

Remorse and Reparation: A Philosophical Analysis

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The aim of this paper is to analyse the concept of remorse from the perspective of moral philosophy. This perspective may be less familiar than other approaches in this anthology, such as those of forensic psychiatry or law. In what ways does moral philosophy claim to be able to illuminate the nature of the concept of remorse? First, by presenting an account of this concept and its structure within a more general account of the nature of moral thought. Second, by drawing on the resources of the philosophy of mind. This latter discipline may seem even more mysterious than moral philosophy. Moral philosophy is continuous with the reflections serious people have always conducted on the sources of those actions we feel bound to perform, the nature of values and obligations, and the nature of moral ideals. It differs from ordinary moral thought only in drawing on a range of canonical historical texts bearing

on these issues and by the thoroughness of its enquiry, born of its specialisation. The philosophy of mind, however, seems to encroach on the territory of the established science of psychology in a way that moral philosophy does not, the latter being sole occupant of its particular domain. How can a philosophical analysis of remorse avoid competing with a psychological analysis?

The answer is that the philosophy of mind and moral philosophy between them treat of the concept of remorse at the level of conceptual analysis. This level offers truths which are relatively independent of experience - in philosophical terminology, truths which are "a priori" - and proceeds at a level independent of neurophysiological or psychological realisation of the concept under analysis. When this method works - and it does not always do so - philosophical enquiry can yield *insight* into a concept, which avoids either explaining it away, by suggesting that it can be replaced by simpler concepts from which it is constructed, or taking it entirely at face value.

Since the analyses philosophy offers are conceptual, not scientific, the relations it maps need have no actual realisation. Different elements are mapped out in their full inter-relations in an activity which is prior to detailed empirical investigation in such disciplines as anthropology or psychology, or in the representative samples of moral consciousness offered by literary texts. This point should be borne in mind when assessing the following "conceptual geography" for the location of the concept of remorse.

I will argue that to understand the concept of remorse we must place it in its conceptual relations to the concepts of shame and guilt. In this survey of the relevant recent literature on moral emotions I will

attempt to place the concept of remorse in such a framework.¹ I take it to be revealing that several of these recent authors have been influenced by Nietzsche and by Freud.² The underlying reason for this is discussed by Bernard Williams in *Shame and Necessity*, namely the tendency of moral philosophers throughout the history of the subject to allow their psychological concepts and explanations to be shaped by their prior moral beliefs.³ For impartial explanations of psychological categories in a moral context, it seems "critics" of morality such as Nietzsche and Freud are more reliable sources than more orthodox moral philosophers such as Plato, Aristotle and Kant.

A central aim of the following enquiry will be to deflect a certain kind of scepticism; a scepticism which treats the concept of remorse as an obsolete concept only appreciable from a religious standpoint which has no secular counterpart. Following the pioneering work of Deigh, I will try and build up a case for the distinctive conceptual role of remorse, separable from the concepts of guilt and shame.⁴ This will centrally involve casting light on Deigh's distinction between a moral system based on rules and an ethic of care, which has been the focus of much recent attention. An assumption of my argument that I will not be able to defend here is that a distinctive aspect of modern moral philosophy, particularly in the form it took in the work of Kant, is to offer a self-sufficient

¹ I will be drawing mainly on the following works: Gabrielle Taylor, *Pride, Shame and Guilt*, (Oxford University Press, 1985); Bernard Williams, *Shame and Necessity*, (California University Press, 1993); John Deigh, *The Sources of Moral Agency: Essays in Moral Psychology and Freudian Theory*, (Cambridge University Press, 1996); Simon May, 'Overcoming Morality: A Study of Nietzsche's Ethics' Ph.D dissertation, University of London, 1997.

² Williams and May have been influenced by Nietzsche, and Deigh by Freud.

³ Williams, *Shame and Necessity*, pp. 161-2.

⁴ This is the central proposal of John Deigh, in 'Love, Guilt and the Sense of Justice', in *The Sources of Moral Agency*, esp. pp.48-52. While I focus on this single paper, this entire collection is a rewarding study of moral psychology.

account of the nature of value that precisely dispenses with any religious or in particular theistic, backing.

