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The Role of Emotion in Forgiveness

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Abstract
In this paper I defend the normative power account of forgiveness against the charge that it cannot accommodate the intimate connection between forgiveness and emotion. I look at the grounds for thinking that emotion is central to forgiveness. I then show how philosophers have developed this idea in accounts which make emotional changes definitive of forgiveness. Against such views, I show that serious problems face any attempt to make emotional change definitive of forgiveness. Next, I explain the normative power account and some of its advantages; I show that the normative power account escapes the problems of the emotional change view. I then consider the objection to the normative power account mentioned above: that it cannot adequately explain the role of emotion in forgiveness. I develop this objection by reference to a recent discussion by Luke Russell. I consider two initial responses to this objection that can be made by a proponent of the normative power account: that forgiveness does not always need to be emotional; and that forgiveness can involve undertaking a commitment to emotional change. I then develop the normative power account, explaining two ways in which forgiveness can be 'expressive.' The normative power of forgiveness may require emotion for its exercise. And forgiveness may be a powerful expressive action through which the forgiver marks their commitment to an ongoing relationship.

1 Introduction

Forgiving is closely associated with emotional changes. The close link between emotion and forgiveness is sometimes thought to count in favour of the view that forgiveness *just is* an emotional change. Emotional change is taken by such accounts to be

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the heart of forgiveness (Allais 2008). By the same token, the intimate connection between emotion and forgiveness is sometimes taken to count against alternatives such as the normative power account of forgiveness, on which forgiveness directly brings about normative changes in a wrongdoer's rights and obligations (Bennett 2018; see also Bennett 2023). If the normative power view is interpreted as taking forgiveness to be an explicit performative (you have forgiven whenever you communicate to the wrongdoer the intention thereby to forgive them) then, the criticism goes, it would be hard for such a view to accommodate the central role emotion can play in forgiveness. After all, emotional change looks to be neither necessary nor sufficient for the communication of such an intention.

In this paper I defend the normative power account. But how does emotion fit into the picture? My strategy has two strands. On the one hand, I argue that the role of emotion in forgiveness has sometimes been over-stated in the philosophical literature. I point out that many perfectly good cases of forgiveness do not involve emotion; and I show that what is distinctive of forgiveness cannot be accounted for simply by pointing to emotional change. On the other hand, I argue that the incompatibility between normative powers and emotion has also been over-stated. Philosophical thinking about what normative powers can be like has often been too simple, and centred on a meagre diet of examples, such as consent and promise. This has led people to read limitations into the normative power account that need not be there, and to dismiss this account too readily. I show some important ways in which emotion can be essential to forgiveness on the normative power account.

The paper proceeds as follows. First, I look at the grounds for thinking that emotion is central to forgiveness. I then show how philosophers have developed this idea in accounts which make emotional changes definitive of forgiveness. Against such views, I show that serious problems face any attempt to make emotional change definitive of forgiveness. Next, I explain the normative power account and some of its advantages; I show that the normative power account escapes the problems of the emotional change view. I then consider the objection to the normative power account mentioned above: that it cannot adequately explain the role of emotion in forgiveness. I develop this objection by reference to a recent discussion by Luke Russell. I consider two initial responses to this objection that can be made by a proponent of the normative power account. I then develop the normative power account, explaining two ways in which forgiveness can be 'expressive.' First, forgiveness can be expressive in the sense that it may be necessary to the exercise of the power, at least in certain cases, such as the forgiveness of serious wrongdoing, that it be motivated by appropriate emotion. Second, forgiveness can be expressive in the sense that it can be a symbolically apt and powerful way of marking a significant situation – what I have called an expressive action (Bennett 2016; 2021).

2 Is Emotional Change the Heart of Forgiveness?

Forgiveness is often associated with emotional changes. For instance, forgiving is often associated with achieving some kind of peace of mind in relation to wrongdoing of which one was the victim, or a relation of peace with the perpetrator. Forgive-

ness is bound up with being able to move on from some of the effects of wrongdoing. Moving on can require emotional work, and emotional change.

Furthermore, forgiving can be a deeply emotional event. Pumla Gobodo-Madikizela's book, *A Human Being Died That Night* recounts testimony of the face-to-face encounter between former South African security chief Eugene de Kock and two widows, Pearl Faku and Doreen Mgoduka, whose husbands de Kock had murdered. Pearl Faku is quoted as saying: 'I couldn't control my tears. I could hear him, but I was overwhelmed by emotion, I was just nodding, as a way of saying, yes, I forgive you' (Gobodo-Madikizela 2003: 14).[1]

Some philosophers think that it is emotional change that makes what occurred here forgiveness. For them, what goes on when we forgive someone is that we overcome negative feelings that we have towards them on account of their wrongdoing. For instance, Joseph Butler famously defines forgiving as the forswearing of resentment. While it is open to question how we should interpret 'forswearing' (Garcia 2011), Jeffrie Murphy takes it as involving the 'overcoming of resentment' (Murphy and Hampton 1988). Murphy's understanding became hugely influential in the debate in analytical philosophy that followed. For instance, Cheshire Calhoun claims that an answer to the question, 'Why should I forgive him? …must also make forgiving psychologically possible by providing a description of the wrongdoer under which he becomes an appropriate object for a changed heart' (Calhoun 1992: 76). Calhoun's assumption is that, when we are talking about forgiveness, we are talking about emotional change towards the wrongdoer. David Novitz claims that forgiveness can only be given by one who experiences certain negative emotions as a result of the wrong, and that forgiveness 'must not just involve the renunciation of one's claims against the wrongdoer, but must also result in the dissolution of one's negative feelings: of the resentment and anger that one feels on account of the wrong one has suffered' (Novitz 1998: 303). For Novitz, forgiveness has only come about when 'it is conceptually and psychologically impossible to continue to feel resentment and anger because of the wrong and the harm that was done to you' (Novitz 1998: 311). Meanwhile, Pamela Hieronymi assumes that, in seeking to explain forgiveness, we must wrangle with the judgements partly constitutive of the judgement-sensitive attitudes of resentment and anger (Hieronymi 2001). For each of these authors, emotional changes are definitive of forgiveness.

