

**David Konstan, *Before Forgiveness: The Origins of a Moral Idea*.** New York: Cambridge University Press, 2010. Pp. xiii, 192. Cased. \$85. ISBN 978-0-521-19940-7.

In this learned, urbane, and attractive book David Konstan argues (p. ix) that ‘the modern concept of forgiveness, in the full or rich sense of the term, did not exist in classical antiquity, that is, in ancient Greece and Rome, or at all events that it played no role whatever in the ethical thinking of those societies. What is more, it is not fully present in the Hebrew Bible, nor again in the New Testament or in the early Jewish and Christian commentaries on the Holy Scriptures; it would still be centuries – many centuries – before the idea of interpersonal forgiveness, and the set of values and attitudes that necessarily accompany and help to define it, would emerge.’ At first sight, this is a surprising claim; what may also appear surprising, at least initially, is that K. proves it beyond reasonable doubt. His success in doing so derives in part from the tenacity and subtlety with which he pursues his theme through a rich and wide variety of works, authors, genres, and periods, showing throughout a mastery of the material and its intellectual-historical contexts that few contemporary scholars could rival. But it also depends very largely upon the highly specific notion of forgiveness that K. identifies as ‘the modern concept’.

For K., the relevant conception of forgiveness, one that he maintains ‘is clear and distinct enough to constitute an independent object of investigation’ and ‘figures importantly in modern ethics and psychology’ (pp. 2–3), requires (pp. 1–13) that the forgiver be the victim of intentional harm and that the agent be held responsible for that harm; that the victim regard the harm as an offence and resent it as such; and that the offender recognize his/her own culpability, feel remorse (and not merely regret), and show sincere repentance of such a kind as to demonstrate that a ‘profound moral transformation’ (p. 10) has taken place. Once these conditions are met, the victim has the option of forgiving, though s/he cannot be regarded as obliged to do so. Thus the victim too, without giving up the sense that s/he has been the object of another’s transgression, is transformed by the process of forgiveness.

This established, K. proceeds to measure against this definition various scenarios (some labelled in context as cases of *syngnômê*, *aphesis*, *ignoscere*, and various other terms, and some not), and finds that, with one or two exceptions at various periods that seem to come close, scenarios which can be regarded as examples of ‘the modern concept of interpersonal forgiveness’ begin ‘to receive systematic treatment ... only in the nineteenth century and above all in the twentieth’ (p. 152); at earlier periods virtually all the likely candidates turn out on closer inspection to lack one or more of the necessary conditions of that concept. Thus Aristotle’s statement (*Rhet.* 2.3, 1380a14–16) that one ceases to be angry with those who admit their offence and repent of it (τοῖς ὁμολογοῦσι καὶ μεταμελομένοις) is not a recommendation ‘that, in order to assuage anger, one should apologize and express remorse and by implication ask forgiveness of the person who has been offended’ (p. 24), because ‘Aristotle is not so much interested in the sincere expression of regret or remorse, which might elicit forgiveness, as he is in the demonstration that any hint of insult was unintentional’ (p. 25), and because, in the context, Aristotle’s main focus is ‘on relations of status and power’ and thus locates the main means of assuaging anger in various ways of

