

Derrida and Forgiveness

Mihail Evans

Institute for Advanced Studies

New Europe College (NEC)

Bucharest, Romania

Introduction

The aim of this paper is to introduce Derrida's important work on forgiveness. There are a number of papers and essays that engage with and develop it in various ways.⁽¹⁾ My concern here is not to develop an *original* argument but rather to provide an introduction, which will hopefully encourage readers to go on to take up Derrida-

1- A quite sizable literature has developed considering various aspects of Derrida's work on forgiveness. In addition to consulting the works by Derrida and others cited in the footnotes, some of those listed below may be of interest to those wishing to follow this debate further. Inclusion in this bibliography does not mean I necessarily agree with the author's representation of Derrida's views. See: Bernstein, Richard J., 'The Aporia of Forgiveness' *Constellations* 13: 3 (2006), 394-406; Caputo, John D., Mark Dooley and John L. Scanlon, 'Introduction: God Forgive' in *Questioning God* (Indiana University Press, 2001), 1-18, especially 1 -10; Janover, M., 'The Limits of Forgiveness and the Ends of Politics' *The Journal of Intercultural Studies* 26:3 (2005), 221-35; Kapousy, C., "'Continental' Text, 'Analytic' Reading: The Case of Derrida's 'On Forgiveness'" *International Journal of Philosophic Studies* 13:2 (2005), 203-26; Krapp, Peter, 'Amnesty: Between an Ethics of Forgiveness and a Politics of Forgetting' *German Law Journal* 185 (2005); Lotz, Christian, 'The Events of Morality and Forgiveness: From Kant to Derrida' *Research in Phenomenology* 36:1 (2006), 255-73; Perrone-Moisés, Cláudia, 'Forgiveness and crimes against humanity: A dialogue between Hannah Arendt and Jacques Derrida'. English translation online at: <http://www.hannaharendt.net/index.php/han/article/view/90/146> (accessed: 28 December 2012); Schaap, A., 'The Protopolitics of Reconciliation: Lefort and the Aporia of Forgiveness in Arendt and Derrida' *Australian Journal of Political Science* 41:4 (2006), 615-30; Thompson, Janaa, 'Is Apology a Sorry Affair? Derrida and the Moral Force of the Impossible' *The Philosophical Forum* 41:3 (2010), 259-74; van Tongeren, Paul, 'Impossible Forgiveness' *Ethical Perspectives* 15:3 (2008), 369-379; Verdeja, E., 'Derrida and the Impossibility of Forgiveness' *Contemporary Political Theory* 3:1 (2004), 23-47; Wyschogrod, Edith, 'Repentance and Forgiveness: The Undoing of Time' *International Journal for the Philosophy of Religion* 60:1-3 (2006), 157-68.

da's work on forgiveness themselves. Derrida's work on this subject is significant and overlooked both academically and elsewhere. For example, a conference held just this March in Antwerp, Belgium, focused on the theme of apology. In the conference announcement, apology was presented as a tool, something that can be used in business, in politics, or even in religion. Derrida's belief is that the act of forgiveness is something that goes beyond such manipulations.⁽²⁾ Derrida's philosophy is often divided into two periods, the second of which is named 'late', although he is consistent over the range of his work in a way that is perhaps unusual. While there is nothing in Derrida similar to the well-known 'turning' of Heidegger, there is a switch of emphasis and mode in the last twenty years of his life with the treatment of questions in what might be called practical philosophy being given greater prominence. This is often seen to commence with a paper 'Force of Law' given in 1989, which distinguishes law and justice. For Derrida, law is the operation of established rules and procedures, whereas justice is a response to singularity that exceeds law. Forgiveness is among the topics treated in the late period and is not unrelated to the questions of law and justice, and the response to exceptional singularity, as we will see.