There is no doubt that forgiveness is often tied up with situations that give rise to strong emotion. Nevertheless, the view that forgiveness *just is* a state of emotional change faces serious problems. One issue is that undergoing a change of heart is not a *sufficient condition* for having forgiven. For instance, one might undergo emotional change as a result of traumatic repression, or by taking pills, or simply by forgetting, but this would not be forgiveness. While authors in this camp tend to agree, claiming that forgiveness obtains only when the negative feelings are overcome for the right reasons (such as repentance),[2] such emotional change need not be forgiveness

[1] This example is used to motivate the account in (Allais 2008).

[2] See e.g. Murphy's Chapter One in Murphy and Hampton 1988; and Milam 2019. Hence the debates about whether this picture can accommodate forgiveness that is discretionary rather than dictated by decisive reasons; and about whether there can be forgiveness in the absence of repentance (Allais 2013; Milam 2018).

either. If it did, it would be unintelligible no longer to experience resentment and anger towards the wrongdoer, in virtue of accepting their repentance as genuine, yet refuse to forgive. Intuitively, however, it is perfectly intelligible to say, 'I no longer feel angry towards you for what you did, but I won't forgive you.' Victims may intelligibly and reasonably be wary of forgiving even when they have settled their negative feelings towards the wrongdoer. For instance, it can be over-bearing to pressure them to forgive even when this condition is met. This was a criticism made against Desmond Tutu's approach at the South African TRC. So even emotional change for the right reasons does not by itself amount to forgiveness.

Another issue is that such emotional change is not *necessary* for forgiveness. The view that emotional change for the right reasons is necessary for forgiveness to take place has the implication that one cannot have forgiven unless one undergoes emotional change in response to the right kind of thing, such as a recognition of the wrongdoer's repentance. However, this is false: forgiveness can be proleptic or pre-emptive. It can be given before the wrongdoer has apologised or repented, perhaps even before they have had a chance to do so (Garrard and MacNaughton 2003); or in order to encourage repentance – as in the case of Jean Valjean in Hugo's *Les Miserables* (Roadevin 2021; Fricker 2019). Some theorists worry that pre-emptive and proleptic forgiveness amount to condoning the offence. However, even if this criticism is accurate, the condoning of the offence would take place *by* inappropriately forgiving. So emotional change for the right reasons is not a necessary condition of forgiveness.

If we drop the reference to 'the right reasons,' is it at least true that emotional change is necessary to forgiving? The problem with even this weaker claim is that many cases of forgiveness properly do not involve emotional motivation. A clear case of this, for instance, is minor though non-trivial wrongdoing, such as causing someone significant stress and inconvenience by forgetting to sort something out for them when one said that one would. The victim may experience no particular emotion in relation to such wrongdoing, and yet correctly think that forgiveness is due.[3]

The view of forgiveness as simply emotional change has further problems. For instance, it cannot explain why the victim has special standing to forgive. Many people, not only the victim, should react with negative emotion directed at the wrongdoer. Any of these people might undergo emotional change towards the offender. Yet it is widely held that the victim has a special position – for instance, it is often said that only the victim can forgive. But why should only the victim's emotional change count as forgiveness? While it seems only contingently true that wrongdoers have a special reason to care more about their victim's emotions than anyone else's, the spe-

[3] Of course, minor wrongdoing may produce disproportionate levels of emotion; however, it cannot be that the emotional change view thinks that forgiveness is appropriate only in such deviant cases. More plausible would be for the emotion change theorist to argue either that a) negative emotion is present in all cases of minor wrongdoing that warrant forgiveness, even if it may sometimes be phenomenologically undetectable; or b) talk of forgiveness in cases of minor wrongdoing is merely pragmatics, rather than revealing the normative structure of forgiveness. One problem with a) would be that it would make it impossible to tell which cases warrant forgiveness. One problem with b) would be unwarranted discontinuity between the case of minor and major wrongdoing: that it would require us to give a quite different explanation of why forgiveness can seem important in minor cases. See also my initial response to Luke Russell's objections in Sect. 7. Thank you to an anonymous reviewer for pressing me on the resources of the emotional change view.

cial tie between wrongdoers and their victims is non-contingent. We need to appeal to something other than emotional change itself to explain this. While emotions can be intimately bound up with forgiveness, it doesn't seem to be the right way to capture this connection to say that emotional change *just is* forgiveness.

3 Normative Powers

Forgiveness can be intimately entangled with emotion; but we have seen that it looks misleading to try to capture that entanglement through the claim that emotional change towards the wrongdoer is what forgiveness amounts to. We need a better explanation.

The account defended in this paper starts with a further facet of forgiveness that the emotional change view does not explain well. This is that forgiveness makes a normative difference to the relationship between the forgiver and the wrongdoer, in a broadly context-invariant way. In other words, it is true independently of context that, once forgiveness has been given, the forgiver is no longer within their rights to relate to the wrongdoer in ways that they did have the right to before forgiveness was given.[4] We need more to be going on in forgiveness than emotional change to explain how this can be so.

To see what a better explanation would look like we can start with some remarks by Claudia Card:

> 'Evils change moral relationships among those who become perpetrators, bystanders, beneficiaries, or victims. They create moral powers in survivors, obligations in perpetrators, beneficiaries, and bystanders, and new options for many. Like benefactors, who can call upon the gratitude or indebtedness of beneficiaries, victims have moral powers: to blame or resent, to forgive, and, if politically empowered, to punish or retaliate, exact reparations and apologies, and to pardon or show mercy. Like creditors and benefactors who can forgive or exact debts, voluntarily releasing others or holding them to obligation, victims have moral powers to release or hold perpetrators to obligation.' (Card 2002: 167-8)

Card's perhaps startling view is that wrongdoing invests survivors with power.[5] This might be surprising, as it is often the case that wrongdoing involves power exercised *over* or *against* victims by a wrongdoer. Card seems to be saying that – in some sense – it is the other way around. Card recognises that there is *also* some sense in which victims are not always powerful: she says that victims can make demands, punish, retaliate or show mercy only 'if politically empowered.' Nevertheless, she also says

[4] Bradon Warmke calls this the 'Post Forgiveness Fact' (Warmke 2016).