Conceptual analyses of moral concepts have recently been developed by philosophers most directly influenced by Nietzsche, as opposed to Freud; I will present a representative composite account of guilt, shame and remorse drawn from several different sources.⁵ First, the concept of guilt, as analysed centrally by Williams. Guilt depends on an identification with a set of standards which one is conscious of having violated. This prior identification is crucial to the concept as it suggests that the agent is already oriented to moral standards and that he or she has internalised their authority. One experiences this failure to live up to these standards painfully, motivated by the thought of a victim of the failure, who may be oneself (one may have been one's own victim, so as to speak). The painful experience is precipitated by an "enforcer", who is necessarily internal to the psychology of the agent.⁶ The agent's reaction to this witness is one of fear, fear *at* the internalised judger's anger, which can be developed into the more sophisticated concept of fear *of* justified retribution for the wrong done.⁷ However, contingently, the necessary internal judger may be accompanied by a genuine "external" observer. The experience of pain at the failure to live up to standards may be accompanied by a sense of one's impotence in living up to one's ethical

⁵ This analysis is a composite of the analysis presented by Williams, *Shame and Necessity*, pp. 219-223, balanced by that of May which stays closer to the original source in Nietzsche, May "Overcoming Morality", pp.88-91.

⁶ Williams prefers the term "enforcer" to May's more neutral "witness".

⁷ However, Williams argues that this more sophisticated development should not be further refined to the point where it loses a key virtue of the more primitive analysis, its focus on victims: "If it is to be an inherent virtue of guilt, as opposed to shame, that it turns our attention to the victims of what we have wrongly done, then the victims and their feelings should remain figured in the construction of guilt, as they are in the primitive version of the model. When the conception of guilt is refined beyond a certain point and forgets its primitive materials of anger and fear, guilt comes to be represented simply as an attitude of respect for an abstract moral law and it then no longer has any special connection with victims". *Shame and Necessity*, p. 222.

obligations. However, this feeling of powerlessness is not central to the experience of guilt.

This analysis offers an illuminating contrast with the closely related emotion of shame. Shame, by contrast, begins with the experienced impotence of the agent which is only of marginal importance in the case of guilt. In the case of shame, any failure to live up to standards is merely an expression of one's impotence and that is the ethically significant feature of the situation for the agent. This does not, however, make shame an egocentric or narcissistic phenomenon as the standards may themselves be ethical and non-egoistically focused.⁸ The "witness" in this case may be external or internal and must be of concern to the agent - the agent will only feel shame in the eyes of a witness whose opinion carries weight with the agent. However, the witness must necessarily be internal for guilt, but can be external for shame and one need not be identified with the ethical standards of the witness. His or her mere presence is enough to precipitate the feeling of shame. Shame need not involve a victim and is focused on the agent's feelings of powerlessness or impotence.

Remorse stands at a greater conceptual distance from the pairing of shame and guilt as it is already more heavily moralised. To explain remorse we need a set of moral assumptions, broadly the distinction between a morality of standards and an ethic of value.⁹ Remorse, by

⁸ A point well made by May, 'Overcoming Morality', p.89.

⁹ This broad distinction has recently been focused by the work of Elizabeth Anscombe, Bernard Williams and others in such a way as to redress the balance in favour of an ethic of care and direct altruism, rather than a morality of rules. From a very large literature I cite as representative Lawrence Blum's *Friendship, Altruism and Morality*, (Routledge and Kegan Paul, 1980). The vague distinction I draw here requires considerable sharpening: for scepticism about the distinction see, for example, Robert Louden's *Morality and Moral Theory*, (Oxford University Press, 1992). For some counterbalancing considerations see my review of Louden, 'My Duties - To Myself', in *The Times Literary Supplement*, August 13, (1993) p.22. Naturally, I cannot discuss this wider issue here in the detail it deserves.

contrast with either shame or guilt, seems to involve the destruction of value rather than the infringement of standards of right and wrong.¹⁰ The infringement of standards involved in guilt involves the idea of righting the wrong caused by the violation of the standards; this is part and parcel of the standards being standards with which the agent is identified. The mutual recognition underpinning the idea of a social rule demands recompense from the guilty in the form of "righting the wrong". As Nietzsche originally suggested, the guiding metaphor here seems to be that of indebtedness to a creditor. Yet in the case of remorse, "there are no set ways to remedy evil".¹¹ One has destroyed an object of value and this destruction may be, precisely, irremediable. Whereas guilt is experienced as an incurred debt from which one seeks to be released, remorse does not have a natural outlet and can lead to a paralysis of the will. Comparable to grief, it is focused on the past and on the destruction of that which is now lost.¹² It has been proposed as a distinctive mark of the emotion that remorse is typically felt over irremediable evil, a destruction of value that cannot be remedied.¹³ As a moral emotion, it shares guilt's primitive focus on the victim of the act: the value that was destroyed voluntarily.