In 1997-8 Derrida held a seminar in Paris entitled; 'Questions de responsabilité VII: le parjure et le pardon'. The following year 'Questions de responsabilité VIII' concerned the same topic. Both of these have yet to be published either in French or English translation. There are, however, two main places in print where Derrida treats forgiveness. The first is in *On Cosmopolitanism and Forgiveness*, a short book published by Routledge in its 'Thinking in Action' series in 2001. This contains two independent lectures, the second of which focuses on forgiveness, and is the text of a lecture first presented in 1997 at Jerusalem and previously published in *Studies in*

2- Two short videos on Derrida and forgiveness, one an excerpt from Amy Kofman's feature length *Jacques Derrida* (2002) filmed in South Africa and the other, a seminar in Paris, made in the year he died, for the European Graduate School were shown at this stage in the paper by way of introduction: (i) http://www.youtube.com/watch?v=qDrU1jtt_fI (accessed: 28 December 2012); (ii) http://www.dailymotion.com/video/xn0cyn_jacques-derrida-on-forgiving-the-unforgivable_creation (accessed: 28 December 2012).

Practical Philosophy.⁽³⁾ The second is an essay 'To Forgive: The Unforgivable and the Imprescriptible' published the same year in a volume entitled *Questioning God*.⁽⁴⁾ In addition to these two essays, Derrida also addressed the question of forgiveness in a TV interview after his Jerusalem lecture (the transcript of which is available online) and in a roundtable discussion, the transcript of which was published directly after his essay in *Questioning God*.⁽⁵⁾

The two essays cover a lot of similar ground although we can very roughly say that *On Forgiveness* presents a more general outline while 'To Forgive' focuses more on Derrida's reading of Jankélévitch, although neither essay really conforms entirely to such a description and it is best to read them both together. In what follows I will present my own interpretation of Derrida's main points, initially following *On Forgiveness*, but drawing on both the major essays as well as the interview and the roundtable.

In *On Forgiveness* Derrida begins his thoughts on forgiveness with the proliferation of 'scenes' of forgiveness. He particularly mentions the case of the then Japanese prime minister asking forgiveness from the Koreans and the Chinese for acts committed in his country's past. It is easy to add to this list: Tony Blair asking forgiveness for the Irish Famine of 1845-50 or Pope Jean-Paul II apologizing for Roman Catholic involvement with the African slave trade. The University of Pennsylvania has a webpage, which attempts to comprehensively document such political apologies.⁽⁶⁾ Derrida's feeling about such spectacles is that: "forgiveness dominates the whole scene, and on the other hand, it has become, hollow, void, attenuated". He speaks of his own work as "a measure to control political rhetoric."⁽⁷⁾

3- Jacques Derrida, 'On Forgiveness' in *On Cosmopolitanism and Forgiveness* (Routledge, 2001), 27-58; Jacques Derrida, 'On Forgiveness' *Studies in Practical Philosophy* (2000), 2:2, 81-102.

4- Jacques Derrida, 'To Forgive: The Unforgivable and the Imprescriptible' in John D. Caputo, Michael Scanlon and Mark Dolley (eds), *Questioning God* (Indiana University Press, 2001), 21-51.

5- 'On Forgiveness: A Roundtable Discussion with Jacques Derrida' in *Questioning God*, 52-72.

6- <http://www.upenn.edu/pnc/politicalapologies.html> (accessed: 28 December 2012)

7- 'On Forgiveness: A Roundtable', 54, 57.

Derrida observes how in France presidents (he cites three very different ones: de Gaulle, Pompidou, and Mitterand) have repeatedly used the same language of 'national unity' when they proceed to reconciliation by the use of amnesty. This has been the case whether the occasion has been the Occupation or the Algerian War. He notes how at the time of the amnesty of 1951, people talked of the need, in the face of the communist threat, to 'forget' and bring back into the national community former collaborators. "There is always a strategic or political calculation in the generous gesture of one who offers reconciliation or amnesty." This, he says, has nothing to do with forgiveness: "forgiveness does not, it should never, amount to a therapy of reconciliation".⁽⁸⁾ He has nothing against the processes of reconciliation, which he sees as important, but he argues we should not take them to be the same as forgiveness.

