

# Derrida: The Aporia of Forgiveness?

Richard J. Bernstein

Let me begin by identifying three key issues that have provoked Derrida's questioning of forgiveness.

1. The first issue concerns the several "Truth and Reconciliation" commissions that have been organized throughout the world. The most famous is the South African commission. Strictly speaking, these are not legal or juridical proceedings, but nevertheless there has been a deeply felt need for a public process to help heal the wounds inflicted by past "crimes" and misdeeds – a need for reconciliation. But the question arises: Should we speak about forgiveness in this context? More generally, does it make sense to speak about forgiveness in order to achieve reconciliation or national unity? Derrida is certainly sympathetic with the function of such commissions. But we will see that he does not think that it is appropriate to speak about forgiveness in regard to such public healing activities. He will argue that the "pure" unconditional concept of forgiveness has nothing to do with healing, reconciliation, redemption, or salvation.
2. Ever since the end of the Second World War there have been many occasions when public officials have acknowledged past misdeeds and have asked for forgiveness. "In all the scenes of repentance, confession, forgiveness, or apology which have multiplied on the geopolitical scene since the last war [the Second World War], and in an accelerated fashion in the past few years, one sees not only individuals, but also entire communities, professional corporations, the representatives of ecclesiastical hierarchies, sovereigns, and heads of state ask for 'forgiveness'."<sup>1</sup> Although Derrida expresses his skepticism about the theatricality and hollowness of some of these public requests for forgiveness, he is not entirely unsympathetic with the importance these gestures. But again, he questions whether these public requests should be properly characterized as requests for *forgiveness*.
3. The above two issues presuppose what Derrida will call an "economy of forgiveness." Someone asks for forgiveness for a sin, misdeed or crime that has been committed, and if such forgiveness is granted then it helps to bring about reconciliation or healing. (Of course, there are many complex questions about *who* precisely asks forgiveness of *whom* and what sort of healing or reconciliation is possible.) These deeds are presumably *forgivable*. But what are we to do about deeds that are so horrendous, so extreme, and so evil that they are judged to be unforgivable? Derrida discusses an essay by Vladimir Jankélévitch, "Should We Pardon Them?" where Jankélévitch passionately argues that the terrible deeds committed by the Germans in the Shoah are *irreparable* and *inexpiable*; they are *un-forgivable*. Derrida writes

that Jankélévitch “speaks to us, in short, of a duty of non-forgiveness, in the name of the victims. Forgiveness is impossible. Forgiveness should not be. One should not forgive. We will have to ask ourselves, again and again, what this ‘impossible’ might mean, and if the possibility of forgiveness, if there is such a thing, is not measured against the ordeal [*épreuve*] of the impossible. Impossible, Jankélévitch tells us: This is what forgiveness is for what happened in the death camps. ‘Forgiveness,’ says Jankélévitch ‘died in the death camps’” (27).

Hannah Arendt makes a similar point when she declares:

[M]en are unable to forgive what they cannot punish and they are unable to punish what has turned out to be unforgivable. This is the true hallmark of those offenses which since Kant, we call ‘radical evil’ and about whose nature so little is known, even to us who have been exposed to one of their rare outbursts on the public scene. All we know is that we can neither punish nor forgive such offenses and they therefore transcend the realm of human affairs and the potentialities of human power, both of which they radically destroy wherever they make their appearance.<sup>2</sup>

Now Derrida agrees that there are deeds that are *unforgivable*. Indeed, he agrees with Jankélévitch that “Forgiveness is impossible.” There is no ambiguity about Derrida’s response to Jankélévitch.

Jankélévitch says that forgiveness has come to an end, died in the death camps. I oppose this. It is exactly the opposite. It is because forgiveness seems to become impossible that forgiveness finds a starting point, a new starting-point.<sup>3</sup>

But now we confront Derrida’s deconstructive twist. Unlike Jankélévitch and Arendt, who are telling us that there are some deeds (and persons who commit these deeds) that are so terrible, so beyond the pale of human understanding *we cannot and should not* forgive them, Derrida affirms that the only thing that calls for forgiveness, *the only thing to forgive is the unforgivable!* This is the aporia that stands at the heart of forgiveness. “Forgiveness only becomes possible from the moment it appears impossible” (33, 37).

