilitarians are required to consider all relevant others who might be affected by an act or decision. Utilitarianism maintains each agent has equal moral worth based on his or her ability to feel pleasure and pain, but it is one's ability to feel pleasure and pain that makes the agent part of the moral community. Utilitarians do not think that agents have any sort of inherent moral worth. As a result, the experientially satisfying life allows for moral agents to disrespect what an eirenéist would call the rights of others, if doing so produces the most overall pleasure or good. This feature means that the experientially satisfying life allows for injustice. Such a complaint is not new, but Wolterstorff's criticism runs deeper.

To live a just and experientially satisfying life, one's rights must be respected, or at the most, only minimally disrespected. In other words, everyone is harmed from time to time (sometimes for good reasons), and just because one is harmed, it does not follow that the experientially satisfying life unacceptably promotes injustice. However, Wolterstorff goes on to show that the experientially satisfying life is lacking as a candidate for the good life because a person can be systematically deprived of rights, and

therefore systematically wronged, without ever directly experiencing the deprivation of rights.[31] Let us look at two examples to illustrate this conceptual flaw.

First, imagine someone who has his privacy infringed upon, while never actually knowing about the infringement. In this case, the individual is assumed to have a certain right to privacy that brings him happiness, and through the actions of the government, or a peeping-tom, he has his right to privacy infringed upon—he is wronged. This deprivation, however, does not cause the individual any discomfort or pain, because he never becomes aware of the violation of his privacy. Hence, he lives an experientially satisfying life, even though he is constantly being wronged (i.e. living in a state of injustice) by not having his right to privacy respected.

Second, imagine a person who has her name and reputation slandered by malicious rumors; but she never learns of these malicious rumors, nor do the effects of these rumors hinder her experiences. Such rumors have no effect on her life- and history-goods, and as a result, she can live an experientially satisfying life without ever being harmed. Yet, she is continually wronged—her right to her history-good (i.e. her reputation) is not being respected. Just like the first example, this one shows that an individual can be wronged (or in a constant state of being wronged) and yet suffer no damage to the satisfaction of her life experiences.

Eirenéism, as the basis for a theory of rights, maintains that being wronged is immoral, whether the one being wronged realizes s/he is being wronged or not. The experientially satisfying life suggests that it is morally acceptable to be wronged, as long

[31] Wolterstorff, *Rights and Wrongs*, 147.

as the life experiences of the person being wronged remain experientially satisfying (all things considered). Such a claim amounts to saying that the good life is a life in which it is possible to habitually wrong others, or to be continually wronged oneself, as long as the person being wronged is not aware and suffers no discomfort. Of course, the utilitarian can respond by saying that since we cannot completely control the consequences of our action, and we cannot be certain that our actions will not be discovered, thereby, failing to minimize pain. As a result, we should not perform such actions. Regardless of the strength of the response, the difference between how utilitarians and eirenéists understand the moral landscape of humans is clearly apparent.

To illustrate, eirenéism requires a just state of affairs to exist, in order for the good life to be achieved. The experientially satisfying life is about maximizing pleasure, as is eirenéism in part, but eirenéism maintains that there is a set of rights that each individual has, which must be respected in order to produce the most good. As mentioned above, eirenéism has a strong consequentialist component: the life- and history-goods that a moral agent has a right to are determined by what one needs, which can only be fully determined by looking at the particulars in an agent's life and what sort of consequences will bring about the satisfaction of such needs. So, eirenéism agrees with the experientially satisfying life in the sense that it wants to produce the greatest amount of good.

However, eirenéism is unlike the experientially satisfying life in the sense that it incorporates non-consequentialist concepts like justice and rights. For eirenéism, the life-goods of a person create a set of rights that others are obligated to respect. The

experientially satisfying life allows agents to disregard these rights, as long as disrespecting them does not produce pain. This is what Wolterstorff's two cases are designed to illustrate.

There is at least one line of utilitarian reasoning that suggests the experientially satisfying life requires moral agents to provide for others' life-goods.[32] In such accounts, those who live in affluent countries, who have the ability to prevent unnecessary suffering, are obligated to provide for the needs of those who are less fortunate, since they are capable of preventing suffering without causing themselves to suffer. In other words, those with more-than-enough are obligated to provide for others because doing so maximizes pleasure, while at the same time minimizing pain. This seems to match the above case of Sally and Susan, where Sally is required to give Susan any extra food that she may have. However, there are two important differences, which illustrate why eirenéism is different from this sort of utilitarian account.

First, the motivation for why a moral agent is obligated to provide is different. The experientially satisfying life says that a person should be motivated by maximizing some good, whether that is pleasure, preference satisfaction, or something else, while eirenéism maintains that a person should be motivated by the inherent worth of the other—the maximization of pleasure is a consequence of providing for others, not the motivation for acting. They agree that the morally correct action is to provide for others, within certain parameters, but an eirenéist is motivated by the fact that the other has

[32] Three of the most well-known are: Brad Hooker, *Ideal Code, Real World: A Rule-consequentialist Theory of Morality* (Oxford: Clarendon Press, 2000); Peter Singer, "Famine, Affluence, and Morality," *Philosophy & Public Affairs* Vol. 1, No. 3 (Spring 1972) : 229-24l; and Peter Unger, *Living High and Letting Die: Our Illusion of Innocence* (New York and Oxford: Oxford University Press, 1996).

inherent moral worth that creates the obligation to provide for the needs (i.e. the pleasures and pains) of others. Second, the obligation to provide for others does not seem to exist for the experientially satisfying life when a person does not have more-than-enough. The experientially satisfying life might justify providing for others, at the cost of one's own nourishment, when doing so prevents the other from dying, but for eirenéism, the obligation to provide for others still exists regardless of one's own abilities, because it remains a life-good of the other. In such cases, the obligation manifests itself differently, as an obligation to work towards providing for others. Just as we saw above with the Sally and Susan case, when Sally does not have enough food to provide for Susan, she still has an obligation to work towards being able to provide for the needs of Susan, even if she is never able to achieve such a status. It is not clear to me that the experientially satisfying life supports an obligation to work towards having more-than-enough, in all cases, in order to provide for others. It would, if and only if, working towards having enough is the best use of a person's time, measured in terms of production of pleasure, overall. Even if (in certain cases) the experientially satisfying life supports the same obligations as eirenéism, eirenéism bases its obligations on a different sort of justification, the inherent worth of moral agents.

Therefore, there is a clear difference between the experientially satisfying life and eirenéism. Both are similar because they make use of consequentialist reasoning to promote the greatest good. But, eirenéism requires much more: it uses consequentialist reasoning to determine what a person's goods are, but it goes on to suggest that these life-

and history-goods create a set of rights that *must* be respected, in order to achieve a just state of affairs. When this justice occurs, the good life of shalom is achieved.

The next conception of the good life to contrast with eirenéism is eudaimonism. In the next few paragraphs I will tease out some of the key differences. The reader will see that most of the differences will be the result of eirenéism's assumption that each person has inherent moral worth that creates a certain set of rights. As a result, even though eirenéism and eudaimonism are similar, they will disagree on what counts as a just state of affairs and what motivates moral agents to bring about such a state.

*Eudaimonism* is the Greek term for happiness, flourishing, or well-being, and was used by Ancient philosophers, like Aristotle, the Stoics, early Christian philosophers, and over the past several decades, has grown in popularity amongst contemporary ethicists like Alasdair MacIntyre,[33] Martha Nussbaum,[34] and Robert M. Adams.[35] In order to mitigate some confusion between eudaimonism and eirenéism, because both use the term 'flourishing', I will refer to eudaimonism as the happy (or virtuous) life.

One of the most important features of eudaimonism is that 'happiness' should not be confused with mere pleasure. Pleasure is the state of having one's senses or mind stimulated in a positive way. Happiness, on the other hand, is something much more complex, and requires living a certain way. One can point to particular instances of eudaimonia, but one cannot generalize such particulars over an entire life. Living a

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[33] Alasdair MacIntyre, *The MacIntyre Reader*, edited by Kelvin Knight (Notre Dame, IN: University of Notre Dame Press, 1998).
[34] Martha C. Nussbaum, *The Fragility of Goodness: Luck and Ethics in Greek Tragedy and Philosophy*, Revised Edition (Cambridge: Cambridge University Press, 2001, First Published in 1986); and *Upheavals of Thought: The Intelligence of Emotions* (Cambridge: Cambridge University Press, 2001).
[35] Robert M. Adams, *A Theory of Virtue: Excellence in Being for the Good* (Oxford: Clarendon Press, 2006).

happy life is about living a life of moderation; about living a life that produces a virtuous character.

Wolterstorff says, "The eudaemonist holds that the ultimate and comprehensive goal of each of us is that we live our lives as well as possible, the well-lived life being, by definition, the happy life."[36] The most important question for the eudaimonist is "How shall I live?" not "What shall I do?" The latter question takes a myopic view of individual experiences, while the former question takes an overarching approach to deciding what is morally good, based on all of a person's life experiences. The answer to the eudaimonist's question is: live a virtuous/happy life. According to Aristotle, happiness is the ultimate end for humans, and therefore, what all humans strive for.[37] To achieve happiness a person must consider one's entire life and how the decisions he makes affect that life. This process is similar to that of the experientially satisfying life, but instead of looking at how to produce particular instances of desire-satisfaction or the greatest amount of pleasure for all, eudaimonists are concerned with producing a life that is well-lived and, therefore, happy. What is more, the happy life is a life of activity. Individuals are involved in the process of becoming "happy." Happiness is not a thing, like money, that can be possessed; rather, it is part of the process of making the right decisions about how to best live one's life. Living one's life virtuously, then, means that a person carefully considers his/her actions and decisions in order to cultivate happiness/virtue out of the random and planned events one is constantly confronted with.

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[36] Wolterstorff, *Rights and Wrongs*, 150.
[37] Aristotle, *Nicomachean Ethics*. Trans. Martin Ostwald (New Jersey: Prentice Hall, 1962).

Wolterstorff's main concern regarding eudaimonism is that "many of the goods to which we have rights are neither constituents nor conditions of the well-lived life."[38] He offers two main arguments for why this conclusion is true: 1) eudaimonism does not accept the notion of inherent moral worth, and so it lacks the recipient-dimension of morality; and 2) eudaimonism minimizes the role of natural preferables in a person's life, while eirenéism makes them necessary in determining what a person has a right to. As a reminder, I am more interested in how the differences between eudaimonism and eirenéism affect the relationship between moral agents, than whether or not eudaimonism is an adequate theory of the good life—so, that is where I will focus.

The first argument maintains that eudaimonism rejects (or lacks) the notion of inherent moral worth, and this results in its lacking the recipient-dimension of morality, which eirenéism maintains is necessary to make meaningful statements about the relationship between victims and wrongdoers. As mentioned in the previous section, Wolterstorff maintains there are two dimensions of morality, the agent-dimension and the recipient-dimension, and the existence of both of these dimensions is the result of accepting the inherent moral worth of humans. A result of the inherent worth of each individual is that each individual gains the right to be treated in a certain way (i.e. based on his/her worth, persons have a right to the goods in their life). In other words, a moral agent should treat others in a certain way because their worth requires it, not out of any agent-centered (i.e. instrumental) reasons, like promoting one's own virtuous character.

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[38] Wolterstorff, *Rights and Wrongs*, 207.

There are two closely-related eudaimonistic replies that suggest it does, in fact, incorporate a recipient-dimension of morality: friendship and compassion. Aristotle distinguishes three types of friendship (utility, pleasure, and virtue), only one of which is pertinent here—friendship of virtue.[39] Friendship of virtue is a friendship of equality, based on the good character of each individual. Both friends share in the good and strive to help each other to live the best life possible; we wish our friends well for their own sake, because they are good people, not out of any instrumental or selfish reasons. In such a friendship, friends become as one—they share likes, dislikes, interests, and values; it is as though their minds are bound together. Though such a friendship is rare, it suggests an instance where a moral agent acts based on the needs of the other, not on any instrumental personal needs, which implies a sort of recipient-dimension of morality.

Though it suggests a recipient-dimension, there are some subtle motivational differences between friendships of virtue and eirenéism. First, Aristotle's description of the foundation of friendship (i.e. self-love) implies that even friendships of virtue are based on quasi-instrumental reasons, as a means to promoting the good. As Aristotle states, "…[A]ll friendly feelings toward others are an extension of the friendly feelings a person has for himself" (1168b 5), and that it is the "egoist or self-lover in the truest sense who loves and gratifies the most sovereign element [that which is good]..." (1168b 30) that we consider morally strong.[40] Aristotle is not saying that we are selfish egoist; instead, he means that individuals with good character recognize what is good in themselves first, which they then recognize in their friends. Nevertheless, this implies

[39] Aristotle, *Nicomachean Ethics*, Books VIII and IX.
[40] Ibid., 260-261.

that what we are most concerned with is promoting the good, and that our friend of virtue is instrumental in promoting the good.

Eirenéism, on the other hand, maintains that moral agents should provide for the needs of others (as ends in themselves), regardless of whether or not they are friends. Each moral agent has inherent moral worth, and the rights that result from this worth do not depend on the status of friendship between the two. So, the scope of eirenéism is much greater than that of eudaimonism.

What is interesting about this criticism is that for eudaimonists the recipient-dimension (if it exits) is conditional on the status of the friendship. For instance, since the status of a friendship of virtue is based on equality between friends, if our friend becomes wicked in some way (lying, stealing, etc), even if they were not wicked towards ourselves, we cease to be friends of virtue. Instead, we at most become friends of utility or pleasure, since we are no longer moral equals, and we can no longer promote the good of our friends, for their own sake.

If the conditional status of friendship is applied to instances of suffering, we will see that a eudaimonist must be careful about how much s/he is willing to sacrifice for a friend. To address this issue, let us examine the concept of compassion. Compassion is the paradigm example of respect for the inherent worth of others. For Wolterstorff, compassion is the feeling of pain *with* the other, for the sake of the other, and can inhibit a person's ability to live the good life. The concern for eudaimonists is a good friend might be able to suffer with his or her friend for a short period, but over a long period of time, such suffering can inhibit a person from living a virtuous life. Continuing to suffer

is an extreme, and at some point, if the friend fails to recover, the best thing for the eudaimonist to do is to distance himself or herself from the friend. Remember, friendship of virtue is based on both parties equally participating in the good, which requires both to be actively living virtuous lives.

The non-suffering friend must avoid becoming too attached to the suffering friend (a natural preferable), or he too runs the risk of not living the good life. If the suffering friend continues to suffer, to live a life in an extreme state, the suffering friend will no longer be a moral equal of the other friend, and so their friendship of virtue will cease. Because the suffering friend is no longer participating in the good, the non-suffering friend can (at least conceptually) cease to be compassionate for the sake of the good.

This conclusion might appear too harsh, but Aristotle seems to suggest something similar. When discussing the alleviation of pain that friends bring about, he suggests that a true friend will not let others share in his suffering, and that a virtuous person will strive to avoid letting a friend learn of his suffering. He says:

> …[O]ne [a friend] tries to avoid being the cause of a friend's pain. For that reason, manly natures take scrupulous care not to let their friends share their pain, and, unless a man is extremely insensitive to pain, he cannot bear the pain which (sympathy for him) gives his friend. In general, such a person does not let others join in his lamentations, because he himself is not given to lamenting. But womenfolk and womanish men enjoy it when others join their mourning, and they feel affection for them as being their friends and sharers of their sorrow. Still, it is the better type of man whom we must obviously imitate in all matters.[41] (1171b 4-11)

This passage illustrates that Aristotle thinks that lamenting suffering is to be avoided because it falls short of the good. So, if a friend suffers, one must be mindful of the

[41] Aristotle, 270.

dangers of lamentations, and at some point he would need to distance himself from the suffering friend, in order to avoid running the risk of falling short of the good too (i.e. not living virtuously).

Let me try to condense the above more precisely. Eudaimonism is an agent-centered understanding of human moral agency.[42] It requires a moral agent to act virtuously in order to produce a virtuous character in oneself, with the hopes of living a happy life. When a eudaimonist considers how to act, he or she must consider what will benefit oneself by becoming more virtuous. Even though at great costs to oneself a eudaimonist might (and probably will) come to the aid of a friend of virtue who is suffering, in order to promote the good, conceptually, the eudaimonist acts out of a desire to maintain a good relationship that is *instrumental* to promoting the good. The eirenéist, on the other hand, is fundamentally motivated by the inherent worth of the individual, not the relational status of the other (as friend), though such things may enhance the rights of the other.

For Wolterstorff, the eudaimonist might talk of compassion, but because of the contingency of friendship, they mean something more limited than the continual suffering *for* and *with* a person who is emotionally or physically in pain. Wolterstorff maintains, "Compassion is an alienation of the self from the self; a forgetfulness of self and an emotional identification with the other."[43] For eudaimonists, a person's own virtue is constitutive of her happiness, and as a result, she should avoid the continual self-denying emotional disturbance of suffering with others, for it does not promote the good. On the

[42] Wolterstorff, *Rights and* Wrongs, 209.
[43] Ibid., 217.

other hand, the eirenéist is motivated to suffer with the friend, if necessary (i.e. if the friend needs someone to share one's suffering with), because the other's inherent worth gives the victim the right to enjoy the company of the friend, even if the suffering does not ultimately enhance the eirenéist's happiness.

Nussbaum spends several chapters of her book *Upheavals of Thought* arguing that compassion is an important part of eudaimonism. She claims that compassion is "a painful emotion directed at another person's misfortune or suffering,"[44] and is differentiated from things like grief, pity, and fear because of its cognitive component—"it involves the recognition that the situation matters for the flourishing of the person in question."[45] Nussbaum's description matches Wolterstorff's description of compassion, but a problem arises when Nussbaum explains the eudaimonistic foundation for compassion.

Nussbaum argues, as a eudaimonist, that the "faculty of moral choice" is possessed by all humans and that the superiority of this faculty constitutes "the dignity of humanity in each person." The problem, however, is that Nussbaum's approach requires one have the *faculty* of moral choice, which shifts the focus from the inherent worth or agents. There are many humans who lack, or who are incapable of, the faculty of moral choice. As a result, Nussbaum's interpretation of eudaimonism does not support the notion of inherent moral worth. For Nussbaum, a eudaimonist's understanding of a person's worth is determined by what she is capable of—i.e., her ability for moral choice.

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[44] Nussbaum, *Upheavals*, 306
[45] Ibid., 307.

By living virtuously and contributing to the good she gains value, but she is not inherently valuable, in herself.

The second challenge to Wolterstorff comes from Robert M. Adams, and his argument concerning the excellence of altruism—what he refers to as "being for others." Altruism is not the same thing as compassion, but Adams's explanation of altruism appears to provide a conceptual framework on which to ground other-regarding concepts like compassion.

Adams calls altruism "other-regarding benevolence," and says its end is the "well-being of one or more or all persons other than oneself."[46] To show this, Adams argues that for altruism to be a virtue it must be excellent. This means that altruism must have *non-instrumental* value, since virtue is defined in terms of its *intrinsic* excellence. Based on the example above, Adam's concept of altruism suggests a eudaimonist can care for his friend simply because it is the excellent thing to do, not because it is instrumental to his happiness.

Adams begins by claiming, "The concept of obligation, and the associated concepts of wrongness and guilt, involve the idea of an agent *owing* it to someone else to act or not act in a certain way. That idea does not flow in any obvious way from a general concept of excellent personal character, and one could have a concept of excellence of character without it."[47] Adams wants to avoid making excellent actions, like altruism, some sort of obligation required by justice, so he maintains that moral agents should act based on their calculations of what is excellent, not on the consideration

[46] Adams, 65.
[47] Ibid., 7.

of the obligation to others. For Adams, one should perform an action because it is the excellent (i.e. virtuous) thing for a person to do, not because the status of the other creates an obligation to treat him or her in a certain way.

Adam's understanding of the concept of obligation implies an inconsistency between caring for others out of some virtue (say love) and an obligation to care for others. Wolterstorff has the same concern, which is the focus of *Justice in Love*, but the type of obligation he develops is an obligation based on the caring for the needs of others. The worth of the other is the primary motivation, but one is to also take an interest in the needs of the other: hence, the role of vulnerability and compassion in eirenéism. The needs of others create goods, and as a result, we should care about and be motivated to provide for these goods. As above, the main difference here between the two is a eudaimonist is motivated to promote a good (excellence) in herself, while an eirenéist is motivated by the inherent worth of the other.

Second, Adams argues, like ancient eudaimonists, that care for one's own good is virtuous, and that this sort of *self-love* is consistent with *being for others*—i.e., non-instrumentally providing for the needs of others.[48] Assuming "self-love" is the eudaimonistic desire to cultivate excellences, Adams's argument shows that even in cases of altruistically doing for others, one is motivated by the good, not the worth of others. Even if an individual performs action A because it is the excellent thing to do, regardless of the instrumental value of A, the consideration of doing A because it is excellent implies it has some sort of instrumental value, apart from the recipient. It might be the

[48] Ibid., 10.

case that the instrumental value of A supervenes on the excellent nature of A, but based on Adams's own statements, part of considering whether or not to do A is a consideration of its instrumental value.

Furthermore, by carefully reading Adams, and understanding his motives, one notices that his discussion of altruism is aimed at a different set of problems than Wolterstorff's. Adams is concerned with showing that altruism is not merely a disguised form of psychological egoism—the claim that all actions are motivated merely by self-gain. This is not Wolterstorff's concern, and Aristotle clearly states that he does not think altruism is selfish egoism either. For Wolterstorff, a person can do for others without being self-centered and still operate off of an agent-centered ethic. Grieving is a virtuous action; it is done out of the love or concern for the other person, based on the relationship one has with the person. But within a eudaimonistic framework, it is the desire to promote the good, to maintain the positive relationship that is intrinsically valuable, not the value of the other person that is primary.

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With the large amount of conceptual ground covered above, I am going to bring my discussion of eirenéism and how it is different from the experientially satisfying life and eudaimonism to a close. The following are some important things to keep in mind, as I continue. First, none of the above is designed to discredit eudaimonism or the experientially satisfying life in any way. Instead, it is designed to tease out the most important conceptual features of eirenéism. Eirenéism makes use of both

consequentialist and non-consequentialist features to develop a notion of the good life motivated by the inherent worth of others, and it is goal is to create a just state of affairs where all moral agents are allowed to peacefully flourish, enjoying the life-goods to which they have a right. Second, and most important as I get to Chapters Four, Five, Six and Seven, eirenéism maintains that moral agents are morally required to provide for the needs of others, and when one is incapable of doing so, one is morally required to work towards (to seek) being able to provide for said life-goods. I will continually refer back to the example of Sally and Susan because it has major implications for how we should understand eirenistic forgiveness.

## Chapter Three
## Alternate Foundations of Forgiveness

In the previous chapter I argued that eirenéism offers a new and unique understanding of the good life to serve as the foundation for a new ethics of forgiveness. This is the result of eirenéism's focus on the inherent rights of each individual human and the correlating obligations that arise in relation to other moral agents. Combining the recipient and agent dimensions of morality implies a conception of human morality that is fundamentally relational, and it is this sort of relationship (specifically, the rights and obligations that exist as a result of this relationship) that eirenéism is engaged in describing.

In this chapter I will dig a little deeper into possible alternative foundations for an ethics of forgiveness, by examining Kathryn Norlock's feminist account of forgiveness[49] and Julia Kristeva's psychoanalytic approach to forgiveness.[50] Norlock's account, like eirenéism, supports a relational understanding of morality, which she maintains is necessary for an adequate ethical basis of forgiveness. Kristeva's account, on the other hand, suggests there are certain deeply psychological positive effects of forgiveness. I will suggest that both of these authors are correct. However, I will argue that because both of these accounts fail to offer any substantive normative guidance, difficulties arise in trying to determine when one ought to forgive. I will conclude that we should use

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[49] Kathryn Norlock, *Forgiveness from a Feminist Perspective* (Lanham: Lexington Books, a division of Rowman and Littlefield Publishing, 2009).
[50] Julia Kristeva, *Hatred and Forgiveness*, Trans. Jeanine Herman (New York: Columbia University Press, 2010).

these feminist accounts to sharpen the criticism of non-relational accounts of the good life, and that we should continue to develop an ethics of forgiveness based on eirenéism.

**A Feminist Foundation of Forgiveness**

In terms of the moral importance of relationships, feminist ethics is the strongest competing ethical account to eirenéism. There are several different accounts of feminist ethics,[51] but I will focus my attention on examining the account that appears in Kathryn Norlock's recent book *Forgiveness from a Feminist Perspective*.

Norlock argues that forgiveness is gendered. She maintains that because "gender is a fundamental aspect of identity and moral life" forgiveness must be examined as gendered.[52] Norlock provides three senses to show exactly how forgiveness is gendered and why gender matters when discussing forgiveness. First, according to Norlock, psychological studies suggest forgiveness is expected of women. She points to several studies that show: 1) women are more likely to respond to forgiveness studies; 2) forgiveness is culturally seen as a weakness in men; and 3) culturally, forgiveness is tied to notions of being a "good girl."[53] Forgiveness is also tied to being a good boy, and for that matter, a good person, but Norlock's point is that forgiveness is not a value-neutral term. The term 'forgiveness' carries with it notions of femininity and weakness, which are seen in the studies Norlock examines, and such notions mean discussions of

[51] Nel Noddings, *Women and Evil* (Berkeley and Los Angeles: University of California, 1989); Iris M. Young, *Justice and the Politics of Difference* (Princeton: Princeton University Press, 1990), and Iris M. Young, "Responsibility and Global Justice: A Social Connection Model," *Social Philosophy and Public Policy* Vol. 23, No. 1 (2006); and Trudy Govier, "Forgiveness and the Unforgivable," *American Philosophical Quarterly* Vol. 36 No. 1 (January 1999) : 59-75.
[52] Norlock, ix.
[53] Ibid., 8-9.

forgiveness carry with them assumptions of the acceptable social norms of women and men.

The second sense in which forgiveness is gendered is that culturally, at least in Western cultures, forgiveness is associated with femininity. For Norlock, forgiveness, like other cultural stereotypes serves as a powerful organizing category of thought, which can skew philosophical attempts to theorize about and discuss forgiveness.[54] Based on the first sense in which forgiveness is gendered, Norlock argues that for the most part, except in some Christian accounts, forgiveness is tied to the cultural idea of the 'feminine'.[55] The problem with such stereotypes is that they do not refer to actual cultural traits, yet they organize thought patterns as though they were actual traits. To avoid a biased account of forgiveness, then, one must become aware of how forgiveness is gendered, and attempt to theorize in ways that take into account how it is gendered.

Norlock's third sense combines the first two and shows that, for the most part, forgiveness has been conceptualized from within biased frameworks. Up until the past five years, the predominant framework in which to conceptualize forgiveness has been some sort of Kantian framework.[56] Norlock points out three features of Kantian frameworks that illustrate its weakness as a framework in which to discuss forgiveness. One, Kantian frameworks require philosophers to ignore that *relationships* are morally

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[54] Ibid., 13.
[55] Peter French, in his book *Cowboy Metaphysics*, argues that popular Western movies represent Christianity as a feminine "cultivating" force that promotes forgiveness instead of vengeance. Another good example of this is seen in the *Godfather* movie franchise.
[56] The current predominate framework is eudaimonism.

and ontologically prior to the individuals that comprise them.[57] Two, Kantian models ask philosophers to ignore that there are many types of victims (i.e. different wrongs create different victims, and not all wrongs are between individuals, some wrongs are committed by communities).[58] Three, Kantian accounts focus too heavily on self-respect, and according to these accounts, anything that falls short of self-respect must be denied.[59]

Kantian frameworks provide an account of forgiveness that is too focused on the self, and the 'self' that is focused on is a self understood in a biased masculine way. According to Norlock, "Because we are relational and interdependent, gender becomes a foundational feature of our understandings of forgiveness," and a Kantian "…nonrelational account presumes a variety of independence and self-sufficiency which turns out to be both falsely nongendered and simultaneously appropriate to a masculine ideal."[60] She is not claiming that Kantian frameworks consciously promote a masculine agenda; rather, the three senses in which forgiveness is gendered bias such accounts, one way or another, because they fail to recognize the interrelatedness of moral agents. What occurs when such frameworks fail to recognize the relational and gendered features of forgiveness is that they create accounts of forgiveness that require conditions and claim to explain "true" forgiveness. They unfairly list features associated with the feminine as *not* "true" or "genuine" acts of forgiveness, while listing features associated with the masculine as "true" or "genuine." For instance, most Kantian accounts of forgiveness maintain that when a woman forgives to avoid conflict, then she has not performed a

[57] Norlock, 15.
[58] Ibid., 17.
[59] Ibid., 18.
[60] Ibid.

genuine act of forgiveness. In one of the most influential books on forgiveness, *Forgiveness and Mercy*, Jean Hampton discusses a woman who forgives her father in-law to keep the family peace.[61] According to Hampton, this is not a true act of forgiveness because the woman forgives to avoid conflict. For Norlock this is a continual theme in Kantian accounts of forgiveness: women forgive to avoid conflict, to avoid hurting others' feelings, or to avoid incurring others' anger at being denied forgiveness, and all of these reasons lack the self-respect required for "true" forgiveness.

To counter-act biased frameworks, like Kantian frameworks, Norlock maintains that all claims of forgiveness should be taken seriously, and that we should use philosophical frameworks to explain the phenomenon of forgiveness, instead of trying to make forgiveness fit our philosophical frameworks. In terms of Norlock's overarching thesis, because forgiveness is gendered and has a biasing effect on many philosophical frameworks, philosophers should look towards relational frameworks in order to describe forgiveness. Even though she finds several components within eudaimonistic and Nietzschean frameworks acceptable, she concludes that a feminist framework best takes into account the relational aspects of human moral interaction and best explains forgiveness.

Everything that Norlock has said so far mirrors eirenéism's charge that ethical theories like eudaimonism and the experientially satisfying life lack a key relational component of morality that is necessary for fully understanding the relational aspects of human moral interaction, which is vital to explaining forgiveness. What sets Norlock's

[61] Jeffrie G. Murphy and Jean Hampton, *Forgiveness and Mercy* (Cambridge: Cambridge University Press, 1988), 39-40.

account apart from eirenéism is the focus of her criticism (on the biases of Kantian frameworks), yet her criticisms further bolster eirenéism by illustrating the shortcomings of all non-relational ethics in supporting a complete understanding of forgiveness.

Like me, Norlock thinks a eudaimonistic ethic better explains forgiveness than Kantian frameworks, but both fall short of capturing the relational components of forgiveness. She also, like me, maintains that eudaimonism is ill-equipped for satisfactorily explaining forgiveness. Of course, Norlock has her own reasons for thinking so; she maintains that eudaimonism is biased towards masculine understandings of certain virtues associated with forgiveness, especially anger and bravery, and that it leaves out important contextual features of particular cases.[62] Nevertheless, Norlock's arguments against eudaimonism and Kantian frameworks demonstrate why such non-relational accounts have difficulty explaining forgiveness. Let us look at some specifics of Norlock's argument to see why this is so.

Norlock's basic argument is that because forgiveness is gendered (i.e. relational), then the ethical framework that describes forgiveness must take into account the relational features of human morality. She says:

> Forgiveness is held to be a moral, and therefore at least partially deliberate, action or set of actions, which functions as a remedy in responding to blame or condemnation, releasing offenders from the fullness of their blameworthiness, in relational contexts which therefore require considerations of power between relata.[63]

Feminism is based on an articulation of a relational ontology, which Kantian accounts are not, and eudaimonistic accounts fail to describe in a non-biased way. According to

[62] Norlock, 52.
[63] Ibid., 2

Norlock, because of its use of a relational ontology, a feminist ethic can accomplish at least four different tasks that traditional accounts of forgiveness fail to do:

> 1. Feminist frameworks challenge the atomism present in the dominant philosophical discourses (e.g. Kantianism and Aristotelianism);
>
> 2. Relational accounts combine the forgiver's well-being and the nature of her relations, which traditional accounts leave out;
>
> 3. Relational accounts take into consideration that research shows that women, more often than men, combine well-being and relations (#2), which causes them to identify with wrongdoers—sometimes to their detriment;
>
> 4. Relational accounts are attentive to the experiences of women and to self-defining narratives [not being defined by the wrongdoer or the wrong].[64]

To help clarify Norlock's four claims, it should be noted that in regards to #2 and #3, feminist accounts do not actually combine the forgiver's well-being and the nature of the forgiver's relations. Instead, they combine the ideas of the forgiver's well-being and the nature of her relations. In other words, they offer accounts of why relationships are important for the well-being of the forgiver, and that acts of forgiveness performed in order to retain, secure, and/or promote positive relationships are justifiable instances of forgiveness. In regards to #4, Norlock maintains that relational accounts take into account the importance of one's life-narrative in living the good life. When a person is wronged, the wrongdoing becomes a part of the victim's life-narrative, and depending on the severity of the wrongdoing, it can cause emotional and psychological damage that leads to victims understanding themselves simply in relation to the wrong they suffered. Norlock maintains that relational accounts are attentive to these sorts of issues, and that they provide a framework for individuals to move beyond the damages of the

[64] Ibid., 71-72.

wrongdoing, in order to avoid being defined simply in terms of the wrong committed against them.