Before he turns to his examination of the question of forgiveness, Derrida suggests that there are two elements that need to be noted as background to the recent proliferation of scenes of forgiveness: (1) Globalatinization: This is a term Derrida uses on a number of other occasions as a way of criticizing, complicating, and complementing the much used concept of globalization. In the case of forgiveness, what he wishes to stress is the way that this idea arises within one particular religious tradition, that of the peoples of the book, the Abrahamic tradition. This heritage, which he stresses is not without its internal contradictions, is on its way to globalization. We need to honestly acknowledge that the increasing use of the language of forgiveness on the global scene is not a neutral development but part of wider processes, which are not without cultural violence. He points out that the language of forgiveness is alien to some traditions such as that of Japan or Korea. Yet today, we see the Japanese prime minister ask forgiveness of the Koreans and the Chinese. Derrida argues that "the 'globalization' of forgiveness resembles an immense scene of confession in progress, thus a virtually Christian convulsion-conversion-confession, a process of Christianisation

8- Derrida, *On Cosmopolitanism and Forgiveness*, 40-1.

which has no more need for the Christian church".⁽⁹⁾ In particular, Derrida notes, speaking of the case of South Africa with its well known Truth and Reconciliation Commission: "with as much good will as confusion, it seems to me, Tutu, an Anglican archbishop introduced the vocabulary of repentance and forgiveness. He was reproached for this, among other things, by a non-Christian segment of the black community".⁽¹⁰⁾ And (2) Crimes against humanity: the multiplication of scenes of forgiveness is linked to this new legal development. He calls this "a concept still obscure in its limits, fragile in its foundations".⁽¹¹⁾ He points out a paradox whereby those events which established the rights of man and the concepts of crimes against humanity – the most obvious example being the French Revolution – can also be seen to have been the occasion of crimes against humanity themselves. Again, as so often in his work, he shows the ubiquity and ineliminability of violence.

Against the background of these points I would now like to introduce Derrida's analysis of the concept of forgiveness. At the risk of myself doing violence to the subtlety of his thought, I will break it down under four main headings, which I will name as follows: (i) the gift of forgiveness; (ii) the paradox of forgiveness; (iii) the secret of forgiveness; and (iv) the power(lessness) of forgiveness.

The Gift of Forgiveness

The scenes of forgiveness that are so common in today's world – Derrida cited the case of the Japanese prime minister – aim at producing reconciliation and normalization. They are not pure and disinterested. He says: "Each time forgiveness is at the service of a finality, be it noble and spiritual (atonement or redemption, reconciliation, salvation), each time that it aims to re-establish a normality (social, national, political, psychological) by a work of mourn-

9- Ibid., 31.

10- Ibid., 42.

11- Ibid., 30.

ing, by some therapy or ecology of memory, then 'forgiveness' is not pure – nor is its concept".⁽¹²⁾

What interests him and motivates his writings on forgiveness is the pursuit of a forgiveness that is excessive. Derrida stresses that forgiveness should be distinguished from related themes such as excuse, regret, amnesty. These he sees as all in various ways being governed by law (and we will remember that he crucially distinguishes law and justice). Indeed, he commences his essay 'To Forgive' by pointing out that there is a gift in forgiveness as well as in pardon (one of the French words for gift is *don*). Derrida does not want to conflate forgiveness and the gift (he points out, for example, that the former concerns the past whereas the latter does not) but he does argue they are indissociable.

To understand the gift in forgiveness, we perhaps need to know a little more about what Derrida has to say about the gift more generally. One way to briefly summarize the issues at stake is via reference to his criticism of the work of Marcel Mauss. In *The Gift*, Mauss had proclaimed the superiority of the potlatch of primitive societies over the exchange economy of modern capitalism. Derrida carefully follows and unpicks his arguments and shows how obligations are already inherent in the primitive system, as evidenced by Mauss' use of the term 'gift-exchange'. Derrida suggests that, contrary to the primitive practice Mauss praises, in order for there to be a gift it must not be reciprocated. There must be a break with economy, with give and take, with return. As soon as one starts to say thank you for the gift, it is canceled because I have received something in return, even if that is only the satisfaction of a 'thank you'.