If there is something to forgive, it would be what in religious language is called mortal sin, the worst, the unforgivable crime or harm. From which comes the aporia which can be described in its dry and implacable formality, without mercy: *forgiveness forgives only the unforgivable*. One cannot, or should not, forgive; there is only forgiveness, if there is any, where there is the unforgivable. That is to say that forgiveness must announce itself as impossibility itself. It can only be possible in doing the impossible. (32–33, my italics)

But how does Derrida arrive at this startling aporetic formulation – and what does it even mean? Critchley and Kearney perceptively characterize Derrida’s approach to forgiveness as a form of conceptual genealogy. “What Derrida is seeking to do in much of his recent work might be described as the historical analysis of concepts, a form

of conceptual genealogy. He selects a concept from what he always describes as ‘the heritage’ – let’s call it the dominant Western tradition – and then proceeds, via an analysis that is at once historical, contextual, and thematic, to bring out the logic of that concept” (viii–ix). We inherit from this heritage, which includes what Derrida calls the “Abrahamic” religious tradition and our Western philosophic tradition, two *incompatible* heterogeneous “concepts” of forgiveness. He describes these as *unconditional* or “pure” forgiveness and *conditional* forgiveness. He writes:

It is important to analyse at its base the tension at the heart of the heritage between, *on the one side*, the idea which is also a demand for the *unconditional*, gracious, infinite, aneconomic forgiveness granted to the *guilty as guilty*, without counterpart, even to those who do not repent and ask forgiveness, and *on the other side* . . . a conditional forgiveness proportionate to the recognition of the fault, to repentance, to the transformation of the sinner who then explicitly asks for forgiveness. . . . What does it mean to inherit when the heritage includes the injunction at once double and contradictory? (34–35)

Or again, from a slightly different perspective:

We thus dissociated *on the one hand* unconditional forgiveness, absolute forgiveness – I am not saying absolution in the Christian sense – absolutely unconditional forgiveness that allows us to think [*donne à penser*] the essence of forgiveness, if there is such a thing – and which ultimately should even be able to do without repentance and the request for forgiveness, *and on the other hand* conditional forgiveness, for example, that forgiveness which is inscribed within a set of conditions of all kinds, psychological, political, juridical above all. . . . Yet the distinction between unconditionality and conditionality is shifty [*retorse*] enough not to let itself be determined as a simple opposition. *The unconditional and the conditional are, certainly, absolutely heterogeneous, and this forever, on either side of a limit, but they are also indissociable.*<sup>4</sup>

Keep in mind that these two “concepts” of forgiveness are absolutely *heterogeneous* and *indissociable* – for this will be the key for understanding what is distinctive about forgiveness. The two “concepts” are incompatible with each other, but they are also necessarily linked to each other. “Conditional forgiveness” is what we frequently mean by forgiveness – and it certainly has played a dominant role in what Derrida calls the “Abrahamic” religious tradition. There is an exchange in this economy. There is a) a sinner or a perpetrator who has committed a crime or injury; b) an acknowledgement that a misdeed has been committed; c) a request for forgiveness by the victim – or a representative of the victim. Now if the request for forgiveness is granted, then this helps to bring about a process of reconciliation or healing. This conditional forgiveness is expressed in the Gospels when Jesus declares: “If thy brother trespass against thee, rebuke him; and if he repents, forgive him.” This conditional forgiveness has been elaborated with great sophistication in the “Abrahamic” tradition. But Derrida insists that conditional forgiveness – *taken by itself* – is *not* forgiveness. Or to put

the point more formally, conditional forgiveness is indissociable from and dependent upon unconditional forgiveness. The so-called “conditional forgiveness” cannot stand by itself. Derrida’s point is illustrated in the following passage.

Let us come back to the situation of the world today. Speaking of this equivocal use of the word forgiveness, we see that all these political scenes of forgiveness, of asking for forgiveness and repentance are often strategic calculations made in the view of healing away. I have nothing against that. I have something against the use of the word forgiveness to describe these cases. “Healing away” is a major term in South Africa. In France, each time a head of state, the prime minister, wants to grant amnesty and to erase crimes of the past, it is in the name of “national reconciliation” to reconstitute the healthy body of the nation, of national community. I have nothing against that. But if the word forgiveness is used in view of such an economy or therapy that I would say no, that is not to forgive. It is perhaps a very useful or noble strategy. So forgiveness, if there is such a thing, should be devoid of any attempt to heal or reconcile, or even to save or redeem.<sup>5</sup>

This means that, strictly speaking, there is no such thing as “conditional forgiveness”; it is not forgiveness. Conditional forgiveness is indissociable from “unconditional forgiveness.” (This is why I speak of the “concept” of conditional forgiveness in scare quotes. There is no such *independent* concept.) To anticipate, we will see that there is no such thing as “unconditional forgiveness” – at least in the sense of a type of unconditional forgiveness that can stand by itself. It is indissociable from conditional forgiveness.

