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The Personal and the Political: Forgiveness and Reconciliation in Restorative Justice

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Abstract
At the center of this paper are three questions: in the absence of a religious worldview, can one gain access to the concepts of forgiveness and reconciliation, can reconciliation be achieved in the absence of forgiveness or does the former depend in some way upon the latter, and can we make sense of a restorative approach to justice in the absence of either forgiveness or reconciliation? To answer these questions, I look closely at the concept of forgiveness in the first section of this article with the goals of disentangling it from its religious undertones and emphasizing its importance to the very concept of restorative justice. Drawing on both theoretical work and practical examples, I argue that forgiveness is not necessarily a religious concept—contrary to common perception—and that, contra Zehr, it *is* a foundational component of restorative justice. Having considered this first problem, I turn—in the second section—to a discussion of the concept of reconciliation, arguing that personal and political reconciliation must be separated from one another and from the concept of forgiveness. Ultimately, I conclude that forgiveness and reconciliation are quite different concepts, that the latter relies on the former, and that the latter is a goal rather than a necessary component of restorative justice. Drawing largely on the work of Hannah Arendt, Susan Dwyer, Trudy Govier, and Howard Zehr, as well as discussions with members of Murder Victims' Families for Reconciliation, I argue that political reconciliation between groups can be achieved in the absence of personal reconciliation between individual victims and perpetrators in those groups. Further, I demonstrate that restorative practices open up the possibility of both types of reconciliation, but that they are ultimately founded only on the principle of forgiveness.

Keywords: forgiveness, reconciliation, restorative justice, religion, Truth and Reconciliation Commission

The past ten years have seen an unprecedented outpouring of support for the idea of restorative justice. Proponents hold a very different view of criminal justice from the prevailing understanding of crime and punishment: "If crime harms people, justice should be a search to make things right to and between people…. If crime is injury, justice will repair injuries

and promote healing. Acts of restoration—not further harm—will counterbalance the harm of crime" (Zehr 2005, p. 186). Thus, as David Cayley (1998, p. 10) defines them, restorative practices "seek noncustodial settlements; they allow both the offender and the victim much more initiative; they are oriented more to peacemaking than punishment; and they try to mobilize the capacities of families, friends, and local communities in correcting offenders and holding them accountable." In particular, the experiences offered to the world by the South African Truth and Reconciliation Commission (TRC) in the late 1990s suggested that the retributive framework of Western justice systems might be lacking in some important respect. And yet, for all the lip-service paid to forgiveness and reconciliation of late, there remains a great deal of misunderstanding about what exactly is meant by these terms and by restorative justice.

Howard Zehr explicitly disconnects forgiveness and reconciliation from restorative justice. He argues that "forgiveness or reconciliation is not a primary principle or focus of restorative justice…. There should be no pressure to choose to forgive or to seek reconciliation" (Zehr 2002, p. 8). I will say much more, below, about the problem with conflating forgiveness and reconciliation, as Zehr does here, but for now it is sufficient to say that the two must be separated from one another so that restorative justice is not judged a failure when people or communities cannot be reconciled. A careful look at the South African experiment is particularly instructive, as Nelson Mandela embraced restorative practices while seeking to separate forgiveness and two distinct types of reconciliation—personal and political—from one another. The former is concerned with restoring a relationship between victim and offender, while the latter seeks to repair broken trust between hostile groups in the aftermath of international or intrastate conflict. While personal reconciliation is a desired outcome of a restorative approach to justice, it is not required for either the success of restorative practices or the achievement of political reconciliation. As argued by Marius Schoon, a South African whose wife and daughter were killed in 1984 by a letter-bomb intended for him, "On the whole I'm in favor of the Truth and Reconciliation Commission. I think it is going to bring about national reconciliation. In my case, it's not going to bring about personal reconciliation" (quoted in Dwyer 1999, p. 95). Selecting Desmond Tutu to spearhead the TRC was vitally important for South Africa, and also provided a great deal of weight to the uncertain concept of restorative justice; that said, his overt spirituality might well have unwittingly merged personal and political reconciliation with one another, with forgiveness, and with restorative justice.[1]

As Rajeev Bhargava (2000, p. 61) notes, "Victims in South Africa have complained bitterly that the justification of forgiveness derives from a particular moral vision with which they do not identify and that therefore it is not incumbent upon them to heed the plea to forgive." To answer this critique, I look closely at the concept of forgiveness in the first section of this article with the goals of disentangling it from its religious undertones

and emphasizing its importance to the very concept of restorative justice. Drawing on both theoretical work and practical examples, I argue that forgiveness is not necessarily a religious concept—contrary to common perception—and that, contra Zehr, it *is* a foundational component of restorative justice. Having considered this first problem, I turn—in the second section—to a discussion of the concept of reconciliation, arguing that personal and political reconciliation must be separated from one another and from the concept of forgiveness. Ultimately, I conclude that forgiveness and reconciliation are quite different concepts, that the latter relies on the former, and that the latter is a goal rather than a necessary component of restorative justice. Drawing largely on the work of Hannah Arendt, Susan Dwyer, Trudy Govier, and Howard Zehr, as well as discussions with members of Murder Victims' Families for Reconciliation, I argue that political reconciliation between groups can be achieved in the absence of personal reconciliation between individual victims and perpetrators in those groups. Further, I demonstrate that restorative practices open up the possibility of both types of reconciliation, but that they are ultimately founded only on the principle of forgiveness.

The Role of Forgiveness in Restorative Justice

In thinking through the connection between forgiveness and restorative justice, it is of paramount importance to begin with the victims. Restorative justice, after all, seeks to address the needs of victims in a very different manner from our current criminal justice system. As Zehr (2002, p. 14) argues, "Victims often feel ignored, neglected, or even abused by the justice process." These feelings seem to stem directly from the fact that our system is an adversarial one, in which the state stands in for crime victims at trial and offenders are encouraged to keep details to themselves in an effort to avoid self-incrimination. In the end, the criminal justice process equates the punishment that is meted out to offenders with meeting the needs of victims. Quite at odds with this conception, however, are some additional needs of victims, namely for information, truth-telling, empowerment, and restitution, that often go unnoticed or are ignored (cf. Zehr 2002, pp. 13-15). While each of these is a benefit gained by victims from restorative justice practices, I will focus primarily on the third—empowerment—in what follows because its connection with forgiveness is most explicit. It is through the experience of forgiving offenders that victims are empowered and can gain access to all that a restorative process offers.