Derrida will thus go so far as to say: "if I am conscious that I forgive, then I not only recognize myself but I thank myself, or I am waiting for the other to thank me, which is already the reinscription of forgiveness into an economy of exchange and hence the annihilation of forgiveness".⁽¹³⁾ Forgiveness occurs beyond all considerations of

12- Ibid., 32.

13- 'On Forgiveness: A Roundtable', 53.

give and take. As Derrida says in a book on Lévinas, to forgive, to proceed 'by-gift' (*par-don* in the French), is to give a gift that goes beyond economy.⁽¹⁴⁾ Similarly, he says in an interview: "one forgives, if one forgives, beyond any categorical imperative, beyond any debt and obligation".⁽¹⁵⁾ Forgiveness is a gift that exceeds any calculation or economy: "if I grant forgiveness on condition that the other confess, that the other begin to redeem himself, to transfigure his fault, to dissociate himself from it in order to ask me for forgiveness, then my forgiveness begins to let itself be contaminated by an economy, a calculation that corrupts it".⁽¹⁶⁾

The Paradox of Forgiveness

Derrida argues that at the heart of forgiveness we are beset by paradox: "if there is something to forgive, it would be what in religious language is called mortal sin, the worst, the unforgivable crime or harm." This is a point he repeats in a number of different statements: "forgiveness forgives only the unforgivable." "It can only be possible in doing the impossible".⁽¹⁷⁾ Forgiveness is what Derrida calls 'an event', a matter which concerns him in many different forms throughout his writings: how does the absolutely new, the impossible, come to happen, to be possible. In drawing out this paradox, Derrida turns to examine two works by Vladimir Jankélévitch. The first is *Le Pardon* and the second *L'Imprescriptible*.⁽¹⁸⁾ The background to this second publication is the 1964 law in France making crimes against humanity imprescriptible, that is, without legal time limit. In that essay, Jankélévitch says all is forgivable except the crime against the humanity of man, the crime against what makes a man,

14- Jacques Derrida, *Adieu to Emmanuel Lévinas* (Stanford University Press, 1999), 112.

15- Jacques Derrida, *Negotiations: Interventions and Interviews* (Stanford University Press, 2002), 351.

16- Derrida, 'To Forgive', 46.

17- Derrida, *On Forgiveness*, 32.

18- Derrida also talks about Jankélévitch in an interview with Dr Michal Ben-Naftali, wbroadcast on television shortly after the Jerusalem lecture and at which he first presented the text that was later printed in *On Forgiveness*: http://www1.yadvashem.org/odot_pdf/Microsoft%20Word%20-%203851.pdf (accessed: 28 December 2012).

a man. This, Derrida says, is similar to Hegel's argument that all is forgivable except the crime against spirit.

Derrida contests Jankélévitch's point. He argues that the Abrahamic tradition of forgiveness contains an unresolved and unresolvable tension between conditional and unconditional forgiveness. The first would be gracious, infinite, granted to the guilty as guilty and even to those who do not ask forgiveness. The second would be conditional, proportional and carefully considered, granted to the repentant, who are then no longer guilty in the same way as before. His suggestion is that there is a double and contradictory injunction at work when we talk of forgiveness.