[5] While Card uses both 'survivors' and 'victims,' I will usually use the term 'victim.' I acknowledge that this term can come with connotations of passivity. I use it simply to designate the person who is the recipient of the wrong – who suffers it rather than who inflicts it. Card's view helps to counteract assumptions of victim passivity.

the 'evils change moral relationships' and thereby 'create moral powers in survivors.' This seems to be a non-contingent claim: that victims *necessarily* hold certain powers over their wrongdoers. The way Card explains this is by analogy to a debt: 'victims have moral powers to release or hold perpetrators to obligations.' We should not think that this is to make wrongdoing like an economic relationship; rather, the idea seems to be that wrongdoing creates obligations that the wrongdoer owes to the victim, and that, analogously to debt, the victim has a discretionary power either to hold the wrongdoer to the obligation or to waive it. This view helps to explain the intuition we noted above, that once forgiveness has been given, the victim is no longer within their rights to relate to the wrongdoer in the way they were before. Before forgiveness, the wrongdoer owed the victim an obligation, and could be treated as a moral debtor; after forgiveness, that is no longer the case. This is because forgiveness involves the exercise of a moral power (or what I will call a normative power), a power directly to change the wrongdoer's rights and obligations, and which is necessarily held by the victim/survivor in virtue of the wrongdoing (Bennett 2018; for related views, see Nelkin 2013; Warmke 2016; Cornell 2017).

In explaining this account, we first need some understanding of normative powers. The basic idea is that normative powers are distinctive normative abilities with a certain scope, held by persons in a distinctive normative position, and through the exercise of which those persons may directly and, as it were automatically, change particular rights and obligations of those subject to the power. Normative powers so conceived are in some sense ritualistic. They alter the normative situation directly and in context-invariant ways through some canonical performance that constitutes the exercise of the power. An example of a normative power is the authority held by a person in the distinctive normative position of possessing legitimate authority, to tell those subject to their authority what to do. In this case, the exercise of the normative power directly alters what those subject to the authority have a right to do, creating a new obligation for them to do whatever they were told, and reducing their freedom in this respect.

Normative powers may look like mysterious abilities. However, I think this worry emerges only if we try to think of such powers as metaphysically isolated capacities, shorn of their connection to the rest of our system of norms. The right way to think about normative powers is to see how they enable our system of norms to do things for us that we could not otherwise have done. It doesn't make sense to think of normative powers in isolation from a wider system of norms. For there to be a normative power, there must be *power-conferring* norms that specify who can hold that power, and in virtue of what competences or position; *scope* norms that specify what changes in rights and obligations the power brings about (specifying, as it were, the jurisdiction of the power-holder); and *power-constituting* norms that specify what concrete forms of activity are required for the power to have been exercised. These power-conferring, scope and power-constituting norms are themselves connected to and held in place by further norms that justify them. We should not think of normative powers in a foundationalist but a coherentist way. There will be a coherentist justification for positing normative powers if it is plausible that we need such powers, and their justification lies in the way that they enable us to develop a richer, more expansive form of ethical life.

On the normative power view, forgiveness is in some respects akin to legal powers that operate on specifically legal rights and obligations, such as the power to sell items and therefore transfer ownership rights over them. However, it is different from a legal power because the rights and obligations on which it operates are not legal ones. It is also akin in some respects to normative phenomena like consent, promise and command, which are also powers directly to alter rights and obligations. However, what forgiveness does is distinctive. To consent is to waive rights that exclude others from what is ours, including our bodies; to promise is to undertake obligations to perform that are owed to the promisee, or, what is the same thing, to create rights held by the promisee. To command is to place those under one's authority under an obligation to do as commanded, and creates a right in oneself that they do as commanded. Each of these phenomena involves different power-conferring, scope and power-constituting norms that give that specific power its profile. What should we say about forgiveness?

4 A Normative Power Account of Forgiveness

In what follows, I draw on my (2018) account of forgiveness as a normative power. Like Card, I claim that wrongdoing necessarily creates rights in the victim and obligations for the wrongdoer. Wrongdoers incur obligations; victims are invested with discretionary powers to waive those obligations. However, while accepting that basic picture, I elaborate on Card's view in a number of ways that allow the normative power view to avoid criticisms to which it would otherwise be vulnerable.

One such criticism is that, if Card is read as holding that victims have a power to control all of a wrongdoer's wrongdoing-incurred obligations, this would make victims too powerful. It would be problematic to hold that forgiveness can waive all such obligations if, for instance, one of the wrongdoer's obligations is that they should feel bad about what they have done and work on themselves with the aim of not doing that kind of thing again. Plausibly the latter obligations would remain, even if a victim waives the obligations owed to them by forgiving. This suggests that there are some obligations incurred by the wrongdoer that are not simply owed to the victim, and which the victim cannot waive. On Card's metaphor, not all wrongdoing-incurred obligations are debts owed to the victim.

This first way in which I elaborate a Card-like view is to divide wrongdoing-incurred obligations into two categories: those directed to the victim, and which the victim can control; and those which are not directed to the victim, and which the victim cannot control. Some wrongdoing-incurred obligations, though not all, are owed specifically to the victim. For instance, the wrongdoer has an obligation to the victim to apologise to the victim; and to pay compensation as appropriate to the victim. The wrongdoer also has an obligation to make additional, symbolic or penitential reparation, which, because it addresses the wrong done to the victim, would normally be directed at the victim. Victims are invested with discretionary normative powers that control those of the wrongdoer's obligations that are owed to them. The victim can waive their right to receive an apology and compensation, and to be the recipient of penitential amends. However, not all wrongdoing-incurred obligations are owed to

the victim. Even if the victim waives those obligations owed to them, the wrongdoer is not thereby free of an obligation to repent and make proportionate amends. The wrongdoer is still required to make penitential amends even if they are not directed to the victim: the obligation to do this is not owed to the victim, and cannot be waived by the victim.