Briefly, though, it is clear that victims and their loved ones have a deep desire for answers and, more often than not, criminal trials cannot address it: "They need *real* information, not speculation or the legally constrained information that comes from a trial or plea agreement" (Zehr 2002, p. 14). Victims frequently want a reason that explains why they were targeted and, while there often is no such reason, they can benefit a great deal from

learning that their actions had nothing to do with their victimization. In the case of grave violations of human rights, as in South Africa, many victims' families wanted to know where the remains of their loved ones could be found for proper burial; the TRC found itself exhuming bodies and presiding over funerals on a number of occasions, two activities that no one considered when the Commission began its work. In addition to the need for information, the experience of telling the story of one's victimization can be transformative. As Martha Minow (2000, p. 243) notes, "the trauma story is transformed as testimony from a telling about shame and humiliation to a portrayal of dignity and virtue; by speaking of trauma, survivors regain lost worlds and lost selves." Further, restitution is important—not simply because some actual losses might be recouped, but because it implies an acknowledgement of the wrong in a way that a guilty verdict does not; a great majority of convicted offenders continue to maintain their innocence—often implausibly and indefinitely—but, "When an offender makes an effort to make right the harm, even if only partially, it is a way of saying 'I am taking responsibility, and you are not to blame'" (Zehr 2002, p. 15).[2]

With regard to the concept of forgiveness, however, some unpacking is required, for it isn't immediately clear how empowerment is as explicitly connected to forgiving as I have suggested. On first blush, it seems odd to equate either justice or empowerment with forgiveness; the mistake, however, lies in the contemporary understanding of forgiveness, where an offender apologizes and a victim accepts that apology. This sort of forgiveness takes its bearings from biblical accounts, especially the famous parable of the unmerciful servant in the Gospel of Matthew (18: 21-22), which begins with Peter asking, "'Lord, how many times shall I forgive my brother when he sins against me? Up to seven times?' Jesus answered, 'I tell you, not seven times, but seventy times seven.'"[3] Fred Luskin (2003, p. 68), director of the Stanford University Forgiveness Project, points out the problem cogently:

> Some of us confuse forgiveness with condoning unkind actions. There are those who think that we forgive in order to repair the relationship with the offender. Some of us are afraid to forgive because we think we will not be able to seek justice. Some think that forgiveness has to be a precursor to reconciliation. Some of us think that forgiveness means we forget what happened. Others of us think that because our religion says we should forgive we have to be able to. Each of these conceptions is wrong.

If these common understandings are wrong, though, Luskin is decidedly more evasive when it comes to formulating his own. Indeed, definitions of forgiveness tend to vacillate between relying on religion and being hard to decipher. Rodney L. Petersen (2002, p. 14), for example, presents a theology of forgiveness that can be found in Jesus' teaching: "First, forgiveness is the free and sovereign gift of a loving God as revealed in a relationship best described as a covenant. Second, the chief instrument for the

realization of forgiveness is the sacrificial cult that Jesus was understood to personify. Finally, a realization of repentance grows out of the release of forgiveness." Others, like Luskin (2003, p. 68), steer clear of the New Testament, but their accounts of forgiveness remain imprecise and difficult to access: "Forgiveness," he says, "is the experience of peacefulness in the present moment."[4] Luskin is not alone, of course, in attempting to explain the transformative power of forgiveness, nor is he alone in his definitional troubles. Tutu (2000, p. 271), for example, argues that forgiveness "means taking what happened seriously and not minimizing it; drawing out the sting in the memory that threatens to poison our entire existence." Why exactly one might tie forgiveness to empowerment and healing—let alone how—is left up to each individual.

For some assistance with definitions, a brief look at the *Oxford English Dictionary* is instructive. There are eight definitions listed for "forgive" and they range from the very obscure ("to give up one's resolve") to the more recognizable ("To give up resentment against, pardon [an offender]") (Simpson & Weiner 2003, vol. 6, pp. 71-72). The first uses of the word in English are found in a translation of the Gospel of Matthew (c. 1000), but only one definition—where forgiveness is equated with absolution—can be easily connected to religion (Simpson & Weiner 2003, vol. 6, pp. 71-72). Forgiveness is one of the more well-known attributes of God in the New Testament, certainly, but the connection between forgiveness and religion (particularly Christianity) is not a necessary one. Hannah Arendt (1998, p. 238) makes this point, while at the same time embracing Jesus as an exemplar of the power of forgiveness: "The discoverer of the role of forgiveness in the realm of human affairs was Jesus of Nazareth. The fact that he made this discovery in a religious context and articulated it in religious language is no reason to take it any less seriously in a strictly secular sense."[5] Indeed, the most common uses of the word—from the *OED*—do not involve a deity at all, focusing instead on the interactions between victim and offender.[6] According to Zehr (2005, p. 47), "Forgiveness is letting go of the power the offense and the offender have over a person. It means no longer letting that offense and offender dominate. Without this experience of forgiveness, without this closure, the wound festers, the violation takes over our consciousness, our lives. It, and the offender, are in control. Real forgiveness, then, is an act of empowerment and healing. It allows one to move from victim to survivor." Additionally, rather than the understanding of forgiveness to which many add the concept of forgetting, Trudy Govier (2002, p. 61) argues that "The memories that accompany forgiveness will be memories that exclude resentment and allow us to "let go" while retaining the knowledge that these things were done, and they were wrong." Unlike the definitions of Petersen, Luskin, and Tutu, quoted above, the definitions of both Zehr and Govier clearly build on the understanding gleaned from the *Oxford English Dictionary* by focusing on the victim's choice to let go of resentment

toward the offender; in doing so, I want to argue that Zehr and Govier accurately describe the connection between forgiveness and empowerment, and provide a connection between forgiveness and restorative justice—and they do so, here, without reference to religion. If victims are unwilling or unable to begin the process of forgiving offenders, a restorative approach to justice—with its emphasis on "noncustodial settlements" and "peacemaking [rather] than punishment" (Cayley 1998, p. 10)—will likely be seen as benefiting offenders at the expense of victims, hardly seeming like justice at all.

In the aftermath of any sort of violation, victims typically have the feeling that they have lost some element of control over their lives. They feel disempowered by offenders, as Zehr (2005, p. 52) notes: "Denial of victims' autonomy by offenders is in large part what makes being a victim so traumatic. To be whole, we need some sense of being in control of our own lives and destinies. To have that taken away suddenly, arbitrarily, frighteningly, is intensely dehumanizing. Offenders turn victims into objects, into "things," robbing them of power over their own lives." If Zehr is right about this—and I think he undoubtedly is—then one of the most powerful aspects of forgiveness is that it allows victims to reassert their power over their own lives. In this sense, the experience of restorative justice—with its emphasis on forgiving, letting go of the offense—offers victims the possibility of both healing and empowerment. In order to gain access to these positive possible outcomes of restorative justice, victims must choose to begin the difficult work of forgiving offenders for the harm they caused. Minow points out that there is much to be gained from making the choice to forgive; indeed, the very act of choosing can itself be empowering for victims. Forgiveness, on this reading, offers a way out of the deep anger and resentment that victims feel toward those who have harmed them; it might also be seen as "a way to choose to be different from those perpetrators, to embrace a different set of values" (Minow 1998, p. 16).