In 'L'Imprescriptible', Jankélévitch, speaking of the Germans, refuses to forgive in the absence of repentance. He says, and we might do well to remember that his personal background was that of a Russian Jew, that the Shoah is 'inexpiable' and 'irreparable'. In the name of the victims, Derrida suggests, he speaks to us of a duty of non-forgiveness. "Forgiveness died in the death camps," Jankélévitch says. Yet elsewhere, in *Le Pardon*, as Derrida observes, he speaks of the absolute forgiveness inspired by Jewish and Christian sources. Indeed he talks there of "an imperative of love" and a "hyperbolic ethics".⁽¹⁹⁾ The two positions become intertwined in an exchange of letters between Jankélévitch and Wiard Raveling, a young German, following the publication of 'L'Imprescriptible'. In a moving correspondence, which Jankélévitch says he has waited thirty-five years for, he appears to maintain his positions while speaking of being too old to join with the young German. Derrida examines the texts in some detail and suggests that "the uncrossable will remain uncrossable at the very same moment it will have been crossed over".⁽²⁰⁾ Perhaps Jankélévitch does forgive even while protesting he does

19- *Le pardon* was first published in French in 1967. Andrew Kelley translated it into English as *Forgiveness* in 2005. *L'Imprescriptible's* first French edition was 1971. As yet only a section (perhaps confusingly entitled "Pardonner?") has yet been translated into English. See Ann Hobart (trans.) 'Should We Pardon Them?' *Critical Inquiry* 22 (1996), 552-72. The editors of the Routledge volume unfortunately failed to footnote the original sources for Derrida's quotes or to note whether the translations were his own or not. There is a similar problem in relation to Arendt.

20- Derrida, "To Forgive", 41.

not! As we shall see in the section on the secret of forgiveness, if we can never finally comprehend the experience of forgiveness, we can never certify it as having taken place on any particular occasion.

In his analysis, Derrida questions a number of assumptions that are implicit in Jankélévitch's thought. Firstly, that forgiveness must be asked for. Derrida thinks not:

"I wonder if a rupture of this reciprocity or this symmetry, if the very dissociation between forgiveness asked for and forgiveness granted, were not de rigueur for all forgiveness worthy of the name."⁽²¹⁾ A second is that forgiveness is something human, or that it is a correlate of the possibility of punishing. Jankélévitch says: "men are unable to forgive what they cannot punish."⁽²²⁾ This latter point is one Arendt also makes: "Punishment has something in common with forgiveness, as it tends to put a limit on something that without intervention could continue indefinitely." Jankélévitch and Arendt thus argue that the unforgivable is also unpunishable. Derrida would contest such a link and, indeed, would suggest that, on the contrary, the only thing that really calls for forgiveness is the unforgiveable. In the middle of 'On Forgiveness', Derrida opens up a series of questions for which he does not presume to finally produce answers; these 'immense questions are left open'. In pursuing them instead of finding answers, in a Socratic way, we only deepen the paradox of forgiveness. The first question is: "What do I forgive? And whom? What and whom? Something or someone?"⁽²³⁾ Is it an act we forgive or a person? Here a whole series of questions open up as to whether the person who committed the act and the person who is forgiven are the same. There is, for example, an ambiguity in the tradition of thought on forgiveness about whether we are forgiving the perpetrator of an act or a repentant who later asks for forgiveness. Derrida rejects the idea that the later really is

21- Ibid., 27.

22- Derrida, *On Forgiveness*, 30.

23- Ibid., 38.

forgiveness and suggests: "in order for there to be forgiveness, must one not... forgive both the fault and the guilty *as such*".⁽²⁴⁾

A second question is who is asked to forgive? Is it God? Is it the victim? Derrida observes how the Roman Catholic Church in France asked forgiveness concerning acts and omissions during the Second World War.⁽²⁵⁾ But this forgiveness was not asked of the population in general or of the victims. Speaking of the Shoah, Derrida says (echoing Simon Wisenthal): "only the victims have the right to forgive... the question of forgiveness cannot be asked today as such, in pure form".⁽²⁶⁾ Indeed, he suggests that the reason we ask God for forgiveness is not because 'only God can forgive' (as some people might say) but because God becomes 'the absolute substitute', 'an absolute superstes', 'an absolute and unnameable singularity', 'the absolute witness'. When there is nobody to ask forgiveness of, there remains only God to ask forgiveness of.