counteracting the victim's impression that s/he has been treated with contempt (pp. 24–6). Similarly (ch. 2), instances of *syngnômê* (or *ignoscere*) in classical philosophy, rhetorical theory, historiography, and drama fail to meet K.'s criteria because none focuses on an offender's remorse and repentance for a deliberate offence that is frankly acknowledged as such by both victim and offender. So too (ch. 3) Greek and Roman strategies of reconciliation centre not on remorse, repentance, and forgiveness, but rather on appeasement, on restoring the dignity of the injured party, or on arguments designed to show that the ostensible offender is innocent. The Old and New Testaments, on the other hand (ch. 4), make much of the sinner's repentance, and repentance is a prerequisite for remission of sin, but while there are isolated examples of interpersonal forgiveness based upon repentance, and the New Testament in particular contains 'the germ of the modern conception of forgiveness' (p. 122), repentance in general is a matter of restoring the right relationship with God, not primarily of reconciliation with another human being whom the sinner has wronged, and remission of sin is a prerogative of God that human beings cannot precisely replicate. As 'God is not an ordinary person' (p. 124) any reconciliation between Him and a human sinner will be distinctly one-sided, and the mutual transformation required by 'the modern concept of interpersonal forgiveness' will not be in question. The tendency to base interpersonal forgiveness on divine forgiveness in the Church Fathers and mediaeval Schoolmen (ch. 5) similarly tends to preclude the emphasis on apology as a means of assuaging resentment for intentional harm that would be required by the 'modern concept'. However (ch. 6), a scene in Molière's *Les Fourberies de Scapin* that 'includes many if not most of the elements of modern forgiveness' (p. 147) indicates that 'interpersonal forgiveness, in a form at least resembling the modern idea, was available as a theme ... in the middle of the seventeenth century' (p. 150), even though it 'remains marginal to philosophical and theological writings for at least two centuries' thereafter (p. 152). Even though he had little to say on the subject himself, the crucial step comes with Kant, whose 'insistence on the moral autonomy of human beings, combined with his belief in the practical incompleteness of our virtue, may be seen as paving the way for an understanding of conversion or moral transformation as the precondition for earning forgiveness and for the capacity to forgive in interpersonal relations' (p. 157). Kant thus introduces a notion of our capacity to transform our adult identities, to remodel our moral selves, of a sort that is alien to ancient concepts of selfhood and personality, as exemplified in particular in ancient biography (pp. 165–9). The dependence of 'the modern conception of interpersonal forgiveness' on such a potential for radical self-transformation, however, highlights a paradox: if the wrongdoer must transform him- or herself in order to be worthy of forgiveness, what, after the transformation, is there left to forgive, given that forgiveness requires that the forgiver retain a sense of the offender's culpability? 'The modern concept of interpersonal forgiveness', K. concludes, may be not just paradoxical, but incoherent; there are other means of effecting reconciliation, including those 'more candid' and 'more coherent' methods employed by the Greeks and Romans (p. 165), and it is not clear that 'forgiveness' does 'some significant moral work that ancient methods of reconciliation were incapable of achieving' (p. 170).

This conclusion, that the ancients were not 'in any way morally inferior' because

they did not possess the supposed modern concept of forgiveness (p. 171), is a reasonable one. The precise contrast that K. draws between ancient and modern, however, would be valid only if it were true that K.'s paradigmatic scenario of forgiveness were in fact *the* modern conception. I do not think that it is. K. (pp. xi–xii, 3, 8, 11–13, 15–16, and *passim*) draws his definition from Charles Griswold's recent monograph, *Forgiveness: A Philosophical Exploration* (Cambridge 2007). One of the central criticisms made of that volume (see the separate responses by A. Morton, M. Moody-Adams, and H. Wettstein in *Philosophia* 38 (2010) 429–55) is that the concept of forgiveness that it develops is highly revisionary. Griswold's preferred concept is not merely a prototypical or salient member of a category (to which other senses, also legitimate members, might be related in various non-arbitrary ways),<sup>1</sup> but a 'paradigm' by comparison with which other uses constitute 'non-paradigmatic or imperfect forgiveness in which one or more of the logical features defining forgiveness is absent' (Griswold p. 113, quoted by K. p. 16). Griswold recognizes that Eng. 'forgiveness' is used in a range of senses other than his own, but maintains (in response to his critics at *Philosophia* 38 (2010) 460–2) that it is the proper task of moral philosophy to produce theoretical accounts of concepts that revise and even jettison some of the intuitions reflected in ordinary usage. He returns to the topic on p. 469 of his response:

I take it to be a distinctive philosophical aim to sort things out with as much clarity as the topic permits. 'Study of our actual practices,' by contrast, can come to resemble something more sociological or anthropological. It cannot be the case that philosophy leaves everything as it was, for the phenomena are, as already remarked above, conflictual. Every view, whether philosophical or religious, is revisionary to some extent. Not every use of 'forgive' is going to end up counting as appropriate; so too with the rest of our moral vocabulary.