With the shortcomings of other ethical frameworks and the benefits of a feminist framework, Norlock concludes that forgiveness requires a feminist perspective to be fully understood. She states:

> A feminist paradigm of forgiveness involves a more complex view of the individual and her relations than philosophers have commonly entertained. At a minimum, a feminist model of forgiveness that improves on past ones must see persons as at least partly constituted by their relations in a way that allows us to say coherently what we do when we resent or forgive wrongs done to intimate others. I have also suggested that a feminist model must do more than simply celebrate the fact that we are related; forgiveness is not, on this account, prima facie good when it repairs relations, because the relations themselves may be those we ought to change or dissolve. To see forgiveness as a mechanism for relationship maintenance also makes better sense of those occasions in our actual experience in which someone forgives whose self-respect is threatened, and in which someone with intact self-respect refuses to grant it.[65]

Norlock makes some very valuable insights regarding the nature of forgiveness and the strengths of relational approaches. Forgiveness is a highly complex moral event that involves relationships. A feminist approach takes into account the dynamic nature of forgiveness, which includes contextual, emotional, and relational components of the moral life. What is more, her account is largely consistent with eirenéism, and it provides a possible explanation for why the notion of an obligation to forgive is repugnant to many people, especially to men, since forgiveness is seen as "feminine," as a weakness in men. However, as Norlock herself suggests, the main problem with a feminist account is that it does not provide much normative guidance for when one ought to forgive. In other words, a feminist approach to forgiveness provides some important explanations of *what*

[65] Ibid., 91.

forgiveness is and how other accounts are flawed, but it lacks clear guidance of *when* one ought to forgive, which is the focus of this dissertation.

Feminist ethics offers a strong argument for the need to understand forgiveness as relational, but it falls short of providing the sort of normative guidance that is needed to have insights into when one ought to forgive. Norlock's own account attempts to avoid the shortcoming of lacking normative guidance by focusing on forgiveness as a moral act—"that is, what happens, and what ought to happen, when we extend forgiveness to another."[66] In other words, she avoids the issue of when one ought to forgive by focusing on *what happens* when forgiveness is offered—she suggests we look at particular cases of what the speaker is saying and what the hearer hears when forgiveness is offered.[67] Though interesting, such an approach only provides insights into what forgiveness is and what occurs during acts of forgiveness, which I think is valuable, but because it provides little (if any) normative guidance, eirenéism is better suited than a feminist approach to provide an account of *when* one should forgive.

Before moving on, let me address one of Norlock's most pertinent conclusions concerning forgiveness and justice-based accounts of forgiveness. Norlock says:

> As it stands, analytic and justice-based accounts of forgiveness seem guilty of what Alasdair MacIntyre described when he said, "Analytic philosophers…seem to be determined to go on considering arguments as objects of investigation in abstraction from the social and historical contexts of activity and enquiry in which they are or were at home and from which they characteristically derive their particular import." In this case, [the] going definitions of forgiveness preclude conflict-avoiding forgiveness as not genuine or inauthentic because they are constructing necessary and sufficient conditions for what is genuine without

[66] Ibid., 71.
[67] Ibid, 111.

> considering the historical and social contexts in which women have learned forgiveness and continued to practice it.[68]

Addressing this conclusion is important because eirenéism is a justice-based account of forgiveness. What makes eirenéism different, however, is that the justice it refers to (i.e. peace) makes *relationships* the foundation of a just state of affairs. Eirenéism, unlike other accounts of justice, incorporates the contextual and the relational components that Norlock accurately describes other accounts as lacking. However, eirenéism does run the risk of not matching up with the daily life experiences of forgiveness (i.e. the repugnant implication), but this issue will be the focus of the remainder of this dissertation. So, I will hold off addressing it here.

**Kantian-Based Ethics**

Until recently, most accounts of forgiveness have been some formulation of a Kantian-based (i.e. dignity-based) duty ethics.[69] Many Kantian approaches separate themselves from other ethical theories by focusing on the intrinsic worth (sometimes called dignity) of individuals, which results from their status as rational autonomous agents (i.e. persons). As pointed out in the previous chapter, eirenéism also focuses on the intrinsic worth of moral agents. However, eirenéism sets itself apart from Kantian approaches by maintaining that the worth of moral agents is inherent to the being of

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[68] Ibid., 21.

[69] Jeffrie G. Murphy, *Punishment and Rehabilitation, Second Edition* (Belmont, CA: Wadsworth Publishing Company, 1985); Murphy and Hampton, *Forgiveness and Mercy*; Margaret H. Holmgren, "Forgiveness and the Intrinsic Value of Persons," *American Philosophical Quarterly* Vol. 30 No. 4 (October 1993) : 341-352; Murphy, *Getting Even: Forgiveness and Its Limits* (Oxford: Oxford University Press, 2005); Jessica Wolfendale, "The Hardened Heart: The Moral Dangers of Not Forgiving," *Journal of Social Philosophy* Vol. 36 No. 3 (Fall 2005) : 344-363; David Sussman, "Kantian Forgiveness," *Kant-Studein* Vol. 96 (Summer 2005) : 85-107.

moral agents, and is not based on any sort of capacity, like rational autonomy and/or creation/self-creation, which only well-formed adult humans posses.

The main difference between eirenéism and Kantian approaches is the scope of who/what is morally considerable. Let us look at Wolterstorff's discussion of two of the most prominent Kantian approaches in morality, both of which base moral worth on some sort of capacity. First, according to Wolterstorff, Kant ascribes moral worth to the capacity of having "humanity," which is "the capacity to set ends through reasons."[70] In other words, the capacity that grounds human worth is the ability to have rational agency, which causes the following problem: Such a criterion grounds rights to only those humans that possess such a capacity, and ignores the set of humans who lack it, or who lack the ability to posses it. Not only does basing worth on the capacity to have rational agency imply worth comes in degrees (i.e. the degree to which one has rational agency), but, as Wolterstorff points out, any attempt to "get all humans within the circle of dignity by finding some relation to the capacity that all of them possess, four things happen":

> The resultant relation is unimpressive; it imparts very little worth to the beings that stand in the relation. Second, the relation appears ever more cobbled together, having no other rationale than to achieve the pre-ordained goal of finding a relation to the capacity that all and only human beings have…Third, there is good reason to believe that some of the higher non-human animals stand to the capacity in that relation. And fourth, the actual possession by some higher animals of various capacities, including that of rational agency, would seem to give them more worth than the worth a being has on account of standing to the capacity of rational agency in that attenuated, thinned-out relation.[71]

Such problems will hold for any approach that basis moral worth on possessing some sort of capacity.

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[70] Wolterstorff, *Rights and Wrongs*, 326.
[71] Ibid., 333.

The second approach comes from Ronald Dworkin, who offers a non-capacities Kantian-based approach. Dworkin claims that there is sacredness to human life, whether that is understood in religious terms or secular terms.[72] This "sacredness" comes from the notion that humans are the "highest product of natural creation," and are the product of a "kind of deliberative human creative force that we honor in honoring art," which when combined creates the "intersecting bases of the sacred: natural *and* human creation."[73] Dworkin's approach does not base human worth on possessing a capacity, but it falls prey to the same criticism: the sacredness of natural and human creation comes in varying degrees, dependent upon the how well-formed the creation is. Though Dworkin's position is not well-developed, he appears to be referring to well-formed/properly formed human beings as those with creative worth, and that humans that lack such well-"formedness" have less worth than those who are more perfectly formed. As Wolterstorff points out, at the very least, malformed individuals certainly lack the ability to self-create, which implies they are not as sacred as those who can.[74] If Dworkin's position grants degrees of worth or leaves out large swatches of malformed (or less-than-perfect) humans, then, like other Kantian-based approaches, it will not serve as an adequate foundation for a notion of inherent moral worth because many malformed *humans* will lack *human* rights.

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[72] Ronald Dworkin, *Life's Dominion: An Argument about Abortion, Euthanasia, and Individual Freedom* (New York: Knopf, 1993), 195. Cited in, Wolterstorff, *Rights and Wrongs*, 333.
[73] Ibid., Dworkin, 82-83; Wolterstorff, 334.
[74] Wolterstorff, 334.

Eirenistic approaches increase the scope of moral agency to one's species, though several species may be morally considerable.[75] The main problem for most Kantian approaches is that they focus too much on grounding moral worth on some sort of capacity.[76] Hence, they lack the relational components that are necessary to understand and discuss forgiveness adequately. In short, they lack the recipient-dimension of morality, and as Norlock points out, these shortcomings can result in a biased description of forgiveness. Norlock sums up the problems with Kantian approaches nicely by saying:

> The odd result [of basing forgiveness on a non-relational ethical account] is that going definitions in academic circles do not match up at all with the meanings and intentions of actual people who express forgiveness in daily life. The disconnect between philosophy and experience, at least in the study of forgiveness, stems in part from constructing conditions for conveying forgiveness in the utter absence of self-defining narratives, or indeed any consideration of the socio-historical context in which forgiveness occurs, and then constructing those narratives as mistaken or not-genuine instances of the moral expression.[77]

**Kristeva's Forgiveness**

In an attempt to be as complete as possible, and to bolster the idea that forgiveness is a life-good, I will briefly mention and discuss Julia Kristeva's account of forgiveness. Kristeva takes a psychoanalytic approach, which focuses on the psychological development of certain human emotions like hatred. According to Kristeva, hatred is "coextensive with human nature,"[78] and is the result of humanity's abjection from original repression. For Kristeva, something important, yet traumatic,

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[75] This is an intriguing issue that I plan on discussing in another paper. Discussing it here would detract from the topic of forgiveness.
[76] This does not include deontological approaches like Divine Command Theories that base moral worth on being human or in some relation to God.
[77] Norlock, 20-21.
[78] Kristeva, 183.

occurs as individuals begin to separate themselves from their parents (neotenous demarcation), which she calls abjection. This abjection is what causes hatred. Abjection is the dual psychological acts of separation from others (i.e. the drive to be an individual) and the pulling towards of all things (i.e. the inter-connectedness of human existence). The struggle between becoming an individual and being part of the whole is what gives birth to the self and culture.[79]

This "birthing" of self and culture is a traumatic experience—it creates us and it protects us, but it can also destroy us and send us into insanity. There are many ways to deal with the effects of abjection. One way is to fill yourself with hatred, to define yourself in terms of those you hate, your enemies (whether real or imagined), and to live in a state of war with others. Another way is to provide the "gift of a new way of being" by using "psychoanalytical interpretation as a postmodern version of forgiveness."[80] This type of forgiveness allows the hatred of the ego to be suspended for awhile, in order for a rebirth of one's self to begin. Of course, the hatred will return, it is the natural state of the ego, but the interpretation that forgiveness fosters allows individuals the chance to come to terms with the psychological struggle between themselves and others and to find peace with themselves.

Kristeva's understanding of forgiveness provides a different basis for understanding forgiveness as a life-good (i.e. a good necessary for one's flourishing). For Kristeva, only forgiveness can combat hatred—it "pardons" and allows for the

[79] Ibid., 185.
[80] Ibid., 191.

"rebirth of the psychical apparatus."[81] Forgiveness, then, could be understood as that which provides moral agents the means by which to combat the hatred that results from engaging the world. Based on the understanding of 'life-good' discussed in the previous chapter, this suggests that forgiveness is something that all moral agents need (both victims and wrongdoers), in order to achieve the peace that is the goal of eirenéism.

Even though Kristeva's account of forgiveness provides no normative guidance, it gives a psychoanalytic argument for the benefits of forgiveness, as the only response capable of combating hatred, and as the tool by which the self can be reborn after instances of wrong. These sorts of consequentialist benefits of forgiveness will be discussed fully in later chapters. What is unclear is whether or not the forgiveness Kristeva refers to is intended for individuals dealing with their own personal abjection or whether it can be applied to interpersonal relationships. Kristeva does not provide any clarity on the issue, but the examples she uses—the relationship between psychoanalyst and patient and the relationship between the hate-filled individual and his enemies—suggests the psychoanalytical interpretation of forgiveness is applicable to interpersonal relationships. So, even thought Kristeva's account does not provide a counter-position to eirenéism, it does maintain that forgiveness is a relational phenomenon, and it suggest some important benefits for why one ought to forgive, which will be applicable to later chapters.

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[81] Ibid., 193.

Both Norlock and Kristeva offer intriguing accounts of forgiveness. The relational components of Norlock's account and her critique of Kantian-based accounts of forgiveness appear to be complementary to eirenéism, which I take to be a positive sign for eirenéism's acceptability. As Norlock shows, non-relational accounts of the good life seem to lack the capacity for making full sense of complexities of a fundamentally relational concept like forgiveness. If she is correct in her summation that only ethical accounts that substantively account for the relational features of morality will be able to adequately describe forgiveness, then eirenéism is in a good position to offer an adequate explanation of forgiveness, since it too is a relational ethic.

On the other hand, Kristeva's account of forgiveness, which is much more controversial, offers a psychoanalytic description that matches up nicely with the notion of forgiveness as a life good. One may reject Kristeva's account, and I am in no position to confirm or refute it; however, it does offer an intriguing explanation of the possible psychological features of the human psyche, in regards to hatred and forgiveness.

The problem, however, with both accounts is that they fail to offer any substantive normative guidance regarding the difficulties of determining when one ought to forgive. So, because eirenéism offers a relational account and it offers substantive normative guidance, I suggest eirenéism is the most promising ethical framework in which to develop a complete ethics of forgiveness.

## Chapter Four
## Towards a New Ethics of Forgiveness

In the previous two chapters I covered a substantial amount of conceptual ground concerning the ethical framework of eirenéism and how it differs from other conceptions of the good life. It is now time to focus exclusively on the sort of forgiveness which results from accepting eirenéism, what I will call eirenistic forgiveness. Previously, my main goal was to show that eirenéism serves as a unique foundation of forgiveness that explains the relational features of morality and provides substantive normative guidance. In this chapter I will critically present the conception of eirenistic forgiveness that I see resulting from accepting eirenéism, focusing mainly on Wolterstorff's own comments that appear in his two most recent books on justice. I will begin by looking at *Justice: Rights and Wrongs*, since this is where Wolterstorff first formulates eirenéism; then, I will look at *Justice in Love*, where he dedicates three chapters to discussing the nature of forgiveness in relation to justice. From these sources I will describe and analyze the type of forgiveness that results from accepting eirenéism, and I will introduce what I will call the repugnant implication: a repentant wrongdoer has the right to be forgiven, and therefore, the victim has an obligation to forgive.[82]

### Eirenistic Forgiveness in *Justice: Rights and Wrongs*

In *Justice: Rights and Wrongs* Wolterstorff does not formulate any sort of definition of forgiveness; he usually only mentions it in passing, as it relates to a

[82] There are several ways to formulate the repugnant implication. The main idea is that the victim has an obligation to forgive his or her wrongdoer, and the victim wrongs the wrongdoer by not forgiving.

particular right or wrong being discussed. Nevertheless, he provides enough material on forgiveness, and more than enough on what rights a moral agent has, to formulate a rudimentary understanding of eirenistic forgiveness.

To begin with, we must distinguish between two types of rights: permission-rights and claim-rights. A permission-right is a right to have something, to do something, and/or to demand something. For instance, if I say, "I have a right to own a dog," I am not saying that it is my right as a human to own a dog, and therefore, one should be provided for me; rather, I am saying, "I am permitted to own a dog"—an implication of me being a free autonomous moral agent is that I am free to own a dog. This is a much different, and weaker, notion of 'right' from the second type, claim-rights. A claim-right is a right that I have to some good or state of affairs. Using the example of owning a dog, to make a claim-right out of my ability to own a dog I would need to say, "[I have a] right to being free to own a dog, to not being hindered from doing so."[83] Wolterstorff explains claim-rights by saying, "One's claim-rights are one's right to persons treating and refraining from treating one in certain ways."[84] A claim-right, then, is to a state of affairs where I enjoy the good to which I have right. Others are obligated to provide for such rights, or at a minimum not hinder my enjoyment of such rights. In the case of others' claim rights, I am obligated to provide for and not hinder others' enjoying such rights. The content of these rights are basic life- and/or history-goods in one's life, like freedom, food, shelter, and as we will see, forgiveness. A permission-right, on the other hand, refers to something that I am permitted, not obligated, to provide. These rights go above

[83] Wolterstorff, *Justice: Rights and Wrongs*, 138.
[84] Ibid.

and beyond the basic rights to which I can make a claim, and they are non-obligation producing. As the example above shows, my permission-right to enjoy a dog does not obligate anyone to provide a me with a dog, but my claim-right to the freedom of enjoying a dog (assuming it does not violate anyone else's rights) obligates others to not hinder my attempt to enjoy having a dog. For the most part, I will only deal with forgiveness as a claim-right, unless it becomes necessary to discuss it as a permission-right. In the event of the latter, I will specifically refer to it as forgiveness-as-permission-right.

The distinction between permission-right and claim-right serves the very practical purpose of creating theoretical and commonsense clarity, for the discussion of rights too often digresses into the listing of a never ending set of rights that one is entitled to. In regards to commonsense clarity, distinguishing between the two types of rights allows one to distinguish between the more basic claim-rights that refer to basic rights of human nature (e.g. the need for food and shelter, the freedom to have clean air and water, and the freedom to pursue those goods) and the rights one might have as a result of our basic claim-rights.[85]

In regards to theoretical clarity, distinguishing the two gives Wolterstorff the ability to clearly explain the relationship between rights and obligations. Here is an example of what Wolterstorff has to say about this relationship in regards to forgiveness:

> The person who has been wronged has the permission-right to be angry with the wrongdoer and to see to it that appropriately hard treatment is imposed on him, and the claim-right to be free to do so; but the fact that forgiveness is often

[85] Of course, by 'right' Wolterstorff is referring to moral rights—other types of rights, like legal and political rights are not considered by him or me.

> appropriate, and sometimes even obligatory, implies that often no claim-rights are violated if one forgoes claiming one's retributive rights and forgives the wrongdoer.[86]

This passage illustrates the difference between the permission-right one has to seek retribution for a wrong done to oneself and that one has a claim-right to be free to do so; it shows that no claim-rights are violated, if one chooses not to exercise one's permission-right to seek retribution; and most importantly, it says there are times in which forgiveness is *obligatory*.

If there are times when forgiveness is obligatory, then there are times when forgiveness is a claim-right, not just a permission-right. This implication is the direct result of both making forgiveness a life-good and the principle of correlatives. According to the principle of correlatives, quoted previously, if X has an obligation to forgive, then Y has a right to be forgiven, and vice versa. The main question to answer at the moment, then, is: since Wolterstorff says that forgiveness is sometimes obligatory, when exactly are we obligated to forgive? Quite simply, the answer is: X is obligated to forgive when forgiveness is a life- or history-good, but before simply concluding with this answer, let us see if there are some other features of forgiveness that would suggest a different answer.

First off, Wolterstorff maintains that a moral agent must know that she is a victim of wrongdoing.[87] This epistemic component captures the idea that if an individual has no knowledge that she has been harmed (i.e. the ignorant victim), then the individual has no reason to think she needs to forgive someone. This does not mean the ignorant victim

[86] Wolterstorff, *Rights and Wrongs*, 241.
[87] Ibid., 106.

has not been wronged, quite the contrary. The ignorant victim gains the right to seek retribution; she simply lacks the knowledge that she can, or should, make a claim against her wrongdoer. Wolterstorff says, "Forgiveness can occur only in the objective context of the agent having a right that has been violated and acquiring retributive rights on that account, and in the conceptual and epistemic context of the agent recognizing that she has been wronged and that she has thereby acquired retributive rights."[88] This epistemic feature, however, does not affect our answer above that X is obligated to forgive when forgiveness is a life- or history-good.

According to Wolterstorff, another feature is that forgiveness requires the letting-go of one's anger towards the wrongdoer. When one is harmed, one gains the permission-right to be angry and can claim that right by becoming angry, but Wolterstorff suggests that forgiveness requires forgoing claiming this right. He says, "…[F]ull forgiveness requires forgoing claiming that right [to be angry]; it requires the abating of one's anger."[89] In other words, to fully forgive, one must let go of the anger one feels, and though it might be more difficult in some situations this feature is consistent with our above answer.

The next feature is that forgiveness is *not* something meant to enhance our own well-being.[90] As I suggested in the introduction to this dissertation, there is a deeply personal component of forgiveness, where individuals seek their own well-being. And, as I will suggest later, one's well-being is a positive consequence of forgiving one's

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[88] Ibid., 107.
[89] Ibid., 93
[90] Ibid., 99. Here, Wolterstorff talks of how God does not forgive in order to enhance his own well-being. For reasons that will become obvious below, it is appropriate to think humans mirror God on this point.

wrongdoer. But, eirenistic forgiveness is primarily motivated by the moral worth of others we stand in relation to, not the benefits we personally gain from treating others certain ways. When I am wronged, regardless of what the wrongdoer says or does, I have the permission-right to claim punishment—I am not obligated to punish, but I can choose to punish; but I also have the permission-right to forgo it—I can choose to forgive, or some other intermediary. Of course, nothing here refers directly to my obligation to forgive, which we will see below that it results from a wrongdoer's repentance, but because forgiveness is not simply about my own well-being, which would permit me to forgo doing things that I do not want to do (like forgiveness), it is perfectly within the bounds of eirenéism to talk about it as an obligation—as doing something that I do not see how it promotes my well-being. For there are many things that I am obligated to do, as a result of the claim-rights of others, even though I do not see how they enhance my own well-being. Compassion is one of these obligations, and so too is forgiveness, which is consistent with the above answer.

The final feature I want to note involves the context in which forgiveness occurs. Wolterstorff says:

> Forgiveness can occur only under certain conditions; I can forgive you only if you have wronged me, and only *for* the wrong you have done me. If the good in my life that you failed to bring about is not a good due me from you, then there is nothing for me to forgive you for. I may regret your failure; but I cannot forgive you for it. The concept of forgiveness incorporates the concept of being wronged.[91]

The conditions that Wolterstorff mentions here are not conditions that one must meet in order to forgive, or be forgiven; rather, they are contextual conditions, like the one

[91] Ibid., 105.

mentioned above concerning the victim's knowledge of being wronged. These conditions are merely implications of eirenéism, and none of these are inconsistent with our answer that X is obligated to forgive when forgiveness is a life- or history-good for the wrongdoer.

To provide any conclusion, without first looking at Wolterstorff's most recent writings on forgiveness would be premature. So, let us turn the attention towards *Justice in Love*, in order to offer the most complete account of eirenistic forgiveness.

**Forgiveness in *Justice in Love***

Part III of *Justice in Love* is dedicated to dealing with instances of just and unjust love. More specifically, Wolterstorff examines the intuition that acts of forgiveness are unjust acts, because they forgo the punishment required by retributive justice after a wrongdoing. In this section I will look at the three chapters dealing with forgiveness from *Justice in Love*, and I will briefly discuss Wolterstorff's arguments from each chapter. Even though the arguments provided in these chapters do not always bear directly on what I am concerned with, they do offer valuable insights into Wolterstorff's understanding of forgiveness, which will be invaluable throughout the rest of this dissertation.

To prepare the reader, *Justice in Love* is a more theologically grounded book than *Justice: Rights and Wrongs*. Wolterstorff's goal in *Justice in Love* is to engage an intelligent religious community, unlike *Justice: Rights and Wrongs*, which was written

for a broader philosophical audience. So, the reader should not be surprised to encounter an abundance of references to the Bible and other religious sources.

The first topic that Wolterstorff deals with in *Justice in Love* is the historical rise of forgiveness as an ethical concept. He begins by examining Hannah Arendt's claim that Jesus of Nazareth was "the discoverer of the role of forgiveness in the realm of human affairs."[92] Wolterstorff notes that Arendt felt as though Jesus of Nazareth's articulation of forgiveness in a religious sense should *not* detract from its role in secular morality—that forgiveness is a "necessary corrective" for the damages that result from all human action and that it makes up for the "irreversibility" of our actions.[93] Wolterstorff's overall goal is to take the moral concepts presented in religious texts and to test them for their viability as general moral principles. Wolterstorff maintains that a concept should be accepted on its consistency and soundness, not merely on its source, whether religious or secular.

Using Arendt as a springboard for discussing the relationship between forgiveness and justice, he examines the early writings of Aristotle and Seneca, both of which represent respective versions of eudaimonism—Aristotle the Peripatetic and Seneca the Stoic. Much of this discussion is outside the concerns of this dissertation, but there are some key things to note. First, Wolterstorff critiques Charles Griswold's claim that it was the "perfectionism" of ancient eudaimonism that caused them to devalue forgiveness as a component of the good life. According to Griswold, the ultimate goal of

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[92] Hannah Arendt, *The Human Condition*; quoted in Nicholas Wolterstorff, *Justice in Love* (Grand Rapids, MI and Cambridge: William B. Eerdmans Publishing Company, 2011), 162.
[93] Wolterstorff, *Justice in Love*, 161-162.

eudaimonism is to become a magnanimous person, a perfectly good person. If a person achieved this state, then she would neither need forgiveness nor be in a position to forgive. A truly magnanimous person cannot be wronged and does not wrong others: hence, forgiveness is unnecessary for the magnanimous person.

As Wolterstorff deftly points out, even though ancient eudaimonists present a conceptual model for living the "perfect" good life, which is the focus of Griswold's account, their conceptual scheme "did not lead them to deny or overlook the fact that most of us are imperfect creatures living in an imperfect world."[94] Ancient eudaimonists would not have promoted forgiveness, even if they were "less perfectionist," because they did not believe in the *equal inherent worth of human beings*. For ancient eudaimonists, moral value depended on one's ability to live virtuously, which is in opposition to the concept that all persons are morally equal. Therefore, without the concept of moral equality, they lacked the ability to formulate a theory of inherent natural rights. According to Wolterstorff, "the discovery of forgiveness was not possible within the framework of the *ancient* ethicists."[95] It takes a certain ethical framework to allow for an account of forgiveness, which is why Wolterstorff, and I, argue for the acceptance of a rights-based theory of ethics.

After discussing the history of forgiveness, he turns to his main concern over whether or not forgiveness is an unjust act. To address the tension between forgiveness and justice, Wolterstorff gives five conditions, which he thinks are uncontroversial, for the occurrence of forgiveness:

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[94] Ibid., 183.
[95] Ibid., 185.

> I can forgive Hubert for the wrong he did me only when:
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> (1) Hubert did wrong me
> (2) I rightly believe that he was blamable for doing so
> (3) I feel resentment or some similar negative emotion at the deed done
> (4) I feel anger or some similar negative emotion at Hubert for having done it, and
> (5) I continue to remember the deed and who did it, and continue to condemn it.
>
> Only when these conditions are met is it possible for me to forgive Hubert for the wrong he did me.[96]

The first two conditions were mentioned in the previous section and were shown to be uncontroversial for my purposes. The third is a statement on the psychological state of feeling that I am harmed and responding to the *deed* in an appropriate way. The fourth, similar to the third, suggests there is an appropriate stance to take towards the *wrongdoer* who committed the deed. And finally, the fifth is a requirement to remember the deed and the wrongdoer, in order to condemn the wrong. Without this condition, Wolterstorff fears that there will be no moral difference between forgiveness and forgetting.

The most interesting feature to make note of concerning these five conditions, occurs with conditions 3 and 4, where Wolterstorff distinguishes between the wrongdoer and the deed. These two conditions allow him to resolve the tension between forgiveness and retributive justice. To see how this works, let us look at Charles Griswold's *Forgiveness: A Philosophical Exploration*.[97]

In his book, Griswold argues that 'in order to forgive' a victim must have the negative emotion of resentment towards the wrongdoer. According to Wolterstorff,

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[96] Ibid., 167.
[97] Charles Griswold, *Forgiveness: A Philosophical Exploration* (Cambridge: Cambridge University Press, 2007).

"[S]ince Griswold holds that it is only toward the wrongdoer that one feels negative affect, not toward to the deed done, forgiveness on his account includes committing oneself to let go of *all* negative affect evoked by the wrongdoer, and forgiveness is full and complete only when all negative affect has in fact disappeared."[98] In other words, to "fully" forgive one must let go of *all* of one's resentment, which implies there no longer exists any resentment towards either the wrongdoer or the deed. Wolterstorff, on the other hand, suggests this is where Griswold gets it wrong. According to Wolterstorff, one must let go of the negative feelings towards the wrongdoer, but must retain negative feelings toward the deed, since the fact of the deed's wrongness cannot change.

Retributive justice requires some sort of punishment. The most common punishment for victims is that of holding resentment towards the wrongdoer. If true, then letting go of resentment towards both wrongdoer *and* deed fails to give the wrongdoer what s/he deserves (i.e. what is called for, according to retributive justice). Often times, "full" forgiveness is explained as requiring victims to let go of all resentment towards the wrongdoer and deed. If this is true, then "full" forgiveness is incompatible with retributive justice. If retributive justice requires some sort of punishment, the only way to reconcile forgiveness and justice, according to Wolterstorff, is to require some sort of punishment for the wrongdoer.

From this initial stance, Wolterstorff carefully argues for why and when forgiveness does not violate justice. To understand his conclusion, two distinctions must be made. First, one must distinguish between retributive punishment (to punish

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[98] Wolterstorff, *Justice in Love*, 168.

wrongdoers for violating the law) and reprobative punishment (punishment "to condemn what was done and to send a message of non-condonation"[99]). Reprobative punishment is a forward-looking type of punishment that is concerned with the welfare of the wrongdoer—it accepts the repentance of the wrongdoer, and seeks an ameliorated punishment than what the wrongdoer deserves, according to the law.

The second distinction is between full forgiveness, which forgoes all punishment and partial forgiveness, which is consistent with some sort of retributive punishment. Because full forgiveness forgoes all punishment, resentment or otherwise, for Wolterstorff, it is unjust—it inhibits a wrongdoer from getting what he or she deserves. Partial forgiveness, on the other hand, if accompanied by reprobative punishment, is perfectly consistent with justice. Partial forgiveness allows victims to feel resentment and, if appropriate, to promote a measured punishment for the wrongdoer. In other words, partial forgiveness condemns the wrongdoer, which retributive justice requires, and it demonstrates forgiveness by taking into account the wrongdoer's regret and by lessening the resentment of the victim and the punishment of the wrongdoer.

From this discussion one very important feature of forgiveness emerges, and it is that the repentance of the wrongdoer is necessary for forgiveness to be considered just, both retributively and distributively. It is the regret/repentance of the wrongdoer that motivates the need for reprobative justice to supplant the punishment that retributive justice requires. To forgive an unrepentant wrongdoer is to make forgiveness unacceptably arbitrary; to insult the wrongdoer by, and to demean one's own moral worth

[99] Ibid., 201.

by, not treating the wrong with full moral seriousness—it trivializes moral wrongdoing. So, in order to avoid the trivialization of wrongdoing, Wolterstorff makes the wrongdoer's repentance a necessary condition for forgiveness.

In terms of distributive justice, which is the type of justice this dissertation is concerned with, implied by Wolterstorff in *Justice in Love* is that a wrongdoer's repentance changes the relationship between victim and wrongdoer by changing the life-goods of the wrongdoer. Imagine a wrongdoer who does not repent. He feels as though he has done no wrong (or simply does not care that he wronged someone), and so, he does not need or want forgiveness. If a life-good is what one needs in order to flourish, then forgiveness is not a life-good for the unrepentant wrongdoer. He does not want it, nor does he think he needs it, so it does not become a life-good for him. As a result, talk of a right to forgiveness does not make sense in this context.