Second, I argue that we therefore need to distinguish two distinct forms of forgiveness: *rights-waiving forgiveness*, which releases the wrongdoer from obligations owed specifically to the victim (if not yet discharged); and *redemptive forgiveness* that acknowledges that the wrongdoer has fully discharged their outstanding wrongdoing-incurred obligations, whether these are owed to the victim or not. On Card's view, if the wrongdoer has discharged all of the wrongdoing-incurred obligations owed to the victim, there are no obligations left to waive. If rights-waiving forgiveness were all that forgiveness could be, as Card suggests, then forgiveness would be redundant once all obligations owed to the victim had been discharged. However, this would be a strange result. A wrongdoer may have apologised and made compensation, yet they may still have outstanding duties of reform and penitential or symbolic reparation, which they might eventually discharge. Forgiveness is not redundant in such cases. We can see this if we note that the wrongdoer will then have earned the right to self-forgiveness. This can be explained because one type of forgiveness is *redemptive*, which involves the acknowledgement that wrongdoing-incurred obligations are fully discharged. The victim thus has a discretionary power to waive rights in regard to obligations owed to them that the wrongdoer has not yet discharged, and this is one thing that forgiveness can involve: in Card's terms, the release from (some) debts incurred by wrongdoing. Redemptive forgiveness, by contrast, must be earned by discharging obligations to repent and make penitential amends that are not owed specifically to the victim, and, if they have not been waived by rights-waiving forgiveness, discharging obligations owed specifically to the victim.

Third, it might be claimed that redemptive forgiveness is not really forgiveness as the exercise of a normative power. As an acknowledgement of redemption, it is something related to but different from forgiveness. However, I claim that it is indeed a normative power, and that through redemptively forgiving, the victim places themselves under an obligation to the wrongdoer. This holds for redemptive forgiveness and for rights-waiving forgiveness. If the victim forgives, they put themselves under a special obligation to the wrongdoer to leave the offence in the past. They are under a special obligation, owed to the offender, not to treat them as under those obligations that have been either waived or discharged. If the forgiver violates that obligation by continuing to treat the wrongdoer as a debtor, they will have wronged the wrongdoer. As we said above, after forgiveness the wrongdoer can no longer treat the wrongdoer as they were within their rights to treat them before forgiveness.[6] Indeed, this is a reason victims may have for being wary of forgiving even if they acknowledge that the relevant obligations have been discharged.

[6] It might be said that it is the wrongdoer's discharging of their obligations that makes it the case that they are wronged if someone treats them still as a moral debtor (Russell 2023:???). However, forgiveness sets up a special right held by the wrongdoer against the forgiver. It makes sense for a wrongdoer who continues to be treated as a moral debtor post-forgiveness to say, 'But you forgave me!' An analogous case is where there is a duty to tell the truth in court, but witnesses are still required to swear to do so.

To summarise, what goes on in forgiveness, in my view, is that a distinctive normative power is exercised, through which the forgiver:

1. Waives certain wrongdoing-incurred obligations of the wrongdoer that are directed to the victim (e.g. the obligation to apologise and compensate) – though the victim cannot waive all wrongdoing-incurred obligations;
2. And/or gives the wrongdoer a special right that they (the victim) will no longer treat the wrongdoer as if they were still under those wrongdoing-incurred obligations that have been waived or discharged.

5 Advantages of the Normative Power Account – and Disadvantages?

The normative power account so conceived has some explanatory advantages over the emotional change view that we looked at earlier in the paper. First, it doesn't make the presence of emotion either necessary or sufficient for forgiveness. It is not vulnerable to those counter-examples to the emotional change view that show that one can forgive without emotional change or have emotional change without forgiveness. The normative power account looks elsewhere for the heart of forgiveness. Second, the normative account explains the special standing of the victim. As Card says, wrongdoing creates obligations for wrongdoers and powers in victims. Only the victim has the power to give rights-waiving forgiveness. The explanation for this is that some wrongdoing-incurred obligations are owed specifically to the victim, such that the victim has normative control over them. Nevertheless, the normative power account also explains why the thesis of the special standing of the victim is true only in respect of one type of forgiveness. There are forms of forgiveness that are not given by the victim, such as self-forgiveness of the wrongdoer. Bennett's account allows us to say that there is also a type of forgiveness that is redemptive, over which the victim does not have exclusive normative control. After all, why would the victim have exclusive normative control in regard to whether the wrongdoer has discharged obligations not directed at them? Redemptive forgiveness can be given by any competent moral agent who bears the relevant connection to the wrongdoing that makes it part of their business. So the normative power account explains why the victim has special, though not exclusive, standing to forgive.

Third, the normative power account explains why victims may be wary of forgiving even when they have settled their negative feelings towards the wrongdoer, and why it would be over-bearing to pressure them to do so. Accepting someone's repentance as genuine and full does not necessarily mean that one has forgiven them. The normative power account explains this phenomenon. To forgive someone, according to the normative power account, is also to undertake an obligation to them: it gives the wrongdoer rights over the victim. And one may resist creating that normative relationship even if one wishes to acknowledge the genuine nature of the repentance.

Fourth, the normative power account explains why forgiveness makes a broadly context-invariant difference to the normative relationship between the forgiver and the wrongdoer. Forgiveness does this because it is a ritualistic normative power, which

brings about prescribed normative changes through the performance of a prescribed activity. As long as the power-conferring, scope and power-constituting norms are each satisfied, the power has been exercised and the normative consequences follow automatically. In exercising the power, one thereby waives rights and/or puts oneself under an obligation.

6 Objections to the Normative Power Account

Despite its advantages as an explanation of forgiveness, the normative power account is perceived by some philosophers as having decisive weaknesses. I will focus on a clear and careful recent articulation of these objections by Luke Russell (Russell 2023). Russell allows that normative power accounts identify 'a genuine and important moral phenomenon,' but claims that what such accounts identify 'is not forgiveness itself, but something that sometimes occurs in association with it.' Rather than the exercise of a normative power, Russell takes a view similar to that of Novitz, considered above: that forgiveness is primarily a 'state in which the victim no longer holds hostile reactive attitudes towards the perpetrator, and in which the victim and perpetrator are no longer in conflict over ø, even though the victim still judges that she was culpably wronged by the perpetrator in ø.' (Russell 2023: 150).