Related to this is the question of whether the scene of forgiveness is individual or institutional. Does it require a face-to-face situation or is an institutional mediation possible? Derrida suggests that in principle forgiveness must engage two singularities: the guilty and the victim. As soon as there is a third party, then the scene becomes one of amnesty, reconciliation, or reparation. This is a point made by one of the witnesses who appeared before the Truth and Reconciliation Commission in South Africa. Speaking in one of the eleven languages recognized by the South African Constitution, she said (as translated by Dr Tutu): "A commission or a government cannot forgive. Only I, eventually, could do it. (And I am not ready to forgive)."⁽²⁷⁾ As Derrida points out in the 'Roundtable' these words in English are ambiguous (and we do not have them preserved in the original language), but what is clear from them is the suggestion that the representative of the State can judge but s/he has no role in forgiveness. As we shall see, Kant makes the same argument

24- Ibid., 39.

25- This position is also elaborated on pp4-5 of Derrida's Jerusalem interview.

26- Interview, 17.

27- Derrida, *On Forgiveness*, 43.

that forgiveness is something beyond the law. But then who can forgive? Can the wife of the disappeared man even forgive? There is strictly speaking, Derrida suggests, nobody of whom forgiveness can be asked in the case of the disappeared.

As we grapple with the paradoxes of forgiveness, we come to face the impossibility of forgiveness. In 'On Forgiveness' Derrida asks: "Must one not maintain that an act of forgiveness worthy of its name, if there ever is such a thing, must forgive the unforgivable and without condition." He makes clear his position in 'To Forgive': "there is only forgiveness, if there is such a thing, of the un-forgivable. Thus forgiveness, if it is possible, if there is such a thing, is not possible, it does not exist as possible, it only exists by exempting itself from the law of possibility".⁽²⁸⁾ We reach a point where we are forced to concede: "forgiveness is mad...a madness of the impossible".⁽²⁹⁾ This is not to say that it does not happen or that we should not try to make it happen. Forgiveness will not occur unless we engage in concrete ways in actual situations. Equally, amnesty, reconciliation and reparation cannot happen without reference to the horizon of a pure forgiveness. We never have one entirely without the other. "If we want to embody an unconditional forgiveness in history and society, we have to go through conditions. We have to negotiate the unconditional and the conditional."⁽³⁰⁾ We must risk forgiveness but we must do so responsibility not blindly.

The Secret of Forgiveness

Forgiveness is an act of communication. In order to engage in forgiveness the fault must be understood, who is guilty and of what must be known. Yet Derrida thinks it improbable that we can ever finally possess such complete knowledge. Just to begin with, think through any situation in need of forgiveness: Is it possible that both sides can be fully aware of everything that makes up that situation?

28- Derrida, 'To Forgive', 48.

29- Derrida, *On Forgiveness*, 39.

30- Derrida, 'To Forgive', 58.

If the victim understands, speaks and agrees with the offender, reconciliation has been commenced not forgiveness. Indeed, even if they just do this while saying, “I do not forgive,” a process of reconciliation has still begun. When we say we understand an offense or offender, the offending act as something in need of forgiveness disappears. We know why someone did something and we might then say that the act that offended has been explained away. We can also imagine someone – Derrida says – “a victim of the worst” who demands justice and that those criminals appear before a court, yet in his heart forgives. Forgiveness exceeds comprehensibility; it is something for which we can never fully account. Again, we press the limits of rationality: “Forgiveness is thus mad. It must plunge lucidly into the night of the unintelligible.”⁽³¹⁾

Another way of saying this is to say that forgiveness is secret. Again, similar to the *gift* this is a term Derrida uses repeatedly elsewhere in his work and perhaps needs some elaboration for those unfamiliar with his philosophy.⁽³²⁾ The secret, for Derrida, is that which exceeds the political or the judicial; it is what is inaccessible to them. It is that which is unreadable and inaccessible in principle. Derrida says that the other is constituted by the secret. This does not mean that there is a particular matter about which I am not being told but that I can never, in principle, know another (human or otherwise) in their entirety and exhaustively. Indeed, Derrida argues I can never know myself comprehensively. I am a secret from myself. This secret is the condition of any communication. We can never communicate with complete transparency because our communications, similar to our selves, are structured by the secret. My meaning is in excess of my intention, or as Lévinas puts it, the saying exceeds the said.⁽³³⁾ Forgiveness is secret then because to forgive another is to engage in a process that is more than a communication. Derrida insists regarding forgiveness: “The secret of this experience remains.

