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Sungnōmē in Aristotle

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Abstract: Aristotle claims that in some extenuating circumstances, the correct response to the wrongdoer is *sungnōmē* rather than blame. *Sungnōmē* has a wide spectrum of meanings that include aspects of sympathy, pity, fellow-feeling, pardon, and excuse, but the dominant interpretation among scholars takes Aristotle's meaning to correspond most closely to forgiveness. Thus, it is commonly held that the virtuous Aristotelian agent ought to forgive wrongdoers in specific extenuating circumstances. Against the more popular forgiveness interpretation, I begin by defending a positive account of *sungnōmē* as the correct judgment that a wrongdoer deserves excuse since she was not blameworthy. I will then argue that as *sungnōmē* is merited on the grounds of fairness, this shows that both the forgiveness interpretation and a third, alternative interpretation of *sungnōmē* as sympathy mischaracterize both the justification for *sungnōmē* and its nature. Moreover, I will argue that Aristotle not only lacks an account of forgiveness but in fact, his account of blame is incompatible with forgiveness altogether.

Keywords: Aristotle, forgiveness, blame, *sungnōmē*, *epieikeia*

Aristotle opens *Nicomachean Ethics* Book III by declaring that some types of action should receive praise and blame, while others instead deserve *sungnōmē* and even pity (1109b30-32). In some extenuating circumstances, the correct response to a wrongdoer (a descriptive term for any person who performs a wrong action) is *sungnōmē* rather than blame (1110a23-26). *Sungnōmē* has a wide spectrum of meanings that include aspects of sympathy, pity, fellow-feeling, pardon, and excuse, but the dominant interpretation among scholars takes Aristotle's meaning to correspond most closely to forgiveness.¹ Thus, it is

¹ For general discussions of the term in Greek culture, see Griswold (2007, 2–12) and Konstan (2008, 22). Kenny notes the wide semantic range of *sungnōmē*, and briefly suggests that Aristotle intends both excusing and pardoning in different contexts (1979, 28–29). For those taking *sungnōmē* to mean something akin to forgiveness or sympathy, see notes 30 and 23, respectively.

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commonly held that the virtuous Aristotelian agent ought to forgive wrongdoers in specific extenuating circumstances.

Against the more popular forgiveness interpretation, I will, first, defend a positive account of *sungnōmē* as the correct judgment that a wrongdoer deserves excuse since she was not blameworthy. Second, I will argue that as *sungnōmē* is merited on the grounds of fairness, this provides additional evidence that both the forgiveness interpretation and a third, alternative interpretation of *sungnōmē* as sympathy mischaracterize both the justification for *sungnōmē* and its nature. Since fairness provides the justification for *sungnōmē*, it is inappropriate to refrain from blame on the basis of fellow-feeling. Additionally, as blame is unfair only in cases where the agent is not blameworthy, the wrongdoing agent is excused but she is not forgiven. Moreover, I will argue that Aristotle not only lacks an account of forgiveness but in fact, his account of blame is incompatible with forgiveness altogether. Finally, I suggest that better understanding the nature of *sungnōmē* for Aristotle will shed light on the overlooked topic of Aristotelian blame.

1 *Sungnōmē* and Judgment

Book VI of the *Nicomachean Ethics* discusses the intellectual virtues, beginning with knowledge (*epistēmē*), theoretical wisdom (*sophia*), and practical wisdom (*phronēsis*), before turning in the later sections to accounts of deliberation (*bouleusis*) and comprehension (*sunēsis*). To deliberate well is to reach the correct conclusion about the appropriate means toward the final end, while comprehension is accurate discernment of what practical wisdom commands. Thus, the person possessing practical wisdom (the *phronimos*) is able to deliberate about what it is to live well, and thus knows how to act to promote her final end (*NE* VI.5 = *EE* V.5, 1140a25-b22; cf. 1141b13-14). It is after this discussion that another intellectual virtue appears, coupled with an explicit description of *sungnōmē*:

What is called judgement [*gnōmē*], in virtue of which men are said to be *sungnōmonas* and have judgement, is the right discrimination of the equitable [*epieikous*]. This is shown by the fact that we say that the equitable man is above all others a *sungnōmonikon* man and identify equity with *sungnōmē* about certain facts. And *sungnōmē* is judgement which discriminates what is equitable and does so correctly; and correct judgement is that which judges what is true.² (*NE* VI.11 = *EE* V.11, 1143a19-24)

² Here I follow W.D. Ross's translation, slightly revised.

Like the other virtues in the surrounding chapters of Book VI, *gnōmē* is concerned with the excellent use of reason and, in particular, with judgment.³ *Gnōmē* is the cognitive ability to come to considered, sensible, and correct conclusions, and the most salient case is the type of excellent judgment given in judicial decisions by judges and juries, although everyday judgments of blame and punishment are within the purview of the virtue as well.⁴

In his terminology, Aristotle here draws attention to the root meaning of *sungnōmē* as “with judgment,” from the prefix *sun-* (with) plus *gnōmē* (judgment). The prefix “*sun-*” indicates further that the particular type of judgment Aristotle is addressing here is not only good judgment, but a particular kind of good judgment: one regarding another person and where the opinion is with the judged person (that is, on the side of the judged).⁵ Thus, the person who possesses the virtue of *gnōmē* will know when it is equitable to judge both that a wrongdoer does not deserve to be blamed or that she does deserve to be blamed. When she is not deserving of blame, the judgment is said to be on her side, and hence, the agent who possesses *gnōmē* is also said, in those situations, to be *sungnomōn*.⁶ Thus, to give *sungnōmē* to someone is to assess correctly that good judgment is on the side of the person under consideration. The judgment takes into account not merely the action, but also its context and the agent’s character and motivations, but no mention is made of any feeling of sympathy the judge might or might not feel.

Aristotle then specifies the form that the correct judgment will take. A person who employs *sungnōmē* correctly judges a situation by determining accurately what the equitable action to take is, and thus “judging with” is correct judgment precisely because it is what is truly equitable. *Sungnōmē* thus

3 See also Urmson (1988, 66). Generally speaking, *gnōmē* is concerned with all judgment (whether good or bad), but since the discussion of *gnōmē* occurs in the middle of a chapter focused on intellectual virtue, here it is clear that Aristotle is concerned with good judgment rather than all types of judgment.