Griswold is clear about what it is that he is defending: not a descriptive account of the senses of 'forgiveness' in modern English or of the role of the various senses of forgiveness in the life and thought of modern societies, but a prescriptive one of what forgiveness, as a normative concept, might be if we thought about it clearly enough and abandoned some of our ordinary ways of talking about it. Such an approach may be of great utility in developing a philosophical ideal case, but it is not well suited to the analysis of the full range of ordinary usage or to cross-cultural comparison of the usage of different societies.

For his part, K. recognizes a plurality of senses of forgiveness and a measure of disagreement among users of English over what should count as an example of that concept (pp. 2–3, 8, 15–16), and disavows any intention 'to legislate usage in regard to *forgiveness*' (p. 16), but this sits uneasily with the assumption made throughout the rest of the book that Griswold's prescriptive definition is *the* modern conception of interpersonal forgiveness. What K. takes as typical, salient, and distinctive about

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<sup>1</sup> I.e., on the model of category-formation adopted, after Wittgenstein, by scholars such as E. Rosch and G. Lakoff. See e.g., Lakoff, *Women, Fire, and Dangerous Things: What Categories Reveal about the Mind* (Chicago 1987) for a full account of his and Rosch's views.

modern forgiveness in fact derives from an account that is revisionary and idealizing – avowedly philosophical rather than sociological or anthropological. As critics have pointed out (Moody-Adams p. 434, Morton p. 441, Wettstein pp. 450–1), Griswold has acknowledged (2010: 461–2), and K. notes in passing (p. 8), the Griswoldian paradigm excludes, among many other cases, cases of unilateral forgiveness, in which the victim forgives without the offender’s repentance. Whether or not this is what is required by Christian belief (see K. pp. 8, 119, 161), there can be no doubt that many Christians *believe* that it is: Moody-Adams and Griswold debate a case involving an Amish community in Pennsylvania in 2006, and, as I was preparing this review, the subject was much rehearsed (in the context of the resulting inquest) with regard to the ability of the survivors and relatives of the victims of the London suicide bombings of 7 July 2005 to forgive the (deceased and unrepentant) perpetrators. Remarkably, some said they could;<sup>2</sup> in one well-publicized case, a Church of England vicar resigned her parish (in 2006) because she felt obliged by her faith yet unable to forgive the man who killed her daughter;<sup>3</sup> that Anglicans are so obliged was the view of a speaker at the General Synod on 15 November 2005.<sup>4</sup> Examples could be multiplied.<sup>5</sup> The point is not that such attitudes are universally or even commonly held, much less that they constitute a paradigm to rival Griswold’s, but merely that they exist and attest to a familiar, salient, and (surely) legitimate modern view of forgiveness that is patently at variance with what K. regards as *the* modern concept.

Consideration of this particular alternative sense of forgiveness would not bring classical and modern societies into a closer relation than they are accorded in K.’s book; but in other respects a more inclusive and less prescriptive approach might. In treating Griswold’s paradigm as definitive K., like Griswold himself, pursues a ‘classical’ definitional approach to conceptual analysis in which various potential candidates are rejected on account of their failure to meet the necessary conditions for membership of the category. This means not only that some plausible ancient candidates for consideration as forgiveness-scenarios on less revisionary and restrictive criteria are denied that status, but even that certain scenarios for which K. himself has no other word but ‘forgiveness’ fail to qualify; this in effect demonstrates that there are many forms of forgiveness that differ from ‘a fully developed account of interpersonal forgiveness in the modern sense’ (p. xi). This, of course, is to point out that K. does not do what he explicitly says he did not set out to do. From his point of view, it is beside the point to argue that this or that scenario approximates to one in

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<sup>2</sup> See *Daily Mirror* online, 11 March 2006:

<http://www.mirror.co.uk/news/top-stories/2006/03/11/exclusive-who-could-forgive-the-7-7-bombers-115875-16800864/>.

<sup>3</sup> See *Times* online, 7 March 2006:

<http://www.timesonline.co.uk/tol/news/uk/article738205.ece>.