This difficult, but ultimately empowering, work of forgiving need not involve the offender in any way. Govier (2002, p. 62) notes that "If we presume that repentance by the offender is a condition of forgiveness by the victim, the consequence for forgiveness is a certain incompleteness." Offenders seldom apologize for their actions or take any responsibility for the harms they have caused, and the criminal justice system is often complicit in this lack of accountability, as will be discussed in greater detail below (cf. Zehr 2005, pp. 40-43). But importantly, victims can choose to forgive in the absence of remorse or apology from those who have harmed them. On this point, Margaret Holmgren says, "[T]he appropriateness of forgiveness has nothing to do with the actions, attitudes, or position of the wrongdoer. Instead it depends on the internal preparation of the person who forgives" (quoted in Govier 2002, p. 62). In order to forgive, victims must allow themselves time to experience the full range of emotions that come from victimization before em-

barking on the journey to forgiveness and healing. In doing so, victims can recover their sense of both self-worth and autonomy. This unilateral forgiveness "does not mean that she should downplay the seriousness of the harm done to her, or excuse or condone the wrongdoing. But no victim will benefit, psychologically or morally from clinging to a resentful sense of her own victimhood and dwelling on the past" (Govier 2002, p. 63). Perhaps the most recognizable contemporary example of unilateral forgiveness is Nelson Mandela, who seems to harbor no resentment toward those who imprisoned him on Robben Island for 27 years. Govier (2002, p. 71) argues that

> When Mandela reached out to his former enemies and did whatever he could to assure them that they would suffer no evil at his hands, he did not do this in response to acknowledgement and expressions of remorse on the part of white leaders. Nor was he responding to a community that had apologized for the wrongs of the past and indicated a commitment to deep and widespread moral transformation.

It is undoubtedly because Mandela had so much about which he could have been justifiably angry that his forgiveness has inspired so many in South Africa and around the world. The unilateral forgiveness that he offered to white South Africans was not seen by anyone as a sign of weakness or willingness to forget the past, but instead has gained him nearly universal admiration for his "openness, acceptance, and lack of bitterness" (Govier 2002, p. 71). Indeed, Mandela's decision to spend New Year's Eve 2000 on Robben Island signified both his remembering of apartheid and his triumph over the conditions that system imposed on him and all black South Africans. Govier (p. 61) rightly argues that "What is at issue in forgiveness is not whether suffering and wrongdoing are remembered, but how they are remembered."

But not all victims can be like Mandela, especially as most are also disempowered on another level; the retributive criminal justice system, as it is currently constituted, wrests a great deal of control over the situation from them. The ability to work toward forgiveness is considerably complicated by the fact that "crime is defined as an offense against the state. The state, not the individual, is defined as victim. The state—and only the state—may respond…. Since the state is defined as victim, it is not surprising that victims are so consistently left out of the process and that their needs and wishes are so little heeded" (Zehr 2005, pp. 81-82). There are an astounding number of stories that speak to this point, but an especially powerful example is the case of SueZann Bosler, whose father—Reverend Bill Bosler—was murdered in 1986 (cf. King 2003, pp. 138-162).[7] Wounded in the same attack, SueZann was called repeatedly as a witness in the penalty phase of the state's capital murder trials of James Bernard Campbell. Like her father, SueZann opposed the death penalty and sought to honor her father's opposition with her testimony:

> The judge interrupted her, saying, "There will be no discussion about the death penalty, period, and I'm advising you right now that if you violate my order, you will be in direct criminal contempt, and you face six months in county jail and a $500 fine." A videotape of this scene in the courtroom shows SueZann Bosler on the witness stand, crying as she replies, "I don't know what to say. I feel like if I say one word I'm going to go to jail. I don't want to go to jail. That's not my purpose here." (Cushing & Sheffer 2002, pp. 14-15)

Despite this ordeal, the story has a more positive ending that centers around SueZann's experience of empowerment; in the end, Campbell was sentenced to life imprisonment and she was able to attain some measure of healing through her work with organizations that are founded on restorative principles and that focus on healing rather than retribution.

When she speaks about forgiveness and healing, Bosler always points out that she felt her religious faith called her to forgive Campbell. Of the first five and a half years, from her father's death until Campbell's second trial Bosler (personal communication, August 2, 2006) says, "when I was asked repeatedly, 'Do you forgive him?' I quickly replied, 'yes.' But, as you know, I really did not mean it." What many of her visitors, well-wishers, and even family members failed to recognize is that forgiveness is a lengthy process. Despite her own good intentions and the feeling that she ought to be forgiving, Bosler continued to harbor a great deal of anger and hatred. Govier (2002, p. 43) notes that "Forgiveness is a matter of working over, amending, and overcoming attitudes, and it is a process, not an event. To say 'I forgive you' is not necessarily to forgive." As time passed, SueZann came to realize that "when I hated James it damaged me, not him whatsoever. My hate and anger toward him did not help me with my father's memory, it tainted it" (personal communication, August 2, 2006). This understanding, earned over a period of years that she calls "a lifetime of education and experience" (personal communication, August 2, 2006), enabled her to achieve a far more positive result at Campbell's second trial than at his first: "When I got on the stand…I said, 'Mr Campbell, I forgive you. Whether you accept it or not, I forgive you.' This time I really meant it. … It's not like I lied when I said I forgave him before. I was just beginning the process; I didn't realize how far I still had to go. After the second trial, I felt so lighthearted. After all those miserable years of wanting to feel better, the healing was finally coming true" (King 2003, p. 152). She argues that her ability to heal didn't stem from Campbell's conviction and punishment; instead, Bosler (personal communication, 17 Jan. 2006) emphasizes her decision to forgive him: "Being able to point to him at that moment, and express my forgiveness, was like having a weight lifted from my shoulders." This experience of forgiveness is a central tenet of restorative justice; as Zehr (2005, pp. 186-187) argues, "The violated should again begin to feel like life makes some sense and that they are safe and in control. The violator should be encouraged to change. He or she should receive freedom to begin life anew."

Unpacking the Concept of Reconciliation

Of course, forgiveness does not come easily or quickly. Even SueZann Bosler (personal communication, August 2, 2006), who describes forgiving Campbell as giving her power, emphasizes that "I still cry and still have moments of up and down." This is true of even the smallest offenses, as anyone who grew up with siblings knows, so forgiving grave offenses becomes almost unimaginable. Harder still, and for multiple reasons, would be achieving a reconciliation of victim and offender. Most obviously, reconciliation implies a repairing or rebuilding of some sort of relationship but, in many cases, none existed prior to the offense or neither party desires a relationship. In addition, this personal reconciliation requires interaction between victims and offenders, and such interaction is typically discouraged by the criminal justice system. Next, it requires that the offender accept responsibility for the harm he or she has done, which—in our retributive system—is seldom achieved. A fourth important component involves repentance on the part of the offender, for it would be incredibly difficult for a victim to reconcile with an unapologetic offender. And finally, I want to argue, the victim's desire for reconciliation necessitates some sort of religious worldview. In each of these five points, reconciliation stands in sharp contrast with forgiveness despite the frequent conflating of the two terms.[8]

Personal Reconciliation

Clearly, in order for two people to be reconciled there must be a breach that is subsequently repaired. While the breach is obvious in most cases—whether the harm is theft, assault, or even murder—it is also often true that the victim and offender do not have a preexisting relationship. Frequently, the victim is targeted by the offender at random and restorative justice can help the victim recognize that he or she was in no way at fault for the harm that occurred. Zehr (2005, p. 27) argues that "Information can be very important to victims, and answers to such questions [as What actually happened? Why did it happen to me?] may provide an entrance on the road to recovery." While providing these sorts of answers is important to the healing process, it is quite different from reconciliation. In cases where victim and offender have only the crime in common, reconciliation seems a very lofty goal, not simply because there is no prior relationship to reestablish. For although Zehr (2005, pp. 181-182) argues that the crime itself establishes a relationship, reconciliation would seem to necessitate that the victim has some desire for the continuation of a relationship created by an offense.[9] Even in those cases where the two have an established relationship that has been breached, personal reconciliation remains difficult under the current criminal justice system, which seeks to establish guilt and punish offenders rather than to repair the breach. As Zehr (2005, pp. 79-82) points out,

> The justice process … requires dependence upon proxy professionals who represent offender and the state. This, in turn, removes the process of justice from the individuals and the communities which are affected. Victim and offender become bystanders, nonparticipants in their own cases…. The justice process does not seek reconciliation between victim and offender because the relationship between victim and offender is not seen as an important problem.