Russell takes the normative power account to be the view that forgiveness 'is a freely available action that is under the forgiver's direct voluntary control.' More specifically, 'forgiving is similar to promising: forgiving is an action, freely available to all victims, in which the forgiver utters a performative speech act and thereby exercises a normative power.' (Russell 2023: 124) With this characterisation of the normative power account in hand, Russell proceeds to articulate various criticisms. One claim that Russell makes is that the normative power account is more adequate to the phenomenon of pardon than it is to forgiveness. This is a simple criticism to answer. Pardon is not a power held by the victim but rather by the punishing authority; and it is not a power to waive obligations to apologise and compensate but rather the power to commute punishment. Therefore it is not plausible to claim that the normative power account confuses forgiveness with pardon. The bigger question is whether the normative power model is adequate to the phenomenon of forgiveness at all. On this question, Russell makes a number of more significant objections that require deeper consideration.

The first is that the normative power account makes forgiveness look too easy. According to Russell, proponents of the normative power account:

> 'conceive of forgiveness in such a way that forgiving is a simple achievement. It is comparatively quick and easy to exercise a normative power by carrying out a performative speech act; say, making a promise, or waiving a debt. If this is what forgiving consists in, then it should also be quick and easy to forgive those who wronged you, at least once you have decided to do so. Therapists and survivors of trauma will testify that this is not always true of forgiveness. At least sometimes it is very difficult to forgive the person who wronged you, even after you have decided that you ought to do so. Some victims go through

> years of therapy as they strive to forgive, and some sincerely make a declaration of forgiveness only to discover that they have not succeeded in forgiving after all.' (Russell 2023: 142-3)

Call this the *Simple Achievement Objection*: that the normative power account wrongly makes forgiveness look easy to perform.

Secondly, Russell puts forward what we can call the *Transparency Objection*: that the normative power account wrongly makes it appear to be easy to identify cases of forgiveness:

> '[on the normative power account,] it should also be relatively easy for you to know that you have forgiven the person who wronged you. All you need to do is accurately remember that you sincerely uttered the relevant words to that wrongdoer. But it is common enough for victims to be unsure whether they have forgiven those who wronged them, even when they know that they sincerely said "I forgive you".' (Russell 2023: 143)

Russell also argues that performing a speech act in which one communicates to a person that one has forgiven them is not necessary for forgiveness to take place: 'victims can forgive those who wronged them without ever saying "I forgive you"; indeed, without ever communicating that forgiveness to the perpetrator via any means'. Call this the *Communication Unnecessary Objection*. He considers the case of Jennifer Thompson, who mistakenly identified Ronald Cotton as the man who raped her, leading to Cotton serving eleven years in jail. When he was eventually released, she arranged to meet with Ronald to apologise. However, at the meeting, Cotton told her, 'Jennifer, I forgave you years ago. I'm not angry at you. I don't hate you … I want you to be happy.' Russell comments:

> 'Suppose we grant for the sake of argument that Ronald's communicative act changes the norms in the specified way … [T]his communicative act—the one that supposedly changed the norms—is not the forgiving. The forgiving took place *years ago* … The communicating of his forgiveness plausibly did change the normative landscape, but it was separate from his forgiving, and occurred much later. This gives us reason to suppose that the act that [the normative power account identifies] is real, and is somehow connected to forgiving, but is not forgiving itself.' (Russell 2023: 139)

Russell thinks that these three objections – what we have called the Simple Achievement Objection, the Transparency Objection and the Communication Unnecessary Objection – doom the normative power account. He thinks these are weaknesses that show that forgiveness is better understood as a matter of achieving settled emotional change. In assessing and ultimately rejecting these objections, I will argue, first, that emotion is not always necessary for forgiveness; and second, that thinkers like Russell operate with a simple view of normative powers. On the normative power view, emotion can have a central role in forgiveness even if it is not the case that forgiveness just is a matter of emotional change.

7 Initial Responses to the Objections

Two initial responses can be made to Russell's criticisms. First, it is worth re-stating that forgiveness need not always be emotional. Many cases of forgiveness properly do not involve emotional motivation, such as forgiveness for minor though non-trivial wrongdoing. Writers such as Novitz claim that these are not really cases of forgiveness because they do not engage deep emotion. But this seems to distort our understanding of the phenomena to make it fit a pre-conceived theoretical account. When we say, 'Don't worry about it,' in relation to such minor wrongs, we are communicating forgiveness. A person might reasonably hope to be forgiven for such things, and feel that things are relationally not right until they have been. We need a vocabulary for capturing these feelings and hopes; appealing to the idea of forgiveness seems apt for this task rather than theoretically forced. What makes 'Don't worry about it' a case of forgiveness in this context seems to be, not the achievement of a settled emotional state, but rather the undertaking of a commitment to bracket the wrongdoing for the purpose of future relations.

As part of this first point, it is also worth noting that forgiveness for minor wrongs *can* quite properly be a simple achievement, and indeed something that *is* transparent to the forgiver and the wrongdoer. We could flip the first two of Russell's objections around and point out that it is a strength of the normative power account that it can show why it makes sense for a minor wrongdoer in such cases to desire the utterance of 'Don't worry about it' *as constitutive of forgiveness*. Russell might say that in such a case what 'Don't worry about it' does is to communicate the presence of the emotional change that is forgiveness, and should not be mistaken for the exercise of the normative power of forgiveness itself. But that is unconvincing. Like Novitz, Russell would have to say that these cases involve forgiveness only if there has been some emotional turbulence in the victim that needs to be settled. But that is simply not true: as the normative power account holds, all that there needs to have been is non-trivial wrongdoing.

The second initial point to make is that, while forgiveness does not consist in emotional change, it can, on the normative power account, involve a *commitment to work towards* emotional change. The normative power account says that forgiveness involves undertaking a commitment to the offender – giving the offender a right over the victim. This is a commitment that the victim will leave the wrong in the past, and no longer treat the offender as though they were still under the obligations that have been waived or discharged. Perhaps the primary way of interpreting this commitment is as concerning (external) treatment of the offender. But where appropriate this is also a commitment to working towards emotional change. Indeed, the character of much 'treatment of the wrongdoer' will be a matter of the emotional motivation for that treatment, or the extent to which the external actions manifest or express underlying emotions. Emotional change cannot be brought about at will. However, one can resolve to work to change how one feels about the wrongdoer. To treat the offender as one has given them a right to be treated, one might need to work on one's own emotions.

