Forgiveness, Reconciliation, and Empowerment in Transitional Justice

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Abstract

The last decades have seen a rise in the public use of notions from the forgiveness discourse. In the present paper it is examined what role forgiveness, reconciliation and empowerment can play in the practice of transitional justice. On the basis of empirical findings, it is shown that forgiveness is too high an ideal to aim at. The promotion of forgiveness can generate much resistance, and even evoke counterproductive processes. Often past-sensibilities are too strong, and in many victim-groups self-respect is lacking. Moreover, structural injustices impede the healing process. This does however not force us to give up the ideal of reconciliation. Instead of focussing on forgiveness, reconciliation attempts should aim at the restoration of the victim's sense of self-worth. Within reconciliation policy, priority should be given to empowerment of the former victims, which includes the removal of structural inequalities. Only then can the violent past be turned into a peaceful future.

Key Words: collective forgiveness, reconciliation, empowerment, recognition, transitional justice, social justice, identity-formation, reconciliation policy

1. Introduction

The last decades have seen a rise in the public use of notions from the forgiveness discourse. Were they until recently limited to the realm of private life, in the last decades these notions are increasingly applied in the public sphere. Restorative justice conferences, truth commissions as a way of accounting for gross human rights violations, public confessions by politicians are just a few of the examples where forgiveness and reconciliation are at stake. In the present paper I will focus on the context of transitional justice practices. By transitional justice I mean the range of approaches that societies undertake to reckon with legacies of widespread or systematic human rights abuse as they move from a period of violent conflict or oppression towards peace, democracy, the rule of law, and respect for individual and collective rights.[1] Although reconciliation and forgiveness are often mentioned together, it is important to distinguish between the two.

Except for the conceptual distinction between the two - forgiveness refers to the identity transforming process within the victim, reconciliation involves the coming together of two (or more) people - reconciliation is also the more secular notion of the two. Forgiveness, as a moral act, has a strong religious connotation, with different meanings in different religious communities.[2] Reconciliation, on the other hand, can both be framed from a religious as from a secular perspective. Elsewhere I have explained how the use of the notion of forgiveness in the context of transitional justice practices raises serious conceptual objections.[3] The main point of concern referred to the collective aspect of forgiveness. What does it mean for a collective (the group of former victims) to forgive an other group (the group of former wrongdoers)? Forgiveness is usually viewed as the overcoming of feelings of revenge, moral hatred, indignation or some other feelings that are related to anger.[4] As such it implies an identity transforming process within the victim.

How can we conceive of this identity transforming process within a collective? Either forgiveness occurs between individuals that make up the collective - and hence it is not a collective that forgives or is forgiven but it is the individual who forgives or is forgiven - or it is not forgiveness but something else that is at stake. In the former case, it is important to know how the public context affects the individual's emotional dynamics. In the latter case, it does make sense to speak of 'normalized relations between groups in which the policies of one are no longer hostile to members of the other.'[5] But to talk of 'normalized relations' is something different than identity transformation and the overcoming of feelings of hatred and revenge. In the private sphere forgiveness is generally viewed of as a prerequisite for reconciliation. However, given the problematic aspects of forgiveness in the context of transitional justice processes this would lead us to conclude that reconciliation is impossible to achieve. One could object that for the practice of peace building and keeping the conceptual problem is surmountable. As long as reconciliation attempts work, things are fine. Whether or not we can call this forgiveness or not is an interesting discussion for theologians and ethicists but in the field it is important that things work.

Practical workers can judge on pragmatic grounds whether or not reconciliation occurs. Unfortunately, things are not that easy. The problem does not merely have to do with definitions. The use of the word forgiveness can already raise resistance. In the next section I will shortly elaborate on this more empirical objection. The core of the paper deals with two, sometimes conflicting, aspects of transitional justice: the demands for justice and the hope for reconciliation. I will present an account of empowerment that tries to lessen the tension between the two demands. In the last section these insights are coupled to forms of reconciliation policy.