31- Derrida, *On Forgiveness*, 49.

32- See further Jacques Derrida, *A Taste for the Secret* (Polity, 2001).

33- Emmanuel Lévinas famously introduces this distinction in *Otherwise than Being or Beyond Essence* (Springer, 1981).

It must remain intact, inaccessible to law, to politics, even to morals: absolute." He asks us to: "Imagine a victim of terrorism, a person whose children have been deported or had their throats cut, or another whose family was killed in a death oven. Whether she says 'I forgive' or 'I do not forgive' in either case I am not sure of understanding. I am even sure of not understanding and in any case have nothing to say. This zone of experience remains inaccessible and I must respect its secret."⁽³⁴⁾ The experience of forgiveness is incommunicable.

The Powerlessness of Forgiveness

We have seen several times Derrida pointing out that forgiveness is something that happens beyond the judicial or penal sphere. Yet, he also observes "the only inscription of forgiveness in the law, in juridical legislation, is no doubt the right to grant clemency"⁽³⁵⁾ Clemency, it will be remembered, is the act by which, in many countries, in both the monarchical and republican traditions, a head of state can pardon a criminal. Derrida observes that this 'right of grace' amounts to a power above the law and, thus, even this occasion of forgiveness, that is inscribed within the law, exceeds the law. At the top of the system of law is a power that escapes it. Derrida notes that this is theological in origin, a divine right. Usually this is secularized, but in the case of the United States it is not even that (the President takes an oath on the Bible, uses religious language in official discourse and invokes God in addressing the nation). Kant insists in the *Metaphysics of Morals* that this right should only be used by the sovereign to pardon crimes relating to himself lest injustice result. He thereby implies that "forgiveness in general should only be permitted on the part of the victim" (a position we have seen Derrida mention before).⁽³⁶⁾ With regard to the possibility of injustice, Derrida cites the case of Bill Clinton pardoning a number of Puerto Ricans imprisoned for terrorism at a time when his wife was

34- Derrida, *On Forgiveness*, 55.

35- Derrida, 'To Forgive', 32.

36- Immanuel Kant, *Metaphysics of Morals*, Introduction to §50 and following. Derrida, 'To Forgive', 34.

running for the senate in New York State, which has a large population from that island.

If forgiveness is a gift, a secret, impossible, who could rightfully assume the power to forgive? Derrida says that “what makes the ‘I forgive you’ sometimes unbearable, or odious, even obscene is the affirmation of sovereignty”.⁽³⁷⁾ Given that we can never fully give reasons for forgiving, Derrida can find objections to the assumption of the power to forgive. Bearing this in mind he wants us to constantly question who can forgive and to remember victims who are powerless to forgive. He not only sees the misuse of forgiveness as an additional crime but also argues that ultimately “one would have to be forgiven forgiveness”.⁽³⁸⁾ Nobody has a right to forgive, a power that could be fully justified and legitimated. Forgiveness never occurs without someone presuming this power to forgive that they can never be assured of having. Nobody can claim the right to forgive, no-one can be sure they are engaged in forgiveness rather than merely some process of reconciliation. Yet forgiveness happens. The power of forgiveness is also the powerlessness of forgiveness. As Derrida concludes: “What I dream of, what I try to think of as the ‘purity’ of a forgiveness worthy of its name, would be a forgiveness without power: *unconditional but without sovereignty*.”⁽³⁹⁾

Conclusion

In his work on forgiveness, Derrida attempts to rationally account for an act, which exceeds any final rational accountability. It is not surprising then that his texts on the subject are found to be difficult. Forgiveness is paradoxical and we must constantly go against common assumptions in trying to comprehend what happens within this act. In an introduction to Derrida’s work on forgiveness, it would be inappropriate to plunge into the details of the secondary literature on the topic. I would, however, like in conclusion to

37- Derrida, *On Forgiveness*, 58.