4 John Burnet and J.A. Stewart claim, respectively, that an agent with *gnōmē* is one with “fine feeling” (Burnet 1900, 279) or “social sympathy” (Stewart 1892, v. II, 88–90), claims that seem to undercut the essentially cognitive nature of *gnōmē*. That *gnōmē* is essentially cognitive and not affective, however, seems to me to be clear from the fact that Aristotle’s discussion of *gnōmē* occurs in the middle of a chapter focused on intellectual virtues. Moreover, since it is *gnōmē* that Athenian jurors were required to use to judge correctly at trials, and it is a judgment that is being issued, I conclude that we ought to have no doubt that *gnōmē* is a cognitive judgment.

5 See Burnet (1900, 279); Rackham (1934, 359); and Reeve (2013, 229).

6 *Sungnōmonikon*, the adjectival form of *sungnōmē*, may refer to the action deserving *sungnōmē*, the agent deserving *sungnōmē*, or to the person who has a tendency to correctly judge that *sungnōmē* is deserved.

is a judgment that is equitable or fair (*epieikeia*), given when the person being judged does not deserve blame or punishment.⁷

2 Justice, Equity, and *Sungnōmē*

Since *epieikeia* provides the content for a judgment of *sungnōmē*, exploring the nature of equity and its relation to strict justice (*dikaionē*) is necessary for fully understanding Aristotelian *sungnōmē*. The equitable agent knows how it is fair to treat people across a spectrum of cases, while the judgment that an agent deserves *sungnōmē* (as indicated by its literal meaning of “with judgment”) is given in cases when the agent has done a wrong action, and yet she is not blameworthy for this action. Both *epieikeia* and *sungnōmē* justify an overall assessment of the agent, providing the basis for knowledge of whether it is fair to blame and/or punish her (*NE* II.11, 1228a12-18; *Rhet.* I.13.17-18, 1374b).

Aristotle’s account of justice is explained in *NE* Book V = *EE* IV. After developing a systematic account of justice, Aristotle contrasts what is legally required (and thus is merely accidentally just) with what is intrinsically just. To be intrinsically just is much more difficult than acting in accordance with legal justice, since it requires knowledge of what is just, knowledge of how to do just actions in the right state and right way, and what is appropriate to allocate in different circumstances (1137a9 ff.).

Aristotle next examines the nature of equity, which is what enables legal justice to be rectified in cases where strict application of the law would not result in absolute justice:

[what is] equitable is just, but is not the legally just, but a rectification of it. This is because all law is universal, but in some areas no universal rule can be correct; and so where a universal rule has to be made, but cannot be correct, the law chooses the [universal rule] that is usually [correct], well aware of the error being made.⁸ (*NE* V.10 = *EE* IV.10, 1137b12-18)

Strict legal justice is required to follow the letter of the law, even if a law fails to account for a particular element of a situation that should mitigate or eliminate the wrongdoer’s punishment. This sort of justice must allow the punishment to stand, since this application is generally correct. If the legislator herself were able to foresee all possible outcomes of her own law, the law would reflect that punishment is not deserved here. However, in the particular type of case discussed here, the law does not recognize the particular extenuating

⁷ I use both “equity” and “fairness” synonymously for *epieikeia*.

⁸ Irwin’s translation, slightly revised.

circumstance. The judge must therefore correct what punishment and blame would naturally seem to follow from application of the law, since she must give blame and punishment in accordance with what true justice would require. Thus, Aristotle concludes that the nature of equity is the “rectification of the law insofar as the universality of law makes it deficient,” so the equitable is what is just absolutely (1137b20-27).⁹ A judgment in keeping with equity or fairness will take extenuating circumstances into account when deciding what sort of sanctions are appropriate, ensuring that the initial intention of appropriate judgments, punishments, and blame are applied, even when the written law would allow or require harsher treatment. Thus, an equitable person is reasonable, even when the law would allow him to demand more compensation from the person who harmed him, since he understands that, in this instance, to demand what the law allows would go beyond what is fair (1137b35-1138a3).¹⁰

Aristotle expresses a similar idea in the *Rhetoric*, writing that equity is “justice that goes beyond the written law,” since lawmakers cannot take into account all possibilities when a law is drafted (*Rhet.* I.13.13, 1374a). Careless law drafting and unavoidable vagueness due to the infinite number of indefinite cases plague any attempt to deal with all wrongs systematically (1374a27 ff.). For example, Aristotle offers the following example: a man might lift his hand or strike someone while wearing a ring and thereby violate the technical letter of the law, even if he did not harm anyone or intend for harm to happen.¹¹ Strict justice in accordance with the law would demand that he be punished, but equity would recognize that he has not done anything worth punishing, since it takes into account the circumstances that the law cannot.

Aristotle continues in the same passage in the *Rhetoric* by drawing the connection once again between *sungnōmē* and equity: “it is clear what kinds of actions are fair and what are not fair and what kind of beings are not fair:

⁹ Brunschwig (1999) and Hewitt (2008) offer detailed defenses of the further claim that this absolutely just nature of *epieikeia* is also what is universally just, and not merely just for a particular society.

¹⁰ Cf. *NE* V.9 = *EE* IV.9, 1136b17. Here the equitable person isn’t the judge or jury but the person who was harmed or owed. He may take less than what he is owed of some good (e. g., money), but he receives more of another good (e. g., reputation of what is fine), so it all becomes equal in the end. As long as it is his choice to do so, he suffers no injustice even though he may receive less of some good than the law allows.

¹¹ Whatever the precise nature of the law, it is clear that the law has failed to account for some aspect of the case that should exempt the agent from punishment or blame, and the equitable judge would recognize this. One suggestion is a prohibition discussed by Quintilian against “wounding with an iron instrument” (Cope and Sandys 1877, 256–7). Given ambiguity in what is an instrument, the agent has broken the law, even though he is not guilty of any wrongdoing.

those actions that [for which one] should *sungnōmēn exein* are fair” (*Rhet.* I.13.15, 1374b). Recognizing when an agent’s circumstances do not warrant punishment or blame is necessary to judge correctly that an agent merits *sungnōmē*, and this requires the ability to discriminate what is equitable on the basis of juridical reason and not sentimental feeling.¹²

Concluding the passage in the *Rhetoric*, Aristotle writes:

And [it is also fair] to look not to the law but to the legislator and not to the word but to the intent of the legislator and not to the action but to the deliberate purpose and not to the part but to the whole, not [looking at] what a person is now but what he has been always or for the most part. (*Rhet.* I.13.17-18, 1374b)

Determining whether *sungnōmē* is deserved is a complex process with an array of factors to consider, including the cause of the action, the type of ignorance involved, and whether the agent was pushed beyond what we could reasonably expect of her. Both the judicial agent and the person making judgments in his everyday life should not simply mechanically apply the law or the rule to determine how to respond. The fair judge understands that even similar-seeming cases may be quite different, once everything pertinent is accounted for, and she responds appropriately to those distinctions. Thus, considering all of the relevant aspects (not just the action, but also the agent, her motives, and the circumstance in which she acted) is a part of fairness that the good judge must take into account.¹³

3 *Sungnōmē* and Action Types

Action classification gives guidance and insight into why an agent is or is not deserving of *sungnōmē*, as Aristotle makes explicit in the final lines of the passage. There Aristotle explains that classification distinguishing between the types of actions laid out in this passage is important because “some involuntary

¹² As Gauthier and Jolif (1959) note in their commentary, 432–433.