Thus, the experience of remorse indicates a certain kind of wrong doing, which Deigh marks off with the term "evildoing", which is focused on value, not rules or standards. These values may paradigmatically be the value of other people, although not necessarily

¹⁰ Deigh, 'Love, Guilt and the Sense of Justice', p.48.

¹¹ Deigh, 'Love, Guilt and the Sense of Justice', p. 49.

¹² Points made in the course of the debate between Robert Rosthal, 'Moral Weakness and Remorse', *Mind*, 76 (1967), pp. 576-579 and Irving Thalberg, 'Rosthal's Notion of Remorse and Irrevocability', *Mind*, 77 (1968), pp. 288-289. They are endorsed by Deigh, 'Love, Guilt and the Sense of Justice', p. 50.

¹³ A claim advanced by C.D. Broad, *Five Types of Ethical Theory*, (Routledge and Kegan Paul, 1930), p.203 and David A.J. Richards in *A Theory of Reasons for Action*, (Oxford University Press, 1971), p. 256.

so. If, while out walking in the countryside, I wantonly destroy the last wildflower of an endangered species, not protected by any legal or moral sanction, I have voluntarily destroyed an object of value. Remorse for the irreparable destruction is appropriate. But the fact that other people are the paradigm locations of value is, I will suggest, part of the deep significance we attach to remorse.

The overall effect of remorse can be to inhibit action. Action seems merely symbolic or as an actual evasion of the central problem, a failure to acknowledge that the situation cannot be put right. This certainly problematises the link with reparation, a point to which I will return. The analogy with grief is revealing. It too focuses on irremediable loss and the variety of means with which agents "cope" with the situation resists easy analysis. Suffice to say that a "living through" or "passing beyond" the situation can be the psychological mechanism via which an agent copes with grief and the situation seems analogous in the case of remorse.¹⁴

These reflections suggest that Deigh is correct that remorse is aligned with an ethic of care and concern for that which we value, whereas guilt is aligned with an ethic of rules with which we are identified as governing social life. While this distinction is broadly useful, it may be reconcilable at a deeper level if one acknowledges that the existence of the social institution of rules as premised on a desire for mutual recognition to function as the basis of self-respect. The core idea here is that the "rule like" set of prohibitions which constitute the cultural surface form of moral codes, teachable across generations, is not a self-standing phenomenon. An explanation of why we take such a list of prohibitions to be binding over our actions will not invoke further rules,

¹⁴ A point made by Rosthal, 'Moral Weakness and Remorse', p. 578.

but rather the ultimate values underpinning our commitment to morality. In this case, the relevant values will be the value of rational agents, who stand in reciprocal relations of mutual respect. The fundamental ethical relation between such agents will be that of direct altruism - an ethic of care, rather than a morality of respect for rules per se.

If this account is correct, it would suggest that to be able to feel remorse, one must be capable of empathetic identification with, for example, a specific person one values. As Deigh points out, a wrong done to that person without remorse is expressive of "remorselessness", verging on cruelty if that person is a person one loves.¹⁵ One expresses in one's conduct that one did not, in fact, identify with the victim so that one cared for them; whereas guilt at the infraction of a rule is premised on continued identification with the validity of those social norms. Remorse, like guilt, necessarily involves an internal authority before whom one is judged. Like shame, it involves a sense of impotence, in this case however, the impotence of having destroyed something valuable which cannot be repaired.

The question arises of why, in a context of moral or legal judgement, one demands remorse of a wrong-doer and its expression in acts of reparation. It seems on the face of it to be more rational to demand a sense of guilt. Guilt is premised on acceptance of the standards violated and offers both agent and judges socially accepted means of expiating guilt and relieving the burden of "debt". This line of argument grounds Hegel's suggestion that wrong-doers have a right to be punished. The demand that the wrong-doer experience remorse seems to have a different focus.

¹⁵ John Deigh, in 'Love, Guilt and the Sense of Justice', p.50.