38- Derrida, ‘To Forgive’, 22.

39- Derrida, *On Forgiveness*, 59.

warn against two errors or ways of misreading that are commonly repeated.

The first is to fail to come to grips with either Derrida's texts on forgiveness or, more commonly, the philosophical background to these essays (i.e. his ethics of the other, his work on the gift, the secret, etc). Under this heading, I would, for example, include *Contemporary Political Theory* which published an essay by Ernesto Verdeja in 2004 that objects to the way that Derrida allegedly "requires forgetfulness".⁽⁴⁰⁾ This line of argument (without even proceeding to examine others) is, however, completely invalidated by Derrida's explicit statement in 'To Forgive' (2002) that "forgiving is not forgetting (another enormous problem)".⁽⁴¹⁾

Other authors, I would turn to here, such as Andrew Fiala, give accounts of Derrida's work on forgiveness that pay no attention whatsoever to the distinctions he has gone great trouble to establish in his texts on forgiveness or elsewhere in his work. Fiala says nonchalantly, "I will use the term 'justice' as more or less equivalent to 'retributive justice' ", ignoring everything Derrida has said in 'Force of Law' and after about the difference between law and justice; Fiala fails to understand, therefore, how for Derrida forgiveness is a response to a singularity that is inspired by justice and goes beyond law. This misreading seems to be largely motivated by a desire to ignore what Derrida has to say concerning the way in which we can never fully account for an act of forgiveness and to return it to being something for which we can give a complete rational account. Verdeja similarly thinks that one can forget about the complexity of Derrida's analysis merely by pointing out 'disturbing implications' (philosophy would never have begun if Socrates had taken 'disturbing implications' as grounds for dismissing an argument).⁽⁴²⁾ Time and again, this move is played against Derrida and rather than facing up to the ethical challenges contained in the act of forgive-

40- Ernesto Verdeja, 'Derrida and the Impossibility of Forgiveness' *Contemporary Political Theory* 3 (2004), 43.

41- Derrida, 'To Forgive', 23.

42- Verdeja, 'Derrida and the Impossibility of Forgiveness', 23.

ness, which he clearly show us, his arguments are sidestepped and we are comforted with the possibility of schemas of conditions that could be met for forgiveness to be said to have taken place.

I suggest that we should follow Derrida and take up the responsibility of forgiveness, an ethical task that must be undertaken without any assurance from philosophers that we can know with certainty that we have ultimately done the right thing. This is not to say we should abandon rational discussion of forgiveness, as Derrida points out: “when I opposed the conditional to the unconditional I immediately added that they were absolutely irreducible to one another but indissociable”.⁽⁴³⁾ Derrida does not object to pragmatism and processes of reconciliation, and would never deny that we sorely need those on many occasions. Yet, he does not confuse them with the almost unbearable demands made by elements of the concept of forgiveness we have inherited from the tradition. We need to understand what it is we do when we forgive, which perhaps means above all understanding that forgiveness is a leap that we must risk but that we can never finally justify.

Dr. Mihail Evans is Research Fellow at the Institute for Advanced Studies, New Europe College (NEC), in Bucharest, Romania. He is a graduate of the Universities of Wales, Nottingham and Oxford and has taught for the Stanford University Centre in Oxford and for Oxford University’s OPUS program for visiting American undergraduates. His doctoral thesis was entitled ‘Jacques Derrida – A Politics’. His current interests include democracy, the philosophical study of nationalism and identity, the philosophy of sexuality and medicine as well as the interface of philosophy and historiography. E-mail address: mihail@riseup.net

43- Derrida, ‘To Forgive’, 58.