But what can we say about “unconditional forgiveness”? It is pure; it is out of time. It is an interruption, a break with ordinary time. It is *impossible*. There is *no* economy of unconditional forgiveness. It has nothing to do with reconciliation, redemption, salvation or healing. It “can seem excessive, hyperbolic, mad” (39). “Forgiveness is not, it *should not be*, normal, normative, normalising. It *should* remain exceptional and extraordinary, in the face of the impossible: as if it interrupted the ordinary course of historical temporality” (32). Pure unconditional forgiveness is like a pure gift or pure hospitality. It is “a gracious gift, without exchange and without condition” (44). “In principle, there is ‘no limit to forgiveness, no *measure*, no moderation, no ‘to what point?’” (27) Suppose we ask, what then is the *meaning* of this pure unconditional forgiveness? Consider Derrida’s response. “What complicates the question of ‘meaning’ is again what I suggested a moment ago: pure unconditional forgiveness, in order to have meaning, must have no ‘meaning’, no finality, even no intelligibility. It is a madness of the impossible” (45).

At this point, one might be on the verge of giving up on Derrida out of sheer frustration of trying to make sense of what he is saying. But that would be a serious mistake. We are approaching the heart of the matter. It is, of course, true that Derrida loves aporias. Where many of us see problems, difficulties, perplexities to be resolved, Derrida sees aporias – impossible possibles or possible impossibles. What is he really getting at? The following passage provides an essential clue.

These two poles, *the unconditional and the conditional*, are absolutely heterogeneous, and must remain irreducible to one another. They are nonetheless indissociable: if one wants, and it is necessary, forgiveness to become effective, concrete, historic; if one wants it to *arrive*, to happen by changing things, it is necessary that this purity engage itself in a series of conditions of all kinds (psychological, sociological, political, etc.). It is between these two poles, *irreconcilable but indissociable*, that decisions and responsibilities are to be taken. (44–45)

Here we touch on what I take to be the deepest and most persistent theme in all of Derrida's thinking: decision and responsibility. As I read Derrida, he has always – from his earliest writings to his last works – been obsessed with decision and responsibility. Forgiveness that is worthy of the name is *never* simply conditional forgiveness. But neither is it absolutely unconditional. The unstable “space” of forgiveness is the irreducible, heterogeneous tension *in-between* these two poles. Decision and responsibility take place in this tensed *in-between*. And there is (necessarily) always *risk and uncertainty* in the *experience* of passing through this “space.” Derrida emphasizes this when he writes:

[I]f we want to embody an unconditional forgiveness in history and society, we have to go through these conditions. We have to *negotiate* between the unconditional and the conditional. They cannot be dissociated, although we know they are absolutely heterogeneous and incommensurable. It is because these incommensurable poles are indissociable that we have to take responsibility, a difficult responsibility, to *negotiate* the best response in an impossible situation.<sup>6</sup>

We are uncovering here what I would call Derrida's hidden (or perhaps it is not so hidden) *existentialism*. What I mean by this is straightforward, but extremely important. Derrida is an obsessive thinker. I mean this as a compliment because the best thinkers are obsessed with an idea, a theme, or a motif to which they return over and over again. And Derrida in all his writings has been obsessed with decision and responsibility. The obsessive motif is that there are no algorithms, no rules, no decision procedures, nothing that we can rely on in making decisions – including decisions about when, whom, and what to forgive. He tells that “between the widest, the most refined, the most necessary knowledge, and the responsible decision, *an abyss remains, and must remain*” (54, my italics). There is no real forgiveness unless we pass through this abyss – the experience of *trembling* when we struggle with the aporias that we confront – when we face up to the realization that forgiveness is impossible, that forgiveness forgives only the unforgivable. When Derrida tells us that forgiveness is an impossible possible, he is not playing frivolous games with us. He seeks to *intensify* the experience of decision and responsibility involved in forgiveness. We might accuse him of exaggerating, and I do not think he would deny this. He tells us: “I remain ‘torn’ (between a ‘hyberbolic’ ethical vision of forgiveness, pure forgiveness, and the reality of a society at work in pragmatic processes of reconciliation)” (51). He might even cite what Hannah Arendt once said when she was accused of exaggeration. One can't really *think* without *exaggerating*.<sup>7</sup>