<sup>4</sup> See *Daily Telegraph* online, 16 November 2005:

<http://www.telegraph.co.uk/news/uknews/1503073/We-must-forgive-suicide-bombers.html>

<sup>5</sup> E.g., the Congolese woman, abducted in 2007 by the FDLR militia, horribly abused, and forced to hang her own baby, who told the BBC Radio 4 ‘Today’ programme on 25 February 2010 that she forgave those who had treated her so abominably, even though she had no reason to assume that they had repented: ‘We put out faith in forgiveness. Without forgiveness you can’t have peace and you can’t have love.’ (See [http://news.bbc.co.uk/today/hi/today/newsid\\_8535000/8535908.stm](http://news.bbc.co.uk/today/hi/today/newsid_8535000/8535908.stm).)

which we might use the word forgiveness in its ordinary sense, for the ordinary sense of the word is not what K. is investigating. Hence, though K. blurs the line between Griswold's explicitly revisionary model and a more descriptive account of the concept, what K. calls *the* modern concept of interpersonal forgiveness does correspond to at least *one* modern understanding of what forgiveness is. If that scenario, in all its elements and in all the rigidity of its criteria, is not precisely replicated in the biblical and classical worlds, or indeed anywhere else until much later, then, to that extent, K. has proved his case. But because his paradigm corresponds to only one form of forgiveness among many, his claims are in the end more limited than they might at first sight appear.

As comparative intellectual history, K.'s approach exhibits many strengths. There are genuine advantages in using our own beliefs and practices as a background against which to set and to compare the beliefs and practices of past societies, and it cannot be said that K. is inattentive to many salient differences both among the past societies that he considers and between those societies and our own. But a full appreciation of the true range of variation is inhibited by K.'s narrow conception of 'our' modern idea of forgiveness and by the rigid deployment of only that conception as a criterion by which to measure the past. There is a tendency for the monolithic 'modern' model to be contrasted with equally monolithic ancient alternatives. A case in point is K.'s treatment of Greek *syngnômê* and Latin *ignoscere*. One can agree that scenarios in which these terms occur are unlikely to furnish intimations of 'the modern concept of interpersonal forgiveness', and it is debatable how many of them might qualify as analogues to modern forgiveness-scenarios conceived in less prescriptive terms, but it is not clear that K. is correct when he argues that a person who *syngignôskei* or *ignoscit* is adopting the view that the ostensible offender is innocent (pp. 29, 47 n. 35).

It does seem to be the case that *syngignôskein* and *ignoscere* regularly indicate that one does not regard the other as fully culpable, but rather takes some other relevant consideration into account; and K. sometimes writes as if he recognizes this (e.g. ignorance may be 'an excuse or mitigating factor', p. 5; *syngnômê* is applied to 'an action that is comprehensible in the circumstances', p. 44, or 'granted to those who are not responsible, or not fully responsible, for the situation in which they find themselves'). Elsewhere, however, he offers general formulations which suggest that the actions of someone who receives *syngnômê* (or whom another *ignoscit*) are involuntary by reason of ignorance or constraint (pp. 28, 31–2, 35–7, 40, 44, 47–8, 50–3, 55, 130, 132), and at p. 47 n. 35 not being 'fully responsible' is equated with being 'in principle innocent'. But the 'understanding' that *syngignôskein* and *ignoscere* involve need not amount to full exculpation. Often, *syngnômê* responds to what are represented as circumstances that mitigate but do not fully excuse an offence. One such case is Eur. *Hipp.* 114–20: Hippolytus, a young man whose attitude towards Aphrodite the goddess herself regards as 'thinking big' (6), an insult to her honour (8), and a transgression (21), has just affirmed his refusal to honour the goddess (104–6), concluding that, as far as he is concerned, she can take a running jump (τὴν σὴν δὲ Κύπριον πόλλ' ἐγὼ χαίρειν λέγω, 113). This insult (it is not just a 'thoughtless boast', K. p. 44) worries Hippolytus' servant, who regards it as wrongheaded (115)

and stupid (119); a human might be angered by such an insult (120), but Aphrodite is a goddess, and so hopefully wise enough to understand that the young are like that, to turn a deaf ear, and to show *syngnômê* (117–20). The insult stands: it is offensive, the Servant fears that Aphrodite may be offended, and we know that he is right. His plea in mitigation does not amount to exoneration, because Hippolytus is innocent and his offence involuntary, but to an appeal for leniency on the grounds of the offender's youth (cf. Eur. fr. 645 K, *Supp.* 250–1, Lysias 24. 17, cited on the same page).