Unlike the unrepentant wrongdoer, the repentant wrongdoer admits she was wrong, that her action was wrong, and commits that she will avoid performing such an action in the future. By repenting, she seems to make forgiveness a life-good. Part of repentance is regretting what one has done, which to me implies a certain desire to be reconciled with the victim. A wrongdoer might claim that she does not deserve forgiveness, or that she would understand if her act was unforgivable, but even in these cases, forgiveness is exactly what she needs. It starts the healing process towards reconciliation. If this is true, and much more could be said about the psychological nature of repentance, for which a psychologist would be better-suited, then repentance appears to make forgiveness something necessary for a wrongdoer's peace. Making

forgiveness a life-good, via repentance, changes the relationship between victim and wrongdoer, and calls for the wrongdoer to be treated differently. In terms of punishment, reprobative justice is appropriate, but as I will show below and argue in the next chapter, in terms of distributive justice, she is owed forgiveness by the victim because it is a life-good.

**Eirenistic Forgiveness and he Repugnant Implication**

By looking at the passages in *Justice: Rights and Wrongs* and *Justice in Love*, in relation to eirenéism, we are faced with an intriguing, yet problematic, notion of forgiveness. In the next several paragraphs I will look at some key passages and lay out the premises that can be inferred from each.

Based on the principle of correlatives, here is an example of the moral relationship between a victim and a wrongdoer: If X is morally wronged by Y, then Y has wronged X by not carrying out his obligation to respect X's right to some life- or history-good—an injustice has occurred. Assuming X is aware of this wrongdoing, X is in a position to claim his permission-right of retribution, forgiveness, or some intermediary.

We must be careful here, for what X has a right to is his life- and history-goods being made available to him. These life- and history-goods can be any number of things: food, clothing, and shelter; or non-material goods like privacy, respect, well-being, one's namesake, and I maintain, even forgiveness. Both X and Y have a set of life- and history-goods, and in the case under consideration, Y has violated one of X's rights, but Y's violation does not change the fact that Y retains certain rights to life-goods that X is

still obligated to respect. Y retains the rights that are based on his inherent moral worth. Y's life-goods change, only in regards to the wrong committed—X now has a right against Y to see that Y is punished for his or her transgression. But just because Y wrongs X, Y does not forfeit his rights to other life-goods that are unrelated to the wrongdoing.

Based solely on this and the principle of correlatives, a wrongdoer's repentance should result in the following moral state of affairs: if Y repents, Y has made forgiveness a life-good, and as a result, Y has a right to be forgiven. Regardless of the wrong Y committed against X, if Y has the life-good of forgiveness, then Y has a right to be forgiven. What is more, according to eirenéism, if one is *capable* of making a life-good available, thereby not having any competing rights and obligations or other morally considerable features that would prevent one from being able to make a life-good available, then he or she is obligated to make said life-good available. In the case of forgiveness, X is the only person who can make forgiveness available to Y, because only the victim (and sometimes, victims) of Y's wrongdoing can actually forgive Y for his or her transgression.[100] Y's repentance creates a right to be forgiven, based on his life-good of forgiveness; and because of Y's inherent worth, he does not forfeit his right to his basic life-goods.

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[100] For now, I am leaving out instances of family members and other loved ones being able to take the place of deceased or otherwise incapacitated victims. I think the same principle will hold for both, since I would say the victim's family, who have suffered as a result of a transgression, are victims too; and only they can forgive for the suffering they have endured. I simply wish to capture the idea that the victim (as the one wronged) has a special status in relation to the wrongdoer, and to avoid the notion that a stranger, group, or political party can offer forgiveness.

If we illustrate the main philosophical ideas presented in the previous several paragraphs, we get the following four premises:

1. All people have rights to all basic life- and history-goods.
2. Y's right to Z obligates all those who can provide Z to Y, especially those who stand in a certain relationship to Y, to do so.[101]
3. Victims, and only victims, can forgive their wrongdoers.
4. Forgiveness is a basic life- and history-good for wrongdoers who repent.

Number 1 is the result of individuals having inherent moral worth, which the fundamental principle of eirenéism; number 2 is the result of the principle of correlatives; number 3 is a basic feature or the nature of forgiveness and causal relationships; and number 4 is the result of repentance making forgiveness a life-good.

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The consequence of these four premises is that a victim is obligated to forgive a repentant wrongdoer, which is what I call the repugnant implication. If the wrongdoer repents, then victims are obligated to forgive, and for the victim not to forgive is for the victim to withhold what is owed to the wrongdoer; therefore, the victim causes an unjust state of affairs by wronging the wrongdoer. Wolterstorff rejects such an outcome, and in the next chapter I will show how he goes about defending eirenéism against it.

[101] I include the clause 'especially those who stand in a certain relationship to Y' in order to capture the notion that certain relationships create a hierarchy of who is obligated to provide Z for Y. For example, children have a right to food, and their guardians have the primary obligation to provide food. All other moral agents have an obligation to provide the children with food, but they are only required to discharge this obligation, if the guardians are for some reason unable to provide.

## Chapter Five
## The Unacceptability of Third-party Eirenistic Forgiveness

At the end of the previous chapter, I showed how two-party eirenistic forgiveness leads to what I call the repugnant implication, which is illustrated by the following argument:

> 1. All people have rights to all basic life- and history-goods.
> 2. Y's right to Z obligates all those who can provide Z to Y, especially those who stand in a certain relationship to Y, to do so.
> 3. Victims, and only victims, can forgive their wrongdoers.
> 4. Forgiveness is a basic life- and history-good for repentant wrongdoers.
> Therefore: Victims are obligated to forgive their repentant wrongdoers

I refer to this as the repugnant implication because it appears to place on victims the repugnant moral obligation to forgive their wrongdoers, if they repent, even after instances of heinous wrongdoing. Wolterstorff rejects the above conclusion, and attempts to show how eirenéism can avoid the repugnant implication by rejecting premise 4. He does this by showing how repentance creates a different sort of obligation, a third-party obligation, which he maintains prevents forgiveness from becoming a life-good in the life of wrongdoers.

In the following pages I carefully explain Wolterstorff's attempt to formulate forgiveness as a third-party obligation, and in the process, I argue that doing so creates a serious flaw with the consistency of eirenistic rights theory. More specifically, I argue: 1) either forgiveness is a different sort of obligation, as Wolterstorff maintains it is, or it is no different than any other obligation that results from the life-goods of others; 2) forgiveness is, in fact, no different than other life-goods; and 3) because of 2, making forgiveness a third-party obligation implies there are no obligations/rights based on the

inherent moral worth of others—obligations result from the command(s) of third parties, and any rights are merely the result of these third-party obligations. In other words, the inherent moral worth of individuals that for eirenéism is supposed to ground one's rights becomes irrelevant, and to avoid this conclusion, forgiveness must remain a two-party obligation.

I will present my argument in the following way. First, I will reexamine some key features of eirenéism discussed in Chapter Two, and I will show why eirenéism suggests there is an obligation to forgive repentant wrongdoers. Next, I will present and attempt to make sense of Wolterstorff's formulation of a third-party obligation to forgive, and I will argue that such an explanation works, only if forgiveness is a different sort of obligation. Finally, I will show that the textual evidence does not support making forgiveness a third-party obligation, and suggest the best option for an eirenéist is to keep forgiveness a two-party obligation and show that the repugnant implication is not as repugnant as it first appears.

**An Overview of Eirenistic Rights**

The foundational feature of eirenéism is that each human has inherent moral worth that grounds a set of corollary rights and obligations between all moral agents. Each human, as a result, has a set of life-goods (e.g. food, water, shelter, clean air, etc) and life-history goods (e.g. reputation) that are determined by his or her particular needs, and these life-goods are what each moral agent has a right to. The individual inherent moral worth of each moral agent creates a social web of rights and obligations between

moral agents that must be respected in order to have a just state of affairs. In other words, an agent's inherent worth grounds a set of particular rights, while at the same time producing a set of obligations for other moral agents to respect these rights, and vice versa. When all of these features are combined they comprise a dynamic rights-based ethical theory that focuses on the normative social relationships between individuals; one that uses consequentialist justifications to determine what one has a right to and non-consequentialist justifications to ground a set of obligations based on an entity's worth, in order to create an ethic focused on bringing about shalom, or peace.

The *principle of correlatives* offers a representational formulation of the sort of rights theory supported by eirenéism:

> If Y belongs to the sort of entity that can have rights, then X has an obligation toward Y to do or refrain from doing A if and only if Y has a right against X to X's doing or refraining from doing A.[102]

With the principle of correlatives in mind, let us reexamine the case of Sally and Susan from Chapter Two.

The case under consideration involves two neighbors, Sally and Susan, and is concerned with the rights and obligations that exist in regards to the amount of food each agent possesses. (For this case, I am assuming that no other moral agents exist in relation to Sally and Susan.) According to eirenéism, as illustrated in the argument above, if having enough food to live is a life-good, then Sally and Susan both have a right to enough food to survive; and as a result, eirenéism maintains that each is obligated to make food available to the other.

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[102] Nicholas Wolterstorff, *Justice: Rights and Wrongs* (Princeton and Oxford: Princeton University Press, 2008), 34.

This obligation, however, manifests itself differently, depending on how much food each agent has. If one of them (Sally) has more-than-enough food, then she is obligated to make the extra food available to Susan. Not making food available when one has extra food violates the other's right to such a life-good, and as a result, Sally wrongs Susan by withholding her extra food. So, for this case, each has a right to sufficient food, and since Sally is capable of providing food, because she has extra, she must provide Susan with her extra, up until the point Susan has a sufficient amount.

On the other hand, if Sally has only sufficient food (just enough food to survive), then she is not obligated to give away any or all of her food. Remember, from Chapter Two, to require Sally to give that to which she has a right is to create a contradiction where both have a right to the same food. Instead, I showed that Sally's right to sufficient food, and her possession of sufficient food allow her to enjoy the food that she has; but that in this situation, based on eirenéism and the three rules of application, Sally's obligation manifests itself as an obligation to work towards providing Susan with sufficient food.

For an eirenéist, the obligation to provide sufficient food *based on the inherent worth of the other* exists no matter what the circumstances. Since Sally is the only one in a position to provide sufficient food for Susan, whether Sally currently has sufficient or extra food, she is morally obligated to provide/work towards providing food for Susan.

If we replace food with forgiveness, we arrive at the same conclusion. Since Susan has inherent worth and a right to her life-goods, and if repentance makes forgiveness a life-good, then Sally is obligated to forgive Susan. If one wishes to avoid

this conclusion, as Wolterstorff does, then one must be able to provide an explanation of forgiveness as a different sort of obligation, one that is also consistent with eirenéism.

**The Third-party Obligation to Forgive**

Based on the above understanding of eirenéism, when a moral agent has a life-good, other moral agents are required to make said life-good available. After instances of wrongdoing, if a wrongdoer repents, then he or she has made forgiveness a life-good. The principle of correlatives, then, implies that if a person can make the life-good of the wrongdoer available, then he or she is obligated to do so. The only person who can make the life-good of forgiveness available to the wrongdoer is the victim: hence, the victim is obligated to forgive. Wolterstorff attempts to avoid this conclusion by explaining forgiveness as a non-obligation-producing life-good, which can be achieved by making forgiveness a third-party obligation. The following paragraphs will examine his attempt to formulate forgiveness-as-third-party obligation.

In *Justice in Love*, Wolterstorff maintains repentance is a necessary condition of forgiveness, yet he says, "I find this claim implausible, that repentance places on the victim the *obligation* to forgive, that not to forgive would be to *wrong* the wrongdoer, making the wrongdoer now the victim and the victim the wrongdoer."[103] Wolterstorff's fear is that if repentance makes forgiveness a life-good for the wrongdoer, then the wrongdoer has a right to be forgiven, and such a moral state of affairs appears to give the wrongdoer an unacceptable power over the victim.

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[103] Wolterstorff, *Justice in Love*, 188.

To avoid this moral state of affairs, Wolterstorff claims that repentance is a non-obligation-generating act:

> The situation seems to me rather that the wrongdoer *offers* the victim his repentance in the *hope* that the victim will regard him in a new moral light, treat him as having a new moral identity. The victim should then respond to this offer, or try to respond, by offering forgiveness in return. But the "should" here is not the should of moral obligation but the "should" of this being the best thing to do. It's an act of supererogatory grace on the part of the victim to forgive.[104]

In other words, he thinks that even though forgiveness is a good in the life of the repentant wrongdoer, it is a good that does not produce a corollary obligation for the victim. Instead, when a wrongdoer repents, forgiveness becomes the "best thing to do" for everyone involved—it produces the most good. So, the 'should' of forgiveness is the consequentialist 'should' of producing the most good, not a non-consequentialist 'should' (or 'ought') that would obligate agents to forgive regardless of the consequences.

Wolterstorff goes on to explain forgiveness-as-third-party obligation as an obligation that results from a third-party's command to forgive the wrongdoer. When a third-party commands one to forgive, one's obligation is not an obligation to the wrongdoer, but rather, an obligation to the third-party; thereby making forgiveness, from the point of view of the wrongdoer, supererogatory, since it is something they are not owed. So, instead of being a two-party obligation between moral agent and moral recipient, forgiveness is an obligation between a moral agent and some third-party, which for Wolterstorff is God. He explains this obligation by saying, "When someone validly commands me to forgive someone who has wronged me, it is not the malefactor but the one issuing the command who has a right against me to my forgiving the malefactor;

[104] Ibid.

correspondingly, my duty to forgive is not a duty toward the malefactor but a duty toward the one who validly commanded me to forgive."[105]

Of course, one does not need to be a theist to claim that forgiveness is a third-party obligation. In fact, forgiveness-as-third-party obligation is quite common in some realms of human life. For instance, children are often obligated to forgive because their parents/teachers command them. One need only visit a local playground to see a child wronged by another child, and then observe an authority figure force the wrongdoer to say, "I'm sorry, please forgive me"; and then the authority figure forces the victim to accept the apology and forgive.

Such instances of forgiveness also occur for adults, when commanded to forgive by an employer, a community, a psychologist, or some other authority figure. Typically the scenario plays out differently than the playground scenario, but the moral features of both scenarios are mostly the same. The main difference for adult cases is that the commands are usually presented as "suggestions": e.g., "I *suggest* you apologize to Suzie for what you did, and ask for forgiveness, if you enjoy your position in this company, and Suzie I *suggest* you accept forgive and move beyond what occurred." In this case, an authority figure commands me to apologize and Suzie to forgive. Of course, I could refuse to apologize and Suzie could refuse to forgive, we are both autonomous persons, but as employees of the company, our boss has a right over us to do what she commands, as long as it is within the limits of reasonable/moral/legal actions. Though God's

[105] Ibid., 384.

commands might have more power/authority for theists than commands from non-theistic third-parties, and no power/authority for atheists, third-party obligations still exist.[106]

I maintain that whether or not one is a theist, if one accepts eirenéism as the basis for a theory of rights, one must reject making forgiveness a third-party obligation. Chapter Eight will deal more specifically with the issue of whether or not God is necessarily required for there to be an obligation to forgive. For now, however, we must examine the principle of correlatives, in order to see exactly what changes from a two-party to a third-party obligation, and why such a move should be rejected.

In order to see the conceptual differences between a two-party obligation to forgive and Wolterstorff's desired third-party obligation, we must look at how forgiveness would be formulated as a two-party obligation:

> If Y belongs to the sort of entity that can have rights, then X has an obligation toward Y to forgive *if and only if* Y has a right against X to X's forgiveness.

Y is the sort of entity that has rights because Y has inherent moral worth. A result of this inherent worth is that Y has a right to his life- and history-goods. X is also an entity with inherent worth and has a right to her life- and history-goods. Because rights are normative social relations, X and Y have a set of corollary rights and obligations. The '*if and only if*' means that for every right that X has, Y is obligated to respect that right; and for every obligation that X has towards Y, Y has a right. So, if Y wrongs X, and forgiveness is a life-good for Y, then based on Y's inherent worth, Y has an inherent natural right to be forgiven.

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[106] One could argue that, in such cases, "true" forgiveness does not occur, and I would probably agree. However, determining the nature of "true" forgiveness (or false forgiveness) is beyond the scope of this essay.

To avoid this moral state of affairs, we must be able to formulate the third-party obligation to forgive in such a way that remains consistent with eirenéism and the principle of correlatives. Wolterstorff does not provide the reader with a reformulation, but here are two possible reformulations:

> R1: If G, X, and Y belong to the sort of entities that can have rights, then X has an obligation toward Y to forgive Y *only if* third-party G has a right against X (via a command) to X's forgiving Y.
>
> R2: If G, X, and Y belong to the sort of entities that can have rights, then X has an obligation toward G to forgive Y *if and only if* G has a right against X to X's forgiving Y.

Beginning with R1, the main difference between it and the principle of correlatives is that the bi-conditional of the principle of correlatives is changed to a conditional clause. Changing the clause to a conditional clause suggests eirenéism is some sort of divine command theory. X's obligation to forgive Y is dependent on G's command to forgive. Y's moral worth appears to become irrelevant in regards to X's obligation. One might further stipulate that G cannot or would not command X to forgive an entity that does not have moral worth, but doing so seems to unnecessarily complicate the principle of correlatives, since it can be reformulated in such a way that does not require separate conditions on the nature and abilities of G (e.g. R2). For these reasons, R1 should be rejected as an adequate reformulation of third-party eirenistic forgiveness.

R2 avoids the shortcomings of R1 by retaining the bi-conditional, but for R2 to be correct, a convincing argument for why forgiveness is different from other obligations must be provided. The inclusion of a third party in R2 does not disrupt the correlation between X and Y—there still exists a set of corollary rights and obligations based on the

inherent worth of each moral agent. The third party widens the moral scope of the social web: X and G are in a particular relationship (X accepts G as [and/or G is] a legitimate authority) that allows G to make commands for which X is obligated to discharge. Only in regards to forgiveness have things changed. Forgiveness in R2 makes X obligated to G to forgive, but not obligated to Y. Hence, in light of R2, forgiveness must be something other than a life-good for Y, since Y's need for it does not produce the same sorts of rights and obligations as life-goods.

I see two problems with this explanation, which I will mention here and fully address in the next section. First, I can find no explanation for why Y's need of forgiveness does not obligate X in any way, when all other needs to which we have rights do, in fact, create corollary obligations. Wolterstorff does not provide an argument for why there are some third-party obligations and other two-party obligations. He appears to just assume it to be the case because he does not like the outcome of forgiveness being a life-good, like all other life-goods. In the next section, I will attempt to formulate an argument for why forgiveness is different. Second, the textual evidence gathered from Wolterstorff's writings suggests that forgiveness is, in fact, a basic life-good. If forgiveness is a basic life-good, like all other life-goods, then we are left with two[107] possibilities: 1) forgiveness is like all other two-party obligations, as I suggest it is; or 2) all obligations are third-party obligations.

[107] There is a third possibility: eirenéism is simply a religious ethic. I do not address this possibility here, but I do in Chapter Eight.

**An Argument for Third-party Forgiveness**

Wolterstorff wishes to avoid the conclusion found in the following argument:

1. All people have rights to all basic life- and history-goods.
2. Y's right to Z obligates all those who can provide Z to Y, especially those who stand in a certain relationship to Y, to do so.
3. Victims, and only victims, can forgive their wrongdoers.
4. Forgiveness is a basic life- and history-good for repentant wrongdoers.
Therefore: Victims are obligated to forgive their repentant wrongdoers.

To avoid this conclusion he rejects premise 4, and suggests that forgiveness is a non-obligation-generating good in the life of the repentant wrongdoer. Wolterstorff's task, then, is to show why/how the good of forgiveness is different from more basic life-goods that result from the inherent worth of the wrongdoer. If forgiveness cannot be shown to be different, then it should be considered the same as other obligation-generating life-goods. R2 is designed to show why forgiveness is different, and even though Wolterstorff never produces a clear argument for the type of good he thinks forgiveness is, in the following paragraphs I will offer an argument for R2 that is consistent with eirenéism. Nevertheless, I maintain that such an explanation is inadequate.

The closest one gets to an explanation from Wolterstorff for why R2 is correct comes when he talks of the duty to forgive as the paradigm case of *duties of charity*—"a duty to treat someone a certain way when that person does not have a right against one to one's treating him that way."[108] Wolterstorff fears that such duties would require the principle of correlatives to be rejected, because such duties imply there are certain obligations that have no corollary rights. In order to show how duties of charity are, in fact, consistent with eirenéism Wolterstorff looks at several examples of God's command

[108] *Rights and Wrongs*, 383.

to forgive, and decides that making forgiveness and other duties of charity third-party obligations (i.e. obligations that result from commands) prevents him from the need to qualify or reject the principle of correlatives.

He, however, provides no argument for why forgiveness and other duties of charity are different, other than suggesting they are based on some third-party's command(s). Here is my attempt to formulate an argument that is consistent with eirenéism. Implied by a "duty of charity" is the idea that I have an obligation to do something that is above and beyond what I am morally required to do, specifically in regards to the rights of others. For instance, Y is not owed forgiveness, because forgiveness is a charitable act on the part of X—for X to forgive Y is to go above and beyond what is required because Y has no right to be forgiven. In Wolterstorff's third-party case, X is obligated to forgive Y because X is commanded to by a third-party. X, then, is *obligated* to the third-party to treat Y better than Y deserves to be treated, yet Y has no inherent right to be forgiven. Stated differently, forgiveness is a charitable act in regards to the wrongdoer, but an obligatory act in regards to the third-party. This and other similar explanations that have moral agents performing actions on the command (or even requests) of others matches up especially nicely with the R2 reformulation, which suggests a third-party reformulation is consistent with eirenéism.

To help further explain this reformulation, we need to look closely at Wolterstorff's distinction between *natural* rights, as understood by right-order theorists and *inherent* natural rights, as understood by inherent rights theorists. Right-order theorists are those concerned with providing an account of justice based on the correct

ordering of society. For right-order theorists, justice occurs when society is correctly structured, and it is the ordering of society that produces and confers rights and obligations. Right-order theorists wish to deny the existence of subjective rights that have not been conferred or generated by the actions of humans. They instead focus on the subjective obligations (or duties) that result from the structure of society, the reasoned duties of individuals, and/or commands from third-parties (e.g. legislators). Though they wish to avoid talk of natural rights, Wolterstorff argues that if one has a subjective obligation to do (or refrain from doing) A, then by extension, others gain the subjective natural right to have (or not have) A done. For instance, Wolterstorff says, "If you have a natural subjective obligation toward me to refrain from hitting me over the head, then surely I have a correlative subjective right against you to your refraining from hitting me over the head."[109]

Wolterstorff's point is that a right-order theorist can make sense of the notion of natural rights without being committed to any set of claims regarding the inherent worth of humans or persons, and that the real issue of rights involves whether or not inherent natural rights exist. Inherent rights theorists are concerned with the deeper structure of the moral universe. More precisely, they are concerned with showing that there are entities, like humans, that have a certain amount of worth that produces rights to certain goods. The inherent rights that one has are not conferred on entities by anyone. They are the result of certain entities having sufficient worth.[110]

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[109] Ibid., 34-35.
[110] Ibid., 36.

Instead of inherent natural rights that result from a person's worth, the weaker type of natural rights arise from third-party commands and things such as contracts. When one signs a contract agreeing to do Z, one becomes obligated to do Z based on the authority of the contract; and by extension, the other contractual parties gain the subjective right to have Z done because of the contract, not because of anything dealing with their inherent worth. These subjective rights are what Wolterstorff means by natural rights, and are based solely on the fact that others have third-party obligations that result from an agent's accepting the commands of some third-party authority figure, not from the worth inherent in other moral agents.

By making use of the notion of natural rights that result from the subjective obligations that result from the commands of third-parties, Wolterstorff appears to have the conceptual tools available to successfully explain forgiveness as a third-party obligation. Such an account also appears to explain why forgiveness is, in fact, a different sort of good for the wrongdoer. In regards to a third-party obligation to forgive, what appears to happen is that the repentance of the wrongdoer Y, which is necessary for forgiveness and makes forgiveness a good (something pleasurable) in Y's life, motivates a command from third-party G, for X to forgive Y. In other words, Y's repentance involves Y's seeing that what he has done is wrong, and with that Y realizes a need to be forgiven, in order to achieve a certain level of happiness and/or closure. Y's repentance makes forgiveness a good in his life, forgiveness would be pleasurable for Y, but it does not make forgiveness a life-good. Y's repentance does not actually obligate X to forgive because, in this case, forgiveness is understood as merely a good (something that brings

about pleasure), not a life-good (something necessary for Y's flourishing). Y's repentance motivates G in some way (e.g. G recognizes what is best for both parties and society at large) to command X to forgive, and it is G's command that actually obligates X to forgive.

Though this explanation seems consistent, I am unconvinced that forgiveness is different than other obligation-generating life-goods. It is true that the natural rights formulated by right-order theorists create a different sort of obligation than inherent natural rights, but it is a notion of rights that is much weaker than inherent natural rights. The natural rights that rights-order theorists focus on exist as a result of a set of duties that moral agents are obligated to carry out, and they have nothing to do with questions concerning the inherent worth of these agents. As noted above, one of the main goals of Wolterstorff's work on rights is to get us to move from the natural rights of right-order theorists to the stronger notion of inherent natural rights. So, the move to natural rights in the instance of forgiveness seems to be a step backwards.

For eirenéism, accepting the notion of inherent natural rights, which result from the inherent worth of others, implies there are two dimensions of morality (the agent- and recipient-dimension), which results in the formulation of a rights theory based on the principle of correlatives. This principle suggests that moral agents have both rights and obligations based on the inherent worth of moral agents. The main question, then, becomes what are the things to which an entity with inherent worth has a right? For Wolterstorff the answer is "[t]he states and events in a person's life that are good for the person, combined with the actions and activities of that person that are good for him or

her, together make up the whole of what is good for that person."[111] These states, events, and activities are one's life-goods, and they contribute to both the good *for* the person (i.e. they contribute to the pleasure of the person) and the good *of* the person (i.e. they contribute to the flourishing of the person, even though they are not always pleasurable). This dual feature of life-goods obligates one to promote the flourishing of oneself and others, even when doing so does not seem to produce any pleasure, or in some instances, is very difficult; and others are to do the same.

The most commonly mentioned life-goods are food, shelter, and water, but this is an extremely limited list of life-goods. Other life-goods are clean air, a safe place to live, and rewarding relationships. Since eirenéism is concerned with achieving a state of peaceful flourishing, eirenistic life-goods must be determined both by one's physical needs and one's emotional/psychological needs, and the latter are determined by the natural preferables that are part of one's life. These features are why compassion and the recognition of vulnerability are so important for eirenéism, and are the key features that separate it from other conceptions of the good life.

Since natural preferables help determine life-goods, we should include in our list of life-goods our family, friends, emotional stability, and countless other features of life that are part of an individual's natural preferables and, therefore, part of one's flourishing. With this in mind, I do not see why forgiveness should not be considered to be part of the list of life-goods that are necessary for one's flourishing—for both the victim and the wrongdoer. Granted, I have not directly dealt with what forgiveness is,

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[111] Wolterstorff, *Justice in Love*, 2.

but based on the notion of repentance (the idea that a wrongdoer says, "I am sorry for what I have done, I was wrong, I promise not to do it again, and I need to be forgiven"); I maintain that forgiveness must be understood as a basic life-good.[112]

If a person is truly sorry for wronging someone, then she will not be content with simply going about her business as though nothing ever happened. Our actions create a narrative of who we are, and when we wrong someone, we become partially defined by that wrongdoing, unless we are unaware of or forget that we wronged someone. By repenting, a person makes the claim, I no longer wish to be seen as a wrongdoer, and I no longer wish to be defined in terms of my wrongful act. Forgiveness, then, becomes a necessary component to move beyond the wrongdoing, and if a person is incapable of being forgiven (e.g. the victim dies), then she will never achieve the peace that is capable with forgiveness. She might go on to flourish, but without forgiveness, something necessary to her flourishing will be forever missing. If I am correct, and forgiveness is necessary to achieve an eirenistic state of peace, then forgiveness should be understood a basic life-good, like all other basic life-goods.

What is interesting is that even though Wolterstorff tries to explain forgiveness as a third-party obligation, which suggests it is a different sort of good in the life of the wrongdoer, much of his writings suggest forgiveness is a necessary life-good. For instance, here is a sampling of some of the things he says about forgiveness: forgiveness is an "intrinsic good in your life"; it is a "good" in the wrongdoer's life "that I no longer

[112] One might even point to Kristeva's psychoanalytic explanation of forgiveness-as-combater-of-hatred to argue that forgiveness is a life-good because it is necessary for the "rebirthing of the self." One would need to show that Kristeva's account is correct, but I am not qualified to perform such a task.

hold against you what you did to me"; it is a "good" in the wrongdoer's life "that I am no longer angry with you on that account"; that my "holding it against you would be an evil in your life"; that the wrongdoer's "flourishing would be impaired"; that the "fully flourishing life does not contain" not being forgiving; that the "causal effects enhancing one's wellbeing or that of the wrongdoer are not expected"[113]; and that forgiveness is "an intrinsic good in the life of punisher and wrongdoer…"[114] These statements concerning forgiveness suggest that not only is forgiveness a good that produces pleasure in the life of the wrongdoer, but that it is more importantly, a basic life-good, on par with all other life- and history-goods that produce a state of flourishing. Because of these passages, and my argument that forgiveness is a basic life-good, I maintain that making forgiveness a third-party obligation makes Wolterstorff's position inconsistent. In the following chapters, I will provide an account that rejects Wolterstorff's third-party explanation and shows how two-party forgiveness can be made consistent.

Based on these passages, and a basic understanding of the needs of life-goods in eirenéism, I maintain that forgiveness is no different than any other life-good that is necessary for one's flourishing; and if this is true, then the reformulation of forgiveness as a third-party obligation (R2) should be rejected. For if R2 is true, and forgiveness is no different than other life-goods, which I suggested above and will argue for in the next chapter, then all obligations are the result of third-party commands. The fear then becomes, the inherent worth of moral agents plays a significantly weaker role that what is implied by eirenéism.

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[113] *Justice in Love*, 190.
[114] Ibid., 197.

This rejection does not mean that there are no instances of third-party obligations to forgive, like those that might arise due to the community or a relationship one is engaged with, but as a general principle, the life-good of forgiveness must remain part of the two-party obligation of the principle of correlatives, in order to consistently retain the principle of correlatives and Wolterstorff's theory of rights.

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The notion of inherent rights used by eirenéism implies a much stronger ethic than the natural rights formulated by right-order theorists and suggested by third-party obligations. The former are based on the inherent worth of individuals, while the latter are conferred from standing in a certain relationship to another, or as the result of a command to perform certain actions by a third-party, whether that third party is God, society, or some sort of contract. Eirenéism challenges moral agents to accept that the inherent worth of others creates a set of corollary rights and obligations that one should respect, in order to produce a just state of affairs (i.e. peace). Eirenéism requires moral agents to move beyond conferred rights towards a much stronger rights theory that maintains moral agents have a large set of obligations they should carry out, simply as a result of the inherent moral worth of humans. I will show in the next chapter that one such obligation is forgiveness.

One of the main features of eirenéism is that it recognizes the vulnerabilities that are part of human life, and how much of the flourishing of moral agents is in the hands of others. For the repentant wrongdoer, his or her flourishing is vulnerable to the person

s/he wronged, and I believe I have shown that eirenéism requires the victim to forgive. So, instead of rejecting premise 4, we should accept the conclusion that premise 4 implies and work towards explaining how and why the repugnant implication is not repugnant.

In the next chapter, I will provide an argument for why the repugnant implication is not repugnant, and I will use a variety of cases to illustrate that the normative account offered by eirenéism is much more nuanced than Wolterstorff seems to give it credit. Also, since the last two chapters deal with issues discussed above, I will briefly mention them here. Chapter Seven will look more closely at the life-goods of the victim, in order to show that forgiveness is, in fact, a life-good for the victim too. And Chapter Eight will consider Wolterstorff's argument that there is no secular grounding for a theory of rights, and I will present and challenge the argument that one should understand eirenéism as strictly a religious ethic, which will require a reexamination of the acceptability of R2.