[T]he aporia is not a paralyzing structure, something that simply blocks the way with a simple negative effect. The aporia is the experience of responsibility. It is only by going through a set of contradictory injunctions, impossible choices, that we make a choice. . . . For the responsible decision to be envisaged or taken, we have to go through pain and aporia, a situation in which I do not know what to do.<sup>8</sup>

Let me restate what I believe Derrida is showing about forgiveness. So-called conditional forgiveness can easily become facile. When forgiveness becomes an economy of exchange, it becomes hollow and meaningless – “empty rhetoric, hypocritical rhetoric.” And even in those situations where I ask forgiveness for the sake of some healing or reconciliation, there is something a bit too symmetrical and calculating about such a process. But suppose I am confronted with a deed that I take to be truly unforgivable. The demand placed upon me is much greater. I am compelled to make a responsible decision whether I can really forgive an unforgivable deed. I have to face up to the experience of the aporia. And I must realize that I can never rationally *justify* such a decision. That is why Derrida speaks of the trembling involved in taking responsibility. We might say that Derrida seeks to restore the *integrity* and the difficulty of forgiveness, especially at a time when chatter about forgiveness is becoming “hollow, void, attenuated.”

My colleague Agnes Heller makes a perceptive remark about Derrida when she writes: “One does not ask Derrida what he wants to say, but what he wants to avoid.”<sup>9</sup> Concerning forgiveness, he wants to avoid the corruption and trivialization of forgiveness – the facile and sometimes cynical way in which we are bombarded with public requests for forgiveness that are hollow and sometimes hypocritical. But he also wants to avoid the type of economy of forgiveness when we ask forgiveness in order to achieve some end, some “finality” – whether it is national unity or personal reconciliation. But even more important, he wants to avoid the illusion that we can “justify” forgiveness – that there is some standard or rule to which we can appeal to rationalize forgiveness. Above all, Derrida wants to avoid any possibility of our thinking that the responsible decision to forgive is normal or easy. On the contrary “authentic” forgiveness requires *experiencing* the aporia of forgiveness – its impossibility.

Thus far I have attempted to give a sympathetic account of Derrida’s understanding of forgiveness – one that reveals its aporias and integrity. I find the same “logic” at work, the same tracking down of aporias, and the same insistence on the way in which the unconditional and the conditional are heterogeneous and indissociable in his other conceptual genealogies (for example, his genealogy of hospitality). This is why I think that difficulties that we locate in his reflections on forgiveness reverberate throughout his thinking.

Derrida declares that “forgiveness has precisely nothing to do with judgment” (43), and he also tells us “forgiveness has nothing to do with knowledge.”<sup>10</sup> I am inclined to say that forgiveness has *everything* to do with *judgment*, and that frequently, knowledge is crucial for making a responsible decision to forgive or not to forgive. Let me explain.

Derrida's analysis of forgiveness depends on making a "rigorous" distinction between the forgivable and the unforgivable. Remember we are told "Forgiveness forgives only the unforgivable." But what precisely is unforgivable? Jankélévitch insists that the deeds "the Germans" committed in the Shoah are unforgivable.

Thus the extermination of the Jews is the product of pure wickedness, of *ontological* wickedness, of the most diabolical and gratuitous wickedness that history has ever known. The crime was not motivated, even by "villainous" motives. This crime against nature, this unmotivated crime, this exorbitant crime is thus to the letter a *metaphysical* crime; and the criminals guilty of this crime are not mere fanatics, not simply blind doctrinaires, nor abominable dogmatists – they are, in the proper sense of the word, *monsters*.<sup>11</sup>

These deeds and those who committed them are unforgivable. Hannah Arendt would *not* agree with everything that Jankélévitch says here, but she does believe that the radical evil exhibited in the Nazi death camps – the systematic attempt to make human beings as human beings superfluous is unforgivable. And Derrida himself agrees that this radical evil is unforgivable.