With this in mind, it is also unsurprising that there are often rules prohibiting any contact between victims and offenders. These rules exist in order to protect victims from further harm, of course, but they foreclose any hope for personal reconciliation at the same time. Because the victim and the offender are discouraged or prevented from interacting with one another, stereotypes are maintained on both sides, offenders need not take responsibility for the harm they have done, and victims cannot gain access to information that only offenders can provide.

Since personal reconciliation is a goal—though not a necessity—of restorative justice efforts, interaction between the victim and offender is imperative. Indeed, the Victim Offender Reconciliation Programs (VORP) in North America focus primarily on bringing victims and offenders together to engage in meaningful dialogue. These programs were pioneered by Mennonite communities in Ontario and Indiana, and involve "a face-to-face encounter between victim and offender in cases which have entered the criminal justice system process and the offender has admitted the offense" (Zehr 2005, pp. 160-161). In this way, VORP works in conjunction with the criminal justice system, but seeks a very different end. Rather than focusing on guilt and punishment, VORP emphasizes "three elements: facts, feelings, and agreements" (Zehr 2005, p. 161). The key to the process is that both the victim and offender are able to tell their stories and reach an agreement together about how the wrong can be made right. As Zehr (p. 162) points out, "VORP provides opportunity for expression of feelings, exchange of information, and recovery of losses while leaving victims with a sense of empowerment." Benefits also accrue to the offenders, especially in putting a face to the harm they have caused and accepting responsibility for their actions. Further, since "they are real participants rather than bystanders, they too can experience empowerment" (Zehr 2005, p. 162). The trouble, of course, is that the VORP model is atypical; more often than not, the offender does not express remorse or even admit the offense. In our criminal justice system, police officers must advise suspected criminals that anything they say can be used against them in court and defense attorneys routinely advise their clients not to testify at trial. While this is often an effective strategy when it comes to the adversarial criminal trial—making the most of the presumption of innocence—it does little to help the offender take responsibility for his actions. Indeed, it promotes the impression that justice is something that is done to the offender, rather than a process in which he or she actively participates.

Further, the VORP model is typically used to resolve relatively non-violent crimes like theft, vandalism, and burglary. Putting it into practice in murder cases might seem to be setting the idea of personal reconciliation up for failure.[10] That said, the process is increasingly being introduced in cases where harms more serious than burglary have been committed, and the results are encouraging.[11] The reason for these positive results, I want to argue, has nearly everything to do with the victims of violence and their outlook. Indeed, in those cases where reconciliation has been achieved the victims have been particularly extraordinary individuals; they have both forgiven the offense and then sought to establish a connection with the offenders, whether or not a prior relationship existed. Consider the following two examples, one from the United States and the other from South Africa.

The first case involves Bill Pelke, a retired steelworker from Indiana. In 1986, Pelke's grandmother Ruth was brutally murdered by four teenage girls from a local high school in Gary, Indiana (cf. King 2003, pp. 87-114). The ringleader, 15-year-old Paula Cooper, was sentenced to death and Pelke was supportive of that decision. Years later, Pelke says he "went through a spiritual transformation … after praying for love and compassion for Paula Cooper and her family. He became involved in an international crusade on Paula's behalf and in 1999 after over two million people from Italy signed petitions and Pope John Paul II's request for mercy, Paula was taken off of death row and her sentence commuted to 60 years" (Pelke 2005). Since then, Pelke has worked to establish a relationship with Cooper; they exchange letters regularly and he has visited her in prison on a number of occasions. In speaking about why he chose to reconcile with Cooper, Pelke (personal communication, August 5, 2005) says, "I thought my grandmother would want me to share some things with her from the Bible. Nana let Paula into her home so she could teach her Bible lessons. Since Nana could no longer share that with Paula, I thought I would say some things to her that Nana would have wanted me to."

In South Africa, one of the most well-known cases handled by the TRC involved the so-called Guguletu Seven, young men who were killed by police in 1986. At the time, the seven were labeled as terrorists and the shootout was used by police as an example of their success in keeping order in the townships. When two of the policemen—one white, the other black—appeared before the TRC years later, however, it became clear that the Guguletu Seven had been targeted by police, infiltrated by an informant, and led into a trap that resulted in their deaths. Thapelo Mbelo, the black officer who infiltrated the group, ultimately asked to meet with the mothers of the murdered young men to explain himself, but the mothers were initially (understandably) unforgiving. Then, one of the mothers—Cynthia Ngewu—made the decision to tell Mbelo that she would forgive him, taking her cue from the example of Jesus, and the others also seemed to soften their attitude toward him. Minow (1998, p. 82) offers Ngewu's own words about her decision to reconcile: "This thing called reconciliation … if I am

understanding it correctly … if it means this perpetrator, this man who has killed Christopher Piet, if it means he becomes human again, this man, so that I, so that we all of us, get our humanity back … then I agree, then I support it all."[12]

The determining factor in both of these examples—and in countless others I have not recounted—is the role played by religious faith. As I argued above, there are myriad reasons for victims to forgive (including religious faith, of course), but, if reconciliation between victim and offender is going to occur, a religious understanding of the world and humanity's place in it must play a major role. For in reconciling, victims are asked to do more than forgive; they are brought (back) together with offenders so that some sort of relationship can be (re)established in the aftermath of some (often terrible) breach. Why might victims want to reconcile with those who have done them such harm? While there are many non-religious reasons to forgive—as described above—it is a very difficult task to imagine similar motivating circumstances for reconciliation, precisely because reconciliation requires so much more of victims. I want to argue that the motivating force—for religious people—is the sense that reconciliation is part of God's plan.[13] As Michael J. Perry (1998, pp. 14-15) argues, the central feature of a religious worldview is "a vision of final and radical reconciliation, a set of beliefs about how one is or can be bound or connected to the world—to the "other" and to "nature"—and, above all, to Ultimate Reality in a profoundly intimate way."[14] Indeed, each one of the four definitions of reconciliation in the *Oxford English Dictionary* make reference to God or religion, including "The action of reconciling persons *spec.* in religious use, of God and man" and "The purification, or restoration to sacred uses, of a church, etc., after desecration or pollution" (Simpson & Weiner 2003, vol. 13, p. 354).[15] The concept has lost some of its religious meaning over time, so that many people now speak of reconciliation—incorrectly, I want to argue—when two parties are restored to friendly relations or when two warring groups begin to live together without murdering one another. As Govier (2002, p. 143) states, "To be worthy of the name, reconciliation must involve more than non-violent co-existence." But the earliest English uses of the word all involve religion; typically they involve uniting all of humanity with God or individuals with the church. For example, in 1382, Wyclif writes, "God was in Crist, reconcilynge to him the world"; in 1387, Trevisa notes that "þe pope Iustinus reconcilede þe bisshoppes þat Anastacius hadde exciled"; and around 1386, Chaucer asserts that "If the chirche be halewed … the chirche is entredited til it be reconciled by the bysshope" (Simpson & Weiner 2003, vol. 13, pp. 352-353). These explicit connections between religion and reconciliation, I want to argue, provide one of the clearest distinctions between that concept and the concept of forgiveness.