¹³ Shortly after he defines *sungnōmē*, Aristotle writes that a person possesses the faculties of comprehension and correct discrimination of the equitable when she is “able to judge about matters that concern the prudent person; for the decent is the common concern of all good people in relation with other people” (*NE* VI.11 = *EE* V.11, 1143a30-31). Judging equitably and in accordance with *sungnōmē* is not limited to legal determinations about the justness of punishment, but more broadly in how we ought to judge and respond to a wide array of cases in everyday life. To judge as the decent or equitable person would is to determine what is fair, and when, in a given situation, it is fair that wrongdoer deserves *sungnōmē*, the person judging has acted equitably.

actions are *sungnōmonika*, and some are not” (*NE* V.8 = *EE* IV.8, 1136a5-6).¹⁴ Since these action classifications are an important part of the explanation for why some wrongdoers will receive *sungnōmē* for their actions and some will not, it is useful to discuss the distinctions Aristotle draws between different types of actions in both Books III and V.

In *NE* Book III, Aristotle explains three general types of action that deserve *sungnōmē*: first, when an agent is forced to perform an action; second, when an agent acts because of ignorance; and third, when her human nature is overstrained. I will address the first two here, and return to the third case in § 5 after I discuss a type of ignorance that is not excusing in § 4. In the case of force, the action has an external origin and the agent contributes nothing. Since she contributes nothing to the action, she is clearly not blameworthy for the action, and so she receives *sungnōmē* (1110b2-3, 16–17).

While ignorance is grounds for *sungnōmē* as well, not all ignorant wrongdoers will deserve *sungnōmē*. In determining where a particular case falls, what matters is the type of ignorance, the reason for the ignorance, and the response to the action afterward. To be eligible for *sungnōmē* on the basis of ignorance, an agent must meet three conditions: the ignorance must be of a particular fact, not a general principle (1110b31-1111a3), her wrong action must be *caused by* the ignorance and not merely *done in* ignorance (1110b24-30; 1136a6-7), and the wrongdoer must regret her wrong action (1110b19-24).

In *NE* V.8, Aristotle continues this discussion of the classification of actions from *NE* III.1 amidst a larger discussion about justice and responses to varying types of actions and agents. As in *NE* III.1, wrong actions done voluntarily or willingly are blameworthy (1135a21), and involuntary actions are actions that are due to ignorance, out of the agent’s control, or forced (1135a32-34), all types of actions eligible for *sungnōmē* in *NE* III.1. And, as Aristotle argued in *NE* III.1, an agent cannot simply act *in* ignorance but must act *from* ignorance to be eligible for *sungnōmē*. The specific kind of case of acting in ignorance that he has in mind, however, is somewhat different from the case mentioned in Book III, and so I will discuss this case separately.

4 Unnatural and Inhuman Desires

Now that force and ignorance have been discussed as two grounds for *sungnōmē*, I turn to another case involving ignorance. In this case, however, Aristotle explicitly says that the wrongdoer is not eligible for *sungnōmē*. I will argue below that this

¹⁴ The connection between deserving *sungnōmē* and action classification is also explicit in *Rhet.* I.13.15-16, 1374 where Aristotle lays out the same action classification as he does in *NE* V.8.

wrongdoer is not eligible for *sungnōmē* because the agent is exempt from blame altogether, rather than blame being forestalled in a particular case as with *sungnōmē*. Contrasting these two cases serves to highlight precisely when and why an agent who would normally deserve blame has blame forestalled by a judgment of *sungnōmē*, whereas the agent discussed in the passage below is simply not the type of agent who is ever eligible for blame in the first place.

At the end of *NE* V.8, Aristotle continues his discussion of the relationship between ignorance and *sungnōmē* by singling out a particular type of acting in ignorance that is not deserving of *sungnōmē*:

If someone's error is not only committed in ignorance, but also caused by ignorance, it is *sungnōmonikon*. But if, though committed in ignorance, it is caused not by ignorance but by some feeling that is neither natural [*phusikon*] nor human [*anthropinon*], it is not to be *sungnōmonikon*. (*NE* V.8 = *EE* IV.8, 1136a5-9)

Aristotle contends here that when an agent commits an error due to unnatural or inhuman passions while he happens to be ignorant, he is not eligible for *sungnōmē*. While the agent who acts *from* ignorance only acts because she is ignorant, ignorance is not the cause of the behavior of the agent who acts *in* ignorance. Aristotle's example of what it is for an action to be committed *in* ignorance and yet not *from* ignorance is that of an action that is caused by a feeling that is neither natural nor human. Aristotle does not specify what inhuman or unnatural desires are here, but he seems to be contrasting actions done from inhuman feeling against actions done because of appetite or other naturally human passions that were discussed just earlier in the section (1135b19-35). Unnatural or inhuman feelings do not belong either to spirit or to reason but rather to the appetites (1149b28-30).

Elsewhere Aristotle contrasts human and natural appetites with those that are beastly and hence inhuman and unnatural (*NE* VII.6 = *EE* VI.6, 1149b27-1150a3).¹⁵ An example of this type of brutish and irrational desire is found in those who are insane and also in vivid examples of violations of human taboos; while these are not human pleasures, the implication is that some beasts, at least, might find these to be natural pleasures since they lack reason (*NE* VII.5 = *EE* VI.5, 1148b19-24).¹⁶ Aristotle's examples here include ripping open

¹⁵ Stewart (1892, 511) notes the connection between the passages in Book VII regarding beastly actions and the discussion at 1136a5-9.