At p. 45 n.3 K. discusses lines 25–7 of Simonides' Danae fragment, 543 *PMG* = 271 *Poltera*. According to him, when Danae says, 'if the words of my prayer are bold or without justice, σύγγνωθί μοι,' she 'is not exactly apologizing but rather expressing the hope that she has hit upon the right tone or formula in petitioning Zeus's favor.' That is indeed Danae's hope, but she expresses it in the form of an apology: she has just requested Zeus' intervention in her favour, and realizes that such a request may appear peremptory. This is certainly a matter of the etiquette of petition, but within that context what Danae asks for is that Zeus forgo his anger for any offence he might have taken. True, she is not exhibiting genuine remorse or repentance, nor is she admitting a deliberate offence; the implication of her appeal for *syngnômê* is that the boldness of her words is understandable given the seriousness of her plight; but she is not saying that her importunate prayer was involuntary. She concedes the potential offence but seeks to forestall it, with the implication that her circumstances be taken into account.

It seems to me that K. is similarly over-categorical in his discussion of *ignoscere* in Roman Comedy. On p. 51, *vis-à-vis* Plautus' *Aulularia* 738–95, K. writes:

Lyconides comes as close as any character on the ancient stage to making a frank avowal of culpability and to seeking something like forgiveness. But it is clear that he does not base his appeal to consideration on repentance and a change of heart per se but rather offers a series of what are by now familiar excuses to acquit himself of responsibility: inebriation, passion, and youth, all contributing to unwitting or involuntary (*imprudens*) behavior.

Lyconides does indeed offer a number of excuses, and certainly describes himself as *imprudens* (792). But *imprudens* modifies *peccavi*, a transgression to which Lyconides confesses ('fateor peccavisse', 738; cf. 'ego me iniuriam fecisse filiae fateor tuae', 794) and which he regards as a *culpa* on his part (790), something of which he is ashamed (*pudeat*, 791). The admission of wrongdoing co-exists with a natural tendency to try to mitigate one's offence; excuse does not amount to complete self-exculpation, and *imprudens* in this context does not mean 'unwitting or involuntary'. The same is true of *Epidicus* 7289 ('oro te, Epidice, mihi ut agnoscas, siquid imprudens culpa peccavi mea'): K's judgement ('Once again, the emphasis is on *imprudencia* or nonculpable ignorance ...', p. 52) emphasizes one aspect, but ignores another ('culpa ... mea'). There are many forms of ignorance that do not exculpate, and in ordinary language we too regularly combine apology, appeal for forgiveness, and arguments in mitigation.

*Syngnômê* can in fact be shown in cases of acknowledged offence or wrongdoing, without appeal to mitigating circumstances. This is the case not just in passages such as Gregory of Nyssa's *Against Eunomius* 1. 1. 79, where K. (pp. 129–30) argues that we have a departure from the classical sense of the term, but in straightforward classical contexts such as Lysias 1.18 (K. p. 46). Here, Euphiletus gives the slave-woman who knows the truth of his wife's liaison with Eratosthenes the choice of a whipping and a life of hard labour if she keeps silent, or *syngnômê* if she reveals all: ἡ μαστιγωθεῖσαν εἰς μύλωνα ἐμπροσθεῖν καὶ μηδέποτε παύσασθαι κακοῖς τοιούτοις συνεχομένην, ἢ κατεπιούσαν ἅπαντα τάληθῆ μηδὲν παθεῖν κακόν, ἀλλὰ συγγνώμης παρ' ἐμοῦ τυχεῖν τῶν ἡμαρτημένων. Euphiletus does not change his mind about the woman's offences (*ta hêmartêmena*) or her full responsibility for them, but will pardon her in exchange for useful information. On the same page, K. discusses Lysias 9. 22, where he rightly notes that part of the speaker's argument is that Athenian juries 'often grant *syngnômê* even for manifest wrongs' (καὶ ὑπὲρ τῶν περιφανῶν ἀδικημάτων), but this has no influence upon his considered opinion than *syngnômê* relates only to involuntary actions. Cf. Plutarch, *De frat. am.* 489C–D (K. p. 84), where, as K. notes, there is certainly no requirement that *syngnômê* respond only to 'apologies or expressions of remorse', but it is nonetheless taken for granted that it may be manifested by those who regard themselves as wronged (ἀδικηθέντας) by their brothers' transgressions (ἁμαρτοῦσι, ἁμαρτόντας). If we relax the requirement that forgiveness in the strict sense should respond only to deliberate and unmitigated offences for which the offender shows sincere contrition, then this and many other of K.'s rejected candidates will be perfectly good examples of what we call forgiveness in the everyday senses of the word.