# Chapter Six
## Applying Eirenistic Forgiveness and Avoiding the Repugnant Conclusion

Up to this point I have presented a conception of eirenistic forgiveness that focuses substantially on the relational features of human morality, and sheds new light on the rights and obligations that result from wrongdoing. In the last two chapters I showed what sort of forgiveness results from accepting eirenéism, and I discussed in detail one seemingly unsettling feature, what I called the repugnant implication. In the last chapter I examined Wolterstorff's attempt to avoid this implication by making forgiveness a third-party obligation, and I showed why we should reject his approach.

Assuming my argument from Chapter Five that forgiveness is a life-good, on par with other life-goods, is correct, and that as a result, we should accept forgiveness as a two-party obligation, it is time for me to provide an account of how to avoid the repugnancy of the repugnant implication. I will perform this task in three ways. First, I will briefly discuss inherent rights as a tri-level ethic, as opposed to a bi-level ethic. Second, I will make use of the case of Sally and Susan from Chapter Two to reemphasize the importance of eirenéism's three rules of application, and I will further argue that forgiveness is a life-good for both the victim and the wrongdoer. Finally, I will apply eirenistic forgiveness to several difficult cases. More specifically, I will carefully examine the rights that are violated and the obligations that arise from three particular acts of wrongdoing: stealing, rape/torture, and mass atrocities/genocide. Many of the examples will be based on real-life cases, and they will be used to tease apart the corollary rights and obligations that result from a wrongdoing, which will show readers

that eirenéism can consistently provide normative guidance to a wide range of cases and that the obligation to forgive is not as repugnant as it appears.

One of the difficulties of my task is that different instances of wrongdoing create their own unique relational features between victim and wrongdoer. Though sharing some similarities, the rape of a complete stranger has a different set of moral features than the sexually abusive father who rapes his child; the killing of a lover has a different set of moral features than the torture of a enemy combatant; the enslavement of a group of people has a different set of moral features than the systematic genocide of a group of people. Nevertheless, I will attempt to use several common features from these and other types of wrongdoing to explain the type of moral relationship that is created or transformed as a result of a wrongdoing. This will be facilitated by looking at several specific cases, like the ones just mentioned, in order to test my account and the reader's intuitions about wrongdoing and forgiveness.

**The Tri-level Nature of Rights**

Before examining different cases of wrongdoing, I need to iterate and explain some important features of eirenéism that have not been fully discussed up to this point. Eirenéism supports a rights-based understanding of human morality that combines elements from consequentialist and non-consequentialist theories to argue for a relational-based conception of the good life that aims at a state of peace, in both agents *and* recipients. Unlike an agent-centered ethic, eirenéism presents a quasi-communitarian/feminist approach that maintains human morality is relational, that every

moral agent has a set of inherent natural rights that correlate with a set of obligations that others are required to provide, and vice versa. According to eirenéism, moral agents have a right to certain life-goods, some of which are food, shelter, privacy, and natural preferables, like enjoying the relationships of one's family and friends. When one has these life-goods provided, and provides these life-goods for others, a state of justice occurs in which one can flourish. If one's life-goods are not made available, a state of injustice exists, and as a result, one is wronged.

In order to fully understand eirenéism, it is important to understand the structure of rights, which is a tri-level ethic. Doing so will help me illustrate the extent to which moral agents have obligations to provide for other's rights. To understand the structure of a tri-level ethic, as opposed to a bi-level ethic, let us look at the difference between eudaimonism and eirenéism. Wolterstorff argues that eudaimonism is fundamentally a bi-level ethic: the lower level being natural preferables and the upper level being the virtues. Eudaimonism maintains the virtues are the skills by which one deals with the loss and/or gain of natural preferables. Natural preferables, then, become the benefits and, if lost, burdens one must deal with in order to live the good life.

Rights, on the other hand, are not skills; they "are normative relationships that incorporate life-goods."[115] Rights are represented by the states or conditions of moral agents, whether or not their rights are being respected or disrespected, and because of this, claim rights create a tri-level ethic. The formulation of a claim right is: X has a right against Y to Y's doing (or refraining from doing) Z—"Paul has a right against Peter to

[115] Wolterstorff, *Justice: Rights and Wrongs*, 222.

Peter's making food available to him."[116] When this statement is teased apart, we see there is a tri-level structure to claim rights:

1. X enjoying her right against Y to having Y do A
2. X having A made available to her by Y
3. X having A available to her

When all three states are achieved, then one has his or her rights fully respected. Because justice requires having one's rights respected, whenever a moral agent has a life-good, then justice requires moral agents to either refrain from hindering others from obtaining that life-good, and in some cases (like in the case with Peter and Paul) moral agents must provide for that life-good.

Throughout *Justice: Rights and Wrongs*, Wolterstorff is frustratingly quiet about what specific life-goods moral agents have.[117] Some life-goods like food, shelter, and a right to privacy are continually used as examples, but others are left up to the reader to infer. In general, life-goods are defined as: "some state or event that contributes positively to one's life or history having the worth it does have", and as a result of understanding 'life-good' in this way, one has rights to the life-goods that are constitutive of the well-going (peaceful) life.[118] In other words, based on one's inherent worth, each person has states or events that contribute to one's peace, and these states or events are what one has a right to.[119]

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[116] Ibid.
[117] Wolterstorff is currently working on a book dealing with this issue to be published with Oxford University Press.
[118] Wolterstorff, *Rights and Wrongs*, 227.
[119] Wolterstorff does provide a more specific explanation of how to determine one's life-goods (i.e. "divine desires"), but his explanation is not relevant to this chapter. I will detail his account in Chapter Eight.

With a general understanding of life-goods, I will use eirenéism's three rules of application to better understand how one should apply eirenéism to specific cases.

As illustrated in the case of Sally and Susan, from Chapters Two and Five, eirenistic rights theory uses both non-consequentialist and consequentialist explanations to describe what one has a right to and what one is obligated to do: Both Sally and Susan have a non-consequentialist right to sufficient food, which is determined consequentially by what each one needs in order to survive and flourish; and in cases where Sally does not have enough food to make extra available to Susan, Sally is obligated to work towards providing said life-good, because Susan needs the food to survive and to flourish. Having food is necessary for everyone's peaceful flourishing. Sally is justified in withholding food from Susan (diminishing her flourishing), only when Sally lacks the ability to provide food. If Sally has extra food and withholds it, she wrongs Susan. Because Sally is morally required to seek Susan's flourishing, she is obligated to work towards providing it; if she chooses not to seek providing, or obtains food and does not provide it, Sally moves from temporarily diminishing Susan's flourishing to actually wronging Susan. In other words, Sally not providing food when she has no food to provide does not wrong Susan, even though Susan's flourishing is diminished from not having food. On the other hand, Sally not providing food when she is capable of providing food, wrongs Susan.

To see exactly how this works, let us reexamine eirenéism's 3 rules of application:

> Rule 1: *Seeking to promote someone's good or secure someone's rights as ends in themselves should never be done at the cost of wronging someone.*
>
> Rule 2: *One should seek to promote one's own good and secure justice for oneself as ends in themselves, though never at the cost of wronging someone.*
>
> Rule 3: *One should never seek to…diminish the person's flourishing*[120] *as an end in itself; one should seek to…[diminish the persons flourishing] only if doing so is an indispensable means to promoting greater goods in the life of that person and/or others, only if one should be promoting those greater life-goods, and never at the cost of wronging someone.*[121]

Rule 1 requires one to seek the good of others (to make sure they have the goods to which they have a right), and Rule 2 requires one to seek one's own life-goods to which one has a right; but both of these require that the seeking of good never come at the cost of wronging someone. The combination of these Rules, along with Rule 3, implies that moral agents should be continually seeking (i.e. working towards) ensuring all moral agents have the life-goods to which they have a right, on a personal level, an interpersonal level, and on a broader social level. In instances when one cannot perform 1 and/or 2, Rule 3 allows one to diminish the flourishing of another, if one is incapable of allowing for the other's flourishing, so long as no one is wronged. As a result, in instances when moral agents cannot provide for the life-goods for oneself or others (i.e. diminish one's flourishing), moral agents are required to work towards providing said life-goods. Purposely limiting flourishing, when one is capable of providing for one's flourishing, is to wrong someone.

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[120] I replaced Wolterstorff's use of 'evil' with 'diminish the person's flourishing' in this rule to avoid a lengthy explanation within the text of why he uses 'evil'. Wolterstorff uses 'evil' to represent "life-evils," as opposed to life-goods. In the text, he defines 'evil' as that which diminishes a person's flourishing, which is why I replaced the term. To be clear, he does not use 'evil' in the stronger sense of willfully causing great harm to others.

[121] Nicholas Wolterstorff, *Justice in Love* (Grand Rapids, MI and Cambridge: William B. Eerdmans Publishing Company, 2011), 119 and 130.

Since forgiveness is like other life-goods, we should apply the same rules of application to cases of wrongdoing and repentance. For an eirenéist, the obligation to provide forgiveness, based on the inherent worth of the other, exists whether or not one is capable of forgiving. In cases where one is incapable of forgiving, however, the obligation manifests itself differently, as an obligation to work towards forgiving. To use a quote from a previous chapter, Wolterstorff says, "What each of us should do, and more narrowly, what each of us ought to do, depends crucially on our abilities, our resources, our circumstances, our opportunities, even our convictions."[122] For eirenéism, after cases of wrongdoing, victims must not forget that they exist within a set of social connections that produce obligations, based on the life-goods of others. The obligations of such individuals will undoubtedly be severely limited as a result of the wrongdoing, but they exist nonetheless.

As we will see in the next section, there will be times when one is incapable of forgiving, especially after instances of heinous wrongdoing, and not forgiving is morally acceptable. As Rule 3 shows, one can diminish a person's flourishing, if doing so is an indispensable means to promoting greater goods in the life of that person, assuming it is good to promote those goods, and their promotion is not at the cost of wronging that person. What I take to this to imply is that one can diminish a repentant wrongdoer's flourishing by withholding forgiveness for a limited time, only when one is (physically, mentally, emotionally, etc) incapable of forgiving, which prevents one from wronging the wrongdoer. However, if one is capable of forgiving, and chooses to not forgive, then he

[122] Ibid., 131.

wrongs the wrongdoer. The difference between harming and wronging the repent wrongdoer depends on the capacity of the victim to forgive. However, because of the tri-level structure of rights, this interpretation only makes sense if withholding forgiveness on grounds that one is incapable of forgiving is coupled with the obligation to work towards being able to forgive. If forgiveness is a life-good in the life of the wrongdoer, then to purposely withhold it, when one is capable of forgiving, is for one to purposely wrong the other. This would be no different than Sally purposely withholding extra food from Susan.

I maintain that eirenéism's three rules of application offer the key to why the repugnant implication is not repugnant. If eirenéism implied that victim X is morally obligated to forgive wrongdoer Y at the moment Y repents, I would agree that such a conclusion is repugnant. Eirenéism, however, takes into account the fact that there are times when one is incapable of performing certain actions (i.e. providing others with life-goods), and that in such cases, one is required to work towards being able to provide for the other. The repugnancy of the repugnant implication is ameliorated because eirenéism takes into account X's ability (or lack of ability) to forgive, and allows X to diminish the life-good of Y by not forgiving, as long as X in some way seeks to eventually provide Y with forgiveness.

The above explanation does not mean to suggest that forgiveness, or working towards forgiveness, is ever easy, but it does suggest that forgiving, and in some cases working towards being able to forgive, is a necessary component of eirenéism-as-the good life. With the above explanation in mind, I will attempt to apply eirenéism to

several difficult situations, in order to show that eirenistic forgiveness is capable of being applied to a wide variety of tough cases.

## Applying Eirenéism

With a general understanding of life-goods, the tri-level nature of rights, and many other relevant conceptual features of eirenéism in mind, I will examine a series of cases in which a moral agent's right(s) are disrespected, in order to illustrate how eirenéism explains the correlating rights and obligations that exist before and after a wrong occurs. I will then examine the sort of normative guidance that eirenéism provides when the wrongdoer repents and asks for forgiveness, in the hopes of explaining the obligation to forgive in such a way that it is either non-repugnant, or at least not as repugnant as it first appears. In hopes of being as thorough as possible, I will use a variety of real-life and hypothetical sources to work through the following three cases of wrongdoing: stealing, rape/torture, and genocide/mass-atrocities. I will also limit my case studies to the most morally problematic and illuminating cases.

### Stealing

Let us look at two different cases of stealing that contain varying moral features: one that deals with the theme of stealing food, and one that deals with the theme of stealing a friend's drugs, in order to help him quit.

In the first case, Fred steals several portions of bread from Barney and his family. For the sake of argument, assume Fred is not stealing the bread out of spitefulness or just

because he wants a little more bread; Fred really *needs* the bread to feed himself and his family, and Barney is the only person in close proximity to Fred. Furthermore, assume Fred's lack of bread is not a result of his own doing: he works hard and he is frugal with his money.[123] Fred simply does not have enough bread to feed his family, and he decides that the only way to get it is to steal some from Barney.

Continuing to focus on Fred, how would eirenéism explain his moral status? For one, eirenéism says that Fred has a right to enough bread to live: it is necessary to sustain his life, which means it contributes positively to his life having the worth it does have. So, like the Peter and Paul example given above, and the Sally and Susan case seen throughout this dissertation, because the bread is a life-good for Fred, justice requires that bread be made available to Fred by all those who can provide it. In the current case, I am assuming only Barney is in such a position.

Nevertheless, as thus far explained, even though Fred has a right to bread, he does not necessarily have a right to Barney's bread, because just like Fred, Barney has a right to the life-good of having bread. The rights and obligations of Barney and Fred will depend on how Barney's portion of the case is explained. One scenario is to say Barney is struggling as much as Fred, and that he only has enough bread for him and his family. In other words, imagine Barney knows he *needs* four portions of bread a day for him and his family, and he is only able to supply his family with those four portions—he is not able to secure any more.

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[123] To be honest, I am not sure this condition matters, but for the sake of argument, I will assume it for this case.

The use of 'needs', as referring to that which is *necessary* for one's life to flourish, can be problematic, since it seems to open the door for abuses. For instance, if Barney takes an agent-centered approach, he might simply say: times are hard, and I need all the bread I can get—so I have no extra bread to share with Fred, or anyone else. However, this explanation will not do in regards to eirenéism. Eirenéism calls moral agents to suffer both for and with others, and as a result, one must consider the needs (i.e. the life-goods) of others when considering one's own needs. So, assuming Barney is an eirenéist, when calculating how much bread he needs for him and his family, he is morally required to also consider Fred's needs, and if possible sacrifice a portion of what he has (or can obtain), in order to see that Fred gets what he has a right to. Even in the case of Barney's family, the only reason they have a right to the bread over Fred is because of their closeness to Barney and Barney's role as family provider. Fred has the same rights as the family, but because of shortness of bread, no one can give any up without risking extreme starvation or death, Fred finds himself at the end of the bread line.[124]

So, in the current case there are two moral agents who have a right to enough bread to contribute to their respective life's flourishing (i.e. enough bread to survive). Through no fault of their own, Barney has just enough bred to survive, while Fred does not. Does eirenéism require Barney to give up a portion of his bread to ensure Fred's survival? No. Barney has a right to his bread, and because he carefully considered his

[124] The best procedure for ranking that occurs to me is one based on closeness of relations. The family is closer than Fred, and Barney has made himself the provider of the family. Due to this role, the family would come before Fred. Again, this is assuming that there is no possible way for the family to do without some bread, in order to provide for Fred.

and Fred's needs together, he is not morally obligated to sacrifice his family's life-goods, in regards to the bread, in order to see Fred flourish.[125] In such a case, Barney giving Fred bread would be supererogatory.

Forcing Barney to give up what he has a right to is to wrong him. Barney has made the appropriate compassionate calculations of his and Fred's needs, and he is unable to give anything to Fred. Fred still has a right to bread, but he does not have a right to Barney's bread. As a reminder, to force Barney to give his bread to Fred would be to create a moral infinite regress: Barney's giving to Fred would then obligate Fred to give to Barney, which would obligate Barney to give to Fred, *ad infinitum*. The regress is avoided because Barney has both done the appropriate eirenistic calculations and only has enough bread to survive; and though he might be obligated to perform other actions, he is not obligated to give his bread.

Returning to the issue of Fred stealing Barney's bread, if the above is correct, then Fred's act of stealing is immoral. The bread (or more precisely, the sustenance it provides) is a life-good for Barney. What is more, the bread is part of Barney's personal property, which is also a life-good to which he has a right. For Fred to steal Barney's bread, he fails to live up to several of his obligations. Fred is obligated to see that Barney's life-goods are obtained, and by stealing his bread, Fred is actively taking his life-goods away—both his life-good to sustenance and his life-good of private property. On a theoretical level, Fred fails to live up to any of the principles of eirenéism: he

[125] It would be a different story, if Barney had the ability to buy or obtain more bread with little or no costs to himself. Barney, then, would be morally required to buy or obtain bread for Fred. Some might find this repugnant, but this is a fundamental feature of eirenéism. As discussed in Chapter Two, compassion requires that one act based on the needs of others, due to their inherent worth.

completely ignores the recipient-dimension of morality, he ignores Barney's rights, and he disregards the principle of correlatives. Fred does all of these things because he only focuses on himself and his family—he is selfish, egotistical, agent-centered.

If the scenario is changed up a little, however, a different result will occur. Instead of Barney having just enough bread for him and his family, imagine Barney has plenty of bread, or at least the ability to get enough bread for both his family and Fred's family. If this is the case, assuming Barney is not hundreds of miles away, and there are not others close by with excess bread, then Barney becomes obligated to provide Fred with any extra bread he might have, up to the point that Fred's basic needs are met. Following the principle of correlatives, if Barney is able to provide Fred with a life-good that Fred has a right to, then Barney is morally required to provide said life-good. Even if Fred's lack of bread is the result of him being lazy, he still has a right to the life-good of having bread made available to him. In such an instance, however, Barney might have a further obligation to provide Fred with a lecture/lesson (or whatever is appropriate) on not being lazy.

Doing so might be a burden on Barney; he might have to give something up, but the necessity of the life-sustaining sustenance of bread overrides or trumps any extravagances that Barney might want. So, if Barney has enough bread, or is capable of getting enough bread (without sacrificing what he has a right to), then eirenéism maintains Barney is morally obligated to provide Fred with bread. This is the same conclusion Wolterstorff comes to when discussing the tri-level nature of rights— Paul has a right against Peter to Peter's making food available to him.

The question then becomes: in this new case where Barney has extra bread, does Fred's theft wrong Barney? Eirenéism suggests that as long as Fred first asks for some bread before resorting to theft, then the answer is "no." Fred has a right to X amount of food (X being the minimum amount to live), and even though Barney has a right to his property, Barney does not have a right to withhold that to which Fred has a right. Just like Sally and Susan in Chapter Two and Five, and Peter and Paul above, Fred has the right against Barney to Barney's making his excess food available to him. Therefore, in order to ensure the peace to which everyone has a right, Fred is justified in taking the bread to which he has a right. Though Barney will (probably) not perceive Fred's actions this way, and Fred's actions might damage their relationship, Fred's actions create a just state of affairs. Barney has already damaged the relationship by withholding bread, thereby, wronging Fred. Ideally, Fred would not need to take Barney's bread without permission, but in this extreme case, just like Sally and Susan, Fred's right to sufficient food trumps Barney's right to excess food.

The next case of stealing presents an even more complex situation. So far, I have presented two parties, where one party has some good that the other needs, but now I want to present a case where one party (call him Roger) wants to steal from another party (call him Syd) in order to ensure that the second party can flourish. Imagine that both Syd and Roger are young and upcoming musicians, very talented, and are highly capable of flourishing in their profession. Syd, however, begins taking heroin, and begins to have difficulty writing, recording, and playing his songs. The heroin threatens to not only ruin Syd's musical career, but it will probably cause his early death. Roger, on the other hand,

is a concerned friend who recognizes Syd's problems and begins looking for ways to help Syd. After many failed attempts to help Syd break his addiction to heroin, Roger determines the only way to help Syd is to steal his heroin and prevent him from obtaining any more, which he hopes will force Syd to quit. Roger enacts his plan, and against all odds, his plan works: Syd is on the road to recovery and he can resume his flourishing musical career.

So, we have a case where a moral agent (Roger) steals some property (heroin) from another moral agent (Syd) in order to see Syd obtain another life-good (his flourishing). For eirenéism to give us a clear answer, it must be capable of ranking life-goods; that there are some life-goods that are better (or more basic) than others.

The tension in this case is between the mistaken good of having heroin, which Syd improperly perceives as a life-good, and the actual life-good of being able to flourish free from the effects of mind-altering drugs.[126] But in such a case, who or what decides which life-good is primary? Syd's judgment should be the best candidate for who gets to decide, but the effects of heroin seem to call into doubt his ability to rationally choose. While free from the drug he might choose a life free from the addiction, but if truly addicted, he will lack the ability to refrain from using the drug. As an outsider, who can judge what is best for Syd, Roger then is in the best position to decide which life-good is primary. To take this route, however, is to risk making eirenéism a parentalistic ethic. Wolterstorff recognizes this possibility. He suggests that there are times when others might have a better idea of what is best for our own flourishing, and in these cases others

[126] I deal specifically with cases of malformed desires in Chapter Eight.

are obligated to *help* us achieve this flourishing. In such cases, moral agents are to look beyond how one is living one's own life and look at how one's life is going. Wolterstorff says, "…[I]f we concede that it does make a positive contribution to the worth of his life, we have to conclude that its positive contribution is toward how his life goes, not toward how his life is lived."[127] In other words, we must distinguish between the trajectory of Syd's life (where his life is headed hooked on heroin vs. where it might head if he were not hooked on heroin) and how his life is being *lived* (in a constant state of temporary, yet destructive pleasure). Syd might be happy taking heroin, and he might be making some wonderful music, but Roger is in a state of mind in which he realizes that even though the heroin is part of Syd's current "goods," the heroin will eventually lead to his overall life going poorly.

Assuming Roger's analysis is correct, does eirenéism support the conclusion that it is morally permissible for Roger to steal Syd's drugs? Even assuming Syd has a right to the state of having heroin made available to him, since it is a perceived good for him, the state of not having heroin, as the state that leads to Syd's overall flourishing, trumps the state of having heroin. Because of this, Roger is obligated to do something to help ensure Syd achieves the state of not having heroin. Roger's obligation, then, as far as I can tell, allows him to steal the heroin, if it is the best/only way to help Syd achieve his state of flourishing. Stealing might diminish Syd's pleasure, but it does not wrong him. Of course, eirenéism will also require Roger to do much more: e.g., provide care during Syd's withdrawal period, help provide counseling, remain a supportive friend, etc.

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[127] Wolterstorff, *Justice: Rights and Wrongs*, 225.

I think this is correct, but it is important to make clear that such a conclusion cannot be generalized to all cases. There is a qualitative difference between the deleterious effects of heroin and the deleterious effects of, say, fried food. Though fried food might prevent a moral agent's ability to flourish as much as she might without it, and it might cause loved ones to treat you as being unhealthy, fried food does not have the same devastating effects on one's rational ability as heroin does. Consequently, we might be morally obligated to help a friend who eats too much fried food change her diet, but we do not have the same obligation that we would have if she were addicted to mind-altering drugs. So, the parentalistic justification for the obligation to prevent a friend from ruining his life (in this case, stealing) should only occur in rare circumstances. Though some might abuse this feature of eirenéism, I do not think it should deter its acceptability. In fact, such a possibility seems to match up nicely with common occurrences of friends, families, and communities doing whatever it takes to help a loved one through or out of a very difficult situation. Eirenéism provides both an impetus and a justification for disrespecting certain (less-basic?) rights in order to see the flourishing of others.

Eirenéism, then, maintains stealing is morally impermissible, except in extreme cases such as what is being stolen is deleterious to both the rational thinking of the moral agent and the overall flourishing of that individual, and when one is withholding what another has a right to. With that in mind, it is now time to turn our attention to what happens after the wrong of stealing occurs. More specifically, imagine that some time

after Fred's and Roger's respective acts of stealing, both ask their respective victims for forgiveness.

Let me begin with Roger and Syd's case, since it offers the most straightforward conclusion. As stated, I think eirenéism supports the claim that Roger is morally obligated to do something to help Syd free himself from his dependence on heroin, and if stealing Syd's heroin is his best option, then Roger is morally justified in stealing the heroin. More precisely, it is not the act of stealing that is morally permissible; it is Roger's making a life free from heroin available to Syd that is morally permissible. At first, Syd might be angry with Roger, but when Syd has a chance to sober up he will (hopefully) be thankful that Roger did what he had to do to see that he was able to flourish, though if Syd fails to stay sober he might remain resentful.

Nevertheless, since Roger's act was morally permissible, there is no need to ask for forgiveness since no wrong was done. As an act of kindness, Roger might ask for forgiveness to ensure there are no hurt feelings between them, but such a case does not qualify as forgiveness. Therefore, the talk of an obligation to forgive is not relevant: forgiveness is not needed, so no obligation to forgive exists. However, we might, in fact, go so far as to say that Syd ought to ask Roger for forgiveness for putting him in a situation where he had to steal.

The case of Fred and Barney offers a different conclusion. Fred's act of stealing, when Barney has just enough food to survive, was determined to be immoral. The question, then, is: is Barney obligated to forgive, and in what circumstance might he be obligated?

Just to be clear, what one has a right to is not an object; one has a right to some state or condition. Forgiveness is not an object. It is true that forgiveness might be represented by an object; I might give the person who wronged me a token to remind him of his wrongdoing and/or my forgiveness, but the token is not forgiveness—it represents it. So, if Fred has a right to forgiveness, then he has a right to the state or condition of forgiveness that exists between him and Barney.

Fred's repentance makes forgiveness a life-good—it is a necessary good that contributes to his life's flourishing. The act of repentance illustrates a change in Fred's mindset: he realizes what he did was wrong, he separates himself from the action, he renounces it, and he desires to have some sort of reconciliation between him and Barney. If he does not repent, he does not think he has done anything wrong; so, he does not need forgiveness. The need of forgiveness by a wrongdoer only exists in relation to the recognition and repentance of said wrongdoing. By repenting, he makes forgiveness a life-good that can only be granted by Barney. The issue, then, becomes whether or not Barney is morally obligated to forgive.

As I showed in the previous chapter, eirenéism implies Barney is morally required to forgive Fred because he is the only one in a legitimate position to create the state of forgiveness that Fred has a right to. (For simplicity's sake, I will refer to the "state of forgiveness" as forgiveness.) Just as in the case where Barney has more-than-enough bread and is obligated to make available the bread to Fred, Barney is obligated to make forgiveness available to Fred. However, this conclusion might be too hasty, for two reasons.

First, Barney with more-than-enough bread (Barney-1) surely perceives that he has been wronged by Fred's theft, even though eirenéism suggests he has not, as long as Fred asked for some bread before resorting to theft. Regardless of the truth of Barney-1's perception, the relationship between Fred and Barney-1 has been damaged. The trust that once existed between the two no longer exists. Even if Fred apologizes for a perceived wrong, and Barney-1 apologizes for withholding food, the ability to flourish as friends has been damaged; and even though eirenéism would suggest they need to repair their relationship in order to flourish, they might not have the desire to do so. They might just go their separate ways, though eirenéism would recommend against it. Eirenéism would suggest they work on repairing their relationship and work on making more compassionate decisions in the future. The role of forgiveness is to repair, or to heal, the damages that result from Fred's actions and Barney-1's inaction.

Second, in regards to Barney-1 withholding food, eirenéism would say that the ethical thing for Fred to do is to forgive Barney-1 for withholding and putting him in a position where he needed to take Barney-1's bread. The wrong committed was the result of Barney-1 failing to accurately discern what is morally required of him by eirenéism: he failed to take into account Fred's right to having bread made available to him and failed to provide it. Eirenéism maintains that the moral thing for Fred to do is to forgive and for both of them to work harder at making better ethical decisions that lead to their combined flourishing.

The situation changes when we consider the case where Barney has sufficient food (let us call him Barney-2). Let us imagine two possible consequences that result

from Fred's theft: 1) Fred's theft causes extreme hunger but no one dies; and 2) Fred's theft causes extreme hunger that leads to the death of Barney's wife. In the first result, Barney-2 has not wronged Fred. As seen above, in this case I am assuming Barney-2 does exactly what an eirenéist should do: while considering his own needs, he considers the needs of those who he is in a relationship with, and he plans and acts appropriately. Fred is the only one committing a wrong by stealing the bread that Barney-2 has a right to. In the aftermath of this theft, if Fred repents, thereby making forgiveness a life-good, Barney-2 is obligated to forgive.

Assuming Fred's repentance is genuine, even though in real life there is no way of knowing for certain, Barney-2 *is* obligated to forgive Fred. Fred has stolen Barney-2's bread and damaged their friendship, which damages all parties' ability to flourish. Since Barney-2 has proven himself to be a good eirenéist in this case, by compassionately considering Fred's needs when obtaining bread, Barney-2's thought process will be the same when considering Fred's need of forgiveness. From a compassionate standpoint, Barney-2 can recognize the need for food, the desperation of needing to feed one's family, and the desire to flourish as a family and community. Because of this, Barney-2 can imagine doing what Fred did, what it must feel like to regret, and what it is like to need forgiveness. Realizing that the forgiveness is a life-good for Fred, which is needed for Fred's flourishing, eirenéism maintains that for Barney-2 to withhold forgiveness would be morally similar to him withholding making extra bread available to Fred. Barney-2 has the power and ability to forgive, and once Fred repents and asks for

forgiveness, Barney-2 is obligated to forgive.[128] The biggest issue with what I just said is the claim that Barney-2 has the "power" and "ability" to forgive, and case 2 illuminates this issue nicely.

In the second result of Fred's theft, where Barney (call him Barney-3) has just enough bread and Fred's theft causes Barney-3's wife to die, then Fred's apology will not only be for stealing bread and damaging their relationship, but it must also include an apology for causing the death of his wife.[129] In this case we are still assuming Barney-3 is a good eirenéist: he is able to imagine the need for food, the pain that Fred must be feeling because of his wrongdoing, and his need for forgiveness. The problem for Barney-3 is that he might lack the ability to imagine causing the death of a friend's wife. Of course, Fred's response could be that he had no idea that he would cause the wife's death, but it is not clear that this excuse is fully acceptable. Barney-3 might respond: Fred, you knew that we were struggling to survive on the bread that we had, and that starvation can easily lead to death, and because I knew exactly how much bread my family needed to survive, because I would have given you any extra if I had had it, you should have known—or at least considered the possibility—that the lack of bread could have deadly consequences.

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[128] The reader should not confuse forgiveness with any sort of affirmative reconciliation. Reconciliation can mean something as simple as two people functioning separately in a community, or it can mean something more complex (what I call "affirmative reconciliation") as two people working together in a community. The former is akin to a spouse cheating on his wife and causing a divorce; yet they decide to live and work together in the same community without any hostilities towards one another. The latter is akin to a spouse cheating on his wife, deciding to stay married, and moving beyond the betrayal. Forgiveness can be the impetus for both types of reconciliation.

[129] In the case where Barney-1 has plenty of bread, it is reasonable to assume that Barney-1 can always get more; so the possibility of losing a loved one as a result of the theft is unlikely.

Whether or not Barney-3 is right, eirenéism still suggests that he has an obligation to forgive, *if* he is able to make forgiveness available. Just like the bread: if Barney-3 were able to give away some of his bread, then he would be obligated to give it to Fred; if Barney-3 were able to forgive, then he would be obligated to forgive Fred. Herein lies the issue: with the devastation of starving, having a friend steal from you, and most importantly, having a friend cause your spouse's death, it is easy to imagine that Barney-3 lacks the power/ability to forgive. If eirenéism does not require Barney-3 to give of bread that he is incapable of giving, eirenéism cannot require Barney-3 to forgive when he lacks the ability to forgive. Yet, because eirenéism still maintains that there is an obligation to forgive, as seen in the rules of application in Chapters Two and Five, eirenéism calls on Barney-3 to work towards providing the life-goods to which oneself and others have a right. So, Barney-3 is allowed to diminish Fred's (and his own) flourishing temporarily, but should seek to have the ability to forgive.