But if we are "dwelling on horrors," we need to make more analytical and careful distinctions. We all might agree that "unspeakable" events that took place in the Nazi death camps are unforgivable. But suppose we ask about what Heidegger did in 1933–34 when he became the rector of Freiburg University. Are these deeds unforgivable? Some persons, like Hannah Arendt, thought that they were forgivable. But what about Heidegger's silence and evasiveness about acknowledging the horrors of the Shoah when the war was over? Is this unforgivable? Or what about Paul De Man's failure to tell his trusted friends in America that he wrote anti-Semitic articles when he was a young man in Belgium? Although many do think De Man's behavior was unforgivable, Derrida does not seem to think so. My point here is *not* to take sides, but to insist that deciding what is really unforgivable is always a *contestable* issue that is fraught with difficulties. There have been passionate *arguments* pro and con about whom and what is "really" unforgivable. And what do we do in such debates? We appeal to all sorts of considerations and reasons to support our *judgments* – judgments that are, of course, fallible, risky, and open to criticism and debate. Furthermore, *knowledge* is frequently crucial for making such judgments. For example, the *knowledge* that Heidegger made inflammatory speeches to Nazi student groups during his year as rector is, at the very least, relevant in making the judgment about whether what he did as rector is unforgivable. Or again, the knowledge that after the end of the Second World War – despite repeated urgings by his former students – Heidegger refused to make an unambiguous public statement about the horrors of the Shoah is certainly relevant for deciding whether his silence is unforgivable. So even if we were to accept Derrida's aporia, "forgiveness forgives only the unforgivable," we *first* have to make a *judgment* about what is truly unforgivable.

But what about the other side of this dichotomy – the forgivable? If there can be sharp disagreement about what is "really" *unforgivable*, then there can also be sharp

disagreement about what is *forgivable*. Derrida, as we know, is extraordinarily sensitive to language and its revelatory character. It behooves us to pay close attention to language he uses to describe conditional forgiveness. His language reveals the way in which he tends to level out and make homogeneous what needs to be carefully distinguished. He speaks of the “economy of forgiveness,” of “exchange,” of “calculation,” and of “strategy.” But there is something reductive about this economic language of exchange. It fails to be sensitive to range of what we consider to be forgivable. Derrida is justifiably concerned about the hollow, cynical, calculating misuse of forgiveness. But suppose I have a friend who has done something that I take to be extremely cruel. I have to decide whether what he did is unforgivable or forgivable. Now I may decide that this particular deed was unforgivable, but nevertheless I am willing to forgive my friend. But, it is just as plausible to say that after careful deliberation, I decide that this act was out of character, that although he should not have done it, he is not likely to do anything like it again. Consequently I decide that this isolated deed is forgivable. But to use the language of economy, exchange, and calculation to characterize such a situation distorts it. I may forgive my friend without his asking for forgiveness and without any further expectations or conditions – without what Derrida calls “finality.” I fail to see the warrant for saying that because I consider this act to be aberrant and consequently forgivable, then my forgiving him is not “really” forgiveness. To lump everything that one takes to be forgivable into one category – the economy of conditional forgiveness – does a great injustice to the variety, diversity, and subtle differences among the different deeds and persons that I judge to be forgivable. In short, there are important and consequential differences concerning what one *judges* to be unforgivable and forgivable. And furthermore, the *boundary* between what is unforgivable and forgivable is open to dispute. In deciding what is unforgivable and forgivable, fallible risky judgments are *always* involved. There is no escape from judgment. Derrida would never even be able to state his aporia unless he presupposed that we could make a “rigorous” distinction between the unforgivable and the forgivable – and between unconditional and conditional forgiveness. But I am inclined to say – in the spirit of Wittgenstein – that there is no rigorous distinction between what is unforgivable and forgivable except the line that we draw.