Personal reconciliation, then, sets a very high bar, as the offender must take responsibility for the harm he or she has caused and then express remorse to the victim. This is a marked difference from the concept of for-

giveness, as a victim can choose to forgive without any contrition on the part of the offender; beginning the process of reconciling with such an unsympathetic offender, however, would be nearly impossible. Interestingly, remorse was not a condition for amnesty in South Africa, but offenders were required to make "a full disclosure relating to the crime for which amnesty was being sought" (Tutu 2000, p. 30). The requirement of truth as a condition for amnesty, as every proponent of the TRC notes, arose in part because the process was an imperfect one that arose out of a stalemate between the minority government and the forces of democracy. But, as Tutu (2000, p. 49) rightly asks, "Could it ever be sufficient for a perpetrator, someone who had committed some of the most dastardly and gruesome atrocities, to be allowed to get off scot-free as it were with only a confession, a full disclosure, since, as it happens, the act under which we operated did not require that the applicant should express contrition or remorse?" In the end, he has multiple answers to this troubling question—that restorative justice provided a new way of conceiving of the appropriate result as communal healing or that offenders were properly punished in the court of public opinion (Tutu 2000, pp. 51, 54-55)[16]—but it remains unclear whether the TRC actually accomplished much in the way of personal reconciliation.[17]

As noted above, some offenders were apologetic and the process of reconciliation with victims could begin. Other offenders, however, were vocally unapologetic and this made reconciliation, especially with individual victims, seem not to be an option at all. Consider, for example, the case of Jacques Hechter, a police captain who murdered dozens of people and then read an unconvincing prepared statement of remorse at his amnesty hearing. Confronted afterward by David Goodman, a reporter covering the TRC, Hechter responded to an accusation that his statement sounded wooden and disingenuous; according to Goodman (1999, p. 176):

> Hechter wheels around and glares at me. "Ach, I'm not fuckin' sorry for what I did," he says defiantly, his mouth cocked in a macabre half-smile. He stares directly at me, as if his stare could freeze me in place. "Look—I fought for my country, I believed in what I did, and I did a good job. They were my enemy at the time … I did my job well. And I'd do it again if the circumstances called for it."

Faced with an offender of this sort, it is clear to see why many victims felt that the TRC worked for the offenders more than it did for them. But personal reconciliation should not be understood as the central focus of the TRC and is not the basis on which its success should be measured.

Political Reconciliation

Most efforts at restorative justice that existed prior to the very public South African experiment were much smaller and more local. While per-

sonal reconciliation often took place in those instances, it was left up to the participants themselves to make that choice. By contrast, the TRC was tasked with the daunting project of promoting "national unity and reconciliation in a spirit of understanding which transcends the conflicts and divisions of the past" (South African Constitution 1995). The goal, then, was political reconciliation, a very different outcome from the personal reconciliation that might be achieved by the VORP process described above. "The act establishing the TRC described South Africa as a nation with "a legacy of hatred, fear, guilt, and revenge" which was attempting to "*transcend* the divisions and strife of the past." To speak of transcending divisions indicates a perceived need to deal with *attitudes and feelings*; such language suggests a conception of reconciliation richer than that of non-violent co-existence" (Govier 2002, p. 144). And to attempt that task, in the immediate aftermath of apartheid, Archbishop Desmond Tutu was selected to lead the TRC forward.

Of course, many South Africans do not see eye to eye with Tutu on the virtues of giving amnesty to perpetrators of horrific crimes in exchange for the truth about those crimes. This is especially true of those who do not share Tutu's religious beliefs and who cannot see any connection between their own understandings of justice and the efforts of the TRC. Churchill Mxenge—whose brother, Griffiths, was murdered because of his work as an antiapartheid lawyer and whose family challenged the amnesty process in court—makes precisely this point: "I try to put myself in Tutu's position … Tutu is a man of the cloth, a man who believes in miracles. But I cannot see him being able overnight to cause people who are hurt and bleeding to simply forget about their wounds and forget about justice. … Unless justice is done it's difficult for any person to think of forgiving" (quoted in Minow 1998, p. 81). Tutu's response, directly to Mxenge and also more generally in his book, is an appeal to restorative justice that, he argues, is particularly important in South Africa. First, as noted above, he highlights the point that the offer of amnesty to perpetrators resulted from political necessity. Secondly, though, Tutu (2000, pp. 54-55) argues that

> there is another kind of justice, restorative justice, which was characteristic of traditional African jurisprudence. Here the central concern is not retribution or punishment. In the spirit of *ubuntu*, the central concern is the healing of breaches, the redressing of imbalances, the restoration of broken relationships, a seeking to rehabilitate both the victim and the perpetrator, who should be given the opportunity to be reintegrated into the community he has injured by his offense.

Tutu is clearly hopeful that people like Mxenge will someday gain access to this very different conception of justice and he provides, in this statement, a clear picture of the power of reconciliation. That said, he makes a mistake, on my reading, to connect personal and political reconciliation here; although he has a strong desire for everyone to build positive rela-

tionships in the new South Africa, Tutu will likely never convince Mxenge to reconcile with those who murdered his brother. However, this has little bearing on whether he can gain access to the concept of restorative justice or whether black and white South Africans, as distinct groups, can be reconciled in the aftermath of apartheid. Rather than appealing to the concept of *ubuntu* and seeking to demonstrate that restorative justice is consistent with a traditional African understanding of justice, Tutu might do better by showing that Mxenge is incorrect about forgiveness necessitating both religious belief and forgetting the offense. Rather than an abstraction that involves spirituality and forgetfulness, forgiveness should instead be thought of as a concrete political choice of release for the offender and empowerment for the victim. Following Arendt (1998, p. 240), then, Tutu might argue that "Only through this constant mutual release from what they do can men remain free agents, only by constant willingness to change their minds and start again can they be trusted with so great a power as that to begin something new." In this way he might encourage the healing process for these victims (and victims' families) and give them easier access to the concept of restorative justice, while also fostering the political reconciliation that the TRC seeks. As Govier (2002, p. 144) argues, "In the aftermath of serious conflict, for reconciliation to be lasting, some kind of trust must be built, and for that to happen, attitudes must change—hence the relevance for forgiveness."