The emotional change theorist might deny that this does justice to the role of emotion in forgiveness that they seek to capture. For Novitz, for instance, forgiveness involves the achievement of a fully settled emotional state in which it is no longer possible to feel negative emotions towards the wrongdoer. Such a view sees forgiveness occurring right at the very end of the victim's process of addressing their emotions about the wrong, rather than when a commitment to emotional change is made. Given the difficulty of regulating complex emotions such as those around wrongdoing, this view threatens to make forgiveness almost irrelevant to actual conditions. It may be true that we need a concept of the ideal of coming to psychological peace in relation to wrongdoing; however, we also need a concept of the mechanism through which a commitment to emotional change is undertaken. While it may be partly a matter of stipulation which of these we designate by 'forgiveness,' a view that has the implication that forgiveness is not something we do very often cannot account for the centrality of forgiveness to our experiences of responding to wrongdoing.

It is therefore not true that the normative power account cannot give a role to emotional change. It simply holds that this emotional change need not be complete when forgiveness is given. Forgiveness can be a commitment to the wrongdoer to work on that difficult process of overcoming resentment and anger in good faith. Sincerely to make such a commitment is not a simple achievement, as Russell claims. As the Simple Achievement objections claims, it can take many years before a victim of serious wrongdoing can feel themselves able to undertake such a commitment – if, indeed, they find it desirable to do so at all.

These points show that the normative power account can accommodate at least some of the role that emotion properly plays in forgiveness. However, what I have said so far may leave a critic like Russell unsatisfied. What I have shown is that, contrary to the Simple Achievement and Transparency objections, some cases of forgiveness *are* correctly characterised as transparent, simple achievements. I have also shown that, contrary to the Simple Achievement objection, a commitment to emotional change, if made sincerely, is not always a simple achievement. These results are what the normative power account predicts. Nevertheless, Russell might argue that it has still not been shown how the normative power account can accommodate cases in which it can fail to be transparent whether one has forgiven, and where one might have forgiven in one's heart without having ever communicated it to the wrongdoer (or anyone else), where forgiveness seems to be more deeply entangled with emotion. In these cases, it seems necessary to the act being one of forgiveness that emotional change was involved, and unnecessary that any voluntary, communicative, performative act aimed at changing the normative situation was involved. As I have argued, emotional change is not always necessary for an act to be a case of forgiveness. Nevertheless, I agree with the intuitive datum that emotion is sometimes necessary for forgiveness. Can that datum be accommodated on the normative power account?

8 Emotionally Motivated Forgiveness on the Normative Power Account

The basic thought that seems to underpin Russell's objections is that the normative power account cannot accommodate the role of emotion in forgiveness. These objections are motivated by a view about what normative powers are. On the normative power account, Russell assumes, forgiveness is simply a power akin to promising, consenting, commanding, none of which have a central role for the emotions. It is a performative, voluntary act, public and communicative. Emotion is unnecessary for such an act. Furthermore, Russell wants to say, emotional forgiveness can be given without any such communicative, performative, voluntary act.

I entirely agree that forgiveness can involve deep emotion. And perhaps it needs to involve emotion in weighty cases of serious wrongdoing. How does the normative power account explain that?

First, let us see whether the normative power account can accommodate the idea that, at least in certain cases, the presence of emotion might be necessary for the exercise of the power of forgiveness. Russell assumes that normative powers are simple performatives that one can exercise at will. However, counter-examples to that assumption would be phenomena like oaths and vows that are valid only if they are undertaken with the appropriate solemnity. In the case of oaths and vows, such as swearing allegiance, or swearing to tell the truth, one's act is defective, and it may be at best unclear whether one has incurred the relevant normative commitments, if one does not approach the exercise of the power in the right emotional state. The emotional state needs to be one of recognising the gravity of what is involved in the exercise of the power in this case. Another such counter-example is the case of apologising. It can be argued that apology is a normative power (Bennett 2022; Bennett in press). However, for an apology for serious wrongdoing to be sincere, it needs to express the wrongdoer's remorse for what they have done to the recipient of the apology. Unless the apology meets this sincerity condition it is defective qua apology, and the apology will not have brought about the normative changes distinctive of it. Just as it can be the case that, in cases of serious wrongdoing, one has not properly apologised if one does so without being emotionally moved by the wrongness of what one has done, so, in similar cases, it may also be that one has not properly forgiven unless the commitment one undertakes to the wrongdoer has an appropriate emotional motivation. About both of these cases, it is plausible to say what we said about oaths and vows: successfully exercising the power can involve an emotional awareness of the gravity of what one is doing in exercising it.

Russell might worry that this move is simply ad hoc. Why think that there are normative powers that can only be exercised emotionally? Russell might say that the normative powers most often discussed in the philosophical literature, such as consent, promise and command, are arguably not like this. In response, I think that it is an interesting question whether consent, promise and command *never* exhibit the feature that we have noted above. It may be that their exercise in weighty cases will be valid only if done with an appropriate acknowledgment of the gravity of the power being exercised – where such an acknowledgement will normally engage the emotions. But even if this is not correct, I think it is arbitrary to assume that there are

no normative powers that exhibit this feature. As I hinted above, normative powers are similar in important ways to religious rituals. It is often thought to be distinctive of ritual that participants take it to have the power to effect occult changes by means of the performance of canonical activities. If the idea of ritual is related to the idea of normative power then we would expect the latter to share features with the former. Can rituals be such that they can only be exercised by a person in an appropriate emotional state? I think that this is the case with many purported rituals. A state of purity can be needed in order effectively to perform the ritual, where this can involve being in a certain state of mind. Our understanding of forgiveness as a normative power, I would suggest, builds on and refines this inherited idea of ritual in line with the way in which our moral understanding has developed.