But I find further serious difficulties with the aporia of forgiveness – difficulties that call into question the way in which Derrida understands decision and responsibility. Suppose – for the sake of argument – we assume that there is a sharp, rigorous distinction between unconditional and conditional forgiveness. Let us also grant that these are heterogeneous and indissociable. Derrida speaks of the *experience* of the aporia when we face up to the *impossibility* of forgiveness that “forgiveness forgives only the unforgivable.” Let’s reflect on this experience. Derrida is certainly not suggesting that we should forgive everything that is unforgivable. This would defeat his purpose in specifying the aporia, for it would mean we would have the absurd rule “Whenever confronted with the unforgivable then one should forgive it.” So how is one to decide when to forgive the unforgivable? Derrida’s answer is that this is it an unanswerable question. There is no rule or algorithm for making such decisions. I agree with *this* claim. But

consider what we actually do when we ask ourselves should we forgive what is (or what we take to be) unforgivable. We ask ourselves questions, we deliberate; we debate with ourselves (and perhaps with others). Imagine the following situation. Consider Heidegger's refusal to speak unambiguously about the radical evil of the Shoah after the end of the Second World War, Paul De Man's deception of his trusted friends in failing to tell them that he wrote anti-Semitic articles for a Belgium journal when he was a young man, and the extreme sadistic behavior of Goeth, the commandant of Plashow camp in Poland. We may consider all three of these to be instances of what is *unforgivable*. (Of course, others may claim that some of these deeds are forgivable.) Frankly, I could never imagine forgiving Goeth, the commandant of the Plashow. He was ruthlessly sadistic and committed horrible, gratuitous acts of murder and humiliation. Others, of course, may differ. I do think that Heidegger's silence was unforgivable and I am reluctant to forgive him. (This, of course, does not mean that I deny that he was a great and original thinker.) But I can well imagine forgiving De Man. Why? Although De Man betrayed the trust of his friends and students, he was a young man when he wrote the articles. Like so many other bright intellectuals, he was caught up in an offensive ideology. But he never murdered anyone, and he did not give his support to a regime that engaged in ruthless murder. I am not saying that what he did is forgivable. No! It is unforgivable. Nevertheless I can imagine forgiving him. But what Goeth did was so extreme, so sadistic, and so evil, that I can't imagine ever forgiving him. Now one may contest and challenge my reasoning about whom and what unforgivable deeds I would forgive. *But that only makes my point*. We do not simply say that in deciding to forgive someone or some deed that we take to be unforgivable we face "two incompatible injunctions." Rather, we seek to argue with ourselves about why we should or should not forgive the unforgivable. We know that we cannot fully justify such a decision. But if we do not deliberate, if we do not struggle with ourselves, if we do not try to weigh the considerations pro and con for forgiving or not forgiving, I do not see how we can say it is a responsible decision. This does not mean that even after struggling with ourselves we will come to a firm conclusion about whether to forgive. Derrida makes us acutely aware that decisions and responsibility cannot be justified – *if* by justification we mean that we have necessary and sufficient reasons for doing what we decide to do. In this sense knowledge does *not* justify decisions. In this respect, forgiveness is like an unconditional gift, unconditional hospitality, or unconditional grace. But it is one thing to say that there is and can be no rule, no algorithm to which we can appeal in making decisions, and it is something very different to say that we simply have to face the abyss of impossibility to making a decision. This – despite Derrida's protests to the contrary – comes very close to suggesting that making decisions and taking responsibility is gratuitous and arbitrary. Of course, even after the most strenuous and agonizing struggle with ourselves, we still have to confront the "gap" – the abyss – in making a responsible decision. But what precisely does it mean to pass through the abyss of the aporia of forgiveness? What precisely is involved in this *experience*? One of Hannah Arendt's favorite expressions was "to think without banisters" (*denken ohne Geländer*). We might also say that we have to decide without banisters. Insofar

as Derrida wants to claim that forgiveness, decision, and responsibility can only take place without banisters, I am in complete agreement with him. But insofar as he tells us that we have to enter the abyss of confronting impossible possibles, he mystifies what happens when we deliberate and make a judgment about whether to forgive the unforgivable. We do not simply bounce back and forth between “incompatible injunctions.” Even if we acknowledge the “in-between” of decision as a space defined by “contradictory injunctions,” we struggle to *negotiate* this space in order to come up with the best possible decision in concrete circumstances. At times Derrida seems to acknowledge this. But this *negotiation* means that we are required to make careful discriminating judgments – to evaluate pros and cons – to consider what is *relevant* to this particular situation. This is a *deliberative process*. And like all genuine deliberation, there is no way of avoiding the risk and gap of making responsible decisions. Without such deliberation, the very intensity, the trembling, the difficulty of forgiving the unforgivable would not make any sense.