While the concept of *ubuntu* might be quite helpful in achieving forgiveness, it is not required. As outlined above, forgiveness may be offered unilaterally and purely for one's own good rather than with a view to the good of the offender or the nation. Of course, this mistake is not simply Tutu's. The concept of *ubuntu* is explicitly referenced in the Promotion of National Unity and Reconciliation Act in South Africa's constitution and, as such, it receives a good deal of attention from Tutu. Indeed, he claims that the ideas represented by the word—which is "very difficult to render into a Western language" (Tutu 2000, p. 31)—are central to the African sense of self. He also points out that these ideas are quite at odds with the Western concept of individuality, but that *ubuntu* "speaks of the very essence of being human" (p. 31). The idea shares a good deal with Marx's concept of the species-being—beyond simply being set in opposition to the Western assumptions about individuality. To get a better sense of what Tutu (p. 31) has in mind when he talks about *ubuntu*, it is useful to quote him at some length:

> When we want to give high praise to someone we say, "*Yu, u nobuntu*"; "Hey, so-and-so has *ubuntu.*" Then you are generous, you are hospitable, you are friendly and caring and compassionate. You share what you have. It is to say, "My humanity is caught up, is inextricably bound up, in yours."… A person with *ubuntu* is open and available to others, affirming of others, does not feel threatened that others are able and good, for he or she has a proper self-assurance that comes from knowing that he or she

> belongs in a greater whole and is diminished when others are humiliated or diminished, when others are tortured or oppressed, or treated as if they were less than who they are.

This idea fits nicely with the general theory of restorative justice, though the latter in no way necessitates that individuals have *ubuntu* or think about humanity in this way. Further, as Richard A. Wilson (1996, pp. 11-13) points out, this universalistic concept of *ubuntu* might be as much a recent creation as a return to a tradition of the past and "popular conceptions of the term have markedly particularistic connotations."[18] Either way, though, the emphasis that Tutu places on *ubuntu* is interesting because he clearly approaches restorative justice through an understanding of reconciliation that is grounded in Christianity instead. Indeed, Tutu's approach to restorative justice seems to rely on personal reconciliation; it is, in my estimation, bound up with his own religious worldview but it need not be.

In thinking about political reconciliation, then, Mandela offers a powerful example once again, for his actions after his release from prison were clearly undertaken with the express purpose of making a political statement. Necessary for political reconciliation is both a public apology and forgiveness, though the order in which those take place is less important than it might appear.[19] Clearly, Mandela has offered public forgiveness—and he did so unilaterally. Govier (2002, p. 72) argues that "this forgiveness, granted publicly by a leading victim of wrongdoing, was not a purely individual and private matter, but rather a unilateral initiative towards broader acknowledgement and reconciliation." And there have been some public expressions of remorse from prominent white South Africans, which Tutu argues (2002, pp. xi-xii) have incredible power:

> The hall in which we held the hearing was packed to the rafters with people either injured on that occasion or people who had lost loved ones. The first witness was the head of the Ciskeian Defense Force. It probably wasn't *what* he said so much as *how* he said whatever it was that he said, but the tension in the room rose … You could feel the anger of the people just multiplying. And then we had the next batch of witnesses, four officers, one white and three black.
>
> They came onto the stage, and the white guy became their spokesperson. And he said, "Yes, we gave the orders for the soldiers to open fire." Ho! It was combustible! And then he turned to the audience, this angry audience, seething, and he said, "Please, forgive us. Please accept my colleagues back into the community."
>
> And do you know what that, that angry audience, did? It broke out into deafening applause.

Situations like this one were repeated throughout the years that the TRC operated in South Africa, and thus political reconciliation between white and black South Africans became a possibility.

However, the largest problem for South Africa is that many black South Africans see the majority of their white counterparts as not holding themselves accountable, especially insofar as they did not participate fully in the work of the TRC (cf. Barrow 1998, Tutu 2003). Govier (2002, p. 77) correctly points out that "When the South African TRC was holding its victim hearings, some observers criticized its messages of forgiveness and reconciliation on the grounds that whites were not attending the hearings and did not seem to acknowledge their complicity and shared responsibility for apartheid." This is true of the average white South African, and—more importantly for the concept of political reconciliation and thus for the success for the TRC as a whole—it is also true of the National Party leadership who brutally enforced apartheid. Consider the difference between Mandela's efforts and those of former Prime Ministers F. W. de Klerk and P. W. Botha. Govier (2002, p. 69) highlights any number of impressive gestures on Mandela's part, including that, "In his Inauguration Day speech on 10 May 1994, he said in Afrikaans, *wat is verby is verby* (what is past is past). The black liberation anthem 'Nkosi Sikelel I Africa' was sung, but so too was the old Afrikaner anthem, 'Die Stem.'" In contrast, when de Klerk came before the TRC, he "isn't there to look the past in the eye. He's there to minimize the damage and to play on the sentiments of his voters…. De Klerk states repeatedly that his whole upbringing, his entire experience of politics, allowed no room for the kinds of atrocities now coming to the surface" (Krog 2000, p. 165). Perhaps worse still is that Botha flatly refused to cooperate with the National Party submission prepared by de Klerk, citing old age and illness even in the face of repeated accommodations and then subpoenas by Tutu and the TRC (cf. Tutu 2000, pp. 244-250). He then proceeded to launch a series of public tirades against the TRC: "I will not appear before the Truth Commission. I don't perform in circuses… I won't allow myself to be threatened. The Truth Commission is tearing Afrikaners apart… I am not asking for amnesty. I never authorized murders. I will not apologize for the fight against a Marxist revolutionary onslaught" (quoted in Krog 2000, p. 347). Then, facing a contempt of court charge, he continued in the same vein: "I told Mandela to his face, yes, I've met him three times, I've treated him like a gentleman in jail, I told him: 'Anarchy and the forces of communism and socialism will destroy you….' I am sick and tired of the hollow parrot-cry of 'Apartheid!' I've said many times that the word 'Apartheid' means good-neighborliness" (quoted in Krog 2000, p. 353). In the absence of any public acknowledgement of wrongdoing by officials who created and enforced apartheid policies—and certainly given these attitudes and actions of de Klerk and Botha—the difficult work undertaken by Mandela and Tutu might very well be wasted. Govier (2002, p. 145) rightly argues that "in politics, unilateral forgiveness that remains unilateral will have all the force of an extended but unshaken hand."

Conclusion

Clearly, one of the goals of a restorative approach to justice is to make conditions for forgiveness and reconciliation more favorable. In South Africa, the goal of the restorative experiment was to promote political reconciliation and Tutu is undoubtedly right when he argues that the TRC was successful in this. After all, he routinely points out, the fact that reconciliation has yet to be achieved is no knock against the process that sought to promote it. But, even as he recognizes that his task is political reconciliation, Tutu also stresses the importance of personal reconciliation—even his own: "You see, we can't go to heaven alone. If I arrive there, God will ask me: 'Where is De Klerk? His path crossed yours.' And he also—God will ask him: 'Where is Tutu?' So I cried for him, I cried for De Klerk—because he spurned the opportunity to become human" (quoted in Krog 2000, p. 210). While the sentiment is noble, and very much in keeping with both his Christian commitments and his understanding of *ubuntu*, it seems to confuse the issue at hand. Political reconciliation between whites and blacks in South Africa does not necessitate the personal reconciliation of victims and offenders, though it would certainly not be harmful. What is required, instead, is nicely articulated by Govier (2002, p. 144) when she argues that

> people cannot come together in a lasting way and co-operate as they will need to in a jointly run society if they remain angry, vengeful, suspicious, and insecure. The need for forgiveness lies in its relevance to two very practical aspects of reconciliation: co-operation and sustainability. Institution-building, economic development, and political processes require that people and people *work effectively together*. To do so, they need to co-operate and trust each other in significant respects.