That an agent be capable of remorse seems to indicate a fundamental capacity to enter into ethical relations; to be capable of identifying with an object or person of value and hence to experience value. Even if a morality of rules is fundamentally premised on structures of mutual recognition, mere identification with rules does not seem, ethically, to go deep enough. It can seem as if the domain of guilt does not touch on the underlying ethical reactions of experiencing people as valuable and irreplaceable and as the loci of self-respect and hence of value. The demand for reparation seems to have a solely symbolic or expressive role if it is indeed true that remorse is properly felt in circumstances when the value one has destroyed cannot be repaired. Guilt is premised on a continued identification with a social order, whereas remorse is based on a fundamental ethical identification with the sources of value which underpin that order, centrally other agents.

There is, then, a natural relationship between the "problematization" of reparation and conceptions of punishment. The experience of irremediable wrong paralyses the will. Guilt's connections with endorsed social standards offers an obvious outlet for action by way of compensation for wrong, but there is no obvious outlet in action for the experience of remorse. The attitude of mind called for by the experience of remorse is focused not on action, but on reflection; on an attitude of contemplation of the damage done. This state of mind has been well expressed by a moral philosopher who is also a novelist, Iris Murdoch, in a number of novels, such as the experience of the protagonist Edward Baltram in *the Good Apprentice*, who experiences a paralysing combination of remorse and grief at having caused the death

of his best friend.¹⁶ Murdoch's fascination with remorse explains a recurrent structural device in her novels: the remorseful individual gains release from his or her emotion by living through a structurally analogous scene to that of the initial trauma. This is an artistic expression of the remorseful agent's fantasy of being able to reverse time and live the moment of the irreparable harm again, to avoid causing the damage.¹⁷

Outside the confines of literary art in the service of the moral imagination, time cannot be reversed. What role, then, is played by the demand for reparation? Its role seems purely expressive and symbolic, reflecting one aspect of our concept of legitimate punishment - as expressing and symbolising our collective emotion as to the wrongful act and as demanding a similar acknowledgement on the part of the agent.

The word "acknowledgement" plays an important role here; the problematic demand for reparation in the case of remorse seems to reflect our demand to the agent that he or she do more than recognise that he or she brought about the bad state of affairs through his or her agency. Rather, that the agent should acknowledge that he or she understands what he or she has done - some writers have spoken in this connection of a deepening sense of the "moral meaning" of an agent's action.¹⁸ The deep point, once again, is that such acknowledgement can be taken as indicative that the agent understands what it is to enter into ethical relations with other people, other locations of value and agency with

¹⁶ Iris Murdoch, *The Good Apprentice*, (Penguin Books, 1976). Murdoch also discusses remorse in her more reflective philosophical mode in *The Sovereignty of Good*, (Routledge and Kegan Paul, 1970).

¹⁷ Rosthal, in 'Moral Weakness and Remorse', describes Kierkegaard's analysis of remorse so concisely I will quote it in full: "remorse is associated with a desire to nullify a past actuality", p.578.

¹⁸ Raimond Gaita, *Good and Evil: An Absolute Conception*, (Macmillan, 1991), especially 'Remorse and Its Lessons', pp. 43-66. However, Gaita does not clearly distinguish guilt and remorse and on occasion the psychological concept seems to be shaped by a prior view of morality in the way Williams cautions against (see footnote 3).

whom the agent can stand in ethical relations of mutual respect. It is such a symbolic proof of a fundamental orientation to the ethical that we seek when we demand reparation from the remorseful.

In conclusion, then, the sceptical suggestion that the concept of remorse is historically obsolete for the purposes of moral philosophy can be resisted. Its continued usefulness becomes apparent in the context of a revival of value based, as opposed to rule based, accounts of moral thought. The distinctive conceptual role for remorse as opposed to guilt is, as Deigh suggest, connected to a fundamental difference of emphasis in our conceptions of morality. Remorse is part of an ethic of care for that which we value; it seems indicative of a fundamental form of ethical orientation and for that reason is central to the responses we expect from those who have destroyed value, in extreme cases destroying the irremediable value of another person. It intensifies guilt's salutary focus on the victim of the transgression and is problematically related to the phenomenon of reparation, which seems to have primarily an expressive or symbolic role. Serving all these ethical functions, "remorse" does not seem a plausible candidate for replacement or revision in our ordinary moral thought.¹⁹

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¹⁹ Thanks to Kathryn Brown for her invaluable help in the preparation of this paper.