To pinpoint my objection, I want to cite again Derrida’s response to the criticism that the aporia “is a paralyzing structure, something that simply blocks the way with a simple negative effect.”

The aporia is the *experience* of responsibility. It is only by *going through* a set of contradictory injunctions, impossible choices, that we make a choice. If I know what I have to do, if I know in advance what has to be done, then there is no responsibility. For the responsible decision envisaged or taken, we have to *go through pain and aporia*, a situation in which I do not know what to do. I have to do this and this, and they do not go together. I have to face two incompatible injunctions, and that is what I have to do every day in every situation, ethical, political, or not. . . . An aporia is an *experience, enduring an experience*, in which nothing – such as forgiveness – presents itself as such. That is because absolute forgiveness never presents itself as such and is irreducible to conditional forgiveness.<sup>12</sup>

But what is this “experience of responsibility,” what is this “pain,” what does it mean to “face” incompatible injunctions? I suggest that this is the experience of *deliberation* and *judgment*, the struggle to probe and assess the situation so that I can make a responsible decision. And this is not merely an “intellectual” process devoid of pathos and anxiety.

Derrida also tells us:

[T]he one who forgives in me or decides in me or takes responsibility in me is the other. If my gesture, forgiving, or deciding, being responsible, is simply the explication of what I am or what is possible for me, for my power, then I do nothing. For me, to do something, which is forgiving or deciding, I must do something that is higher, larger and other than me, that is, the other makes the decision in me, which does not mean that I am passive, that I am simply obeying the other. But the one who forgives, the one who decides, the one who takes responsibility is the other in me.<sup>13</sup>

But once again, we can ask, what precisely is *happening* when I seek to respond to what is higher, larger, and other than me? Who or what is this “other in me”? And who

or what is the “I” who responds to this “other in me” – the “I” that “must do something that is higher, larger and other than me?” If I am not simply blindly obeying the other, I am responding, thinking, deliberating, and judging.

Earlier I suggested that difficulties that we locate in his conceptual genealogy of forgiveness reverberate throughout his thinking. I have always been intrigued – yet also disturbed – by Derrida’s reflections on responsibility and decision. I find myself in complete agreement with what he wants avoid – any suggestion that there are clear, determinate rules for making responsible ethical-political decisions, any suggestion that diminishes the gap and risk of responsible decisions. But it also strikes me that Derrida does not do full justice to what is involved in difficult responsible decisions – the role of deliberation and judgment. He is too quick to move to an unwarranted Either/Or. *Either* we think of decision as completely justified by the appeal to some knowledge, some rule, some calculation *or* we think of decision as involving impossible aporias. Derrida brilliantly exposes what is unsatisfactory with the first alternative. Consequently we are left with the aporia. But I am arguing that we ought to reject this Either/Or because it mystifies what is required to make responsible decisions – deliberation and judgment.

I want to conclude by returning to the idea of a conceptual genealogy that draws upon our “heritage.” There are strands in this heritage that Derrida tends to underestimate and neglect, but which are highly relevant to thinking about decision and responsibility. One strand is represented in the tradition of practical wisdom that can be traced back to Aristotle’s reflections on *phronesis* and the *phronimos*. Another is the strand that can be traced back to Kant’s understanding of reflective judgment, which he sharply distinguishes from determinate judgment. Hannah Arendt has sought to draw out the political and ethical consequences of reflective judgment. Despite the very different genealogies of these strands, they share the conviction that there are no algorithms or determinate rules for making responsible reflective judgments and decisions. In this respect there is agreement with what Derrida wants to avoid. But the very point of the appeal to *phronesis* or reflective judgment is to help illuminate what Derrida tends to mystify with his appeal to aporias and impossible possibles. I do not want to suggest that the concepts of *phronesis* and reflective judgment are unproblematic. They certainly cannot be reduced to some form of economy or calculation. And I certainly do not want to suggest that *phronesis* and judgment completely close the gap – what Derrida calls the “abyss” – for the happening of responsible decisions. But these notions seek to shed some illumination of what Derrida himself calls “negotiation” when he speaks of negotiating between unconditional and conditional forgiveness. For if this negotiation fails to involve deliberation, weighing pros and cons, carefully assessing the situation we confront, responding to others and to the other in ourselves, then I fail to see that we can make *responsible decisions* about forgiveness.