From examining stealing we see how eirenéism's obligation to forgive plays out in everyday cases, and how to avoid the repugnancy of the repugnant implication. In cases when acts of wrongdoing cause deep psychological/emotional pain that results in the one wronged being incapable of forgiving, the obligation to forgive must be explained as an obligation to seek forgiveness. Forgiveness is morally similar to all other life-goods, if we have the power to make forgiveness available, then we are obligated to make it available; if not, we are obligated to work towards making it available.

**Rape**

I have never been the victim of rape, so instead of inventing fictional case studies, I will rely on a multitude of sources to make suggestions about what occurs during and what should occur after instances of rape. And though I do not wish to suggest rape and torture are the same thing, I will sometimes discuss instances of torture as similar, yet distinct, violations of one's body, in order to more adequately address the complexity of bodily violation in relation to forgiveness. What is more, to save some time and to limit the number of cases, I will focus as much as possible on cases where the victims' power and ability to forgive is in doubt.

Rape is one of the most horrific and disturbing wrongs that can be committed against another person. It takes something deeply intimate and pleasurable, and it turns it into a form of pain and torture. It shocks and destroys persons, families, and communities, and it illustrates the limits to which humans can disrespect and harm fellow humans. During wartime, and other extreme living conditions, sex becomes a tool used by those with power to dominate and to get what they desire from their victims. In the Second World War, mothers were forced to have sex with German soldiers, Nazi guards, and other powerful men (and sometimes women) in order to provide food, shelter, and a means for their children's escape.[130] Other sources from the Second World War show that privileged male prisoners made young girls, and those who appeared to be "plump,"

[130] Marion A. Kaplan, *Between Dignity and Despair: Jewish Life in Nazi Germany* (New York and Oxford: Oxford University Press, 1998), 72 and 208.

their "pleasure toys," and there are even accounts of a mother witnessing her daughter being violated by dogs.[131]

Other wars are no different. During the Bosnian war of the mid-nineties, rape rooms were set up across the former Yugoslavia, so military personal (both official and unofficial) could have a steady supply of fresh young women. The rape rooms were full of adolescents, teens, and adults, and the victims were raped, strangled, tortured (both physically and mentally), shot, put in piles, and burned.[132] Martha Minow claims that an estimated 20,000 Muslim women were raped by Serbian men during this war, and as a result of these rapes, the international court in The Hague recognized rape as a weapon and a crime against humanity for the first time. She also points out that the Bosnian war was not unique in its attack against women: Japan's Imperial army had approximately 200,000 "comfort women" (i.e. sex slaves) during the Second World War.[133]

Of course, war is not the only impetus for rape. There are several places around the world where rape, often masked by prostitution, is a way of life. In places like India, the Philippines, and even America, the sex trade business, where young girls and women (and even boys) are regularly abducted and/or forced to work in brothels, is booming. Philip Yancey claims that there are nearly 8 million prostitutes in India alone, and that many of them are kidnapped at a early age and forced into the sex industry, which can include prostitution, pornography, and even as a medical treatment for HIV/AIDS—there

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[131] Carol Rittner and John K. Roth (eds.), *Different Voices: Women and the Holocaust* (St. Paul, MN: Paragon House, 1993), 112 and 129.
[132] Slavenka Drakulić, *S. A Novel about the Balkans*, Trans. Marko Ivić (New York: Penguin Books, 1999).
[133] Martha Minow, *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence*, Forward by Judge Richard J. Goldstone (Boston: Beacon Press, 1998), 6 and 105.

is a myth in some areas that having sex with a virgin will cure HIV/AIDS. Some girls are raped at the age of three to support the desires of male clients, while some girls are forced to have sex so they can eat, like one young girl who sold her virginity, for the price of a McDonald's Happy Meal, in order to keep from starving.[134]

Rape is also common in local communities and popular culture. My own community of Knoxville, TN is still dealing with the aftermath of the brutal rape, torture and killing of two young adults, where both victims were repeatedly sodomized with random objects (e.g. the leg of a chair), hog-tied, and violated in many other ways. Just recently a serial rapist was finally convicted and sentenced to jail after raping numerous women. Knoxville, TN is no different than many other cities throughout America. Rape is so prevalent that many cities have a specific police taskforce dedicated to sexual crimes. Such task forces have now become a part of American popular culture, as seen in the highly popular television show *Law and Order: Special Victims Unit*.

The previous paragraphs describing aspects of rape should illustrate to the reader the seriousness of rape, and how complex and devastating it is. It destroys relationships, it destroys lives, and it can even destroy communities. As Jeffrie Murphy points out, rape is more than simply an assault on one's body; it is also an assault one's character and status as a human.[135] Rapists turn victims into objects—things to be experimented with, toyed with, and demeaned. These attacks can be motivated by sex, but they can also be

[134] Philip Yancey, *What Good is God: In Search of a Faith that Matters* (New York: Faith Words, 2010), 72, 73, and 152.
[135] Jeffrie G. Murphy, *Getting Even: Forgiveness and Its Limits* (Oxford: Oxford University Press, 2003).

motivated by a desire to attack and to disrespect a victim's gender, sexual preference, social status, ethnicity, and/or culture.

Yet, in the aftermath of all of these sorts of cases there are tales of hope, reconciliation, and even forgiveness. Margaret Urban Walker provides a wonderful examination of moral wrongdoing and "the process of moving from the situation of loss and damage to a situation where some degree of stability in moral relations is regained."[136] This process is the process of moral repair, and necessary to moral repair is the process of forgiveness. Throughout her analysis Walker stresses the importance of working towards moral repair, and gives several examples of how surviving victims can achieve it. The process that Walker promotes is best summed up in this passage:

> Retributive responses are not the only way, and in isolation may not be a completely adequate way, for victims to achieve personal, but also public and socially shared, validation and vindication. When victims do seek prosecution and (they hope) retribution as the gold standard of accountability, they are willing to accept that impersonal, measured, and socially sanctioned act of retribution as vindication; they do not typically seek "wild justice," mirroring the violent perpetrator's behavior in trying to "pay back" what they have suffered themselves. For many victims of violence, this is more than an emotional fact; it is a moral position. In a stark statement of this position, Susan Brison, a survivor of sexual violence and attempted murder, says, "I have seen the face of a killer set on exterminating a fellow human being. It is not a face I want to see when I look in the mirror."[137]

Susan Brison's refusal to become like her wrongdoer(s) is the beginning of moral repair, and it supports the compassionate approach promoted by eirenéism. Even when wronged, the eirenéist views the wrongdoer as a "human being," full of weaknesses,

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[136] Margaret Urban Walker, *Moral Repair: Reconstructing Moral Relationships after Wrongdoing* (Cambridge: Cambridge University Press, 2006), 6.
[137] Ibid., 16.

inconsistencies, and other common human failings, and the eirenéist chooses to engage the wrongdoer as a being that has certain rights.

Even in the toughest of cases, eirenéism prescribes working towards forgiveness. Imagine a case where a man sexually abuses his step-daughter, and because the mother at first refuses to believe her daughter, she refuses to report the incident to the police or to kick him out. What is more, in such cases, it is not uncommon for the mother to suggest that the daughter may have led him on, thereby, blaming her for the rape. Under what circumstances would an eirenéist say the daughter is in the wrong for refusing to forgive her repentant step-father?

First, and most uniquely, an eirenéist would not say she is not in a position to forgive, and therefore, she is not obligated to forgive. She is in an abusive relationship, with both her mother and step-father, and it appears that no one is willing to provide her with the life-goods to which she has a right. She would only be in a position to forgive, if the threat of continued abuse could be erased. One might claim that the step-father's repentance implies a safe environment. However, I would suggest that the step-father's "true" repentance would motivate him to make significant amends: e.g., moving out, telling the mother the truth, getting therapy, and possibly turning himself in to authorities. If he is not willing to do most, if not all, of these repentant actions, I suggest the repentance is not complete, and she has no obligation towards the step-father. One can only legitimately repent for actions done in the past. The step-father cannot not legitimately repent and continue to abuse, or leave her in a position to fear the possibility of further abuse. So, without repentance, no obligation exists. Second, eirenéism (like

many other ethical theories) would suggest she, if possible, seek refuge from her abusive relationships. This is neither easy, nor is it always possible, but removing oneself from an abusive relationship is always the first step towards recovering from the abusive relationship. Third, once in a place of general safety, eirenéism maintains that she is *obligated* to seek appropriate counseling, in order for her to come to terms with the trauma she has endured. Some ethics might suggest she perform such action, but eirenéism is the only ethic that I know of that obligates one to actually seek out such counseling. Only from this place of general safety, safe from the continual strain of abuse, would eirenéism suggest she begin the long and difficult process of moving beyond the wrongs committed by her step-father and mother towards the moral repair of forgiveness.

In terms of forgiveness, a wrongdoer's repentance makes forgiveness a life-good in his or her life. A non-repentant wrongdoer fails to recognize that s/he has committed a wrong, and, therefore, lacks the need for forgiveness. It is not until one recognizes s/he wronged someone that s/he needs forgiveness. The act of repentance is the wrongdoer's acknowledgement that what he or she did was wrong, it is an act of apology, it is a promise that he or she will never perform such an act again, and that such an act does not define who the wrongdoer (or the victim) is. This is not meant to be a precise definition of repentance; rather it is meant to capture some key moral features of repentance. Certain cases might call for different features, and in many cases of rape, this repentance might be elusive. For instance, the wrongdoer might be a sociopath, lack the mental ability to promise such an act will never occur again, or the wrongdoer might never admit

any wrongdoing, claiming that "she was asking for it…I could tell." Of course, it is also easy to imagine a wrongdoer who rationally recognizes he has wronged someone, yet lacks the emotional capacities to feel remorse. In such a case, repentance might take the form of agreeing to continued therapy, joining a support group, and/or agreeing to a harsher punishment. Nevertheless, repentance is necessary for forgiveness to be a life-good for the wrongdoer because it is only through repentance that forgiveness becomes a necessary condition for one to flourish.[138]

As shown in the cases above, rape (unlike stealing) will more than likely leave the victim in a state where she or he lacks the ability to forgive. Rape is an attack on one's body and character, it devalues the person's moral status, and it leaves deep emotional scars. So, in the aftermath of rape, it is likely that forgiveness will not be immediately possible for many victims. The damage done to the person's psyche and/or the damaging effects that rape has on one's relationships and family might be too great. Anyone can say, "I forgive you" as a speech-act or gesture, but the eirenistic forgiveness I am referring to affects whether one's life is lived well, whether one is at peace, and whether one is capable of flourishing. Eirenistic forgiveness is not simply a speech-act or a gesture; rather, it is a component of the agent's peaceful flourishing.

Just as in other cases, I maintain that in cases where victims lack the ability to forgive, eirenéism calls for them to work towards a state in which forgiveness is possible. Because eirenéism has both consequentialist and non-consequentialist components the obligation to forgive allows for the possibility that one may have both an obligation to

[138] Some sort of forgiveness is a life-good for the victim, regardless of the wrongdoer's repentance. I will deal with the victim's life-good of forgiveness in Chapter Seven.

forgive based on non-consequentialist reasons, while at the same time explaining that there are times when one might not be capable of forgiving; and in such cases, there is an obligation to work towards forgiveness, based on the positive consequences it produces.

The non-consequentialist reasons for working towards forgiveness are based on the inherent worth of the wrongdoer. When a wrongdoer repents, he or she makes forgiveness a life-good that only the victim can supply, and because eirenéism maintains moral agents are obligated to provide other moral agents with what they have a right to, the victim has the moral obligation to forgive. When the wrongdoing is such that the victim is incapable of forgiving, the consequentialist reasons step in to provide an explanation of what one should do.

The consequentialist reasons for forgiving will vary from case to case, but there are several goods that are common to all cases. As the quote from Walker shows above, choosing to work towards moral repair helps victims move beyond the wrong committed against them and to grow as moral beings; no longer are they defined by the wrong committed against them. Working towards forgiveness can also help victims find new purposes in life; for instance, as victims' advocates, as members of support groups, and community awareness organizers. I could list many more possible goods that result from working towards forgiveness, but I will save them for the next chapter, where I provide specific arguments concerning such goods. The key thing to notice here is that working towards forgiveness helps victims heal, it helps them let go of the anger and suffering that is a result of the wrongdoing, and it helps them avoid the deleterious effects of holding on to resentment and fostering hatred towards wrongdoers. The consequentialist reasons

enhance the obligation to forgive because they allow one to take into account the mental, physical and emotional state of the victim, instead of blindly obligating victims to forgive. Hence, when one is unable to forgive, the obligation to forgive becomes an obligation to work towards forgiveness.

Because eirenéism allows for both consequentialist and non-consequentialist reasons to offer guidance in what one is morally required to do, it can justify making forgiveness an obligation while at the same time requiring one to work towards forgiveness when one lacks the ability to forgive. I am willing to admit that there is in some cases the possibility of never achieving the ability to forgive. As we will see in the next section, some wrongdoings emphasize the limits of moral capability. Nevertheless, eirenéism maintains that one ought to seek the good of oneself and others, which means we ought to work towards being capable of forgiving.

As in the case of stealing, the case of rape makes it clear that eirenéism does not simply affirm obligations that moral agents must follow; it also provides powerful consequentialist reasons for the benefits of working towards providing others with the life-goods they are owed. Eirenéism is about achieving a specific type of peace—a relational peace where all moral agents *enjoy* the life-goods that they have a right to. When moral agents enjoy the life-goods they have a right to, they are able to flourish. The flourishing that eirenéism envisions is what sets it apart from other conceptions of the good life, and though it might sound awkward or strange to many contemporary readers, it suggests new ways to exist in the good life, as moral agents in compassionate relationships with other moral agents, working towards the flourishing of everyone.

**Genocide and Mass Atrocities**

Rape provides a difficult moral landscape in which to discuss the moral obligations of victims, after a wrongdoing, and the issues of genocide and mass atrocities will also be difficult. In fact, many of the examples of rape that I looked at above occurred during some occurrence of mass atrocity and/or genocide. On a personal note to the reader, I have dedicated most of my life to figuring out why and how humans can systematically demean and kill other humans, and I speak of such matters with the utmost respect and seriousness, especially when discussing any such obligation to forgive.[139] For this final subsection, I will limit my discussion to two specific cases: 1) Simon Wiesenthal's account of a Nazi soldier asking for forgiveness;[140] and 2) South Africa's use of a Truth and Reconciliation Commission to recover from decades of racism, hatred, and violence. The former being an account of an individual working towards forgiveness, the latter being an account of a society working towards forgiveness.

Wiesenthal was a prisoner in a Nazi concentration camp during the Second World War when one day he got picked to work outside the camp. The work detail took him to an old school that was converted into a reserve hospital. While conducting his work at the hospital, a nurse came and directed him to a dying man. Wiesenthal was unaware and quite nervous, but he reluctantly followed her. When he arrived in the room, he quickly

[139] Though I think eirenéism supports an obligation to forgive, when standing in the "Tower of Life" at the United States Holocaust Memorial Museum, it is hard to look at the families, friends, and innocent people's lives destroyed in the Holocaust and imagine suggesting to their survivors that they have an obligation to forgive. However, morality sometimes calls us to do things we do not want to do, and I think forgiveness is one of those things.

[140] Simon Wiesenthal, *The Sunflower: On the Possibilities and Limits of Forgiveness*, Revised and Expanded Edition (New York: Schocken Books, 1997; Originally published in 1969).

learned that he was there to hear the deathbed confession of a Nazi SS soldier named Karl.

Karl's deathbed confession began with the recounting of how his parents did not want him to join the SS and how he participated in the brutal murder of several Jewish families. The murders occurred while Karl and his unit were stationed at a Polish village. Several Jewish families were placed in a house, which, after being filled with several canisters of petrol, soldiers then threw grenades into. Like the rest of the soldiers, Karl participated in this massacre, but he was unprepared for the horrors he witnessed: screams of agony, people jumping from windows to avoid being burned alive, etc. What touched Karl the most was a small family with a young boy who stood by a window before jumping out of a window to avoid being burned alive. The memory of this horrific event, especially the young boy, haunted Karl, and it eventually led to him becoming immobilized in battle and mortally wounded.

After finishing his confession, Karl said:

> I want to die in peace, and so I need…I know what I have told you is terrible. In the long nights while I have been waiting for death, time and time again I have longed to talk about it to a Jew and *beg forgiveness* [emphasis added] from him. Only I didn't know whether there were any Jews left…I know that what I am asking is almost too much for you, but without your answer I cannot die in peace.[141]

Wiesenthal handled Karl's request for forgiveness like he handled the rest of his confession, with complete shock and silence.

Wiesenthal, however, would never forget this event. He returned to camp that night, torn about what he did (listen) and what he should have done (not listen, condemn,

[141] Ibid., 54.

forgive?), and these questions haunted him the rest of his life. He sought guidance from his fellow prisoners, who gave him many conflicting answers, he visited Karl's mother many years later but could not bring himself to say anything, and he eventually recounted his story in the book *The Sunflower*, with the hopes of gaining insights from others.

Before discussing whether Wiesenthal should forgive, I must discuss a serious problem that is familiar to individual responses to genocide and mass atrocities. The difficulty of discussing genocide and mass atrocities is that they are usually considered crimes against humanity: widespread and systematic attacks targeting a particular race, ethnicity, gender, or other human characteristic. Crimes against humanity focus on groups of people, and they usually involve the rape, murder, torture, and extermination of the hated group. However, groups cannot forgive, only individuals can forgive. The closest a group can come to forgiveness is through some political party or social organization.[142] It is true that a group of individuals, as some sort of social entity or political group, can all agree to forgive, but even in such a situation, the individuals are the ones doing the forgiving; they are only using the group to show solidarity.

In Karl's case, he was directly responsible for killing several Jewish families in a Polish village. Karl never directly physically harmed Wiesenthal. However, Karl shares direct responsibility for the oppression of *all* Jewish, Gypsy, and other "undesirable" peoples throughout Europe because he accepted, participated, and supported the continuation of Nazi ideology and practices. Just as with the case of Karl and Wiesenthal, during genocide and mass atrocities, often the direct victims of a

[142] In such cases, I think the term 'forgiveness' is being misused.

wrongdoer's actions either do not survive or are incapable of identifying their particular wrongdoers. Nevertheless, the nature of genocide and mass atrocities shows that an individual person's beliefs and actions wrong entire groups of people. Hence, Wiesenthal might lack the moral ability to speak for the individual families that Karl killed, but he can speak for himself and for ethnic community, which at least partially gives Wiesenthal the moral authority to forgive Karl, on a general level, for his beliefs and actions committed against his own ethnic group, but not on the level of actions carried out against specific people. Karl would not be completely forgiven, for he shares in the wronging of all Jews, and therefore, to have complete forgiveness he would need to seek forgiveness from more than just Wiesenthal.

By accurately describing the moral relationship between Karl and Wiesenthal, I can now explain the corollary rights and obligations that exist between the two. As a victim of the Nazi's genocidal policies, Wiesenthal (along with every other "undesirable") has been wronged: he is wronged by those who accept Nazi ideology, participate in racist Nazi policies, and help the Nazi retain political and social power; he is wronged by individuals who have denied him the life-goods that he is entitled to, and he is wronged by those who unjustly subject him to punishment and imprisonment. Karl wrongs him by accepting, participating, and supporting Nazi ideology. Based on Wiesenthal's own story, however, Karl repents for his wrongdoings, and thereby, makes forgiveness a life-good. As a result of Karl repentance, according to eirenéism, Wiesenthal has an obligation to forgive Karl. The question then becomes, does he have the ability to forgive?

Wiesenthal's actions during and after the confession suggest he lacks the ability to forgive. In fact, I suggest that his imprisonment and harsh conditions prevent him from being capable of forgiving. As Terrence Des Pres shows in his incredibly insightful book *The Survivor*,[143] survivors (prisoners who decide they want to live) are constantly under the threat of death and destruction, which creates uncertainty in every aspect of their lives. Wiesenthal's own actions suggest he is not in a position to forgive: he is dumbfounded, frightened, and when he returns to camp, perplexed by what he did and what he should have done.

Even after the war, Wiesenthal seems incapable of forgiving. A short time after the war, still bothered by his meeting with Karl, Wiesenthal visits Karl's mother. During his visit, Wiesenthal discovers that Karl did not lie to him; that for all intents and purposes, Karl was a "good" boy, but that he had allowed the Nazis to make him into a murderer. What is interesting is that during this meeting, Wiesenthal touches on several fundamental questions of eirenéism: "I saw her grief and I knew my own grief. Was sorrow one common link? Was it possible for grief to be an affinity?"[144] Even here, it is not clear that Wiesenthal had the ability to forgive. In fact, he responded to Karl's mother much in the same way he responded to Karl: silence. This silence suggests he is still not in a position to forgive. Many years later, Wiesenthal's ability to forgive remains uncertain. Though it is clear that he continued to engage and work towards having a

[143] Terrence Des Pres, *The Survivor: An Anatomy of Life in the Death Camps* (Oxford: Oxford University Press, 1976).
[144] Wiesenthal, 92.

sense of peace in regards to Karl's request for forgiveness, there is no way to know for certain if he ever gained the capability to forgive.

Nevertheless, Wiesenthal's case gives readers a glimpse into the real-life difficulties of the desire to be compassionate and forgiving in the face of death and destruction. Wiesenthal struggled throughout his life with what he should do in terms of forgiving Karl. And even though it is uncertain whether or not he ever forgave Karl, Wiesenthal continued to engage himself and the world around him, in order to work towards some sort of resolution or reconciliation: he questioned his fellow inmates, he visited Karl's mother, he wrote a book describing his meeting and asking what the reader would do, and he dedicated his life to seeking out, interviewing Nazi war criminals, and bringing them to justice. Such actions could be the actions of a vengeful and vindictive person, but based on Wiesenthal's book *Justice Not Vengeance: Recollections*, where he discusses his motivation to find justice (not revenge) for those who perished during the Holocaust, I think evidence shows that they are not.[145]

The power of Wiesenthal's account lies in its ability to illustrate the devastation of genocide, and how such events change one's life. Instead of running away from the pain and devastation of the Holocaust, Wiesenthal dedicated his life to engaging the wrongs committed against him and others by seeking out truth and bringing wrongdoers to justice. I do not know if he ever forgave Karl, or any other Nazi criminal, but his actions demonstrate the actions of one who is seeking some sort of peace. In the face of horrific wrongdoing, most people lack the ability to forgive, so eirenéism does not

[145] Simon Wiesenthal, *Justice Not Vengeance: Recollections*, Trans. Ewald Osers (New York: Grove Weidenfeld, 1989).

prescribe forgiving in such a situation. Regardless, the obligation to forgive still exists. But instead of manifesting itself as a moral axiom that one ought to forgive, no matter what the consequences are, eirenéism maintains that the obligation to forgive manifests itself as a process of working towards forgiveness by engaging oneself, others, and the external world.

An incredibly powerful example of such a process is illustrated by South Africa's Truth and Reconciliation Commission (TRC), which shows a society's attempt to work towards reconciliation and forgiveness. As Martha Minow suggests, the TRC was post-apartheid South Africa's attempt to confront the wrongs of the past while at the same time creating an inclusive sense of community valuing everyone.[146] The TRC was democratically launched in order to bring healing to South Africa after decades of inner turmoil, and had the power of granting amnesty, denying amnesty, cataloguing stories from perpetrators and victims, and proposing methods of reparations for victims. Some of the TRC's goals were to bring out facts that are difficult to bring out in trials,[147] promote personal and societal healing through truth-telling,[148] and to repair injustices through reparations.[149]

The TRC began the process of healing by accepting applications both from individuals who participated in wrongdoings and from those who were wronged. The former had to apply in person and fully disclose all facts and/or misdeeds that could be fairly characterized as having a political objective. The TRC, then, would review and

[146] Minow, 52.
[147] Ibid., 59.
[148] Ibid., 61.
[149] Ibid., 91.

make decisions, based on other accounts, about the fullness and truth of a perpetrator's confession. After careful consideration, the TRC would decide whether or not the perpetrator's actions deserved amnesty or whether the perpetrator should stand trial for his or her actions. Perpetrators who confessed had a greater chance of receiving amnesty, but amnesty was never guaranteed. Amnesty was conditional on what occurred and in what degree it occurred. In other words, harsher crimes, or attempts to hinder an investigation could lead to litigation. The stories and accounts of perpetrators were then made public, so victims could know and understand what actually happened to themselves and/or loved ones. One of the main purposes of the TRC was to create a database of true accounts that would give victims the ability to know what happened to their missing loved ones. What is more, the TRC recommend reparations for victims, which came in the form of the knowledge of what happened, symbolic gestures of erecting monuments and naming ceremonies, and even some minor monetary settlements.

The stories from Apartheid South Africa are similar to many of the examples already given that deal with the systematic oppression, torture, and abuse of a people, yet they remain uniquely disturbing. Here is an account from a mother who witnessed her son being shot and killed in front of her eyes:

> I went flying out of this house. Now I am dazed. I ran, not thinking. My eyes are on the crowd that has gathered—Here is my son, my only child. It was just blood all over. My anguish was beyond anything I ever thought I could experience. They have finished him. I threw myself over him. I can feel the wetness of his blood—I felt his last breath leave him. He was my only child.[150]

[150] Julian Edelstein, *Truth and Lies: Stories from the Truth and Reconciliation Commission in South Africa*, Introduction by Michael Ignatieff and an Essay by Pumla Gobodo-Madikizela (New York: The New Press, 2002), 29.

The vividness of this example shocks the reader, and makes one wonder how anyone could recover from such an event. This example is not unique. Archbishop Desmond Tutu describes several instances of rape, torture, and killing that are equally disturbing. For instance, in the Eastern Cape, it was quite common for people to simply "vanish." One TRC application explains how a police group abducted a young man (who was innocent of any crime) by drugging him, and after torturing him they burned his body to ashes. What is most chilling about this account is that while the police burned the body, they decided to make use of the fire by having a barbeque.[151] Another example of the brutality of Apartheid is seen in a popular method of torturing and killing called the "necklace." The "necklace" was an empty tire filled with petrol placed around a person's neck, which then was set on fire and allowed to burn itself out.[152] Of course, some of the most socially demeaning crimes were justified by officials who claimed that they were necessary to protect "innocent women and children," even though the ones they killed were innocent women and children.[153] From rape, torture, and killing, to letting little children starve and separating families because some members had lighter skin than others, Apartheid systematically oppressed people because a certain powerful group of people deemed people with certain skin colors different and inferior.

Yet, in the face of all of these accounts there are just as many accounts of hope, reconciliation, and forgiveness that are just as baffling to many readers. One of the most famous and compelling stories comes from Nelson Mandela, who spent twenty-seven

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[151] Desmond Mpilo Tutu, *No Future Without Forgiveness* (New York: Doubleday, 1999), 130.
[152] Ibid., 18.
[153] Ibid., 127.

years in prison for trying to end the racist policies of Apartheid. For most of these years, he performed hard labor in a lime quarry. Upon his release, instead of seeking vengeance and promoting violence, he promoted and achieved reconciliation and forgiveness.

Tutu provides several other wonderful examples, two of which I will briefly mention. The first example is of Dullah Omar, who was targeted for death under Apartheid. His would-be assassin attempted to swap Omar's heart medication with some sort of poison, but he failed to successfully switch the poison with the medicine. After Apartheid, Omar became the Minister of Justice who introduced in Parliament the act that created the TRC, and he diligently fought to see that the people who tried to kill him would have the right to seek amnesty under the rules of the TRC.[154] Second, during a wine tasting party in 1992, an armed wing of the Pan Africanist Congress, the Azanian People's Liberation Army, attacked and killed several attendees. One of the attendees seriously hurt was Beth Savage, a woman who grew up in a home that supported anti-Apartheid policies and equal rights for all. In the aftermath of these attacks she required constant care to bathe, clothe, and feed herself. Her life was disrupted, her father and family were devastated, and Savage had to learn a new way of living with shrapnel imbedded in her body and being in a wheelchair. At the TRC, when describing her experiences, she said:

> All in all, what I must say is, through the trauma of it all, I honestly feel richer. I think it's been a really enriching experience for me and a growing curve, and I think it's given me the ability to relate to other people who may be going through trauma.[155]

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[154] Ibid., 44.
[155] Ibid., 146-147.

And in regards to her perpetrator's seeking amnesty, she said:

> [Him seeking amnesty and to avoid legal punishment is] not important to me, but, and I've said this to many people, what I would really, really like is, I would like to meet that man that threw that grenade in an attitude of forgiveness and hope that he could forgive me too for whatever reason.[156]

Savage's responses seem unimaginable, not because they are filled with hatred, but because they are filled with forgiveness. Savage's position, which is representative of many tales from South Africa, illustrates the moral prescriptions of eirenéism. Eirenéism tells one to always consider oneself in relation to the other, to recognize the worth of the other, and to seek a state of affairs that promotes everyone's flourishing. As Tutu sums up perfectly:

> …the cycle of reprisal and counterreprisal that had characterized their national history had to be broken and that the only way to do this was to go beyond retributive justice to restorative justice, to move on to forgiveness, because without it there was no future.[157]

The above examples serve to show what eirenéism calls moral agents to do, when they are incapable of forgiving: they must work towards forgiveness. The examples also show that eirenistic forgiveness matches up with several instances of real cases of wrongdoing and forgiveness. If eirenéism simply made forgiveness an obligation, it would be repugnant, but because it also maintains that forgiveness brings about the best consequences, it prescribes that we strive to forgive. The TRC worked with individuals who suffered mass atrocities in South Africa, and it served as a support structure to victims, including surviving family members, who lacked the ability to forgive,

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[156] Ibid., 147.
[157] Ibid., 260.

especially without knowing the truth about their loved ones. The commission helped individuals find this truth and work towards forgiveness.

The TRC also makes clear the need for ethics to consider the issue of time, especially in regards to post-wrongdoing and forgiveness. In everyday occurrences of wrongdoing the most important component is the time period in which a victim recovers, strives to move on, and even longs to forgive. What eirenéism suggests, and what the above cases show is that the obligation to forgive is a process that begins after a wrongdoing occurs and continues until victims are able to forgive. Forgiveness is not an all-or-nothing event; rather it is a process that occurs over a period of time.

Though far from perfect, the TRC demonstrates what eirenéism suggests is a basic feature of the good life. When one is wronged, the natural tendency of some might be to resent or to lash out with vengeance. In fact, as Peter French makes clear in his book *The Virtues of Vengeance*, a moderate form of vengeance (as a type of retributive justice) is a virtuous character trait for humans. Eirenéism maintains, even though such retributive responses might occur, if one is capable of forgiving, then one ought to forgive. However, because an eirenistic obligation considers what produces the best consequences, one's capabilities, and other contextual features, one is allowed to seek/work towards carrying out the obligation. The obligation to forgive is designed to help heal victims and wrongdoers and repair relationships. Just as South Africa continues to grow and flourish in the shadow of Apartheid, and continues to meet new challenges as it seeks reconciliation, the good life described by eirenéism includes similar challenges and flourishings.

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I began this chapter with the goal of showing how eirenéism would be applied to certain situations and how to avoid the repugnancy of the repugnant conclusion, and I think I have been successful. By carefully looking at different cases of wrongdoing, I showed that eirenéism is capable of using both non-consequentialist and consequentialist reasons to make sense of moral obligations, particularly the moral obligation to forgive. To sum up, the non-consequentialist features of eirenéism maintain that the result of each moral agent's inherent worth is: if a wrongdoer makes forgiveness a life-good, then victims are obligated to make that life-good available. However, the consequentialist features ameliorate the repugnancy of this obligation by taking into account the life-goods of the victim (and the wrongdoer). When the victim is unable to forgive, for whatever reasons, the victim becomes obligated to work towards forgiveness, since doing so produces the best outcome for the victim and wrongdoer: i.e., it leads to their respective flourishing.

In the next chapter, I will look more closely at the life-goods of the victim, whether or not revenge is a life-good for victims, and what role society plays in promoting forgiveness.