In order to achieve political reconciliation of this sort, notable victims must be willing to publicly forgive and well-known offenders must publicly apologize or accept the proffered forgiveness, thereby acknowledging the wrongs they have committed. There is, then, a necessary connection between forgiveness and reconciliation (both personal and political), in that the latter cannot be accomplished without the former. This is quite different, however, from asserting the existence of a similar connection between reconciliation, on the one hand, and restorative justice, on the other. Mandela, Tutu, and the TRC—and, indeed the restorative model of justice itself—have not failed by working toward reconciliation—even if that reconciliation is not achieved in the end.

In emphasizing the importance of forgiveness, Tutu has achieved results that are amazing to see and has clearly been in the right; restorative practices cannot properly get underway when victims continue to harbor resentment and a desire for vengeance. For those who have disagreed with the TRC on the grounds that it is a public attempt to enforce Tutu's religious beliefs about forgiveness, a successful strategy might involve appealing to

the non-religious understanding of forgiveness articulated above. That said, I do not want to be read as suggesting that religion has no place in understanding forgiveness, reconciliation, or restorative justice. On the contrary, it seems quite clear to me that a religious understanding of the world and humanity's place in it provides easy access to a restorative approach to justice. If I begin from the premise that my religious commitments dictate forgiveness and reconciliation, then my path toward forgiving and then actually reconciling with those who do me harm should have fewer obstacles. To take an obvious example, people will work diligently to be forgiving if they believe that the life of Jesus provides humanity with the truth about the best way of life. Of course, this belief system does not make forgiveness or personal reconciliation easy to accomplish, but it does provide a compelling reason for doing such difficult work. As I have argued above, however, forgiveness is not restricted to those who hold a religious worldview in the same way that personal reconciliation seems to be. Because the former concept is a central component of restorative justice and the latter is one of its goals, those victims who do not subscribe to a religious worldview or who cannot reconcile with offenders should not consider themselves shut out of a discussion of restorative justice. As Arendt (1998, pp. 240-241) argues, "forgiveness is the exact opposite of vengeance, which acts in the form of reacting against an original trespassing … [it] is the only reaction which does not merely re-act but acts anew and unexpectedly, unconditioned by the act which provoked it and therefore freeing from its consequences both the one who forgives and the one who is forgiven." It is important to forgive, then, for one's own good and in order to embrace the idea of restorative—rather than retributive—justice, but it is not necessary to reconcile in order to embrace a vision of justice that "emphasizes the humanity of both offenders and victims [and] seeks repair of social connections and peace rather than retribution against the offenders" (Minow 1998, p. 92).

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Notes

1. This should not be read as suggesting that restorative justice and religion were at odds with—or even very far apart from—one another before Tutu helped to popularize the former by appealing to the language of the latter. Indeed, the restorative

justice movement very much has its roots in religious communities. As Zehr (2002, p. 11) points out, "The modern field of restorative justice did develop in the 1970s from case experiments in several communities with a proportionately sizable Mennonite population. Seeking to apply their faith as well as their peace perspective to the harsh world of criminal justice, Mennonites and other practitioners … experimented with victim-offender encounters that led to programs in these communities and later became models for programs throughout the world."

2. Zehr (2005, p. 42) adds to this compelling point in a discussion of the benefits that restorative justice accrues to the offender: "Genuine accountability … includes an opportunity to understand the human consequences of one's acts, to face up to what one has done and to whom one has done it. But real accountability involves more. Accountability also involves taking responsibility for the results of one's behavior. Offenders must be allowed and encouraged to help decide what will happen to make things right, then to take steps to repair the damage."
3. The passage continues with Jesus' parable about the king who forgives one of his servants' large debts to him and that same servant who refuses to forgive a much smaller debt owed to him by a fellow servant. When news of this comes to the king, he summons the unforgiving servant and says, "You wicked servant … I cancelled all that debt of yours because you begged me to. Shouldn't you have had mercy on your fellow servant just as I had on you?" The king then demands that the servant repay the full debt and sends him to prison until he does so. The lesson, Jesus tells Peter, is that "This is how my heavenly Father will treat each of you unless you forgive your brother from your heart" (Matthew 18: 23-35). A similar message can be found in the Gospel of Luke (17: 3-4): "If your brother sins, rebuke him, and if he repents, forgive him. If he sins against you seven times in a day, and seven times comes back to you and says, "I repent," forgive him." Hannah Arendt (1998, p. 240) combines the messages of these two passages in her discussion of forgiveness, noting that "Crime and willed evil are rare, even rarer perhaps than good deeds; according to Jesus, they will be taken care of by God in the Last Judgment, which plays no role whatsoever in life on earth, and the Last Judgment is not characterized by forgiveness but by just retribution." That said, she argues that "sin" is an improper translation from the New Testament Greek in these passages, as "*Hamartanein* … is indeed very well rendered by 'trespassing' in so far as it means rather 'to miss,' 'fail and go astray,' than 'to sin'" (Arendt 1998, p. 240, note 78). Her argument is predicated on this distinction between "sin" and "trespass," as she holds that "trespassing is an everyday occurrence which is in the very nature of action's constant establishment of new relationships within a web of relations, and it needs forgiving, dismissing, in order to make it possible for life to go on by constantly releasing men from what they have done unknowingly" (Arendt 1998, p. 240). But, with regard to forgiveness, the distinction between "sin" and "trespass" might not be so great as Arendt suggests; consider the famous example of the adulteress in the Gospel of John (8: 3-11): "The teachers of the law and the Pharisees brought in a woman caught in adultery. They made her stand before the group and said to Jesus, 'Teacher, this woman was caught in the act of adultery. In the Law Moses commanded us to stone such women. Now what do you say?' They were using this question as a trap, in order to have a basis for accusing him. But Jesus bent down and started to write on the ground with his finger. When they kept on questioning him, he straightened up and said to them, 'If any one of you is without sin, let him be the first to throw a stone at her.' Again he stooped and wrote on the ground. At this, those who heard began to go away one at a time, the older ones first, until only Jesus was left, with the woman still stand-

ing there. Jesus straightened up and asked her, 'Woman, where are they? Has no one condemned you?' 'No one, sir,' she said. 'Then neither do I condemn you,' Jesus declared. 'Go now and leave your life of sin.'"

4. Interestingly, Susan Dwyer (1999, p. 84) puts forward a similar psychological motivation for personal reconciliation: "A desire for psychological peace might also be what motivates the victim of a crime to meet the person who stole treasured objects from him." It remains unclear why this meeting should be thought of as yielding reconciliation between victim and offender rather than setting the stage for it, as I argue below.