The desire to place the ancient evidence within a single explanatory framework seems to me to be apparent also in K.'s discussion of the irrelevance of forgiveness to Aristotle's discussion of *praotês* ('mildness', i.e. the state of those whose anger has been assuaged or appeased) in the *Rhetoric*. We noted (above) that, for K. (pp. 24–5) the statement (1380a14–16) that one ceases to be angry with those who admit their offence and repent of it (τοῖς ὁμολογοῦσι καὶ μεταμελομένοις) is not about apology and forgiveness, but rather refers to 'the demonstration that any hint of insult was unintentional'. But the context suggests that this cannot be Aristotle's implication. In the illustration that follows, masters are said to cease their anger against slaves who admit that they are being justly punished, 1380a18–19 (not that they inadvertently caused offence, for which punishment would be unjust); just so, the offender's admission and *metameleia* assuage anger because the victim regards the offender's distress as adequate recompense for the insult suffered, ὡς γὰρ ἔχοντες δίκην τὸ λυπεῖσθαι ἐπὶ τοῖς πεποιημένοις παύονται τῆς ὀργῆς, 1380a15. K. mistranslates, 'it is as though they have paid the penalty for the pain that they caused you' (p. 23), and overlooks Aristotle's point that the pain of *metameleia* can be regarded by the victim as adequate redress for an offence which, since it is one that demands just recompense, cannot have been accepted as unintentional. Whatever may be the case in the wider context, Aristotle's concern in this example is for *metameleia* as a form of redress for an acknowledged offence, and not as a means of undoing an unintended impression of contempt.

K. devotes various passages of his book to a contrast between ancient (Greek and Roman) and modern legal systems in terms of the scope that they offer for elements of the syndrome of factors that go to make up ‘the modern concept of interpersonal forgiveness’. It does seem to be true that the pragmatics of Greek and Roman criminal trials, the adversarial nature of their judicial processes, and the politics of ‘face’ in general leave little room for expressions of guilt, remorse, repentance, and reform on the part of the defendant or the convict, and if this means that less is made of these factors in Greek and Roman society in general, then consideration of Greek and Roman legal systems is wholly germane to K.’s argument – if elements of the total scenario that K. calls ‘the modern concept of interpersonal forgiveness’ were not as salient in this context as we should expect them to be from our experience of analogous contexts in our own societies, then the scenario as a whole is likely to be less salient in those societies than it is in our own. But K. risks misleading if readers come away with the idea that the role of remorse, repentance, and reform in modern penology has very much to do with forgiveness. When, in our legal systems, remorse is a factor that secures a lighter sentence or, at a later stage, parole, nothing necessarily follows in terms of the victim’s forgiveness; though victim statements may be taken into account, neither the judge nor the parole board will base a decision on the victim’s willingness to respond to the offender’s remorse with forgiveness. Equally, victims may or may not in fact forgive, with or without remorse on the offender’s part, but legal process will not necessarily take this into account. At times, K. writes almost as if restorative justice were the modern norm, with an apparent implication that forgiveness plays a role in modern courts that it does not in the ancient world (see e.g., p. 57: ‘there is no place, at all events in a [Roman] judicial context, for what we call “forgiveness” in the full sense of the word’).

In an Athenian court, the victim or the victim’s relative would in many cases be the prosecutor, and so in such cases an apology on the part of the defendant and forgiveness on the part of the prosecuting victim would at least be practicable. But it never happens in our extant cases, because any case in which such reconciliation was likely would be very unlikely to come to court; in any case that does, the adversaries arrive in court committed to maintaining their opposing positions and to winning the case. Nonetheless, in ancient trials as well as in modern, any strategy designed to influence verdict or sentence is directed primarily toward those with the power to deliver a verdict and to pass sentence, not towards the victim. Hence the various arguments over the issue of *syngnômê* that K. adduces from the Attic orators, as from later rhetorical theorists, turn on the *syngnômê* of the jury (though in Athenian cases this may be complicated by the prosecutor’s argument that the jurors, in so far as they represent the *dêmos*, are also the defendant’s victims). In this respect, ‘forgiveness’ is as unlikely to be a central issue in an ancient trial as it is in a modern one (and it is no surprise that the relevant locutions are better rendered ‘to excuse’ rather than ‘to forgive’).