¹⁶ Cooper (2005, 17); Natali (2005, 108); and Curzer (2012, 383–6). Curzer thinks this is only within a certain sphere, rather than a person lacking reason altogether, but that dispute need not be settled here; what is relevant is that at least in the case of actions caused by beastliness, the agent is unable to reason.

pregnant women and eating their infants straight from the wombs (*NE* VII.5 = *EE* VI.5, 1148b19-24).¹⁷ Unlike when the vicious person acts, it is not that the bestial person's best part (the intellect) is corrupted, but rather, that it is missing altogether, and hence she is unable to be moved by decision at all.¹⁸ As Aristotle implies, it is more frightening because such a person has lost what makes her truly human: her reason. The virtues cannot apply to such an agent, and to call her either temperate or intemperate would be a misnomer; she can be neither virtuous nor vicious, since her action has no starting point (*NE* VII.1 = *EE* VI.1, 1145a25-27, 1147b3-5, 1150a1-3; *EE* II.6.10, 1223a10-14).¹⁹

But since praise and blame only apply to agents capable of virtue and vice, it now seems clear why such an agent is not eligible for *sungnōmē* either – it is not fairness that rules out blame here but rather that she is the wrong sort of creature to receive either praise or blame.²⁰ What matters here is her moral insensibility; she acts because of unnatural or inhuman feelings and she lacks the rational capacity to choose or decide otherwise.²¹ Since she is incapable of decision, she cannot act either virtuously or viciously, and hence neither praise nor blame are appropriate in the first place.²² Unlike the cases of ignorance discussed before, the bestial person is not the sort of agent who is eligible for blame in the first place. The bestial person is thus exempt from blame entirely, though she does not receive *sungnōmē*.

17 *Thēriōdēs* is coined by Aristotle here to describe someone “whose intellect is particularly weak, subject to particularly disgusting appetites and fears” (Natali 2005, 104), although he further notes that the adjectival form (*to thēriōdes*) is found in Plato (104 n3).

18 As Natali notes (2005, 123), this interpretation of the passage is held by “almost everybody.” See also Curzer (2012, 69–70 and 383–384).

19 Cf. *Pol.* III.16, 1287a28-32; *De An.* III.3, 429a6; and *MM* II.6, 1203a18-29.

20 Given the extensive scholarly debate over whether Aristotelian praise and blame applies only to those who act virtuously or viciously, it is beyond the scope of the present article to defend my position that Aristotelian praise and blame applies only to those capable of virtue or vice. Among those who have weighed in recently, see Irwin (1980), Sorabji (1980), Cooper (2013), and Echeñique (2012).

21 See Broadie (2002, 352) and Sparshott (1994, 117, 240).

22 See *NE* II.5, 1105b30-1106a7; *NE* VII.6 = *EE* VI.6, 1149a25-b5; *EE* II.6, 1223a10-14; and *Pol.* 1253a3. Stewart holds that although such a person is not responsible, she does not receive *sungnōmē* because her action is even more detestable than that of the vicious person's (Stewart 1892, 511). However, Aristotle does not say that explicitly, and it is at odds with his claim that beastliness is neither vicious nor virtuous (which are conditions of blame and praise), and also his explanation that having a starting point requires reason, and without that, a person cannot be virtuous or vicious. While beastliness is more frightening, this does not mean beastliness is more detestable.

5 Overstraining of Human Nature

Clarifying that wrongdoers might be exempt from blame even if they are not eligible for *sungnōmē* highlights that *sungnōmē* is for agents who generally meet the conditions of responsibility, but do not deserve blame in a particular case. With this clarification in mind, I now turn to the final type of agent that deserves *sungnōmē*. In addition to the types of actions that receive *sungnōmē* discussed above (forced actions and actions committed from non-culpable ignorance of a certain kind), the third type of case eligible for *sungnōmē* is one in which an agent does what she ought not to do because her human nature is overstrained. Aristotle explains this condition as one in which the agent is stretched to the utmost, circumstances in which we could not expect any human being to endure (*NE* III.1, 1110a23-26). She receives *sungnōmē* in this situation precisely because it is the sort of circumstance in which we could expect no agent to act well. Human nature, claims Aristotle, can only bear so much, and in cases where an agent strains under pressure that any other person would likely buckle under, it seems she should not be blamed in the same way as if the wrong action were committed in circumstances that would tempt no one except the vicious. The idea of overstraining is also found in some situations that are so frightening that no one could resist, and thus are “frightening to everyone—at any rate, to everyone with understanding” (*NE* III.7, 1115b8-9). Thus, there are some human feelings and reactions for which we expect certain responses from all people (including the virtuous), and not merely the vicious or incontinent. In cases of both fear and of wrong action, the overstraining is connected to the consequences, either from the feared object or from what will happen if the wrong action is not done. Unfortunately, as Aristotle acknowledges, it is difficult to determine which negative consequences are truly so terrible as to stretch an agent past the human breaking point and which an agent should have endured instead of breaking (*NE* III.1, 1110a30). That this is difficult to judge, however, is precisely why agents who habitually judge correctly must possess good judgment.

We are to refrain from blaming an agent who is overstrained not because we feel sorry for the agent who gives in to temptation in such circumstances, but rather, because it is fair that what a human being cannot be reasonably expected to resist is not held against the agent. A wrong action committed in those circumstances is not truly up to the agent, as Aristotle explains: “Being up to oneself [*to gar eph’ auto*] is, and is wholly reducible to, what one’s nature is able to bear. And what one’s nature is not able to bear and is not naturally within the domain of one’s desire or reasoning is not up to oneself” (*EE* II.8, 1225a25-27).

Thus the agent can be compelled to act either by rational compulsion (it would not be rational to refrain from acting, due to the weightiness of the consequence and how unweighty the wrong action is, for instance) or psychological compulsion (desires such as sexual desire or anger are sometimes so strong that they overpower one's nature). The human limits to withstand pressure are thus taken seriously, and *sungnōmē* is given in cases where extenuating circumstances exist, since “to *sunginoskein* human weakness is fair” (*Rhet.* I.13.17, 1374b).

The sheer difficulty of doing the right thing, however, does not by itself excuse an agent. Rather, one further necessary condition is required for an agent to be counted as having acted in a way that was not up to her: she must have tried to avoid acting in the wrong way. This acknowledges that credit is due if an agent actively tries to act rightly, as Aristotle notes: “For it is not surprising if someone is overcome by strong and excessive pleasures or pains; indeed, this is *sungnōmonikon*, provided that he struggles against them” (*NE* VII.7 = *EE* VI.7, 1150b5-8). To be worthy of *sungnōmē*, the agent cannot simply be overwhelmed by pleasure and pain, but instead, he must actively fight against the temptation rather than simply give in. It is only if he does so that he deserves any credit for the extenuating circumstances he finds himself in. Thus, in cases where an agent's human nature is overstrained, he is eligible for *sungnōmē* on the grounds that while he did his part to withstand temptation, no one could have acted any differently in the circumstances. As a result, it is only fair that he receives *sungnōmē*.