I would argue that Russell has assumed a legalistic view of normative powers. To do justice to the phenomena, however, we need a view of normative powers that is not too closely modelled on legal powers. Russell assumes that essential to the idea of normative power is the ability to exercise them at will, simply by communicating one's intention thereby to make the relevant normative changes. Legal and legalistic powers may require this feature. If I enter my solicitor's office to sign my will, my solicitor will quite rightly be unconcerned with whether my emotional state involves a recognition of the gravity of what I am thereby doing. However, the legal system has its own constraints, which are often not replicated in the extra-legal normative realm. We should not assume without further argument that features that are necessary and sufficient for the exercise of a legal power will always be necessary and sufficient for the exercise of a normative power.

Second, let us look at whether the normative power account can accommodate the idea that private, uncommunicated emotional activity can be sufficient for the exercise of a normative power. What we have argued so far is that emotion can be necessary. However, this leaves it open that communication, and the public performance of the actions that constitute the exercise of the power, might also be necessary, and thus the emotional motivation by itself insufficient. However, the Ronald Cotton case suggests that it is intuitive that private exercises of the power of forgiveness are sufficient. Can the normative power account accommodate that? This would be a question of the nature of what above I called the power-constituting norms for forgiveness. What does it take for the power of forgiveness to have been exercised? I suggest that there needs to be more than an episode of emotion. The episode of emotion must motivate a decision to forgive and clear-sighted sense of the significance of the commitment thereby being undertaken. However, I think it is intuitive that many normative powers that are deep parts of our psychological and ethical life can be exercised privately, without address to the recipient. Through apologetic action one can 'pay one's debts' to a dead person without being able to address them, and one can thereby remove one's guilt, in the sense of removing the obligation to dissociate from oneself in virtue of the wrong. Address may be the ideal case, but it is not necessary. The same can go for forgiveness.

Russell might argue that the view of normative powers is unacceptable because it would require that, in the case of forgiveness, one's obligations may change without one being able to know how they have changed. If Jennifer Thompson had been forgiven by Ronald Cotton then, on the normative power account, this would mean that she had been

divested of certain of her wrongdoing-incurred obligations. However, she was not in a position to know that until she met Cotton. The reason she tracked him down to apologise to him was that she was under the impression that she owed him an apology when, on this account, Cotton had already made it the case that she didn't. (This is compatible with him continuing to welcome the apology; he simply would not have accepted it as his right.) Russell may point out that this aspect of the normative power account being developed here would require it to be possible that one's obligations are not transparent to one. Russell may reject this idea, perhaps on the basis that it would violate the dictum that 'ought' implies 'can.' The issues here are complex, and I cannot discuss them fully here. Clearly one question is whether, like Oedipus, one can have and violate obligations that one is unaware of, and the violation of which is thus in some sense innocent. It might be that blame is inappropriate for such violations, though their character *as* violations nevertheless needs to be marked. However, without resolving this complex question here, let me repeat that it is important not to assume without argument that everything that is a normal and valuable part of ethical life needs to meet the standards that are appropriate for legal standards. Rule of law ideals dictate that in a good legal system an agent's legal position should as far as possible be knowable by them: for these reasons rule of law ideals prioritise clarity and predictability. These may be very good reasons as they pertain to legal systems. However, it is notorious that the search for clarity and predictability in legal standards leads them to be incapable of incorporating nuances that are important in extra-legal ethical life. It is thus far from clear that it is necessary to think of normative powers as performative, voluntary and communicative acts.

9 Forgiveness as an Expressive Action

Third, I want to discuss a further distinctive way in which forgiveness can be – and may, in cases of serious wrongdoing, need to be – 'expressive.' This is the possibility that forgiveness could be an expressive action, in the sense in which I have previously defended this idea (2016). On my view, expressive actions are symbolic actions that mark situations as significant, and where the symbolism is not arbitrary in relation to the features of the situation being marked. An example of expressive action is Willy Brandt's 'Warschauer Kniefall' where, as Chancellor of the Federal Republic of West Germany, Brandt fell to his knees as he approached the memorial to the murdered Jews of the Warsaw Ghetto. Explaining his action, Brandt commented: 'Under the burden of recent history, I did what people do when words fail. In that way I commemorated the millions who were murdered.'[7] Brandt's explanation captures the idea that, in response to certain situations, mere words are insufficient, and that we need to perform actions that speak to the features of those situation by way of an attempt to do justice to that situation. In expressive action, the features of the action correspond to, or in some way attempt to reflect and embody, the features of the situation being marked. Brandt fell to his knees, reflecting the weight or burden of the

[7] 'Unter der Last der jüngsten Geschichte tat ich, was Menschen tun, wenn die Worte versagen. So gedachte ich Millionen Ermordeter.' https://web.archive.org/web/20070927065809/http://www.willy-brandt.org/bwbs_biografie/Kniefall_in_Warschau_B172.html. Accessed 15th January 2024.

situation: the overwhelmingness of the countless murders that, in this situation, he was confronting as head of the West German state. The sense in which these actions are expressive is that, when symbolically (or expressively) adequate, the sense of the significance of the situation is embodied, or given material form, in the features of the action (Bennett 2016). Emotional motivation is neither necessary nor sufficient for actions to be expressive. For instance, one can perform an expressive action like an apology without the appropriate emotion and it would still count as an expressive action. And one can act out of emotion, such as when one runs away out of fear, but where one is not doing so as a way of symbolically marking the significance of the situation. Nevertheless, expressive actions can be an apt vehicle for giving expression to our emotions. For instance, Brandt may well have been expressing feelings about collective responsibility for the murders of the Jews in his action. Expressive actions of this sort are commonplace in human life, including public, and sometimes conventional actions, such as welcoming, thanking, blaming and celebrating, as well as private and/or spontaneous actions that are not addressed to any audience but nevertheless appear to the agent to be essential to their situation.