5. In her discussion of Jesus' teaching about forgiveness, Arendt (1998, p. 239) remains faithful to the religious language of the gospel while also stressing the way in which that teaching is accessible in a secular context: "It is decisive in our context that Jesus maintains against the "scribes and Pharisees" first that it is not true that only God has the power to forgive, and second that this power does not derive from God—as though God, not men, would forgive through the medium of human beings—but on the contrary must be mobilized by men toward each other before they can hope to be forgiven by God also." The emphasis here, clearly, is on the human—as opposed to divine—power of forgiveness.

6. In addition to the most common definition quoted initially—"To give up resentment against, pardon (an offender)"—two others are, "To give up, cease to harbour (resentment, wrath)" and "to give up resentment or claim to requital for, pardon (an offense)" (Simpson & Weiner 2003, vol. 6, pp. 71-72).

7. Though it is not a condition for membership, the majority of the members of Murder Victims' Families for Reconciliation (MVFR) have chosen to forgive the offenders who murdered their loved ones. For more of these stories, cf. Cushing and Sheffer (2002); King (2003); the MVFR website (http://www.mvfr.org); and for a global perspective, the website of Murder Victims' Families for Human Rights (http://www.willsworld.com/~mvfhr/).

8. While I agree wholeheartedly with the separation of personal and political reconciliation that Dwyer (1999, p. 96) highlights, and while we agree that "Reconciliation… is conceptually independent of forgiveness," it seems to me either that she is wrong "that reconciliation might be psychologically possible where forgiveness is not" or that her understanding of reconciliation is significantly thinner than mine. Lending credence to my argument that Dwyer (1999, p. 96) does not mean what most people do when they talk about reconciliation is the definition she sets out, namely that "reconciliation is fundamentally a process whose aim is to lessen the sting of a tension: to make sense of injuries, new beliefs, and attitudes in the overall narrative context of a personal or national life."

9. This is not to say that victims are unable to reconcile themselves to the particular event of victimization. I want to argue, though, that this represents an improper use of the term, as this sort of reconciliation is in fact an understanding—by the victim—of his or her inability to change the past. When victims can reach this point of acceptance about the past, they are often able to then take the next step toward forgiveness or reconciliation.

10. This is not the same as saying that restorative justice is set up for failure, as I argue in the concluding section of the article that restorative justice does not rely on reconciliation in the same way that it relies on forgiveness. I want to suggest that, in some sense, these victim-offender programs are misnamed because they are restorative but do not necessitate reconciliation, as their name might lead one to believe.

11. Sherman and Strang (2007) consider the effectiveness of restorative justice practices, especially face-to-face conferencing, for both victims and offenders. They make two claims: "The procedural claim is that restorative justice (RJ) is seen by victims and offenders as a more humane and respectful way to process crimes than conventional justice (CJ). The effectiveness claim is that RJ is better than CJ in producing important results that we want from justice: less repeat offending, more repair of harm to victims, fewer crimes of vengeance by victims, more reconciliation and social bonding among families and friends affected by crime, and more offences brought to justice" (p. 13).
12. The same quotation can also be found in Minow (2000, p. 250) and Krog (2000, p. 109). My discussion of the Guguletu Seven and Ngewu's decision to reconcile with Mbelo is informed by Frances Reid and Deborah Hoffman's film, *Long night's journey into day* (2000).
13. Consider the example of Ivan Karamazov, who rejects his brother's religious worldview *because* it necessitates a reconciliation between victim and offender: "I do understand how the universe will tremble when all in heaven and under the earth merge in one voice of praise, and all that lives and has lived cries out: "Just art thou, O Lord, for Thy ways are revealed!" Oh, yes, when the mother and the torturer whose hounds tore her son to pieces embrace each other, and all three cry out with tears, "Just art thou, O Lord," then of course the crown of knowledge will have come and everything will be explained. But there is the hitch: that is what I cannot accept. And while I am on earth, I hasten to take my own measures. You see, Alyosha, it may well be that if I live until that moment, or rise again in order to see it, I myself will perhaps cry out with all the rest, looking at the mother embracing her child's tormentor: "Just art thou, O Lord!" but I do not want to cry out with them. While there's still time, I hasten to defend myself against it, and therefore I absolutely renounce all higher harmony" (Dostoevsky 2002, pp. 244-245).
14. For an extended discussion and critique of Perry's understanding of a religious cosmology, see Kohen (2007, pp. 13-37).
15. A fifth definition, one that does not mention religion, was added to the *OED* in 2003: "reconciliation commission, a official body charged with the reconciliation of feuding parties, *esp*. one that investigates allegations of political misconduct" (Simpson & Weiner 2003, vol. 13, p. 354).
16. Numerous others have also commented on the amnesty provisions. For example, Ntsebeza (2000, p. 164) argues that "For amnesty applicants to be prepared to run the gauntlet of public dismay, censure, and even ostracism was a heavy price to pay. Amnesty was not cheap… For perpetrators, such exposures are their own punishment, and thus an element of justice itself." Consider, also, the point made by Kiss (2000, pp. 76-77): "Ashley Forbes was able to confront his torturer, policeman Jeffrey Benzien, and compel him to "demonstrate" his torture techniques at the amnesty hearing. Forbes then asked Benzien, "What kind of a man does this to another human being?"…. Some express repugnance that a person like Benzien could receive amnesty and be allowed to return to work as a police officer. Others point out that the public and private opprobrium experienced by many perpetrators amounted to a powerful form of accountability and even punishment. Benzien, for instance, suffered a nervous breakdown, and other amnestied perpetrators were shunned by friends, spouses, and families."
17. Slye (2000, pp. 180-181) makes a compelling point about the South African experiment, lending support to Tutu's argument that reconciliation had been fostered

despite the amnesty quandary: "If accountability contributes to reconciliation, the question is how much accountability was there in the South African amnesty process? There is no question that the South African amnesty process provided more accountability than any other truth commission, not to mention any other amnesty … As a calling to account, the amnesty hearings were effective. Through their applications and participation in public hearings, amnesty applicants accepted (if at times defiantly) responsibility for their violations. Although some argued that such public acceptance and exposure constituted a degree of punishment similar in kind, if not in degree, to what one gets in a criminal trial, one need not look for punishment to find accountability."

18. Alex Boraine, the deputy chairperson of the TRC, has actually argued against the use of *ubuntu*: "It's a dangerous concept which is drenched in sentimentality. It creates a facile and superficial understanding of reconciliation" (cited in Wilson 1996, p. 12).
19. On this point, I depart from my general agreement with Govier (2002, p. 141), as she argues that "reconciliation can exist without forgiveness; people might come together and work towards a common goal without taking time to reflect on the wrongs of the past." But the example she provides, of former enemies working together in the face of some natural disaster, seems to be a far less robust sort of reconciliation than every other type she discusses. Indeed, one might well imagine these supposedly reconciled enemies returning to their animosity just as soon as the emergency fades, as their reconciliation is based solely on the enemies' need for a collective response. This resumption of hostilities seems far less likely to occur when the enemies have offered and accepted forgiveness for the animosity that existed between them.

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