6 *Sungnōmē* as Excuse

Judging equitably considers all relevant facts to determine what an appropriate response to an agent is, not simply by following the letter of the law but by considering the motives and circumstances of the action. The virtuous judge recognizes human nature and its limits, as well as extenuating factors; in all three types of actions eligible for *sungnōmē*, the necessary criterion for eligibility is that it would not be fair to blame the wrongdoer (either because she was forced, ignorant, or overstrained). Since giving an equitable judgment is what extending *sungnōmē* involves, an agent who employs *sungnōmē* correctly will take the extenuating factors into account when considering whether blame is appropriate or not.

Sungnōmē thus best corresponds to the contemporary idea of excusing, since the justification for not blaming the agent is that although the action she committed was wrong, she was not blameworthy for it. In contrast to exemption

(when the bestial person is exempted from blame altogether because she does not meet the reason requirement), a wrongdoer that deserves *sungnōmē* is excused from blame in an individual situation because of particular excusing conditions. Excusing is appropriate on the grounds of fairness and the judge who correctly employs *sungnōmē* recognizes which excusing conditions are relevant in the circumstances and which are not.

Many contemporary varieties of excuses, such as pity or mercy, are not included since what is fair to excuse is determined not by affective response to the wrongdoing agent, but instead by a cognitive judgment. The judge need not feel pity, sympathy, or mercy in order to judge that someone merits *sungnōmē*, so fellow-feeling is neither a necessary nor a sufficient condition for judging that an agent should not be blamed. A judge may lack sympathetic feeling for a wrongdoer while judging him fairly, or be exceptionally sympathetic to a wrongdoer and yet fail to judge equitably. In fact, as I will contend in the next section, fellow-feeling frequently does undermine fair treatment of wrongdoers. Thus, in relation to blame, *sungnōmē* is the correct judgment that the agent who committed it deserves to have the blame that seemingly would apply forestalled in a particular circumstance (“seemingly” because strict justice would seem to demand it, but this fails to take into account the particular circumstances, so strictly following the law or rule in this case would not be doing justice).

7 The Case Against *Sungnōmē* as Sympathy

Now that I have defended a positive account for understanding *sungnōmē* as judgment that excuses on the basis of fairness, I will address two alternate interpretations (*sungnōmē* as sympathy and forgiveness) directly. While there is little explicit discussion in the literature, the majority of scholars who refer to *sungnōmē* in Aristotle’s account speak of it as forgiveness, pardon, or sympathy, and not as excuse.²³ I will now argue that these alternate interpretations are

²³ Among English translations of either the *NE* or *EE*, C.C.W. Taylor’s translation of books II-IV of the *NE* is the only one to use “excuse” for *sungnōmē* (instead of variations on either “sympathy” or “forgiveness”). Both David Konstan and Charles Griswold also agree that Aristotle’s usage of *sungnōmē* is closest in contemporary terms to “excuse,” but neither focuses on fairness as the primary justification for excuse. See Konstan (2008, 244), where Konstan claims that the relationship of status and power inherent in *sungnōmē* indicates it differs from contemporary conceptions of forgiveness, and Konstan (2010, 23–30), where Konstan’s focus is on the lack of emotional reconciliation inherent in Aristotle’s usage.

misguided since they imply a reading of Aristotle that undermines the fundamental elements of *sungnōmē* found in the texts examined in the previous sections. I will address sympathy in this section (§ 7) and forgiveness in the following section (§ 8).

I turn first to examining why understanding *sungnōmē* as sympathy fails to capture what is essential for Aristotle's account.²⁴ The common usage of sympathy involves feelings of concern, pity, and sorrow for another person, and thus *sungnōmē* understood as sympathy or sympathetic consideration suggests that when *sungnōmē* is given, the motivation for giving up blame is a type of fellow-feeling directed toward another's suffering. Attempts to see the wrongdoing agent's perspective provide the basis for the mitigation or forestalling of blame, based on the knowledge that we, too, might have been tempted by the same feelings. Thus, sympathy involves seeing and understanding the circumstance from the agent's point of view, and in response, feeling for the agent on the basis of her suffering or misfortune, which may result in pity or the removal of sanctions altogether.

Although Martha Nussbaum agrees with me that *sungnōmē* does not demand anything beyond justice and that the correct way to literally translate *sungnōmē* is as "judging with," she takes sympathy to play an essential role in *sungnōmē*. On her interpretation of Aristotle, *sungnōmē* requires the judge to "see the events from the agent's point of view," and seeing the events from the agent's point of view, in turn, requires experiencing-with and feeling as the wrongdoing agent does. She draws on Aristotle's *Poetics*, arguing that it is *sungnōmē* that makes it possible for us to feel pity and fear correctly and for the spectator to enjoy tragedy. This leads her to the conclusion that *sungnōmē* requires sympathetic identification with the wrongdoing agent.²⁵

Since Aristotle thinks that we should feel pity only for those who deserve it, appropriately feeling pity does require the ability to discriminate what is equitable (*Rhet.* II.8.2, 1385bff.). Nevertheless, it does not follow from the necessity of possessing *sungnōmē* in order to judge correctly who deserves pity that making the judgment requires correct feeling. The *Poetics* passage focuses on feeling pity and fear appropriately in tragedies, not in drawing judgments about

²⁴ Sarah Broadie and Christopher Rowe favor "sympathy" in their *NE* translation, and Martha Nussbaum takes sympathy to play a role in her conception of *sungnōmē* as well (Nussbaum 1993). In his recent translation of the *NE*, C.D.C. Reeve combines elements of both "forgiveness" and "sympathy" by employing "sympathetic consideration," which he explains as being similar to pardon or forgiveness, presumably because sympathetic consideration justifies the end result of pardon or forgiveness.

²⁵ Nussbaum (1993, 94–96).

whether blame or punishment is fair, and the *NE* passages give no indication that correct feeling is necessary for the judgment to be appropriate. While fellow-feeling may certainly accompany the judgment, a judge who excuses a wrongdoer because she feels sorry for him (and not because he deserves to be excused on objective grounds) has not judged correctly. It is the judgment of desert that justifies *sungnōmē*, not whether the judge sympathizes with the wrongdoer.

Moreover, the usefulness of correct judgment for appropriately responding to pitiful and fearful circumstances does not show that feeling as the alleged wrongdoer does is necessary to judge correctly. Whether vividly feeling the suffering of an alleged wrongdoer enables more equitable judgments is a separate issue. Aristotle himself would reject this thesis, for reasons I discuss below.