## Chapter Seven
## Seeking Forgiveness

For the most part, my dissertation has focused on the rights of wrongdoers and the obligations victims have in regards to their rights. It is past due time to focus on the rights of the victims and the obligations of wrongdoers. In the following pages, I will use Peter French's account of the virtues of vengeance to consider the possibility that victims have a right against wrongdoers to seek revenge, and that this right competes with one's obligation to forgive—possibly overriding it.[158] Based on French's own arguments, and John Locke's discussion of the right to punish, I will argue that the life-good of revenge, if one exists, ceases to exist as a right to seek revenge within the constraints of a well-ordered society; and instead, manifests itself as a right to see that society punishes wrongdoers. Whether or not retribution and revenge are separate concepts, as I think they are, within society individuals lose the right to carry out their own vengeance/punishment, at least in regards to wrongdoings that violate social laws. With that said, even if we assume there is a right to seek revenge, I will use an argument from Jessica Wolfendale that shows why one should reject vengeance in favor of seeking forgiveness, thereby showing the obligation to forgive overrides the right to seek revenge. I will, then, show that eirenéism supports the same position.

As seen in Chapter Six, engaging one's wrongdoer by either working towards forgiveness or actually forgiving is a very complex and difficult process, and in some cases, it is not clear that the forgiveness one works towards is ever achieved. To be clear,

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[158] Portions of this chapter first appeared in: Courtland Lewis, "A Sketch of the Moral Responsibility to Engage Oppressors," *Communities of Peace: Confronting Injustice and Creating Justice*, Value Inquiry Book Series., Ed. Danielle Poe (Amsterdam and New York: Rodopi Press, 2011).

in such cases where one is incapable of forgiving, and is required to work towards forgiveness, there is no requirement to actually achieve the capacity to forgive. One is only morally required to work towards forgiveness, not achieve it, but if (or when) one *is* capable of forgiving, one *ought* to forgive. It is perfectly morally acceptable, however, for one to never achieve the capacity to forgive—as long as one continues to work towards being able to forgive. Just as the example of Simon Wiesenthal (in Chapter Six) showed how one can work towards forgiveness, yet possibly never achieve the ability to forgive, what is important is that the victim engage the wrong(s) and wrongdoer(s) in the hope of one day achieving peace in regards to the wrong(s) and wrongdoer(s). I will look at two cases that will further illustrate difficult attempts to engage wrong(s)/wrongdoer(s), in hopes of gaining some sort of peace, and will support Wolfendale's argument that we should reject the notion of an unforgivable act.

In addition to examining the rights of victims in this chapter, I will also broaden the scope of my analysis to consider what sort of obligations society has in regards to forgiveness. Most of the cases examined in this dissertation deal with two individuals (victim and wrongdoer) involved in some sort of wrongdoing. However, in reality such a moral landscape rarely (if ever) actually occurs, due to the social nature of human existence. Because rights are normative social relations and wrongdoings occur within a complex web of rights and obligations, it is important to discuss the role of society after cases of wrongdoing. I will argue that in addition to victims having obligations to forgive repentant wrongdoers, society has responsibilities to support victims and to provide means by which victims can work towards, and achieve, forgiveness.

**The Life-goods of the Victim**

One of the most traumatic events that can happen to an individual is to be raped, tortured, humiliated, and/or wronged in some other way. Words are typically incapable of fully expressing the mental and physical anguish that victims of such wrongdoings endure. Elaine Scarry illustrates, "Physical pain has no voice…[it] does not simply resist language but actively destroys it."[159] Nevertheless, *after* instances of wrongdoing individuals have an opportunity to engage the world anew.

Eirenéism suggests victims engage the world by recognizing the wrong committed, by recognizing the inherent moral worth of oneself and others, and by fostering a state of internal personal peace and external social and political peace through working towards forgiveness. However, the pain of wrongdoing can foster a different desire in victims, one that seeks to hinder the flourishing of wrongdoers, to get even for the wrong done, to rebalance the moral order—to seek revenge.

Peter French offers what I take to be the most thorough (and provocative) account of revenge, in his book *The Virtues of Vengeance*.[160] French maintains that morality is in danger of becoming mere words in the face of evil, and that in order to adequately respond to evil actions and wrongdoings, the moral acceptability of revenge must be reconsidered. He, then, sets out to develop and identify features of what he calls

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[159] Elaine Scarry, *The Body in Pain: The Making and Unmaking of the World* (New York: Oxford University Press, 1985), 3-4.
[160] Peter French, *The Virtues of Vengeance* (Kansas: University Press of Kansas, 2001).

"virtuous vengeance."[161] For French, wrongful acts require a hostile reaction, and he argues for a type of "Pure Retributivism" that he calls "Negative Retributivism." According to French, Negative Retributivism justifies a victim's hostile response to a wrongdoer (i.e. revenge) in cases where: 1) "No one other than a person found to be guilty of a crime may be punished for it"; and 2) "Punishment must not be more than a degree commensurate with the nature of the crime and the culpability of the criminal."[162]

In order to stay focused on the issues of concern in this dissertation, I will focus on two features of French's account of virtuous vengeance that offer competing explanations to eirenistic forgiveness: 1) his argument that victims have a right to punish; and 2) that vengeance is justified because moral worth is based on merit. From examining these two features, the reader will see that French's arguments are based on a much different understanding of morality, and that, based on what eirenéism maintains is the good life, even if one has a right to seek vengeance, one should not do so.

To ground the notion of a right to seek revenge, French uses John Locke's discussion of a person's right to punish wrongdoers in the state of nature, as separate from the right to seek reparations from wrongdoers.[163] In regards to Locke's discussion of rights, in the state of nature (prior to the state of society) victims have the right to be executers of the law, and as a result when one is wronged, one has the right to punish, in order to both deter others from committing such a crime and to prevent the criminal from

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[161] He lists a total of 15 conceptual elements that reflect how Western Culture understands revenge, see French, pp. 33-34.
[162] Ibid., 222.
[163] John Locke, *Two Treatises of Civil Government: Second Treatise of Government*, Book II, 1689, Chapter 2; and French, 33.

wronging others. To illustrate, Locke says, "…[E]ach transgression may be *punished* to that *degree*, and with so much *severity*, as will suffice to make it an ill bargain to the offender, give him cause to repent, and terrify others from doing the like."[164] The key thing to note here is that victims only gain the right to punish to a certain degree and severity. They must use calm and reason to *soberly judge* what is required from a wrongdoer for a particular transgression. Because of the difficulties of calmly and reasonably inflicting retribution, for Locke, reason will lead individuals to transfer these rights to the state. With that said, French uses Locke as the basis for the following conceptual element of the virtues of vengeance: "Punishing of offenders can be conceived of as a natural right possessed by everyone, though it is not to be confused with compensation or reparation rights."[165]

The problem with French using Locke's account is that the sort of right that it grounds is a right to seek punishment, and assuming one does not exist in a state of nature, the right to seek punishment in the state of society is the right to ensure the state is seeking/carrying out said punishment. In other words, French's use of Locke's account only justifies instances of retribution when individuals live in a state of nature, not within the state of society. I do not wish to get bogged down with arguing whether or not retributive justice should be understood as revenge, but I do think it is a mistake to conflate the two concepts. Louis Pojman accurately points out the difference between the two:

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[164] Locke, Book II, Chapter 2, Paragraph 12.
[165] French, 34.

> Vengeance signifies inflicting harm on the offender out of anger because of what he has done. Retribution is the rationally supported theory that the criminal deserves a punishment fitting to the gravity of his crime…
>
> [R]etributivism is not based on hatred for the criminal (though a feeling of vengeance may accompany the punishment). Retributivism is the theory that the criminal *deserves* to be punished and deserves to be punished in proportion to the gravity of his or her crime—whether or not the victim or anyone else desires it. We may all deeply regret having to carry out the punishment, but consider it warranted.[166]

Even if one grants that revenge is the same as retributive punishment, revenge is only morally just in cases where the revenge "fits" the wrong committed. The vengeful punishment for the wrong can be proportionally greater in order to deter the wrongdoer and others from again committing the wrong, but it cannot be too great. Keeping in line with Locke, French agrees that vengeful acts must be proportionate to the wrong committed.

Because hatred is a part of revenge, it is difficult for victims to meet the requirement of proportionality. French's own favorite examples come from fictional characters, like Achilles in the *Iliad*, Clint Eastwood and John Wayne from American Westerns, and Charles Bronson from the movie series *Death Wish*. As French explains these and other fictional characters, he is careful to illustrate the rationality of each character's respective set of choices. So, as one engages French, it is easy to find oneself convinced that avengers are motivated by a rational sense of creating a just state of affairs by providing a hostile response to wrongdoers.

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[166] Louis Pojman, "A Defense of the Death Penalty," in *Contemporary Debates in Applied Ethics*, edited by Andrew Cohen and Christopher Wellman (Malden, MA: Blackwell Publishing, 2008), 109.

One problem with French's account is that his focus on fictional characters causes him to idealize the notion of a "virtuous avenger"—that virtuous avengers would only harm individuals worthy of their wrath, while at the same time protecting the lives of innocent people. He downplays the irrationality of avengers, even in the cases he examines. He says, "…[T]he only ones in danger of a disruption in their lives from virtuous avengers are those who commit offenses, and they deserve to lose their sense of well-being."[167] Not only does this grant too much rationality to avengers, but it also ignores innocent people who find themselves caught in between avengers and their targets, or who are unjustly targeted by an avenger.

For instance, according to French's interpretation of Homer's *Iliad*, Achilles' choice to remove his armies and stay in his tent at the battle of Troy is the rational response to Agamemnon taking his woman, which Achilles saw as disrespecting his honor. Next, Achilles sends his friend into battle, disguised as Achilles, and when his friend is killed by Hector, Achilles gets upset and decides he must have revenge against Hector. Finally, he chooses to fight and kill Hector, even though he is aware that doing so will eventually cost him his own life. The reader is supposed to accept Achilles' actions as those of a rational, virtuous avenger seeking justice. To me, however, they appear to be the actions of an irrational and immature person. He seems to lack the rational ability to see how he is the cause of much of his own problems, and because he "feels" that his honor is slighted, he causes the death of thousands of fellow country men, the death of his friend, and eventually his own death. I see no way of saying that

[167] French, 163.

allowing thousands of people die is proportionate to having one's honor insulted, and this is what one must do, if one is to accept Achilles as a virtuous avenger.

Being guided by emotional hatred, in the case of revenge, prevents one from adequately arriving at and carrying out appropriate responses to wrongdoings. If a stranger steals from me, is it appropriate to cut off his hand, or to steal my property back? If a friend steals from me, does she deserve a harsher punishment, since she is my friend and we are supposed to trust each other? If someone rapes my sister, do I get to rape the wrongdoer's sister? One might be able to rationally arrive at proportionally adequate responses for these questions, but if I am the one wronged, and I get to decide the punishment, then I am skeptical about my ability to objectively carry out a proportionate punishment; and if I am not proportional with my punishment, then I have become a wrongdoer—I am no longer virtuous.

Of course, I am assuming, as does eirenéism, that each individual has a certain level of inherent worth, which constrains what I can justifiably do to another individual. If I do not carry out my vengeful actions proportionally, I myself become a wrongdoer. So, to avoid becoming a wrongdoer, I must limit my response, and because I live in a society that is in charge of punishing, limiting my response means I let my society carry out a measured punishment.

French, however, rejects the notion of inherent moral worth. Instead, he maintains that worth is determined by merit. Moral agents gain and lose merit based on their actions. As a result, people who commit wrongs, lose the protection that moral worth provides them. If someone murders my nephew, then his merit-based worth drops

to such a level that allows me to carry out my vengeful desires. An implication of French's position is that proportionality appears to be subjective to the individual. If I deem that the murderer's worth is so incredibly low after killing my nephew that he deserves being dipped in hot oil and then slowly left to die, my response appears to be proportionally appropriate. Others who have their nephews killed, on the other hand, might conclude that forced counseling for the wrongdoer is appropriate. If one accepts the idea of merit-based worth, then both seem to be correct. To avoid these sorts of implications, French suggests accepting some sort of procedural approach where communities set their own set of proportional punishments; in the sense that "the victims of vengeance are regulated through the moral dialogue of the community."[168]

This line of reasoning leads to a difficult problem for French, one he does not address. Namely, he tries to make use of the concept of the right to punish, but merit-based worth does not support the notion of rights, neither inherent natural rights nor the weaker natural rights proposed by right-order theorists. The sort of right that French seems to be referring to is a third-party right that results from entering society. Such an explanation is at odds with his use of Locke's discussion of natural rights in a state of nature, but it does provide him with the conceptual tools to discuss one's right to seek revenge (as a third-party right) that exists within the confines of society. The problem, then, becomes that when individuals are part of a society they give up their right to punish, in order to let society regulate punishment. Therefore, victims in society have no right to seek revenge, outside of the right to promote the state's prosecution of

[168] Ibid., 229.

wrongdoers. French's "right to seek vengeance," then, seems to lose its explanatory force, since the right that he is referring to only happens outside of society.

French recognizes this tension, and he suggests a system where individuals, if unsatisfied with the state's punishment, could seek further personal punishment, or more precisely be morally justified in seeking further punishment. However, this suggestion returns us to the previous problem of the difficulty of victims determining what the appropriate punishment is for their wrongdoers. What is the appropriate punishment for rape, stealing, or genocide? French wrestles with the case of rape, and suggests death for the rapist is probably appropriate, but this prescription is based on his quasi-subjectivist leanings—what is right is what is approved of.[169] The only thing that saves French's position from full-blown subjectivism is he claims that appropriate punishment should be a societal determination. Leaving aside the problems of cultural relativism suggested by this claim, basing the role of determining what is appropriate punishment implies society has the right to punish, not individuals.

What the above shows is that the notion of a right to seek revenge has a set of conceptual problems. The only right to revenge that seems to exist is the right to seek revenge as the right to see that society punishes wrongdoers for their actions. If this is correct, then this right does not compete with one's obligation to forgive. In fact, instead of being inconsistent with eirenéism, the notion of a right to punish fits nicely with eirenéism.

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[169] French, 223-226.

As discussed in Chapter Four, eirenéism supports the concept of retributive punishment: by wronging someone, the wrongdoer deserves some sort of punishment. Because of the need for retributive justice, Wolterstorff carefully argues that the love illustrated by forgiveness is consistent with it. His position is that when Y wrongs X, X is in a position to claim her or his permission-right of retribution, forgiveness, or some intermediary. In order for forgiveness to be consistent with justice, a victim must be able to let go of the negative feelings towards the wrongdoer, but must retain negative feelings toward the deed. The wrongness of the deed cannot change, and to forget or ignore it would be to not take seriously the wrongness of the deed. Wolterstorff calls this type of deed-remembering forgiveness "partial forgiveness." If one can let go of the negative feelings towards the wrongdoer, then one can seek what Wolterstorff calls reprobative punishment (punishment "to condemn what was done and to send a message of non-condonation),"[170] which accepts the repentance of the wrongdoer, and seeks an ameliorated punishment than what the wrongdoer deserves, according to the law. Partial forgiveness, then, if accompanied by reprobative punishment, is perfectly consistent with justice—it punishes the wrong, which justice requires, and it demonstrates forgiveness by taking into account the wrongdoer's regret and by lessening the punishment.

As long as we understand French's account of revenge as the right to see one's wrongdoer punished by society, the virtue of vengeance is consistent with eirenéism. However, if one sees revenge as the carrying out of a self-determined punishment, then it

[170] Ibid., 201.

is inconsistent with eirenéism, a notion of (inherent and natural) rights, and the notion of a well-ordered society.

**An Obligation to Forgive vs. an Obligation to Seek Vengeance**

If we assume, for the sake of argument, that victims have the right to carry out self-determined acts of revenge, then this right would be in direct competition with one's obligation to forgive. Victims could justifiably refuse to carry out their obligation to forgive, claiming that their right to seek revenge trumps any obligations one might have to wrongdoers. In the next several paragraphs, I will use Jessica Wolfendale's argument for why we should reject the notion of an unforgivable act in order to illustrate that even if there is a right to seek revenge (in the sense just described), the obligation to seek forgiveness trumps the right to seek revenge.

Wolfendale provides an argument that illustrates the importance of rejecting the notion of an unforgivable wrong. She argues that to view wrongdoers as *not* worthy of any sort of engagement, reconciliation, or forgiveness is to adopt aspects of the wrongdoer's moral outlook, and doing so makes us more prone to commit the same types of wrongdoing when given the chance. In regards to this, Wolfendale says, "Believing someone to be unforgivable can result in the adoption of aspects of the wrongdoer's moral outlook and so forgiveness is worth attempting for reasons

unconnected to the wrongdoer's attitudes: reasons that arise from the kinds of moral agents we strive to be."[171]

Wolfendale's argument is based on the notion that persons have inherent worth, and because of this worth, persons deserve to be treated with a basic level of respect. When persons commit wrongs, carried in their actions is the message that they see victims as not being worthy of the respect they deserve, even though they might not consciously be aware of it. For Wolfendale, and most Kantian frameworks, failing to respect the autonomy of others implies that persons do not see the others as being moral equals capable of the same rational thought and autonomy. If wrongdoers truly believed their victims were morally equal, then they would treat them as such. On this notion, then, wrongdoers have a moral outlook that devalues certain other individuals. Wrongs dehumanize victims by objectifying them and by carrying the message that they are not valuable (or as valuable) as the wrongdoer.

Based on this understanding of wrongdoing, Wolfendale makes two arguments: a deontological argument and a consequentialist argument. First, the deontological argument claims that when a victim considers a wrongdoer as unforgivable, the victim takes on the same moral outlook of the wrongdoer: the victim perceives the wrongdoer as lacking inherent worth, and so, the wrongdoer is not worthy of the respect other moral agents deserve. This deontological component of Wolfendale's argument leads to the same conclusion that eirenéism reached in previous chapters: the inherent moral

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[171] Jessica Wolfendale, "The Hardened Heart: The Moral Dangers of Not Forgiving," *Journal of Social Philosophy* Vol. 36, No. 2 (2005) : 344.

worth of others implies that they are deserving of a certain level of respect, regardless of their actions.

Second, the consequentialist argument, maintains that by taking on the same moral outlook as the wrongdoer, victims are more likely to become wrongdoers themselves. For Wolfendale, when one takes on a mind-set that devalues another person, one puts herself in a moral position to not only wrong that person, but also other "similar" persons.

This second argument returns us to the problem discussed above concerning the proportionality of vengeance. As I argued above, cases of revenge are rarely (if ever) as rational and calculated as French makes them out to be, and that often avengers lash out at wrongdoers, people associated with wrongdoers (whether social, religious, racially, or ethnically), and others who "get in the way."[172] For instance, a person who is wronged by a person from a certain race or ethnicity will often condemn all people from that race or ethnicity. By viewing a person, or groups of persons as morally inferior, we cognitively set ourselves up to wrong anyone from that group, whether or not they personally wronged us. Laurence Thomas illustrates this with the example of a lady who reacted to his presence by hiding her purse, simply because she was robbed by some young African American children when she was younger.[173] What I see from Thomas's example is that the lady took on the moral outlook of her wrongdoers, who

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[172] For a great discussion of "lashing out" see, Jonathan Glover, *Humanity: A Moral History of the Twentieth Century* (New Haven and London: Yale Nota Bene, Yale University Press, 1999).
[173] Laurence M. Thomas, "Statistical Badness," *Journal of Social Philosophy* 23, Issue 1 (March 1992) : 30-41.

viewed her as lacking value, and as a result, she saw all people of African descent as lacking a certain amount of moral value—in this case, trustworthiness.

Wolfendale maintains that "forgiveness involves a change of attitude toward the perpetrator so that we no longer consider them to be irredeemable."[174] Taking on the moral outlook of the wrongdoer does not necessarily lead to wrongdoing, but it does make one prone to wrong anyone who might be irrationally (and, possibly rationally) tied to the wrongdoer. For instance, if I am wronged by someone from a specific ethnic group that used to be in charge of the social/political system of my community, then if I take on their moral outlook, which says some ethnic groups are less worthy of respect than others, I will be inclined to mistreat their ethnic group or individuals from that group, if I am ever in a position of power. Granted, I might hold my resentment in, and therefore, never act on it. However, by mirroring the same moral outlook as my wrongdoer, I set myself up to wrong those who are part of the group that I devalue. By taking on the moral outlook of the wrongdoer, we promote (either directly or indirectly) a moral landscape of wrongdoing by passing on the message that some people lack inherent worth that deserves respect.

I maintain that Wolfendale's account of the psychological dangers of accepting the notion that there are unforgivable acts, offers strong support for why we should accept eirenéism's conclusion concerning the obligation to forgive. It suggests that we should respect the inherent worth of wrongdoer, even though it can be very difficult, and that we should promote a moral landscape that disapproves of wrongdoing. To do

[174] Wolfendale, 359.

these two things, eirenéism claims that we should forgive repentant wrongdoers, if we are capable of doing so, and that if we are not capable, we should work towards forgiving. In both instances, eirenéism suggests that we make the attitudinal change that forgiveness offers, and that the resentment and revenge that is the result of seeing a wrongdoer as unforgivable should be rejected. The latter inhibits the peaceful flourishing that the former promotes.

Before moving on, I should point out that Wolfendale's account shows that victims are better off forgiving (or seeking forgiveness), regardless of the wrongdoer. This dissertation has focused on when one is obligated to forgive, but an implication of this position is that forgiveness is a life-good for the victim that should be promoted, whether or not the wrongdoer is repentant, alive, or even known. Forgiveness promotes a positive mental and moral outlook, and as I will argue below, it also promotes the moral health of society. So, eirenéism would support Wolfendale's argument that regardless of the wrongdoer, victims should take on a forgiving attitude.

Of course, French would disagree with Wolfendale, and this is because she relies on a notion of inherent moral worth. But as I showed above, merit-based worth does not produce the sort of right to seek revenge that French wants. What is more, Wolfendale's account suggests that the outcomes of being forgiving are generally more positive than being vengeful; while (as seen above) French had a difficult time explaining how a well-ordered society based on principles of revenge would exist. One might have the desire to seek revenge, or have overwhelming feelings of vengeance, but Wolfendale's argument provides a strong justification for why we should reject such feelings, in order to promote

forgiveness. As we will see below, Wolfendale's argument also has implications for what is morally required by society, in relation to forgiveness.

**The Obligation of Wrongdoers**

Up to this point, I have not said much about the obligations of wrongdoers, mainly because I think it takes attention off of my main focus. Discussing the obligations of wrongdoers also requires a certain amount of speculating that I am not comfortable with. Nevertheless, I have made some claims about what wrongdoers are obligated to do, and I have made certain assumptions, and in the follow paragraphs I will discuss what I take to be the obligations of wrongdoers.

Assuming a wrongdoer actually commits a wrong, I maintain that he or she is obligated to repent. However, there are at least three types of wrongdoers who do not easily fit this criterion. First, some wrongdoers do not think that they have done anything wrong. I will call them mistaken wrongdoers, and they are seen in cases where a parent who punishes his child to the point of abuse because he believes it is appropriate discipline; or an individual who demeans homeless persons because he thinks they are "less-than-human." Second, some wrongdoers are not aware they have wronged someone; they are ignorant wrongdoers. The ignorant wrongdoer might say something highly offensive without knowing it, or he might back over a neighbor's dog without being aware of it. Third, some wrongdoers simply do not care; let us call them apathetic wrongdoers. An apathetic wrongdoer recognizes that he wrongs victims by his actions,

but does not care that someone else is wronged. He will steal a watch and pawn it, and never think twice about the harm such an act causes to the victim.

For these types of wrongdoers, the idea of an obligation to repent would be awkward. The mistaken wrongdoer who thinks he has done nothing wrong will claim that he has nothing for which to repent. The ignorant wrongdoer would not even consider repenting, since he is not aware of wronging someone. Of course, upon discovering he has wronged someone, he might do one of the following: 1) he does not consider himself culpable, claiming the neighbor should have taken better care of her dog; 2) he will feel guilty and repent; or, among other things, 3) he might see the value of dogs as entirely beneath his moral concern and do nothing. If he takes the former route, then he becomes a mistaken wrongdoer; if he takes the second route, he becomes a repentant wrongdoer. I will discuss the repentant wrongdoer below. Finally, the apathetic wrongdoer, who does not care, is morally similar to the mistaken wrongdoer. She would say that she has nothing for which to repent, since in her mind it does not matter that she wronged someone.

The obligations of these three types of wrongdoers will vary. Assumed in the above discussion is that they have, in fact, done something wrong for which they should repent and make reparations. So, eirenéism, as well as most other ethics, would suggest these wrongdoers have certain obligations that they should discharge. However, the psychological and epistemic states are such that the wrongdoers do not believe they have any obligations. Nevertheless, if it is true that these three types of individuals actually

wronged someone, then eirenéism would obligate them to repent and perform any other relevant moral actions to make up for the wrongdoing.

Instead of focusing on the three types of wrongdoers above, I will spend some time discussing the wrongdoer who realizes s/he has wronged someone. The recognition that "I have wronged someone" is a moral recognition that I have performed an action (or not performed an action) that I was not supposed to do. The knowledge that one has wronged another can cause a variety of other feelings: remorse, fear, anxiety, guilt, etc. When faced with such feelings it is not always clear to the wrongdoer what the best course of action is. Since eirenéism suggests moral agents strive to provide for one's own flourishing and the flourishing of others, it maintains that moral agents should strive to repair broken relationships and moral harm caused by wrongdoings. So, instead of allowing one's feelings to cover up a wrongdoing, or to shirk responsibility, eirenéism requires that one take responsibility for one's actions and seek some sort of reconciliation.

The first step to taking responsibility and seeking reconciliation is to admit one's guilt and repent. Once one carries out his or her obligation to repent, further obligations typically follow. In some cases, simply saying "I did it, I am sorry, and I will not do it again" is enough, but in other cases, especially the ones discussed above involving heinous wrongdoing, this communication of repentance is only the starting point. Take, for example, a wrongdoer's responsibility in South Africa's Truth and Reconciliation Commission. Wrongdoers had to fill out applications that fully disclosed all facts and misdeeds relevant to Apartheid that they did. Filing out this application made them

vulnerable, and if the confession was neither truthful nor complete, wrongdoers were not seen as fully repentant, and therefore, they would be prosecuted. After going through the application process, the stories and accounts of perpetrators were made public, so victims and society could know and understand what actually happened to their loved ones. In some cases reparations were made, and in all cases wrongdoers were allowed to return to society with the expectation that they both not participate in such wrongdoings again and that they would work towards a state of reconciliation in South Africa.

I maintain that the obligations of wrongdoers are similar to those of South Africa's Truth and Reconciliation Commission. Wrongdoers should first repent. This repentance can come in the form of a speech-act (I'm sorry) and/or a physical act (turning oneself in). Both of these acts require the wrongdoer's admittance that what s/he did was wrong, and that they wish to distance themselves morally from such an action. After repentance, wrongdoers are obligated to put into action their claim that what they did was wrong. This component can manifest itself in many different ways. One might make amends by returning the stolen object, by paying back the money that one lost as a result of a wrongdoer's lies, or by making any other appropriate reparation. In addition, one must strive to never perform the wrongful action again. A kleptomaniac might be incapable of promising that she will never steal again, but she can promise that she will try to never do it again. In the case of a kleptomaniac, she might be obligated to seek professional help in order to legitimately claim that she will try to never steal again. Finally, repentant wrongdoers must be willing to accept punishment for the wrong committed. A repentant wrongdoer agrees that action X is wrong, and though he refuses

to be defined in terms of X, he takes ownership in his wrongdoing; and as a result, he agrees that a person who performs action X is responsible for the punishment of X. Granted, he might receive a reduced punishment due to his repentance, but he still deserves some sort of punishment for his actions.

I think the above lays out some general obligations of repentant wrongdoers, without going too far afield of the focus of this chapter and dissertation.

**Two Different Approaches to Seeking Forgiveness**

In this section I will examine two accounts of victims who, instead of seeking revenge, seek forgiveness. Both accounts are of individuals who endured wrongs and struggled to seek forgiveness, when they could have just as easily done the opposite. In one case, the victim has to engage the person responsible for not only oppressing an entire society, but who was also responsible for the victim's own unjustified stents in jail. The other case is of a victim who has no physical way of locating his wrongdoer. Yet, he struggles to engage and forgive him. Both of these accounts provide valuable insight into the complexities of wrongdoing, and they provide examples of the flourishing that eirenéism seeks to promote.

Two preliminary notes should be made. First, the following real-life cases illustrate two different ways one might work towards finding the peace that comes from forgiveness. The first case involves Adam Michnik's engagement of Woljciech Jaruzelski, the communist leader of Poland who oppressed dissention by enacting a strict policy of martial law and imprisoning Michnik. This case illustrates a strong-willed

person capable of engaging his wrongdoer face-to-face with the intention of coming to terms with the individual and the wrongs he committed. The second case involves Miroslav Volf's attempt to come to terms with being tortured in Yugoslavia during the 1980s. Unlike Michnik's account, Volf's case illustrates a man who lacks the ability to engage his wrongdoer, has no idea whether his wrongdoer has repented, yet he continues to seek forgiveness.

Volf's case brings us to a second preliminary note, because it illustrates an issue prevalent in many of the most difficult cases of wrongdoing. Some cases of oppression, such as spousal abuse and incest, cause such a high degree of mental and emotional damage that meeting with one's oppressor is not advised. Face-to-face meetings are not advised because of the power structure that exists between the individuals; a power structure that makes victims overly susceptible to their former oppressor. In such cases, victims might become overwhelmed by feelings that they are to blame for the abuse they suffered, and as a result of these feelings, they might find themselves in the same oppressive relationships that existed before.

Because of such destructive possibilities, I will use Miroslav Volf's account of forgiveness, which provides an example of how victims can safely engage their wrongdoers without the dangers inherent in face-to-face meetings of this intimate sort. Volf shows readers how we should engage our wrongdoers and support the process of forgiveness without actually physically engaging the wrongdoer.

Michnik was a social dissident in communist Poland during the Cold War. He grew up in a household that was communist, free thinking, and well-educated, and he was

taught that the thoughtful criticism of views and positions was a virtue. Michnik grew up assuming that everyone would similarly value open-minded criticism. Therefore, he openly criticized many governmental personnel and policies, which he viewed as shortcomings in Poland's communist government. It never occurred to him that a government would interpret such critiques as a threat, especially since the critiques were only intended to foster the development of a more productive and fair communist society. Before long, he was shown the "error" of his thinking. With the loss of his naivety about Poland's government and his realization that his criticisms were largely ineffective, he intensified his critiques and began participating with dissident groups, such as Solidarity. A direct result of his intensified criticisms was that the government tracked his activities, harassed and censored him when possible, and eventually jailed him for several years.

The hardships Michnik endured would be enough to make anyone bitter and full of hatred, but he responded quite differently. He used his time in jail to write and to develop a philosophy of political engagement based on *dignity* (i.e. human worth). Michnik's dignified engagement is founded on the requirement that we avoid the extremes of both collaboration and ideological non-participation (what he calls "maggots" and "angels"). Instead, we are obligated to respond to oppressors by continuing to engage them socially and politically, while at the same time resisting the components of everyday life that might cause us to give up or act in an undignified or violent manner. Michnik opines that we can never forget that we exist in a complex world of overlapping concerns, motivations, and forces that influence how individuals act and respond to external socio-political forces.

Michnik does not merely philosophize about how to act; instead, he actively practices the type of engagement that he views as necessary for a healthy soul and healthy society. The best example of this sort of engagement is seen in a conversation he had with Woljciech Jaruzelski, the communist leader of Poland who oppressed dissention by enacting a strict policy of martial law. In this conversation, Michnik notes how his perception of his wrongdoer (Jaruzelski) evolved from viewing him as some despicable bureaucrat to viewing him as a normal person. Referring to his first meeting with Jaruzelski, Michnik writes:

> There was no sign of the wickedness that I'd imagined for years. Later, I became convinced that it's impossible to gain a correct impression of what kind of person General Jaruzelski is just by reading his speeches.[175]

Too often, we create images of those who harm us, unrealistic images of their "inhumanness." But Michnik illustrates how these preconceived notions are often wrong, because we forget about the existential pressures that exist within our social and political world.[176]

Michnik's conversation with Jaruzelski illustrates two individuals engaged in trying to understand each other and in uncovering the truth of the past. Michnik wants to know why Jaruzelski oppressed his people, collaborated with the Soviets, and imprisoned innocent people. Jaruzelski, on the other hand, wants to know why Michnik could not

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[175] Adam Michnik, *Letters from Freedom: Post-Cold War Realities and Perspectives* (Berkeley: University of California Press, 1998), 261.