Can forgiving be an expressive action? More specifically, can forgiveness as it is conceived by the normative power account be an expressive action? It might be said that forgiving is not much like falling on one's knees. It is true that forgiveness is in some respects not like the Kniefall. For instance, the Kniefall is a symbolic action that does not have a further purpose. Forgiveness does have a purpose: according to the normative power account, it alters the normative situation. But this does not mean that it is not symbolic. In expressive actions it can often be symbolically adequate to deploy a purposive action. For instance, one can perform the expressive action of welcoming someone, marking the significance of their being in one's domain, by feeding them. Nevertheless, even if this point is accepted, it might seem strange to think of the exercise of a normative power as a symbolic action, let alone one through which one can give expression to one's emotions. Let us first investigate whether the exercise of normative powers can be an expressive action; we can then look at whether forgiving can be an expressive action.

To start with, take the example of giving. It seems clear that giving someone something can be an expressive action. One might give someone something that is an otherwise worthless token, like a button, which functions nevertheless to affirm a tie between you. Or one can give something independently useful, like a book or a house, or the ring that had belonged to one's mother. In these cases, the giving can be deployed to mark something, for instance about the significance of a relationship. In doing so, one might be affirming that relationship as one that one sees oneself sharing with the recipient into the future. Marking the significance of the relationship through the gift can be what takes oneself to have good reason to do in the situation, and that one acts on these reasons might be the best way to explain what one does. Furthermore, the giving is non-arbitrarily symbolically related to what is being affirmed. Both what is given, and the fact of giving itself, may relate to the nature of the relationship as a relation, for instance, of mutual care.

However, giving is also a normative power. The fact that A gives X to B creates or alters a normative relationship. For instance, giving involves the transfer of ownership rights over what is given. But it can also thereby create a normative relationship by creating a tie between the two people that goes through, as it were, the gift. This can be strengthened by the particular nature of the gift. For instance, giving a book

can create a tie that creates a relationship between you that is focused, at least in part, on intellectual pursuits. To give is to exercise a normative power.

Furthermore, through an act of giving we can also give expression to our emotions about our relationship with the person. Giving my beloved a ring that belonged to my mother can, where this is an appropriate symbol, be an apt way of embodying my love in the material form of an action. The example of giving shows how the exercise of a normative power can be expressive. It is expressive both in the sense that the features of the action embody the sense of the significance of the situation, but also in the sense that they give apt expression to one's feelings about the situation.

What we have said about giving can also be said about other exercises of normative power. For instance, undertaking a commitment can also be an expressive action. Like giving, it can mark or affirm the relationship as something one sees oneself sharing into the future. Again, undertaking a commitment is a normative power: the very undertaking of a commitment creates a normative relationship in which one owes something to the recipient of the commitment. Undertaking a commitment can bear a non-arbitrary symbolic relation to what is being marked. Creating a normative relationship can symbolically mark or affirm the significance one gives to building and maintaining a materially existent relationship. The content of the commitment can be symbolically related to the future existence of the relationship. For instance, for some people, this is an important non-pragmatic reason for getting married. Undertaking the legal commitments involved in marriage can be a way of embodying or reflecting the significance of the relationship and one's hopes and intentions for the future. Furthermore, through undertaking a significant commitment we can give expression to our emotions about the situation.

Let's return to forgiveness. If giving and undertaking a commitment are both exercises of normative power *and* expressive actions, then it will be no surprise that forgiveness can be expressive in these senses while (and because) an exercise of normative power. We can easily see that forgiveness can be an expressive action because, according to the normative power account, forgiveness is closely related to giving and commitment-making. Forgiveness is a gift when it waives obligations. Forgiveness also involves undertaking a commitment. And we can see that forgiveness has the features of expressive action. Forgiveness is a symbolically apt way of marking a relationship as one in which one has hope (or faith?). Like giving and commitment-making, it has a non-arbitrary symbolic relation to what it marked. On the normative power view, forgiveness involves lifting a normative burden from the offender; and undertaking a commitment to work to overcome negative emotions towards the offender. This has a non-arbitrary symbolic relation to the situation of future reconciliation. In forgiving one speaks to and marks the situation of wanting and hoping to be able to cooperate again with the person who has wronged one on good terms. Furthermore, perhaps like Pearl Faku when faced with Eugene de Kock at the Truth and Reconciliation Commission, we can give expression to our emotions through forgiving.[8]

[8] An anonymous reviewer suggested that the commitment made in forgiveness could be equally expressive of contempt or anger. However, it is hard to see how lifting a normative burden from the offender, and undertaking a commitment to work on negative emotions toward the offender, could be an adequate symbolisation of seeing the offender as contemptible or worthy of continuing anger. My arguments here assume that there can be reasonably determinate criteria of symbolic adequacy. For arguments to that effect, see [REFERENCE REMOVED FOR REVIEW].

In the last two sections of this paper, I have shown that it is compatible with the normative power account that emotion has an important role in forgiveness. This is not an ad hoc addition to the normative power account; it is rather integral to an adequate understanding of the nature of normative powers and their role in our ethical life. It is more plausible to say, not that emotion is incompatible with the exercise of normative power but that it is necessary to it. Normative powers, I have argued, may, in weighty situations, require emotional acknowledgement of the gravity of their exercise in order for that exercise to be effective. In this respect, they may be more like rituals than like legal powers. And I have argued that the exercise of normative powers can, and in some cases should, be the vehicle of expressive actions – actions in which the agent marks the significance of their situation through non-arbitrary symbolism. If the agent has weighty reason to mark their situation through forgiving, and to express their emotions through that marking, then they have weighty reason to express their emotion in their forgiving. Russell's objections to the normative power account, which are based on an assumed incompatibility between normative power and emotion, fail to hit their target because they are based on an overly simple account of what normative powers can be and what role they can play in human life.

10 Conclusion

In this paper, I have explained why the normative power account is compatible with an appropriate view of the role of emotion in forgiveness. Against the view that emotional change is definitive of forgiveness, I have argued that emotion does not always need to be present for forgiveness to take place. However, on the normative power account, forgiveness does involve a commitment to emotional change as appropriate. Furthermore, I have argued that, as with conceptions of ritual, emotion can be necessary for the exercise of the normative power involved in forgiveness. I have also connected forgiveness to my recent work on expressive action, arguing that forgiveness can be an apt symbolic vehicle for the expression of relevant emotions about wrongdoing. In conclusion, I have sought to explain why, quite contrary to Russell's criticisms, the normative power account is the best available way to capture the proper role of emotion in forgiveness.

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