For Aristotle, the task of a *sungnōmonikos* judge is to decide correctly when a wrongdoer merits excuse, not to feel correctly toward the wrongdoer.²⁶ Since *sungnōmē* is justified on the basis of an impartial judgment of fairness, sympathy suggests a motivation of fellow-feeling for the wrongdoer that is not expected for Aristotle. Although the equitable judge will take the difficulty of doing the right thing in challenging circumstances into account when determining whether blame is merited and Aristotle is concerned about human frailty, the explanation suggested by the sympathy interpretation goes beyond this. While the judge may seek to understand the agent's motivations and the pressures she faced, no feeling is necessary to the judgment; rather, the judgment is an attempt to determine what is fair or reasonable *tout court*. Indeed, an attempt to understand the agent through the lens of sympathy may cloud judgment about what is fair, as flaws or faults are often overlooked, perhaps because we are blinded to what is truly fair due to identification with the agent. Since the wrongdoing agent herself may take her actions to be justified even when they are not, taking on her perspective may result in the wrong conclusion. Thus, sympathetic feelings do not help in judging whether blame is justifiably forestalled, even if trying to impartially understand an agent's motivations do.

Moreover, when we sympathize with an agent, sympathy may seem to justify giving up blame even when equity would not (e. g., "I know he deserves blame, but I can't bring myself to blame him when he is feeling so down"), and this sort of justification does not match Aristotle's account. Since feelings of sympathy can be offered even when blame is merited because the bad circumstances an agent is in are entirely her fault, the basis for judgment about whether it is fair to blame or punish is not fellow-feeling.

²⁶ This is the case even if the judgment might invariably lead to certain feelings (a conclusion that is possible, although not supported by Aristotle's text).

While in some sense *sungnōmē* does require the judge to recognize the wrongdoer's point of view in order to understand why she acted as she did, the correctness of the wrongdoer's point of view determines how the judge assesses her. As a result, feelings of sympathy and judgments that a wrongdoer deserves excuse (*sungnōmē*) can and do come apart. For instance, it is perfectly compatible with *sungnōmē* that the judge concludes it would be unfair to blame the wrongdoer and yet the judge lacks any particularly sympathetic feelings toward the wrongdoer. Similarly, it is also possible to sympathize with a wrongdoer without thinking that he was justified in acting as he did. For example, if a son murders his cruel father, the judge might well feel sympathy for the son's suffering while also recognizing that the son deserves blame since he was in no way justified for murdering his father. This demonstrates that, unlike blame and *sungnōmē*, sympathy and blame are compatible.

Additionally, Aristotle's own text undercuts the case for attributing fellow-feeling to Aristotle. In his discussion of reforming character and what makes the virtuous person so, Aristotle worries about the persuasive power of feelings that cannot be compelled to yield to argument but only to force. Someone who can be persuaded by reason to yield when he is wrong has the sort of character necessary for virtue, but the person who lives in accordance with his feelings does not (*NE* X.9, 1179b27-32). When feelings are used as the method of judging how to respond, they may diverge from what the virtue of judgment would determine is best, precisely for the sorts of reasons I suggest above. Thus, while sympathy may be useful in order to judge fairly or equitably, it is also, by Aristotle's lights, both unnecessary and possibly undermining since equity requires judgment and not feeling.

Additionally, even commentators who explicitly translate *sungnōmē* as "sympathy" do so on grounds that imply that the affective elements so important to our ordinary conception of sympathy are not part of Aristotle's account. Despite connecting *sungnōmē* to sympathetic understanding and appropriate feeling, Nussbaum's literal translations of *sungnōmē* as "judging with" indicates its essentially cognitive nature. Her description of the purpose of seeing from the agent's point of view also emphasizes the problem of judgment, not feeling: taking the agent's point of view is so that the judge "will begin to comprehend what obstacles that person faced as he or she acted," such as recognizing that the act was committed involuntarily or that the agent faced a terrible moral dilemma.²⁷ Similarly, in Sarah Broadie's commentary on *NE* III.1, she defines "sympathy" as the "readiness to see the case from the agent's point of view," which might be either on the basis of mitigating circumstances or on the basis of

²⁷ Nussbaum (1993, 94).

a defense of the action as a good one.²⁸ In either case, the purpose of seeing the wrongdoer's point of view is to make salient to the judge the excusing features. But this does not entail that the judge attempts to feel as the agent does, or even tries to understand the agent's feelings, but rather may simply mean that the judge is trying to understand why the agent committed the action and why she thought she was justified in doing so.²⁹ Thus, I conclude both that there are good arguments to reject the affective understanding of *sungnōmē* that sympathy implies, and, moreover, that even some of those who understand *sungnōmē* as sympathy do not require anything more than a cognitive judgment.

In § 8, I turn to the interpretation of *sungnōmē* as forgiveness or pardon. As with the sympathy interpretation, I will argue that on the forgiveness interpretation of *sungnōmē*, the justification for giving *sungnōmē* would no longer be fairness. Just as it is unfair to blame when it is not justified, it is unfair to refrain from blame when it is warranted on Aristotle's account, and so forgiving when the agent still deserves blame is not appropriate. Thus, I conclude that forgiveness as paradigmatically understood is incompatible with Aristotle's account.

8 The Case Against *Sungnōmē* as Forgiveness

The second alternate interpretation of *sungnōmē* is the most common, and on this interpretation, Aristotle's judge offers forgiveness or pardon to the wrongdoer. Its ubiquity is reflected in the fact that "forgiveness" and "pardon" are the most common translations of *sungnōmē*.³⁰ I have already argued that *sungnōmē*

²⁸ Broadie (2002, 311–12). The two ways this might be spelled out are not explicitly in the text; as Broadie notes, Aristotle does not distinguish between them. Cf. Broadie (2002, 377).

²⁹ Importantly, despite using the term "sympathy," Broadie's language seems to indicate that the judge displays a consistently cognitive disposition to see the case from the agent's perspective, and no indication that the judge takes the further step to try to understand the agent's feelings, to feel the agent's feelings himself, or to assess how the agent ought to be judged on the basis of the judge's own feelings about the agent. Thus, while the choice of "sympathy" for *sungnōmē* is misleadingly affective, Broadie's gloss indicates that her picture of Aristotle's account matches my own, insofar as she sees *sungnōmē* as a cognitive judgment and not an affective response.