*On the one hand*, I sometimes think that Derrida would fully agree with me. He might even say that what I call deliberation is what he calls “negotiation,” and that what I am actually doing is elucidating what he calls experiencing the *aporia* of responsibility.

Indeed, if we look back at the many courageous ethical-political stands that Derrida has taken in opposing apartheid, supporting dissidents in Eastern Europe, arguing against the death penalty, defending more open immigration policies, they show evidence of thoughtful *deliberation* and *judgment*. But then again, I know that if Derrida were still with us, he would certainly add,

*On the other hand...*

So Jacques, please forgive me!

#### NOTES

1. Jacques Derrida, *On Cosmopolitanism and Forgiveness* (New York: Routledge, 2001), 28; hereafter cited parenthetically.

2. Hannah Arendt, *The Human Condition* (Chicago: University of Chicago Press, 1958), 241.

3. Jacques Derrida et al., "Forgiveness: A Roundtable Discussion with Jacques Derrida," in *Questioning God*, ed. Caputo, Dooley, and Scanlon (Bloomington: Indiana University Press, 2001), 55. It has been suggested that the reason why Jankélévitch asserts that forgiveness died in the death camps is because *only* the murdered victims are those who might forgive – and they are now dead. But this would trivialize Jankélévitch's meaning. Of course, the dead cannot forgive. Furthermore, we must ask, who are the "victims" – only the dead? What about the "victims" who managed to survive – and their families and close friends? There are many complex and subtle issues concerning what precisely constitutes "victimhood" and who is a "victim."

4. *Ibid.*, 45, my italics

5. *Ibid.*, 56-7. When questioned about the use of the phrase "if there is such a thing" (*s'il y en a*), Derrida writes: "It so happens that I often and regularly use this phrase, *s'il y en a*, 'if there is such a thing,' not only for forgiveness but for a number of related concepts, or quasi-concepts – for the gift, hospitality, and so on. What I mean by this is that when an impossible something happens or becomes possible as impossible, then the criteria provided by what you call the economy of philosophy should become unavailable. When I say 'if there is such a thing,' I do not mean that I doubt the possible occurrence of such a thing. I mean that, if forgiveness happens, this experience should not become the object of a sentence of the kind 'S is p,' 'this is, presents itself as forgiveness,' because forgiveness should not present itself. If it happens, it should not be in the form of something present" (*ibid.*, 52-53).

6. *Ibid.*, 58, my italics. If one wanted to be playfully deconstructive about Derrida's text, one might point out that "negotiation" is a word that belongs to the semantic field of economy and calculation. It belongs to the semantic field of "conditional forgiveness." Yet Derrida says, "We have to *negotiate between* the unconditional and the conditional."

7. In a letter that Hannah Arendt sent to Karl Jaspers (Jan. 25, 1952) she writes: "'Exaggeration' – of course. 'Relationships between ideas' as you say, can hardly be presented any other way. And then they are not really exaggeration. They're products of dissection. It's the nature of thought to exaggerate. . . . Besides, reality has taken things to such extremes in our century that we can say without exaggeration that reality is 'exaggerated.'" Hannah Arendt and Karl Jaspers, *Correspondence, 1926-1969*, ed. Lotte Kohler and Hans Saner, tr. Robert and Rita Kimber (New York: Harcourt Brace & Co., 1992), 175-76.

8. Derrida, "Forgiveness," 62.

9. Agnes Heller, "Preliminary Adieu for Jacques Derrida," *Graduate Faculty Philosophy Journal* 26, no. 1 (2005): 191.

10. Derrida, "Forgiveness," 70. Derrida does not qualify these remarks about forgiveness, judgment, and knowledge. But his remark about judgment refers primarily to judgment in the political or public sphere.

11. Vladimir Jankélévitch, "Should We Pardon Them?," *Critical Inquiry* 22, no. 3 (Spring 1996): 556.
12. Derrida, "Forgiveness," 62, my italics.
13. Ibid., 63.

**Richard J. Bernstein** is Vera List Professor of Philosophy at the New School for Social Research. His recent books include *The Abuse of Evil: The Corruption of Politics and Religion since 9/11* (2005) and *Radical Evil: A Philosophical Interrogation* (2002).