[176] Another example of this comes from, Laura Blumenfeld, *Revenge: A Story of Hope* (New York: Simon & Schuster, 2002). In her book, she details her account of trying to seek revenge on the man who shot her father. Blumenfeld, however, ends up realizing that the shooter is a human, like everyone else, engaged in a complex web of social, religious, and political interactions, and she befriends his family and, in the end, defends him in court.

see that Jaruzelski was doing what was best for Poland, keeping Poland from being invaded by the Soviet army.

Even though there is no mention of forgiveness in their conversation, their mutual engagement illustrates two people coming to terms with the other's actions, in the hopes of truth and reconciliation. The benefits of this dialogue are seen in Michnik's later book *In Search of Lost Meaning*, where he criticizes those who called for revenge against Jaruzelski and praises the idea of a united commonwealth of Poles.[177]

Michnik came to see that both he and Jaruzelski thought that they were doing what was best for Poland, and by engaging each other they both realized the complexities of their own lives and the social/political situation in which they were involved. In the end, Michnik rejected the preconceived notions of his wrongdoer, came to terms with his harsh treatment, and he was able to leave the meeting with greater *peace* and understanding.

Not only was their engagement (i.e. their seeking peace) mutually beneficial, but it was also beneficial to society writ large. Michnik's conversation began the healing process for him and for his oppressor, but it also promoted healing in Poland and around the world, because it illustrated what he calls "dignified engagement"—engagement with, but opposition against, to foster a healthy society. He poignantly writes:

> The maturity of nations, societies, and individuals is measured in terms of the way in which they live with their own history and their own life story…I think it of great significance—and in some ways I count it a victory for both of us—that today we are able to talk about all this [the oppression and dissention] without

[177] Adam Michnik, *In Search of Lost Meaning: The New Eastern Europe*, edited by Irena Grudzińska Gross, trans. by Roman S. Czarny (Berkeley: University of California Press, 2011), 56-58.

> hatred, without hostility, and with mutual respect while remaining true to our own past.[178]

This type of dignified engagement is the hallmark of the philosophy of Dr. Martin Luther King, Jr. and Mahatma Gandhi, and is an example of the power and effect of eirenéism's prescription to seek forgiveness, especially for those capable of engaging their wrongdoers face-to-face.

The second case comes from Miroslav Volf, and his book *The End of Memory*,[179] which revolves around his attempts to correctly remember the events that took place during his time as a prisoner and to search for a way of forgiving his former captor, Captain G. Volf's account of his struggles to deal with life after being imprisoned and tortured is an intriguing and deeply spiritual account. It illustrates a case in which an individual desires and emotionally needs to engage his oppressor, but because of extraneous circumstances, cannot. Instead of giving up, however, he uses his imagination to achieve the engagement and healing that he desperately wants and needs.

Volf's account begins in Croatia in 1984, when he was called away from his American wife, his theological studies, and his dissertation criticizing Yugoslavia's communist government to serve a year in the Yugoslavian military. Unbeknownst to Volf, the government had been continually spying and keeping records on him and what they deemed his "subversive" activities. He was soon brought up on charges of being a spy, and, as a result, he was imprisoned, interrogated, and mentally and physically

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[178] Michnik, *Letters from Freedom*, 285.
[179] Miroslav Volf, *The End of Memory: Remembering Rightly in a Violent World* (Grand Rapids, MI: William B. Eerdmans Publishing, 2006).

tortured. Volf survived his ordeal, and went on to become a talented author and theologian.

Due to Volf's inability to track down and find his torturer, he is incapable of engaging his wrongdoer face-to-face, which is probably best for Volf because of the intimate type of oppression he endured. Unable to meet with his oppressor, Volf engages in a private psychological session in which he imagines a series of meetings with Captain G, where he attempts to have a discussion where Captain G admits he is wrong and repents. In these meetings he tries to figure out and understand Captain G's motives and actions. In order for this exercise to be as objective as possible, he imagines them taking place in a public establishment, and as one might expect, they are (at first) a complete failure: Volf continually digresses into accusing Captain G of wrongdoings and Captain G responds with denials.

Volf might have been better off seeking professional help to guide him through this process. In fact, one of the lessons Volf's case illustrates is the usefulness of outside professional and/or group help. Volf's difficulties might have been more easily overcome, if he had someone there to help him avoid the problems he faced, problems not unique to his sort of situation. As seen with Michnik, it is easy to think of one's wrongdoer as an immoral monster and to see one's own understanding of the situation as the only valid understanding. Volf was able to work through these hurdles, but such hurdles suggest it is best to seek outside help in addition to one's own self-reflection.

Even with the difficulties of Volf's engagement, on his last meeting he has a breakthrough. He realizes he cannot do it by himself, as suggested in the previous

paragraph, and so he imagines the presence of a third party, Jesus of Nazareth. With the imagined presence of Jesus at the conversation, Volf gains the ability to be completely open and honest, and because he feels someone is there to ensure he is honest to himself and Captain G, he is able to probe deep into his own mental scars and to see Captain G's humanness, his frailties, and even his possible motives—supporting a political system he felt was good.

Volf uses his understanding of Jesus' teachings (especially that of forgiveness) to move beyond the feelings of anger, revenge, and self-righteousness, to arrive at a point at which he is able to forgive Captain G. Volf feels as though by performing this exercise he can move beyond the painful memories of his ordeal and he can cease to have his existence defined in relation to the wrongs committed against him. Both the healing and general state of well-being Volf achieves are direct results from his mental engagement with his oppressor.

Whether or not an individual shares Volf's religious conviction,[180] his imaginative exercise is important. According to Volf, the sort of mental exercise described in his book helps victims be able to come to terms with their past, it promotes their ability to remember events correctly (i.e. not exaggerating one's suffering or the wrong committed, and trying to understand the reasons behind a wrongdoer's actions), and helps them find that neither victim nor wrongdoer is defined only by the wrong that occurred. Volf,

[180] There are several good non-religious books that describe ways of mentally engaging one's oppressor in ways that work towards forgiveness, like: Eileen R. Borris-Dunchunstang, *Finding Forgiveness: A 7-Step Program for Letting Go of Anger and Bitterness* (New York: McGraw-Hill, 2006); and Margaret Urban Walker, *Moral Repair: Reconstructing Moral Relations after Wrongdoing* (Cambridge: Cambridge University Press, 2006).

therefore, provides an example of engaging an oppressor within the general safety of an individual's mind. This mental engagement can occur individually, through counseling, and/or through group therapy.

The cases presented by Michnik and Volf illustrate two general ways in which victims should seek forgiveness. Not everyone will be capable of directly engaging one's wrongdoer as Michnik does, but anyone can engage them imaginatively, or through some spiritual or psychological experience, as evinced by Volf. Imaginative engagement is the beginning, and as I suggested above most should make use of others (preferably professional counselors), but as Volf illustrates, there are many productive ways available to victims to seek forgiveness.

For the obligation to work towards forgiveness to avoid becoming repugnant, it must not require too much from victims. If it required victims to forgive without taking into consideration victims' ability to forgive, it would both violate their rights and it would not match up with how the moral landscape is commonly understood—it would be repugnant. For instance, it cannot maintain that a victim of sexual abuse should enter back into an abusive relationship, in order to work towards forgiveness, nor should it ask victims to go to extraordinary lengths to track down and engage wrongdoers. The obligation should be understood as empowering the victim and providing a means by which the victim can move beyond the wrong committed. A child who is raped by her step-father retains the right to distance herself from the step-father, whether she has forgiven him, or is merely working towards forgiving him; and if the step-father is truly repentant, he will *want* to respect her wishes—because he wants to see her flourish.

**Social Responsibility to Promote Forgiveness**

In this final section, I will use Iris M. Young's argument for a social connection model of responsibility, based on the consumerist social processes most of us are engaged with, to argue that one's acceptance of eirenistic forgiveness not only promotes individual flourishing, but it also promotes a just society, a society that is responsible for supporting the ability of individuals to seek forgiveness.

Young states, "Obligations of justice arise between persons by virtue of the social processes that connect them; political institutions are the response to these obligations rather than their basis."[181] Young is concerned with wrongs that can result from decisions made from within the normative structure of society and how decisions we make locally have global moral repercussions. According to Young, "The fact that some structural social processes connect people across the world without regard to political boundaries"[182] creates moral responsibilities to those affected by our actions and decisions. Consequently, we all have obligations to those whom we directly or indirectly harm, and we are responsible, to varying degrees, for discharging these responsibilities. Young says, "All agents who contribute by their actions to the structural processes that produce injustice have responsibilities to work to remedy these injustices."[183]

Though Young does not claim to be an eirenéist, her understanding of the normative social relations between individuals, both locally and globally, is the same as

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[181] Iris M. Young, "Responsibility and Global Justice: A Social Connection Model," *Social Philosophy and Public Policy* Vol. 23, No. 1 (2006) : 102.
[182] Ibid.
[183] Ibid., 102-103.

eirenéism's understanding of the social nature of morality. The justice she argues for is consistently supported by eirenéism because both are concerned with the effects of individual actions in relation to others, and what sort of obligations are produced because of the relational nature of morality. The rights that Wolterstorff discusses are normative social relationships, and Young suggests that we all have a *shared responsibility*[184] that is the result of the social connections within a community, society in general, and the political system in which we participate. She even supports the notion that victims share "political responsibility in relation" to wrongs they endure, which is why all members of society have obligations to discharge their responsibilities, in order to have justice.[185]

After instances of wrongdoing, as eirenéism suggests, victims should not forget that they exist within a set of social connections that produce obligations. Granted, the responsibility to carry out these obligations might be severely limited as a result of the wrongdoing, but as I have shown throughout this dissertation they exist nonetheless. Eirenéism maintains that victims are obligated to promote their own mental well-being by coming to terms with the wrong committed and to work to move beyond it. This obligation does not mean that victims do not retain the right to be angry and to grieve, but eirenéism maintains that, at some point, they must strive to move beyond (and cease to be defined by) the wrong, if they are to flourish.

Once this obligation is applied to the shared responsibility of all socially connected individuals, we see that all individuals have the responsibility to promote the

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[184] The term "shared responsibility" comes from: Larry May, *Shared Responsibility* (Chicago and London: University of Chicago Press, 1992).
[185] Young, 123.

well-being of society. Since individuals comprise society, each individual's well-being is significant to society's well-being as a whole. Therefore, victims engaging wrongdoers, wrongdoers repenting, and society fostering the process of victim-wrongdoer reconciliation are all part of the shared responsibility of society, since doing so brings about the well-being of society. It promotes a society that confronts and learns from wrongdoing and is willing to address and strive to avoid the conditions that allow for, or foster, wrongdoing.

Individuals that comprise society, then, have their own sets of responsibilities that must be discharged. They must recognize and acknowledge their responsibility for allowing wrongdoings to occur within their society. They must assume responsibility to promote societal conditions that do not allow for wrongdoings, and they must promote conditions where engagement between victims and wrongdoers can safely occur. If we are to a achieve a healthy society after cases of wrongdoings, and help victims, then the individual members of that society must be involved in the process of forgiving too.

To help illustrate this shared responsibility, I will use an example from Slavenka Drakulić. Drakulić's understanding of responsibility arose from her first visit to Tel Aviv and Croatia's (her home country) political responses to the memory of the Holocaust. During her visit to Tel Aviv, Drakulić was continually questioned about her responsibility—as a Croatian—for the Holocaust.

During the Second World War, under Nazi control, Croatia participated in the Holocaust by exterminating approximately 17,000 Jews, Serbs, gypsies, and Croat

communists.[186] Drakulić, however, was born after the Second World War, and was surprised by the continual questions regarding whether or not she felt any regret or guilt for Croatia's genocidal actions. Her response was something along the lines of: sure, I hate that such events occurred, but I had nothing to do with them—I was not even born.

However, the more time she spent in Tel Aviv around those who actually suffered in concentration camps, the more she came to realize that her response was unsatisfactory. After careful consideration, she realized:

> …in front of the victims and their relatives, it was much easier to defend yourself from the past than from the present. As far as the past was concerned, I could offer my regrets, but it was much more difficult to explain what the Croatian government and Croatian citizens were doing today to deal with that past.[187]
>
> Every Croatian citizen bears a responsibility for his silent support of this government's attitude toward the Holocaust, which at the time was comprised of fascists who honored their fascist ancestors by naming streets after those who participated in the Holocaust.[188]

According to Drakulić, her connection to Croatia and Croatia's history partially defined her. She suggests the entities with which we identify (in this case, country) create a level of responsibility for the past actions of that entity. She claims that the past is everyone's problem, and if we support a group that openly celebrates its past wrongdoings, then we too celebrate those wrongdoings. We, then, take on a level of responsibility for those past actions by promoting the ideology that allowed for past wrongdoings, and could lead to future wrongdoings. For Drakulić, we are responsible for the current attitudes of the entities with which we identify, and if we identify with groups

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[186] Slavenka Drakulić, *Café Europa: Life After Communism* (New York: W.W. Norton & Company, 1996), 136-137.
[187] Ibid., 139
[188] Ibid., 140.

responsible for past wrongdoings, we must take responsibility for ensuring that the group we belong to continues to reject those past wrongs and the ideas that led to them. She concludes:

> When directly faced with the question of personal responsibility, a person cannot view history as a series of incomprehensible acts of a leader or a government. Eventually he must understand that it also depends upon what he himself says and does. In post-communist Croatia, we don't have a good excuse for our silence any more.[189]

Drakulić's account of responsibility shows that we must be careful about the groups and other entities that we identify ourselves with. Like Young, she suggests that we are obligated to actively work toward ensuring the entities with which we identify (country, state, social group, religion) do not promote destructive ideologies. If we do not discharge this responsibility by speaking out against them and/or trying to change them, then we are passively promoting the wrongs committed under the auspices of those ideas.

Václav Havel offers an example that might help explain Drakulić's point. In the essay "The Power of the Powerless," he develops the idea that there are "existential pressures" and "existential vulnerabilities" that affect us all.[190] These pressures and vulnerabilities come about due to the desires one has or the life one lives. For instance, a scientist who dedicates herself to scientific discovery lives with the existential pressure that her ability to live out her life as a scientist could be taken away at any time; or a storeowner who dedicates all of his life's energy to building up his store lives with the pressure of knowing his store could be taken away. In Soviet-ruled Czechoslovakia (or

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[189] Ibid., 142.
[190] Václav Havel, *Open Letters: Selected Writings, 1965-1990* (New York: Vintage Books, 1992).

any totalitarian society), these pressures are intensified because the power of the state to take away one's ability to live out one's existential desires is used as a method of coercion. Though not unique to totalitarian regimes, such regimes use this coercion to get members of society to "do as they are told" and to support unjust regimes.

Havel argues, however, that by allowing one to let his or her existential vulnerabilities to dictate how one acts is to foster the powerlessness brought on by one's vulnerabilities. Instead of giving into the state, Havel argues that one must resist, and that it is by resisting that one gains power: hence, the power of the powerless.

One of the examples Havel gives is that of a storeowner who places a sign that reads "Workers of the world unite!" in his storefront window, even though he neither supports the communist government nor does he want to put the sign up supporting the government. Instead, he puts the sign up because of his fear of being oppressed by the government.[191] The storeowner is pressured by those in power because of his fear of losing his existential identity. His actions end up bolstering the power of the government to oppress because they show support for their socio-political agenda. The storeowner, therefore, helps legitimize the state by promoting their agenda, and other individuals see the storeowner's promotion, which only further strengthens the government and intensifies the fear brought on by one's vulnerabilities.

According to Havel, the storeowner should resist the government's agenda by not displaying the sign. To create a society where individuals can flourish, we all have a moral obligation to resist oppressive regimes, no matter how big or small; and it is this

[191] Ibid., 54.

resistance that culminates in the power of the powerless. Our gestures of acceptance or rejection of ideas and actions reverberate throughout society as a sign to other individuals and to the government in power, and they either lend power to or set up competing power structures to them both. As Havel claims, if we fail to resist, and therefore promote oppressive socio-political forces, we "confirm the system, fulfill the system, make the system, [are] the system."[192]

Drakulić and Havel provide examples for Young's notion of shared responsibility, which supports my claim that there is a general social responsibility to promote one's own health and the health of others. So, not only should victims seek forgiveness, but repentant wrongdoers should promote ways for victims to flourish, and society as a whole should promote and provide ways for both victims and wrongdoers to seek forgiveness and flourish. Thus, everyone gets closer to shalom.

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In this chapter I discussed the rights of victims, and concluded that if a right to seek revenge exists, it neither contradicts nor overrides the obligation to seek forgiveness. I also examined the obligations of wrongdoers, and concluded that repentant wrongdoers have a set of obligation that they must carry out, like making amends, seeking help, and accepting punishment. Finally, I argued that there is a shared social responsibility to seek and provide for others' seeking forgiveness.

[192] Ibid., 136.

From this chapter I think the following conclusion can be made. First, we should not give up on those who harm us. I will not offer a defense of individuals who actively wrong others, but as eirenéism maintains, individuals do not lose their worth because they wrong someone. As Volf and Michnik show, their respective captors have "good" (although they disagree with them) reasons for why they performed their actions. Victims do not have to agree with the reasons a wrongdoer offers, and often times their wrongdoers will not have good reasons for what they did, but engaging in the process of trying to understand those reasons helps them reconcile themselves to the wrong(s) that occurred. As Wolfendale illustrated, by engaging our oppressors, we reject the ideas that foster wrongdoing, and we not only change ourselves, but we foster positive change in both the wrongdoer and society at large.

Second, crucial to individuals' well-being is that they engage their wrongdoer. The obligation argued for in this chapter is not supposed to be an overbearing responsibility that forces victims to do something against their will. Otherwise, the obligation itself would be oppressive. Instead, it is designed to promote healing in victims, wrongdoers, and society.

Third, that we engage our wrongdoers is crucial to the social structure in which we all live and participate. By engaging wrongdoers, we are promoting a new set of ideas that is antithetical to oppression. By engaging wrongdoers, we foster positive social and political change while denouncing wrongdoings; this is healthy for everyone.

These conclusions suggest that the victim's act of working towards forgiveness, whether it is mental or physical, religious or psychological, or performed as an individual

or as a group, brings about the most good by providing for everyone's life-goods. In other words, it contributes to the peace (i.e. the just state of affairs) of all moral beings. This peace is the goal of eirenéism.

# Chapter Eight
# Forgiveness as Religious Obligation

In this final chapter I return to a topic mentioned in Chapter Five but never fully developed. Chapter Five detailed Wolterstorff's attempt to avoid the eirenistic implication that there is an obligation to forgive, what he called a duty of charity. He concludes, without argument, that forgiveness is a third-party obligation to God, like all other duties of charity. Therefore, when a wrongdoer repents, one becomes obligated to God to forgive, and even though forgiveness might be a good in the life of the wrongdoer, it is a non-obligation-generating good. I argued that such an explanation should be rejected because forgiveness is no different than other obligations; and to avoid making all obligations third-party obligations, I suggested they remain (along with forgiveness) two-party obligations.

In the following pages I will return to this argument and examine the possibility that if we formulate eirenéism as a religious ethic, then Wolterstorff's forgiveness-as-third-party obligation can be validated. First, to ensure the reader remembers Wolterstorff's position, I will briefly discuss his argument for forgiveness-as-third-party obligation. Second, I will examine three theological components of eirenéism that suggest eirenéism should be understood as a religious ethic: 1) life- and history-goods are determined by God's "divine desires"; 2) God's love is the source of humanity's rights-grounding moral worth; and 3) shalom is fundamentally a religious concept. Next, I will argue that accepting eirenéism as a religious ethics justifies Wolterstorff's claim that forgiveness is a third-party obligation. Finally, I will use Carol Gould's procedural

approach to offer a competing secular explanation of what grounds human rights.[193] I will show how Gould's account provides some grounding of human worth for non-theist, even if it ultimately falls short of the strong grounding that God provides.

**Reformulating Forgiveness as Third-party Obligation**

To avoid the moral state of affairs that leads to the repugnant implication, the obligation to forgive must be reformulated in such a way as to explain why repentance is a non-obligation-generating act that is consistent with the principle of correlatives. As discussed in Chapter Five, Wolterstorff does not provide the reader with a reformulation, but I offered what I called R2 as a consistent reformulation of the third-party obligation to forgive:

> R2: If G, X, and Y belong to the sort of entities that can have rights, then X has an obligation toward G to forgive Y *if and only if* G has a right against X to X's forgiving Y.

The inclusion of a third party in R2 does not disrupt the correlation between X and Y—there still exists a set of corollary rights and obligations based on their inherent worth. What results with R2 is the existence (and authority) of a third party, which widens the moral scope of the social web: X and G are in a particular relationship (X accepts G as [or G is] a legitimate authority) that allows G to make commands for which X is obligated to discharge. Only in regards to X's added obligations to G are things different in this reformulated principle of correlatives. Forgiveness in R2 makes X obligated to G to forgive, but not obligated to Y. Y has no inherent natural right to be forgiven, but as

[193] Carol C. Gould, *Globalizing Democracy and Human Rights* (Cambridge: Cambridge University Press, 2004).

shown in Chapter Five, has a non-obligation-generating (subjective) right to be forgiven, because of God's command.

In Chapter Five I suggested there were two problems with R2: Wolterstorff provides no argument for why forgiveness is different from other life-goods; and the textual evidence from Wolterstorff's writings suggests that there is, in fact, no difference. In the next section I will present a new defense for R2 based on the idea that eirenéism is a religious ethic, grounded on religious principles. This defense will provide enough textual evidence to support making forgiveness a third-party obligation, without suggesting that all obligations are third-party obligations, but only at the cost of making eirenéism a religious ethic. I avoided this defense earlier because I wanted to show that eirenistic forgiveness can be consistently maintained without relying on any theistic explanations, but now I consider the possibility that eirenéism is religious ethic.

**Eirenéism as Religious Ethic**

In this section I will address an assumption made throughout this dissertation: that eirenéism is an ethic applicable to both theists and non-theists alike. In the next several paragraphs, however, I will formulate eirenéism as a religious ethic, with the hope of showing that eirenéism-as-religious-ethic can consistently explain the obligation to forgive. I will focus mainly on three theological features of eirenéism: 1) life-goods are determined by God's "divine desires"; 2) God's love is the foundation of human rights; and 3) the *peace* of *shalom* is fundamentally a religious concept.

Wolterstorff does not hide the fact that he is a theist, and though he maintains eirenéism is acceptable to non-theists, it is clear from his writings that eirenéism is founded upon certain religious principles. For instance, he clearly states, "The account of primary justice that I developed is a theistic account, specifically, a *Christian* theistic account; for I am a Christian believer who holds that God and justice are intimately intertwined."[194] Wolterstorff maintains, and I agree, that principles and concepts presented in holy texts (Christian, or otherwise) should be judged on their merit, consistency, and soundness, instead of being dismissed due to their source. This dissertation has attempted to perform this exact task, by critically examining eirenéism as a secular ethic, and by testing its soundness. It is now time, however, to consider the possibility that the main problem discussed in this dissertation (i.e. the obligation to forgive) is the result of discussing eirenéism as a secular ethic, so that is what I will now do.

The first major religious component to examine is Wolterstorff's argument for what counts as a life-good. As mentioned before, Wolterstorff is frustratingly quiet about how one can determine the specific life-goods of individuals. It is not until the end of *Justice: Rights and Wrongs* that he formulates what he thinks determines a person's life-goods—God's "divine desires." Let us look at how he arrives at this position.

There are several ways in which to characterize a moral agent's life-goods. One prominent way is to use a desire-satisfaction strategy, where life-goods are determined by the objects or events that will satisfy one's desires and result in one's well-being. The

[194] Wolterstorff, *Justice: Rights and Wrongs*, x.

main problem with this approach is that individuals do not always desire what is in their best interests, and so desire-satisfaction can actually diminish instead of enhance one's well-being.

There are two responses to this problem. First, one can maintain that if individuals had enough information they would desire what is appropriate. This approach looks promising, but confuses the following: "the desire I have when I lack some information is, as such, no different from the desire I have when I possess that information, and conversely. The *object* of my desire is different; but not the desire itself."[195] For instance, imagine I have a desire to be inebriated. Depending on the amount of information I have concerning inebriation (e.g. what is most effective, what is best for me health-wise, etc) I may choose wine over bourbon or beer. Even if I choose not to drink any alcohol, or choose to do "harder" drugs, my desire to be inebriated is the same; the only thing that is different is how I act on my desire. So, the information I obtain, regardless of the general desire, does not change the desire itself. The problem, then, lies much deeper.

This brings us to our second response, the "Proper-Function" strategy. This strategy maintains that for some people their desires are malformed (e.g. those of a sadist), and if their desires were capable of being properly formed, individuals would desire appropriate things. In other words, if an individual's desire-formations functioned properly, they would desire appropriate things—e.g., things that enhance their well-being.

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[195] Ibid., 230.

The problem with this approach is that it assumes certain norms of desire satisfaction, like the norm that a properly functioning person would always choose to establish a friendship (if capable of doing so). It also fails to explain cases where a fully functioning individual does not choose the "appropriate" desire, like not establishing a friendship. In other words, it tends to make unsubstantiated claims about what is normal for humans, and when a human fails to meet these norms, it too hastily maintains that he or she is malfunctioning. However, such a position is based on a confusion about what it means to malfunction, as Wolterstorff illustrates:

> Deciding not to establish friendships when one is capable of friendship is not a malfunction, any more than not running when one is capable of running is a malfunction. But then, by the same token, deciding to establish friendships is not a case of proper functioning. Of course, one would not form friendships if one suffered from the malfunctioning of being incapable of forming friendships. But actually establishing friendships is not a case of proper functioning. It is, however, a life-good. The *capacity* for establishing friendships is a manifestation of proper functioning; actually establishing friendships is not.[196]

So, it appears that properly functioning, well-informed individuals can desire things that do not enhance their well-being. Therefore, these two strategies are inadequate responses to support the desires-satisfaction approach.

Because one can desire what diminishes one's well-being, the life-goods that one claims to have a right to might, in some sort of objective way, fail to be life-goods. Wolterstorff's concern, then, is that individuals can be wrong about the things they claim to have a right to. As a result, rights claims lose some of their moral force, because: 1) some moral agents might make claims to goods they do not, in fact, have—thereby, abusing rights-talk and making others skeptical of all rights-claims; and/or 2) moral

[196] Ibid., 235-236.

agents who appear to have obligations to provide for others' rights can use this weakness as a justification for not providing what is due the other.

Wolterstorff solves this problem in two ways. First, he maintains: "Rather than looking to the desires of the person whose well-being we are considering, we look to the desires *for* that person of someone else who loves that person."[197] In other words, instead of focusing on the decisions of individuals, and whether or not they have enough information, or are functioning properly, we should look at someone outside of the individual, someone who loves the individual and better knows what is in his or her best interest. The idea here is that "outside" persons should be more capable of objectively determining the life-goods of the persons they love and care for, unlike the agent, whose decisions might be clouded by irrational desires.

The problem with this approach is that the desires of "outside" individuals can be mistaken too, or based on the selfish desires of the "outside" person. For instance, imagine a set of parents who want what is best for their child, and what they think is best for their child is for her to attend the University of Tennessee. The desire might be best for the child, but it might be based on the parents' lack of knowledge concerning the child's abilities and/or on a selfish desire to see their child attend their alma mater—thereby, their desire is not a good in the life of the child, but a good in their life. The "outside" person approach is promising, but the fallibility of others leads us back to the same issue of non-well-being enhancing desires seen in basing life-goods on an individual's own desires.

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[197] Ibid., 236.

This issue brings us to the second way Wolterstorff solves the problem of mistaken life-goods. To ensure the desires of the "outside" person (or entity) are truly life-goods for the individual, the life-goods must come from someone who knows exactly what the life-goods of that individual are; and for Wolterstorff the only entity that meets this qualification is God. It is God's divine desires that determine the life-goods of an individual. To explain what he means by *divine desires*, Wolterstorff says:

> …God desires that certain things happen to this creature and that other things not happen. But God also desires that this creature desire certain sorts of things and not desire others. And God desires that this creature will decide to use itself in certain ways and not decide to use itself in other ways. God had these various desires for his creature in mind when he created the creature; they are not an afterthought.[198]

And:

> God regards as a good in this creature's life whatever transpires in accord with God's desire for how that creature's life should go.[199]

So, unlike us, God knows for certain what the life-goods of individuals are, which suggests there are a set of objectively determined life-goods for each individual. It is, then, up to each individual to work towards figuring out and achieving those life-goods. Wolterstorff does not think that we have to know what God's desires are to adequately determine the life-goods of individuals; rather, God's desires serve as the standard-bearer of our actual life-goods.

The above examination of Wolterstorff's understanding of life-goods is not meant to convince the reader of the sufficiency of his arguments concerning the shortcomings of either the information strategy or the proper-functioning strategy, or the strength of the

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[198] Ibid., 235.
[199] Ibid.

divine-desires strategy. Instead, I wanted to illustrate that for Wolterstorff, life-goods are determined by the divine desires of God. God desires that his creatures flourish, and has perfect knowledge of what creatures need in order to flourish. These desires, then, become the life-goods to which we have rights. As fallible beings, we have access to some understanding of our life-goods, but we can be mistaken. Before examining what sort of implications this approach holds in terms of forgiveness, it will be helpful to discuss two other features of Wolterstorff's theological grounding of eirenéism.

The second major religious component of eirenéism is Wolterstorff's argument concerning the inherent worth of humans, on which inherent natural rights are grounded. In the last section of *Justice: Rights and Wrongs*, Wolterstorff spends a considerable amount of time arguing that a theory of natural human rights cannot be grounded on a secular ethic. He looks at several Kantian (i.e. deontological) approaches, as the most prominent secular approach, and shows that any sort of ethic that explains moral agency in terms of having a capacity (e.g. the capacity to reason) fails to ground human rights, because it grounds rights for only a certain sub-subset of humans, while excluding those who lack the privileged capacity. For instance, if the capacity to be rational is the feature that allows an individual to be morally considerable, then some humans will not be included in our moral community, like anencephalic babies, Alzheimer patients, individuals in a persistent vegetative state, and possibly humans in the gestational phase of life. According to Wolterstorff, if one wants to increase the scope of rights to include those who lack the suggested morally relevant capacity, one must "live in the hope that some day such a secular grounding will turn up" that justifies their inclusion in the moral

community.[200] In other words, the secularist who wishes to ground human rights on a non-capacity approach can only assume that the moral worth that grounds rights exists, and even though there might be strong reasons for why one exists, there is no firm grounding for justifying such a position.

In order to ground eirenéism and human rights, Wolterstorff argues for a theistic grounding based on the relationship between God and humans. Wolterstorff maintains that (like all animals) humans have a certain amount of worth that is based on human nature itself, what he calls worth based on "nature-resemblance." However, he maintains that such worth is insufficient for grounding inherent natural rights, because such a position implies that certain "malfunctioning" humans fail to *resemble* important features of *human nature* (e.g. those with Alzheimer and anencephalic children). "Malfunctioning" humans lack the nature-resemblance of properly functioning humans, and so they lack the worth necessary for grounding inherent natural rights. As a result, Wolterstorff maintains that something must be added to this "nature-resemblance" approach to ensure all humans have the worth sufficient for inherent natural rights.

For Wolterstorff, this something else must be a "worth-imparting relation of human beings to God that does not in any way involve a reference to human capacities."[201] Because human rights cannot be based on capacities (it would exclude too many humans), one must find an explanation for worth that makes no reference to capacities. Wolterstorff argues that this worth can be based on the non-capacity

[200] Ibid., 340.
[201] Ibid., 352.

theological explanation that God's relationship (i.e. God's love) with humans is enough to ground moral worth.

To see what Wolterstorff means when he suggests God's relation to humans enhances their worth, it is best to look at some examples of how individuals being in relation to other people (and things) enhance the worth of those others/things. For instance, a watch owned by my grandfather has an enhanced worth based on my relationship to my grandfather and to it. The watch is not special in any other way, there are several watches that might actually be superior, in the sense that they have more gadgets and capacities. In fact, my watch might not even work. Nevertheless, as a direct result of my relationship with my grandfather, the watch's worth is enhanced because it is a reminder of the love I shared for my grandfather. Others might not recognize, or even be aware of the watch's enhanced worth, but because of my relationship with the watch, its worth *is* enhanced. If others knew of my relationship with the watch, they would also recognize its enhanced worth—even if they do not fully understand it.