Two aspects of Athenian homicide law may, though they clearly do not satisfy K.’s criteria for ‘the modern concept of interpersonal forgiveness’, nonetheless be considered here. K. no doubt does not discuss the possibility that the dying victim (of both intentional and unintentional homicide) may absolve (*aphiêmi*) his killer (Dem.



37. 59) on the grounds that the relevant provision does not seem to have taken any account of the offender's repentance. Yet here we have a scenario in which the pursuit of redress that the victim's anger normally demands may in theory be abandoned, even by a victim of intentional homicide.<sup>6</sup> There are no recorded cases, but we would not have evidence for the theoretical possibility if it had been regarded as wholly implausible. Hippolytus' *aphesis* of his father in Euripides' play clearly relates to a case of *phonos akousios*.<sup>7</sup> All (Artemis, Hippolytus, and Theseus himself: 1326–7, 1400–1, 1406, 1414, 1433–6) agree that Theseus has been a pawn in Aphrodite's game, and these are the grounds on which he is regarded as worthy of *syngnômê* by Artemis (1326) and of *aphesis* by Hippolytus (1442–3, 1448–51). Yet Artemis also, with a degree of *Schadenfreude*, emphasizes the extent to which Theseus' rashness in invoking Poseidon's curse renders him liable to blame (1313–24; cf. Hippolytus at 1413), and Theseus himself is clearly consumed by what Bernard Williams would call 'agent-regret' (1324, 1410, 1412).<sup>8</sup> He responds to Hippolytus' absolution with incredulity and heartfelt appreciation of his son's 'nobility' (1452, cf. 1454). Hippolytus' response, then, is both admirable and supererogatory, and it is clearly felt that a victim in his situation might retain a considerable degree of residual anger even after the conditions which acquit the agent of blame have been established. In such circumstances, I do not think that it is inappropriate to speak of forgiveness in the ordinary English sense of the word.

Even though Theseus' killing of Hippolytus is presented as 'unintentional' or 'involuntary' homicide (*phonos akousios*), without his son's absolution Theseus would have been guilty of an offence and liable to sanction in Athenian law. In such a case, the court's determination that the offence was not premeditated does not amount to exculpation, and even if the victim's family accept that determination, grounds for resentment and thus scope for forgiveness can persist. These facts are recognized by the institution of *aidesis*, the process by which the relatives of a victim of unintentional homicide could, if they were so persuaded, allow an exiled killer to return to Attica.<sup>9</sup> Since *aidesis* is possible only in cases of *phonos akousios*, K. would no doubt argue that it does not require the sincere repentance for a deliberate offence, acknowledged as such by both offender and victim, that is necessary for 'modern'

<sup>6</sup> On *aphesis* as a sign that Athenian homicide law is predicated upon the victim's desire for revenge, see D. M. MacDowell, *Athenian Homicide Law in the Age of the Orators* (Manchester 1963) 148.

<sup>7</sup> K.'s arguments here (p. 77) might have been supported by those of D. M. MacDowell, 'Unintentional Homicide in the *Hippolytus*', *RM* 111 (1968) 156–8.

<sup>8</sup> See Williams, *Shame and Necessity* (Berkeley and LA 1993) 69–70.