³⁰ Among common English translations of the *NE* and *EE*, W.D. Ross, Terence Irwin, Roger Crisp, and Brad Inwood and Raphael Woolf all utilize "pardon" or "forgiveness," with all but Irwin using the two interchangeably. Gregory Sadler does explicitly articulate and defend the claim that Aristotle has an account of forgiveness in Sadler (2008). Sadler's defense that Aristotle has an account of forgiveness relies largely on two claims: (1) "forgiveness" is a common scholarly translation of *sungnōmē* and (2) "forgiveness" should include a wide variety

is better interpreted as “excuse,” but I will now contend that understanding *sungnōmē* as providing forgiveness or pardon is misleading for two reasons. First, the status of the wrongdoing agent who is forgiven or judged worthy of *sungnōmē* is different; forgiving an agent presumes she is blameworthy for her wrong action, while a judgment that *sungnōmē* is warranted entails that the agent is *not* blameworthy, despite the wrongness of her act. Second, lifting blame by forgiving a wrongdoer does not require that the wrongdoer deserves it, but this is incompatible with Aristotle’s requirement that blame is forestalled only when the wrongdoer does not deserve blame.

All excusing conditions that justify *sungnōmē* for Aristotle entail that the action was not up to the wrongdoer or that it was committed from non-culpable ignorance, and so blame is forestalled. This picture of why blame is forestalled, however, is not compatible with how forgiveness or pardon eliminates blame. To show why this is so, I will explain how forgiveness is paradigmatically understood and then contrast this both with excusing and with the features of Aristotle’s account to demonstrate why Aristotle’s account of *sungnōmē* fits the model of excusing and not of forgiving.

Forgiveness is a type of personal response to having been wronged or injured. While numerous definitions of forgiveness have been offered in the literature, I focus here on the central, paradigmatic ways of understanding forgiveness. As Paul Hughes notes in his *Stanford Encyclopedia* article on forgiveness, to forgive “refers to the act of giving up a feeling, such as resentment, or a claim to requital or compensation.”³¹ On the standard view of forgiveness, an individual overcomes resentment and retributive emotions against the wrongdoer for moral reasons.³² What is central to forgiving is that the forgiven agent has wronged the forgiver, and not in a way that might be justified on the grounds of excusing conditions. The wrongdoer, in other words, is blameworthy for the action, and when he is forgiven, the forgiving agent gives up her right to hold on to resentment and other negative reactive attitudes that may be directed toward the wrongdoer as a result of his wrong action.

of related concepts like excusing, pardoning, showing mercy, and forgiving. This section as a whole is aimed at explaining why the common translation is misleading, and in so doing, I lay out a paradigmatic account of forgiveness that distinguishes between relevantly different concepts. In comparison to Sadler’s account of forgiveness, this account also more closely tracks scholarly consensus.

³¹ Hughes (2015).

³² This simple formulation has been labeled “the standard view” by a number of sources, including Darwall (2006, 72) and Kekes (2009, 488–90).

Since the paradigmatic case of forgiveness is personal, the forgiver must be the one harmed by the wrongdoer.³³ If someone has harmed my neighbor, it is not for me to forgive the wrongdoer, since the wrong was not done to me. This highlights a further feature of forgiveness implicit in the discussion: forgiveness involves a relationship between the wrongdoer and the injured party, and the process of forgiving involves a change in status between them. This is a central and widely acknowledged feature of forgiveness: the relational status between the two cannot remain the same if the forgiver has truly forgiven the wrongdoer.³⁴ This does not entail that the forgiver must reconcile with the forgiven person, but rather, that there is a change in the heart of the forgiver and so her attitude becomes different toward the wrongdoer through the process of forgiving him.³⁵ This involves both a change in the forgiver's feelings and also in her intentions and commitments toward the forgiven person, and thus the forgiver's cognitive and emotional attitudes are transformed.³⁶

The forgiver recognizes both that the wrongdoer has acted wrongly and that the wrongdoer is blameworthy for this wrong action. The agent's blameworthiness for the wrong action is important since forgiveness is not needed – indeed, seems inappropriate – when the wrongdoer is excused. When an agent is excused, an action that the offending agent committed but is not morally culpable for is not held against him, but in forgiveness, one stops holding an action that the offending agent is morally culpable for against him.³⁷ When circumstances excuse an agent's behavior, the agent has no need of forgiveness at all, since he has done nothing that is blameworthy. Thus, forgiving and excusing are mutually exclusive since forgiving an agent presumes he is blameworthy, while excusing an agent entails that he is not blameworthy.³⁸

It might be objected, however, that even in a case where someone is pushed into a precious antique, which then breaks, it would not seem at all inappropriate for the person who was pushed to express her sorrow and regret. But if she is not initially blameworthy, then why would it be natural and appropriate for her to do so? I agree that it seems natural for her to express her regret in such circumstances. However, this need not be an apology or a request for forgiveness, but rather an expression of sorrow, both for her friend's misfortune and the

33 As R.S. Downie puts it, "If A forgives B, then A must have been injured by B: this seems to be a logically necessary condition of forgiveness" (Downie 1965, 128).

34 Morton (2012, 7–8), and see Hughes (2015) for further references.

35 The "change of heart" metaphor is extremely common; uses of the metaphor include (among many others) North (1987, 500) and Murphy and Hampton (1988, 36–38 and 157).

36 MacLachlan (2008, 57–58).

37 Griswold (2007, 7).

38 For a denial of the necessity of blameworthiness for forgiveness, see Sadler (2008).

unwitting role she has played in it. Aristotle himself also explicitly recognizes that an expression of regret need not indicate blameworthiness either, since expressing regret following an ignorant wrong action is a necessary condition for *sungnōmē*. It is necessary precisely because it indicates that an agent who acted wrongly did so only through ignorance – she regrets her action, and this indicates that she would have acted differently, if only she had known the relevant particular fact. Thus, while regret serves as a condition of being eligible for *sungnōmē* in certain circumstances, it does not necessarily indicate culpability.

Finally, it is important that the wrongdoing agent need not have completely repaired the harm or whatever else might be required to deserve forgiveness.³⁹ Rather, the forgiver may decide to forgive the wrongdoer even when the wrongdoer could never repair the wrong in full or could never deserve to be forgiven.⁴⁰ The forgiver does not issue forgiveness on the grounds of justice or fairness, but she may give forgiveness on the grounds of mercy or compassion. As Vladimir Jankélévitch notes, “the scandal of forgiveness is someone that does not ‘merit’ it,” which marks an important distinction between forgiveness (which need not require desert) and excuse given on grounds of fairness (which does require desert).⁴¹

One reason for the popularity of understanding *sungnōmē* as forgiveness may have to do with a failure to distinguish between excusing, pardoning, and forgiving. Doing so, however, is important, not least because, as I argued above, forgiving and excusing are mutually exclusive actions. Given this, it is important to be clear which of these *sungnōmē* justifies.