The enhanced worth of the watch is the result of what Wolterstorff calls the "love of attachment." The love of attachment is a love that honors the person of whom it is a relic, and creates a bond between lover (me) and loved (watch) that enhances the worth of the thing loved. My love of the watch sets it apart from other watches, and this setting apart enhances its worth. The same thing can be seen with people. If I am a good friend of the actor Tom Baker, my worth has been enhanced to a certain degree: I might gain special privileges, be envied, etc. His friendship sets me apart from others, as does any loving friendship, and as a result, my worth is enhanced.

According to Wolterstorff, in a substantially more powerful way, God's love of humans sets us apart from other non-human groups—this love enhances our inherent worth. So, for Wolterstorff, if we combine the inherent worth of being human with the enhanced worth of being in a relationship where humans are loved by God, then humans have sufficient worth to ground inherent natural rights—it creates a set of rights and obligations between humans based on the moral worth of *all* humans, not only those with certain capacities.

It is important to note that Wolterstorff does not argue that God, in fact, loves all humans; instead, he merely wishes to show that there is a grounding for inherent natural rights available to theists.[202] Of course, non-theists (and some theists) will find Wolterstorff's argument too convenient, especially since it cannot be verified or falsified in any way, and such a criticism is precisely why he does not come out and endorse the argument. He merely offers it as an explanation available to theists.

The third, and final, religious component to examine is the conception of the good life that eirenéism supports. For eirenéism, shalom is the good life, which is the Hebrew notion of peace. The Hebrew notion of peace, however, is much different than what most contemporary people think of—as the lack of hostile actions, feelings, or other destructive forces. For the ancient Israelites, shalom occurs only when God's (Yahweh's) justice is achieved.

According to Wolterstorff's understanding of 'God's justice', God created the world with justice in mind, and God desires to see his creatures enjoy the goods to which

[202] Ibid., 360.

they have rights. God's justice occurs when individuals obtain these goods, or have them provided. Wolterstorff describes God's justice in the following passage:

> If we had lived as God meant us to live, we would all be members of an ordered community bound together by love for each other and gratitude to God, using the earth for our benefit and delight. In fact we do not live thus. A fall has occurred. God's response to this fall of mankind was to choose from all humanity a people destined for eternal life. They in obedient gratitude are now to work for the renewal of human life so that it may become what God meant it to be. They are to struggle to establish a holy commonwealth here on earth.[203]

And:

> …what makes Christians different in their action is that they have in fact committed themselves to struggling toward this goal, that they recognize it as God's mandate, and that they struggle toward it not just in obedience to God the creator but in imitation of Christ.[204]

Wolterstorff's point is to show that justice is what God desires for humanity, and a follower of God is required to work towards ensuring that God's justice is carried out on Earth.

God's justice, however, is not retributive justice; it is primary (i.e. distributive) justice—justice occurs when moral beings receive that to which they have a right. The term 'shalom' is the representation of God's justice on earth. When I receive my divinely desired life- and history-goods I will flourish, I will want for nothing, I will have achieved the peaceful flourishing of shalom. Of course, shalom is not merely about me, as an individual, achieving shalom; but rather, I must be engaged in ensuring others achieve shalom too. All moral agents are required to foster the community of love that

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[203] Wolterstorff, *Until Justice and Peace Embrace*, 19
[204] Ibid.

God desires, and by loving others (i.e. providing for their needs) agents carry out God's justice.

To see how ancient Hebrew writers envisioned shalom, Wolterstorff says the following:

> In shalom, each person enjoys justice, enjoys his or her rights. There is no shalom without justice…Shalom is the human being dwelling at peace in all his or her relationships: with God, with self, with fellows, with nature.[205]

God's vision of shalom is of a state of peace between all aspects of creation—humans, animals, and the environment. Shalom suggests that one must not only be free from strife and suffering, what is typically thought of as peace, but one must also "dwell" in the enjoyment of all of one's relationships; only then will one truly flourish. To dwell in this enjoyment, Wolterstorff stresses the three following features: 1) delight in service to God—carrying out his justice; 2) delight in human community—providing for others and being provided for; and 3) delight in our physical surroundings—caring for and taking pride in the development of God's creation.[206]

Rights are the foundation of shalom, because:

> …[S]halom is an *ethical community*. If individuals are not granted what is due them, if their claim on others is not acknowledged by those others, if others do not carry out their obligations to them, then shalom is wounded. That is so even if there are no *feelings* of hostility between them and the others. Shalom cannot be secured in an unjust situation by managing to get all concerned to feel content with their lot in life. Shalom would not have been present *even if* all the blacks in the United States had been content in their state of slavery; it would not be present in South Africa *even if* all the blacks felt happy. It is because shalom is an ethical community that it is wounded when justice is absent.[207]

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[205] Ibid., 69.
[206] Ibid., 70.
[207] Ibid., 71.

Shalom, then, is a radical concept, which is best illustrated by the Hebrew prophet Isaiah's description of shalom:

> The wolf shall dwell with the lamb,
> and the leopard shall lie down with the kid,
> and the calf and lion and the fatling together,
> and a little child shall lead them.
> The cow and the bear shall feed;
> their young shall lie down together;
> and the lion shall eat straw like the ox.
> The sucking child shall play over the hole of the asp,
> and the weaned child shall put his hand on the adder's den. (Isaiah 11:6-8)

Based on the three religious components of eirenéism described in detail above, it is clear that eirenéism is grounded in a Judaic religious tradition that manifests itself in Christian and Islamic religious traditions. Eirenéism embraces these traditions, and uses them to serve as its foundation. With this in mind, it is easy to see how the principle of correlatives mirrors Jesus of Nazareth's call for us to love our enemies. In fact, Wolterstorff's most recent book *Justice in Love* describes eirenéism as a type of agapism based on Jesus' command to love, and that such a command does not hinder or negate justice, but actually ensures others get what they deserve. Following Jesus' command to love, then, is what brings about God's justice on earth, and therefore, helps bring about the peaceful flourishing of shalom.

In the next section, I will use the theistic explanation of eirenéism illustrated above to show how it solves the problems associated with forgiveness as a third-party obligation to forgive.

**Reconsidering the Obligation to Forgive as a Religious Obligation**

In this section I will reconsider Wolterstorff's suggestion that forgiveness is a duty of charity, and I will argue that making eirenéism a religious ethics, based on the above theistic principles, solves the difficulties I originally pointed out with such an explanation, seen in Chapter Five.

To help remind the reader of the discussion in Chapter Five, the duty of charity explains forgiveness (and similar duties) as third-party obligations, which is an obligation not generated by the rights of others. In Wolterstorff's third-party case, X is obligated to forgive Y because X is commanded to by a third-party, God. X, then, is *obligated* to God to treat Y better than Y deserves to be treated, because Y has no inherent right to be forgiven. Stated differently, forgiveness is a charitable act in regards to the wrongdoer, but an obligatory act in regards to God.

I noted in Chapter Five that this explanation matches up nicely with R2, and is further bolstered if we explain forgiveness in terms of what Wolterstorff calls *natural* rights, as opposed to *inherent* natural rights. God's command not to bear false witness creates a subjective obligation (obligations an individual subject has) to not bear false witness, and as a direct result of God's command, every other agent gains a "subjective right" (rights an individual subject has) to not have others bear false witness against them. These subjective rights are what Wolterstorff means by natural rights, and can be based solely on the fact that others have third-party obligations that result from an agent's accepting the commands of some third-party authority figure. They do not result from the worth of other moral agents.

By making use of the notion of natural rights that come about due to the subjective obligations that result from God's commands, Wolterstorff appears to have the conceptual tools available to successfully explain forgiveness as a third-party obligation. Such an account also appears to explain why forgiveness is, in fact, a different sort of good for the wrongdoer. In regards to a third-party obligation to forgive, what appears to happen is that the repentance of the wrongdoer Y, which is necessary for forgiveness, motivates a command from third-party G, for X to forgive Y. In such a case, Y's repentance makes forgiveness a good in his life—it is pleasurable/good for Y. Y's repentance does not actually obligate X to forgive, because, in this case, forgiveness is understood as merely a good (something that brings about pleasure), not a life-good (something Y has a right to). Y's repentance motivates G in some way (e.g. G recognizes what is best for both parties and society at large) to command X to forgive, and it is G's command that actually obligates X to forgive. Therefore, to make third-party forgiveness consistent with eirenéism, forgiveness must be explained as a good that some third-party commands one to do. One can say that a repentant wrongdoer has a natural right to be forgiven, but this right is a much weaker (non-obligating) right than the sort of inherent natural right that is the focus of eirenéism.

In Chapter Five I complained that because there are no reasons provided for understanding forgiveness as different from other obligation-generating life-goods, then we should be skeptical about this explanation. However, with the theistic explanation provided in this chapter, I maintain that Wolterstorff's explanation is sound. If we understand eirenéism apart from its theological grounding, natural rights seem

unacceptably weak, especially in regards to the inherent natural rights that are the primary focus of eirenéism. Since one of the main goals of Wolterstorff's work on rights is to get us to move towards a much stronger notion of rights, the move from natural rights to inherent natural rights seems both awkward and counter-productive.

My concern in Chapter Five, however, was based on the role of determining life-goods, and I maintained that if life-goods are determined by our natural preferables (by what we need in order to achieve shalom), then forgiveness must be a life-good like all other goods that are necessary for peaceful flourishing. With the three theological features discussed above applied to eirenéism, my concern can be easily explained away.

A secular reading of eirenéism focuses on Wolterstorff's claim that what we have a right to are "[t]he states and events is a person's life that are good for the person, combined with the actions and activities of that person that are good for him or her, together make up the whole of what is good for that person."[208] However, the theological reading of eirenéism maintains that such an explanation of life-goods is incomplete. As moral agents trying to determine what is best for our well-being, we can be mistaken. Because of our fallibility, the true determiner of life-goods is God: more precisely, God's divine desires for his creatures.

Combining God's infallibility in knowing what individual moral agents need in order to flourish, with human fallibility in determining such things, provides the crucial explanation in regards to life-goods and duties of charity, like forgiveness. If God's desires determine the life-goods of both victims and wrongdoers, then the theist can offer

[208] Wolterstorff, *Justice in Love*, 2.

the following explanation of forgiveness, in terms of God knowing what will lead to all parties' flourishing. God knows that repentant wrongdoers need forgiveness to flourish, but God also knows that the repentance of the wrongdoer should not place any unnecessary burdens on victims, who have already suffered enough. So, when a wrongdoer repents, God is capable of determining whether or not the repentance is genuine, and if genuine, God recognizes the need in the wrongdoer to be forgiven. God, however, refrains from making *being forgiven* a life-good, since doing so would obligate victims to forgive.

On the other hand, God's desire for victims is to flourish, and God knows the importance of *forgiving* in the flourishing of the victim; so, *forgiving* is made a life-good for the victim. God understands that victims might be suffering in the aftermath of wrongdoing, and God desires only what is best for his creatures. As a result, he protects victims from the claim-right of wrongdoers' desires to be forgiven. Nevertheless, when a wrongdoer repents, God knows that the appropriate action of the victim is to forgive. So, out of love, God commands victims to forgive repentant wrongdoers, since doing so leads to all parties' flourishing.

Let me further explain. God knows and wants what is best for us, even if we do not always see how this enhances our own flourishing, so we resist it. However, if we had the understanding of God, then we would see how doing certain things, like forgiving, enhances our peaceful flourishing. Due to our relationship to God, we become obligated to follow his commands. Forgiving is a life-good for victims, but in order to have a just state of affairs, God sets *being forgiven* apart from other life-goods, as a non-

obligating life-good. In order to create the ethical community of shalom victims must not be at the mercy of wrongdoers, in the sense that repentance forces victims to forgive—this would be to treat victims unjustly. By having faith and following God's commands that are based on his divine desires for our lives, we carry out God's justice, and therefore, create shalom.

If one is a theist and accepts the above theological explanations intended to ground a new conception of the good life, then one has a strong foundation for the notion of inherent moral worth, which serves as the basis for a theory of rights motivated by bringing about shalom. For the non-theist, however, eirenéism seems to be like most rights theories that depend on some sort of grounding of human rights in human worth, and as seen above, there seems to be no grounding for human worth that does not rely on a capacities approach. As Wolterstorff suggests, a capacities approach offers a limited grounding for human rights that excludes too many humans. We, therefore, seem to be at a dead end: we either accept that there is no sufficient secular grounding for a notion of human rights, or we base human rights on something along the lines of Wolterstorff's argument that it is God's love that enhances our worth. The former is amenable to non-theist, but it is philosophically unsatisfying, since it offers no support for its acceptability. The latter is amenable to theist, but sets eirenéism up to be a religious ethic, which makes it unacceptable to non-theists.

In the next section, I will use Carol Gould's recent writings on a procedural approach to grounding human rights to offer an account of how one might ground eirenistic rights; an account that is amenable to both theist and non-theist, alike.

**A Procedural Approach to Grounding Human Worth and Human Rights**

Making eirenéism a religious ethic appears to solve the issues that arise from the implication that eirenéism supports an obligation to forgive. However, making it a religious ethic means that it will be rejected as an objective moral framework by non-theists. It also provides non-theists with the argument that since God's existence cannot be proven, and it would be extremely difficult to show that Wolterstorff's explanation is correct, we should reject the notion of inherent natural rights. Either way, we seem to be left with the conclusion that any sort of ethical obligation based on eirenéism, like an obligation to forgive, is a religious obligation.

To be honest, if one believes that eirenéism is merely a religious ethics, dependent upon belief in the existence of God, then I see no way of providing a reply to show that he or she is wrong. But in lieu of offering an argument for the existence of God, or simply giving up, I will offer a reply based on Carol Gould's argument for a procedural approach to grounding human rights. I will hold Gould's approach to the same standards that Wolterstorff held his theistic argument, except that I will require that God not be used as a justification. In other words, a satisfactory account will provide a description of human moral worth based on a worth-imparting relationship that does not make reference to God or capacities. I will not argue against the soundness of Wolterstorff's theistic approach, but I will provide an alternative explanation in hopes of making eirenéism amenable to non-theists.

In *Globalizing Justice and Human Rights*,[209] Gould argues for what she calls "social ontology" (first formulated in *Rethinking Democracy*[210]), which she maintains serves as the grounding of human rights. Social ontology has three defining characteristics. First, it is quasi-foundationalist and nonessentialistic: quasi-foundationalist because instead of looking for a systematic metaphysical ground for human rights, it is based on "experientially or phenomenologically well-evidenced features of action and interaction of human beings;" and it is nonessentialistic because it does not rely on creating a list of essential characteristics that one must have in order to be included in the moral community.[211] Second, it is a regional ontology. In other words, instead of making general ontological claims about the nature of being, it makes claims about groups of individuals in their particular social relations. Third, the concept of social ontology is part of the ontology of every social and political theory, whether it is recognized or not.

With these characteristics in mind, Gould argues that social ontology shows that human rights are grounded in the *freedom* of human action. By 'freedom', Gould has something very specific in mind, and she lists five components that comprise her understanding of it. One, freedom is the *characteristic mode of human agency* and life activity. She says, "It [freedom] is, on the one hand, a bare capacity for choice among

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[209] Carol C. Gould, *Globalizing Democracy and Human Rights* (Cambridge: Cambridge University Press, 2004), 33.
[210] Carol C. Gould, *Rethinking Democracy: Freedom and Social Cooperation in Politics, Economy, and Society* (Cambridge: Cambridge University Press, 1988).
[211] Gould, *Globalizing Democracy*, 32.

alternatives; on the other, it is the exercise of this capacity—individually or together with others—in the realization of long-term projects and the development of abilities."[212]

The second component is that even though freedom is concerned with the self-development of individuals, individuals are to be ontologically understood as *individuals-in-relations*. In her view, "[T]he characteristic mode of being of these individuals, that is, their activity, essentially involves their relations with others."[213] Individuals are who they are because of their relations with others, and even though individuals have freedom to transform themselves and their relations, they are largely constituted by the relations they have.

The third component is based on the observation that necessary to freedom are the material and social conditions required for individuals to express their freedom. In other words, one must have access to certain conditions that allow one to realize long-term projects and the development of abilities. Gould lists, "Among the material conditions are means of subsistence and the means for carrying out the activities, and among the social ones are freedom from domination and, correlatively, reciprocal recognition by the agents of each other's freedom."[214]

Directly tied to this third component, is the fourth, which maintains that humans have the *right* to the conditions of self-development, in terms of justice. To adequately capture what Gould means, I will quote her directly:

> Since freedom as agency or the capacity for choice characterizes all human beings as human and since the exercise of this agency in self-development is a

[212] Ibid., 33.
[213] Ibid.
[214] Ibid., 33-34.

> normative imperative, and furthermore, since this exercise requires conditions, I argue that there is an equal and valid claim—that is to say, a *right* [italics original]—to the conditions of self-development on the part of each human being.[215]

In other words, through the *recognition* of others as humans who (at least, *abstractly*) have the capacity for being free, and because freedom requires the existence of certain material and social conditions, all humans gain a right to these conditions that others must respect. I highlighted the terms 'recognition' and 'abstractly' because of Gould's use of 'capacity'. I understand Gould to be making a claim that it is a characteristic of being human to have the capacity for being free, and that when we perceive someone who is human (whether they are a highly-functioning adult, a severely disabled person, or the result of an ultrasound) we abstract on them certain characteristics. For Gould, that characteristic is to exercise freedom. I will provide an argument for this interpretation below.

Respecting the right to be free and the material and social conditions required to enjoy this freedom, then, creates a just state of affairs (i.e. *justice*), which is the fifth and final component of freedom.

So, for Gould, freedom serves as the social-ontological grounding of human rights. She sums up her position nicely in the following passage:

> What I propose here is an account of rights and of the principle of justice based on a social-ontological characterization of human action and of human beings. I have suggested that the evidence for such a claim is experiential or phenomenological; that is, it presents itself to us in the structures of everyday action and social interaction. What reveals these rights, practically speaking, is the daily and recurrent recognition by individuals of others as being like themselves, namely, as agents with claims to the conditions for their self-

[215] Ibid., 34.

> developing or self-transformative activity. This recognition characteristically takes place in several ways: first, in the basic reciprocity in which individuals make claims on one another to be free from harm and from constraints on their actions; and in exchange grant this same recognition of negative freedom and equality to the others; or else expect a benefit in return for benefit done. This level of instrumental or tit-for-tat reciprocity acknowledges the right of the other by virtue of an assertion of the reciprocal validity of one's own claim; that is, in asserting one's own right, one acknowledges the validity of the other's claim as a right by virtue of reciprocally recognizing it as like one's own.[216]

Gould's procedural approach, then, begins by grounding human rights on the social-ontological characteristic of humans, and based on the existence of human rights, the normative concept of justice results, as the means by which to guarantee one's rights are respected. Her understanding of freedom, then, grounds human rights, which then are governed by the normative concept of justice. I find Gould's argument fairly convincing, but as I will show below, there exist some tensions between it and eirenéism that need to be explained, before it is fully acceptable for my purposes.

With Gould's account laid out, I will finish this section by determining whether or not it is consistent with eirenéism. If it is, I maintain that it provides strong reasons for thinking a secular grounding for human rights, based on a procedural approach, is possible; thereby, providing some grounding for humans rights amenable to the non-theist who wishes to accept eirenéism.

There are two major concerns for Gould's account, if we hold it to the standard that a satisfactory account will provide a description of human moral worth based on a worth-imparting relationship that does not make reference to God or capacities. Gould's account does not make mention of God, nor does it appear to assume the existence of

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[216] Ibid., 41.

God in order to ground human rights. Instead, her account focuses on individuals and social features that arise out of the human characteristic of freedom. So, it meets the secular requirement of not assuming or relying on the existence of God to ground human rights, but it appears to violate the requirement that the grounding not be capacity-based. More precisely, if freedom is what grounds human rights, and freedom is a capacity, then Gould's social ontology will fall prey to Wolterstorff's criticism of other capacity-based approaches.

Gould does refer to freedom as a capacity, especially in regards to the conditions of self-development that each human has a right to. However, it would be improper to interpret her use of 'capacity' as that used by the Kantian approaches detailed above—that one must have the capacity, or be capable of having the capacity, in order to be morally considerable. If we look closely at what she says, and the context in which she says it, Gould's use of 'capacity' is on a much more abstract level—as a common abstract characteristic of being human. For instance, she says, "[T]o recognize others as human beings is in the first place to acknowledge their agency (whether individual or jointed) and, correlatively, to recognize that this capacity remains abstract and empty unless it is exercised in concrete cases;…"[217] Gould's point is that what we recognize in other humans is the human characteristic of being free, and that the recognition of such a characteristic is abstractly tied to what it means to be human. Gould does not require—at least I do not take her to hold such a requirement—that a human actually have the

[217] Ibid., 34.

capacity of freedom in order to have rights; rather, as an individual-in-relation, we recognize freedom as being characteristic of being *human*.

Let us look at two examples to help illustrate what I take Gould to be saying. First, when I look at my students, I see individuals with certain capacities, whether they exercise them or not. They are capable of exercising their freedom, they are rational, and they (usually) respect the rights of others. Gould's account would say that these individuals have a set of human rights grounded in their freedom. There seems to be nothing controversial here; but let us imagine some more difficult cases. Think of humans who lack the capacity to be free—Alzheimer patients, people in a persistent vegetative state, and zygotes/embryos/fetuses. Based on my interpretation of Gould's procedural approach, it is not actually having the capacity for freedom that grounds human rights, but rather, it is the recognition of the other-as-human, and with this recognition, recognizing that a characteristic of being human is being free, that grounds human rights, which is seen in the statement quoted above: "What reveals these rights, practically speaking, is the daily and recurrent recognition by individuals of others as being like themselves, namely, as agents with claims to the conditions for their self-developing or self-transformative activity."[218]

Recognizing the freedom of an Alzheimer patient is not very difficult, since they exhibit signs of freedom up until the final stages of the illness. A more difficult case is that of individuals in a persistent vegetative state (PVS). PVS patients lack any capacity for freedom. The only way to explain how such patients retain the feature that grounds

[218] Ibid., 41.

human rights is to abstract from their biological status as humans the notion that part of their being human includes the characteristic of having freedom. Of course, this might provide a theoretical explanation, but it does not explain some of the more nuanced moral features of PVS patients.

Some PVS patients are cared for as though they had the same rights as fully capable humans. In these cases, PVS patients are treated with the same respect as non-PVS patients, usually because those in charge of their care view them in relation to their former selves. They do not view them as PVS patients, but as the loved one they remember. On the other hand, some PVS patents, though treated respectively, are euthanized. Their being in a PVS justifies their being euthanized. I see this moral feature as consistent with the procedural approach. One can recognize a PVS patient as one who has rights, and still come to the conclusion that due to the circumstances, the good in his or her life is to be euthanized. I see nothing inconsistent between recognizing the human rights of PVS patients and how their status as PVS patients, in some cases, justifies euthanasia.

One of the most telling features of PVS patients is how they are typically treated—as humans deserving of respect, which implies that regardless of their capacity for freedom, they are treated as individuals with a certain level of human rights. This is seen in how they are provided with medical care, in how family members treat them as being aware of their presence, and in how legal statutes and medical codes protect them as humans with rights. I suggest that this illustrates the role of recognition described by Gould. We do not simply see a biological creature that is incapable of normal

functioning. Instead, we see a human, and the recognition of this individual as human motivates us to treat him or her with a certain level of respect, as though they had rights.

As for humans in the gestational phase of existence, one of the virtues of a procedural approach is its continual engagement with determining who is considered to be part of our moral community. So, when it comes to things like zygotes, embryos, and fetuses some moral agents will recognize their humanness and, therefore, hold that they have rights; while others will not recognize their humanness. Determining which group is correct is part of the procedure of public debate, and as long as some recognize (or do not recognize) certain entities as human the debate will continue. As Glenn Graber illustrates, there are "possibilities with which we are not conceptually, emotionally, or ethically prepared to deal. We must sort out myriad questions about the status of the entity at each stage and the relationship of the other parties to the entity."[219] By taking a procedural approach we might have to give up making broad ontological claims about the moral status of all (or some) entities, but we gain a more organic system of discovering the moral status of entities.

This leads us to the second major concern with Gould's account, which will help support my interpretation of Gould. One of the defining characteristics of a capacity-based approach is the distinction between the category of human and the category of person; the former being a biological category, the latter being an entity with certain capacities, like rationality or the ability to exercise one's freedom. Besides Gould's

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[219] Glenn C. Graber, "The Moral Status of Gametes and Embryos: Storage and Surrogacy," *Health Care Ethics: Critical Issues for the 21st Century*, ed. by Eileen E. Morrison (Sudbury, MA: Jones and Bartlett, Publishers, 2009), 63.

continual use of 'human rights', a cursory reading of her work leaves it open to whether she means 'human' or whether she means 'person'. As noted in the previous several paragraphs, her use of 'capacity' implies that she has persons in mind when she mentions 'human rights'. However, I think this is too hasty a conclusion. First, Gould's continual and consistent use of 'human rights' implies she is fully aware of her terminology. Second, and most importantly, she explicitly maintains that: "The particular theory of positive freedom and justice delineated here gives rise to a conception of certain rights that need to be recognized as *human rights* [italics original]—that is, as rights that people posses simply by virtue of being *human* [italics added] and, therefore, equally and universally."[220]

Based on her continual use of 'human rights', both in her book and in public appearances,[221] and an understanding of social ontology as being non-essentialist, Gould seems to maintain that the rights she is referring to apply to humans, not only to humans with certain capacities. In fact, her attempt to apply her use of human rights to international justice seems to require that she refer to the rights of humans (in general), not to certain capacities of humans; since one of the difficulties of international justice is the refusal of some groups to accept other *humans* as having equal moral standing. If this is true, then it provides support for my interpretation of Gould's use of 'capacity', and it further suggests that Gould's social ontology is consistent with eirenéism. Granted, her use of 'human' might be the result of her not wanting to engage in a discussion of non-

[220] Gould, *Globalizing Democracy*, 37.
[221] In a presentation at the American Philosophical Association's 2011 meeting in Washington, D.C., Gould continually stressed her use of 'human rights', as apposed to 'person rights'.

human rights. However, even if we grant this possibility to be true, I think we could reach the same conclusions that she does not want to exclude certain humans because they lack certain capacities.

One final question remains. Does the ability to recognize others as human in Gould's approach make it a capacity-based approach? Since rights are normative social relations, Gould can avoid the criticism that her procedural approach is a masked capacity-based approach. If only one human exists, there would be no rights. A lone human cannot make a claim that he or she has a right to something, unless there is at least one other person to make the claim against. If, on the other hand, two humans exist, rights exist. To avoid the capacity-based criticism, Gould could say that in such a case, as long as one entity recognizes the other as the same (or relevantly similar), a set of rights would exist based on this recognition. It is not the capacity to recognize that grounds human rights. Instead, it is the phenomenological instance of recognition that grounds them. One does not necessarily need the capacity to recognize another as human to have human rights, for one can lack the capacity and still be *recognized* by others as being one with human rights.

Of course, a procedural approach is open to abuses, but so is Wolterstorff's theistic approach. For instance, in Gould's approach one moral agent might refuse to recognize people who have a different skin color or different genitalia. As a result of this refusal, such a person would not grant human rights to these "different" people. The same thing, however, can occur with a theistic explanation. One need only explain God as being more selective with his love, as some "religious groups" do. For example, the

Westboro Baptist Church, which is more a small family than a church, claims that God loves some people and hates others. In their view, the ones God hates, then, do not have the rights that the loved ones do. Therefore, the possibility of abuse is not reason enough to reject Gould's approach, or Wolterstorff's approach.

If the above is correct, then the final thing to be done is to provide a reason for why Gould's social ontology is (at least) consistent with eirenéism. I do not have space to go into every detail of both accounts, but based on the above, I suggest social ontology is consistent with eirenéism. First, Gould's social ontology is fundamentally relational. Gould maintains that humans are individuals-in-relation, and that because of the human right to freedom, others have reciprocal obligations to provide for the material and social needs required to express that freedom. For Gould, rights are "intrinsically relational," and because one's freedom is always expressed within a community, "individuals hold these rights against society in general."[222] In other words, social ontology appears to be based on something similar to the principle of correlatives, where each right produces a corollary obligation. If this is true, then Gould's social ontology and eirenéism agree on a similar fundamental conception of justice that results from the acceptance of human rights.

Even more striking is the second similarity, the two's focus on the role of compassion and care. According to Gould, social ontology is defined by its concern for others "out of empathy; attentiveness and sensitivity to the needs of others, and more strongly; taking the others' interests as equal to or more important than one's own;

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[222] Gould, *Globalizing Democracy*, 37.

attention to the growth of the other; and an orientation to the common interests of the family or of those close or related to me."[223] Gould's explanation is a common explanation found in feminist literature. In fact, Chapter Three's discussion of Kathryn Norlock's feminist forgiveness touched on the same themes.

As pointed out in Chapter Three, feminist ethics is similar in many ways to eirenéism, because eirenéism is built upon the notion of individuals-in-relation and the need of caring for others in achieving the good life of peaceful flourishing. Due to this agreement of fundamental principles, I interpret Gould's social ontology as being prima facie consistent to eirenéism and capable of being a "standing in" explanation for the non-theist who does not accept Wolterstorff's theological explanation.

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In this chapter, I argued that eirenéism is an ethical position amenable to both theists and non-theists alike. I began by presenting a theological explanation of eirenéism, and I showed how a theist can consistently explain forgiveness as a third-party obligation, while avoiding the problems associated with a secular explanation of eirenéism. I went on to suggest that even though Wolterstorff clearly thinks God plays a necessary role in the foundation of the moral life, eirenéism itself can be consistently held without making any claims to God's existence.

Eirenéism is based upon two basic assumptions: 1) humans have inherent moral worth; and 2) this worth creates a set of corollary rights and obligations between moral

[223] Ibid., 43.

agents. Wolterstorff presents a theological argument to ground human rights, because he thinks the most prominent secular attempts to ground worth and rights leave out too many morally considerable humans. In this chapter, I took a different approach to the capacity-based Kantian accounts that he addresses. I used a procedural approach based on the phenomenological recognition that freedom is a human characteristic that grounds human rights. Finally, I suggested that such an account is consistent enough with eirenéism to serve as a secular grounding of human rights. I did this, not as an argument against Wolterstorff's position, but as a way of making eirenéism more acceptable to non-theist.

# Chapter Nine
# Concluding Remarks

If what I have posited in the above arguments is correct, then eirenéism offers a promising approach to developing a substantive philosophical account of forgiveness. However, the ethic of forgiveness presented in this dissertation is incomplete. I have only showed that eirenéism offers a new and unique understanding of the good life that provides valuable tools in determining *when* one ought to forgive, and I provided several arguments to support its acceptance. Much more work needs to be done, specifically in regards to describing the nature of *what* forgiveness is. With the foundation of *when* we ought to forgive sufficiently in place, I hope to address the issue of *what* forgiveness is in a future project. I believe eirenéism will continue to offer valuable insights into the nature of forgiveness, and more generally into the nature of the good life.

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## Vita

David Court Lewis is a philosopher, teacher, and author. He contributed to and co-edited with Paula Smithka *Doctor Who and Philosophy*. His earliest memories are of watching *Doctor Who* with his Grandfather and family, which created a sense of wonder that culminated in a love of philosophy, history, and science fiction that continues to dominate his life. He recently received his PhD from the University of Tennessee, where he studied Ethics and Social/Political philosophy. His interests in these areas include the examination of the good-life, peace, and forgiveness. Court's other research interests include the study of popular culture and philosophy, and he has contributed to *Mr. Monk and Philosophy*, *Ruminations, Peregrinations, and Regenerations: A Critical Approach to Doctor Who*, and *Philosophy in Children's Literature*. He spends his free time with his wife Jenny enjoying East Tennessee and helping other live the good life. He currently teaches at Pellissippi State Community College and the University of Tennessee.