<sup>9</sup> See *IG* 1.<sup>2</sup> 115 (1.<sup>3</sup> 104), 13–19, Dem. 21. 43, 23. 72, 77, 37. 58–9, 38. 21–2, *Ath. Pol.* 57.3; E. Heitsch, *Aidesis im attischen Strafrecht* (Abh. Mainz 1984.1, Wiesbaden); cf. MacDowell, *AHL* 123–5, M. Gagarin, *Drakon and Early Athenian Homicide Law* (Berkeley and LA 1981), 48–52, 139–40. Gagarin argues that the restriction to cases of *phonos akousios* did not apply in Dracon's original law; cf. E. Carawan, *Rhetoric and the Law of Draco* (Oxford 1998) 33–83 *passim* (esp. 34–6, 81), 151; but contrast Heitsch, pp. 12–18. For the comparison with supplication, see Cairns, *Aidôs* (Oxford 1993) 224–5 (on Soph. *OC* 1150ff.). This is a passage in which Polynices admits his own faults, 1254–66, and begs his father for *aidôs*, 1267–9, but Oedipus himself insists on *dikê*, 1375–82; supplication, self-abasement, and intra-familial standards of honour and respect are prominent in this passage, but I remain convinced that it is appropriate to use the word 'forgiveness', in its everyday sense, of the scenario so depicted.

forgiveness. Perhaps, too, he would observe that the term's etymology (from *aideomai*) suggests that the procedure was felt, at least formally, to involve the sort of self-abasement that is a typical form of anger-appeasement in classical Greece; the term perhaps suggests that the victim's relatives stood in a similar position to the exile as did a recipient of supplication to the suppliant (though no doubt in practice financial compensation will regularly have played a role). Yet still the institution has several implications that one might wish to bring into relation with K.'s arguments. It reminds us that, for the Athenians, and in these circumstances, at least, an unintentional action may nonetheless be a crime. At least in cases of homicide, the Athenian state took the feelings and interests of the victim or victim's family as the starting point: there was no crime at all if the victim pardoned his killer, and the victim's family retained the right of veto over the return of a killer exiled for unintentional homicide. *Aidesis* implies that the victim's family may retain residual or even considerable resentment even when a court has established the absence of intention to kill, resentment that will not be dispelled by conviction or even necessarily by a period of exile. *Aidesis* no doubt derives from a period at which homicide was exclusively a matter for the families concerned to resolve; in retaining that provision, the Athenian *polis*, albeit in one limited area, provided for the possibility of formal reconciliation between the offender and the victim's family, and thus for something like restorative justice. The elements of resemblance as well as the elements of difference between this scenario and modern scenarios of reconciliation and forgiveness might therefore repay consideration; but this is excluded by K.'s sharp antithesis not just between ancient and modern, but between one very specific scenario and all other modern cases.

As I noted out the outset, K. proves his case, and does so with remarkable learning, discrimination, and tenacity. His is a valid and successful exercise in intellectual history. But the object of his enquiry in the literature and thought of earlier societies corresponds to a limited and prescriptive sense of a modern English concept, not as it occurs in ordinary usage but as defined and refined in the language (especially) of philosophy and psychotherapy. The book's orientation is in that respect more philosophical than historical. An alternative approach might have studied English 'forgiveness' as a category that includes a range of senses related in different ways, recognizing forms of forgiveness which do not meet the criteria for 'the modern concept of interpersonal forgiveness' as nonetheless valid and comparing these to the concepts and categories of other languages, cultures, and periods in the same non-prescriptive manner. Such an approach might have discovered that, at least at a certain level of abstraction, ancient and modern strategies of apology and reconciliation have something in common. K. makes the important observation that where modern apologies often contain a reference to remorse and repentance, ancient ones tend to excuse. Even though (as noted above) displays of contrition may very well co-exist with attempts to excuse or to mitigate (in modern as well as ancient contexts), the abstract distinction between contrition and excuse, forgiveness and exoneration, is a valid one, and a societal preference for one type of argument over the other would be significant evidence of the ideals to which members of that society wished to be seen to aspire. But in any society, the representation of such aspirations will often be a matter more of the performance of social expectation than of the

enactment of one's sincerest ethical evaluations. The blame-shifting of Agamemnon's 'Apology' in *Iliad* 19 (esp. 19. 86, 'I am not responsible') does not and may not even be meant to fool anyone, as Odysseus' insistence on Agamemnon's need to make amends for his offence (19. 181–3) makes clear. Modern displays of repentance or remorse may be equally *pro forma*. In this and indeed in other ways, ancient blame-shifting and modern repentance can be seen as alternative ways of meeting the need, in any attempt at reconciliation, for offenders to distance themselves from their actions as a basis for resumed co-operation.

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