While “pardon” is sometimes colloquially used as equivalent to “forgiveness,” we can also distinguish different meanings associated with each. While pardon relieves the offender of legal or formal punishment, forgiveness relieves the offender of the victim’s pursuit of revenge, ill will, and other psychological and emotional sanctions. Pardon and forgiveness are thus entirely independent from one another, since being forgiven by an individual victim does not entail pardon from the state, and pardon from the state does not depend on individual forgiveness. Although pardon does not require that an agent actually be

³⁹ If forgiveness could even ever be deserved – this is a hotly disputed topic.

⁴⁰ Whether forgiveness requires guilt and remorse on the part of the wrongdoer is debated – Griswold and Konstan, for instance, argue strongly that this is a requirement (see Griswold 2007, 121–2 and Konstan 2010, 5–14). This, however, is not essential here, since what is central is that the wrongdoer can be forgiven even if there is no amount of remorse that would make up the wrong or make it so that he deserves forgiveness.

⁴¹ Jankélévitch (2005, 94).

blameworthy, it does require that she has been assessed as blameworthy. The actual status of the agent's blameworthiness is irrelevant to the point of a pardon, however, which is to end the sanctions associated with a judgment of blameworthiness.

Thus, while judging that *sungnōmē* is appropriate assumes that an agent is not blameworthy, forgiving assumes the opposite (that the agent is blameworthy). Excusing an agent on grounds of fairness, however, assumes that the agent is not blameworthy for her action. Thus, since neither forgiveness nor pardon are compatible with the necessary judgment given by *sungnōmē* that an agent is not blameworthy, I contend this shows one reason why Aristotle's account fits the model of excusing and not of forgiving or pardoning.

In addition to the status of the wrongdoer, there is a second way in which the model of excusing fits the nature of *sungnōmē*, while forgiving does not: the justification for blame's removal. Whether to forgive or not entirely depends on the forgiver's willingness to give up blaming the wrongdoer. Since the wrongdoer merits blame, it is not fairness that justifies forgiving. The forgiver may do so because the wrongdoer recognizes his wrongdoing, apologizes, and has done everything in his power to make it up, but if he has done serious harm, even that hardly makes up for the loss. The would-be forgiver need not justify her reasons, for forgiveness is beyond fairness, and so it can be extended even when the offender does not and could never deserve it.⁴² The forgiver's motivations may vary, but it is important that possible motivations include mercy and compassion, which may be motivated by the agent's own virtue or simply by natural feelings.⁴³ In any case, fairness could not demand that she forgive, since forgiving goes beyond what is deserved into what is undeserved.

Such forgiveness, however, is incompatible with *sungnōmē*, since *sungnōmē* is limited by appropriateness conditions. For instance, Aristotle is clear that *sungnōmē* is not to be given to agents who have acted viciously (*NE* V.8 = *EE* IV.8, 1136a5-9; *NE* VII.2 = *EE* VI.2, 1146a1-4). The majority of Aristotle's discussion of *sungnōmē* involves laying out the conditions for its application, and since *sungnōmē* is given on the basis of fairness, it is applied impartially to offenders who merit it. This judgment is not made on the basis of fellow-feeling, like

⁴² There is a dispute about whether forgiveness can be earned, but I need not enter that debate here, since my argument simply is that forgiveness can (and often is) extended in cases where the offender could never earn it.

⁴³ Of course, it is important to note also that forgiveness is not the same as mercy or compassion; just as the forgiver need not be motivated by mercy or compassion to forgive, mercy or compassion may motivate behaviors other than forgiveness (this latter point is due to Hughes 2015).

sympathy or compassion, and must be given only because it is fair. Unlike forgiveness, *sungnōmē* is justified because the offender isn't blameworthy in the first place. Even if an agent wants to relinquish blame, it is not appropriate for her to do so if it is not merited. *Sungnōmē* is given when deserved, but only then, just as a judge may leave off punishing an offender only when the circumstances warrant it.

Thus, I conclude that the structural role *sungnōmē* plays in Aristotle's account of blame is quite different than the role forgiveness would play. Unlike *sungnōmē*, forgiveness is a personal response to a blameworthy agent, not to an agent who does not deserve blame. Additionally, the justification for offering forgiveness differs from that of *sungnōmē*, since forgiveness is not required by the demands of equity. Moreover, equity is, in fact, incompatible with forgiveness, since forgiveness would justify the giving up of blame on grounds other than fairness. As a result, the common understanding of Aristotelian *sungnōmē* as forgiveness is mistaken, and excuse justified on the grounds of equity is still the best way to understand the nature of a judgment of *sungnōmē*.

9 Conclusion

Since *sungnōmē* is appropriate only on the grounds of justice, whether we ought to praise, excuse, or blame in a particular circumstance depends on which of those would be just or fair. Contrary to what translations such as "sympathy" or "forgiveness" would suggest, the agent is excused from blame on grounds of fairness alone and not because others feel sorry for her or wish to extend compassion. In other words, it is not merely that others are willing to lift a just sanction (e. g., as someone does when she forgives), but rather that it would not be fair to blame the wrongdoer in the first place.

In concluding, I briefly sketch several implications for Aristotle's ethics more broadly. First, the importance of judgment for blame demonstrates that excusing for Aristotle does not depend on how a judge feels or does not feel about the wrongdoer, which highlights that Aristotelian judgments of blameworthiness depend on desert and not fellow-feeling. Second, since Aristotle's account of *sungnōmē* is fundamentally incompatible with forgiveness, any future defense of the common claim that Aristotle does have an account of forgiveness will have to find space for it elsewhere in Aristotle's account. And third, since judging that a wrongdoer deserves *sungnōmē* excuses the agent from blame on the grounds of fairness, this shows that it is only appropriate to blame when it is fair to do so. Thus, this justification of Aristotelian blame on the grounds of

fairness provides new evidence that Aristotelian blame is not merely an instrumental tool to promote better behavior, but rather is a part of a plausible theory of moral accountability.⁴⁴

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⁴⁴ I am grateful to Don Morrison and David Riesbeck for comments on multiple drafts of this paper. I presented versions of this paper at the 2015 Society for Ancient Greek Philosophy Annual Meeting, at the University of St. Thomas, and at the 2016 Aristotle World Congress, and I wish to thank the audiences for the many useful comments and questions. I also owe special thanks to two anonymous reviewers for this journal who provided very helpful comments and to Victor Saenz and Audrey Anton for stimulating conversations.

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