2. Institutionalized forgiveness

In the present section I will explain how the institutional promotion of forgiveness can generate resistance to further reconciliation.[6] If we conceive of forgiveness as the precondition for reconciliation, victims are implicitly given the responsibility to forgive their wrongdoers. They may feel this as a pressure to forgive. The atmosphere during public hearings in which people are encouraged to forgive, is an example of this informal pressure. During the hearings of the South African Truth and Reconciliation Commission (TRC) Archbishop Desmond Tutu repeatedly asked people to forgive their former wrongdoers. His well-known assertion that "there is no future without forgiveness" seems to reflect this view.[7] Besides the institutional promotion of forgiveness during public hearings, the granting of amnesty to former wrongdoers can be considered a way of promoting forgiveness. From a conceptual point of view, the granting of amnesty can be defended as being a form of tertiary forgiveness. Just as there are primary, secondary (relatives of primary victims) and tertiary victims (the society), it is possible to offer primary, secondary and tertiary forgiveness.[8] E.g., parents of a son who has been shot by a racist killer can offer forgiveness for the wrong done to *them*, viz. the killing of their son, but they cannot offer forgiveness on behalf of the dead son.

Analogously, the state can offer the same wrongdoer forgiveness for the tertiary harm, i.e., violating the law. As such the offering of amnesty as part of a transitional justice project can be considered a form of tertiary forgiveness. Accordingly, the conceptual difference between primary and secondary victims on the one hand and tertiary victims on the other allows for these institutionalized amnesty arrangements. After all, amnesty is considered a form of tertiary forgiveness and hence it is up to the tertiary victim to decide whether or not to offer forgiveness. From a more empirical point of view this solution seems rather academic. For a society recovering from a traumatic past, the question of how the granting of amnesty relates to the people's feelings of justice seems more important than the question whether a government has the 'right' to offer this tertiary form of forgiveness. For some of the victims the granting of amnesty felt as a lack of acknowledgment of their own suffering. As such the institutionalized amnesty arrangement encouraged the victims even more to follow the commission's demand for forgiveness.

Empirical research has confirmed that people often feel coerced to forgive, and as such forgiveness might sometimes be considered to imprison the past narrative and those who it flows through, rather than setting the individual and their story free.[9] In Rwanda many people believe they are expected to forgive, by religion, authorities, or cultural custom. They simply obey authorities. As a result of these rituals many people who forgive do not give up anger, nor do they feel benevolent toward the perpetrator.[10] The result will most probably be false forgiveness and resistance to further change. This resistance to change is also related to the emotions involved. An empirical study into the role of cognitive and emotional dynamics in Chile showed that forgiveness does not convey the same meaning for groups in conflict and that they are associated with different cognitive and emotional variables. It was found that people appeared not to be ready to forgive unless their feelings of anger towards the opposing group had diminished.[11] A study of 'transitions' in post-socialist Europe showed that emotional dynamics might provide a locus of resistance to change, and consequently, hamper further reconciliation.[12]

Research findings in Northern Ireland show that both Catholics and Protestants are generally not willing to forgive.[13] Victims often reject the option of forgiveness because they equate it with pardoning or forgetting. Although it is often assumed that religiousness promotes forgiveness, in Northern Ireland religion is rather the basis of conflict, and religious authorities often supported the violence. Religiousness seems to inhibit forgiveness when perpetrators are members of another religious group.[14] In South Africa the limited effect of the institutional promotion of forgiveness by the TRC is confirmed by empirical studies. Some victims who testified to the South African Truth and Reconciliation Commission (TRC) felt that they were forced to reconcile or expected to forgive the perpetrators.[15] Based on an analysis of transcripts of the South African TRC Chapman found that former victims and members of their families who testified at the violations hearings rarely mentioned the topics forgiveness and reconciliation unless prompted so, and that those who did were generally not inclined to forgive the perpetrators.[16] Perpetrators appeared to be reluctant to acknowledge their wrongdoing or to offer meaningful apologies, expressions of regret, or some form of compensation to those who had suffered. Based on these data, the effect of the TRC in terms of the promotion of forgiveness seems limited.

Moreover, although most scholars clearly state that forgiving is not the same as forgetting, victims often equate forgiveness with pardoning or think that it implies forgetting. As such the promotion of forgiveness might be an unintended offence to the victims who feel that they simply need to forget the harm done to them. According to the view of social scientists working in the field of political science, this feeling is not unfounded. The political push toward forgiveness can too easily be exploited by politicians to hide the truth about the past.[17] This lack of recognition may be a more important obstacle on the road to reconciliation than the lack of forgiveness. If a society pays no heed to brutalities and offences suffered by many of its citizens, it further damages these vulnerable people because the disregard can be as devastating as the original wrong itself. In literature on penal law, therapy and treatment, this lack of acknowledgment has been termed secondary victimisation.[18]

Thus, the translation of forgiveness to the public domain is not a straightforward matter. There are two reasons why one should be careful in using the word forgiveness in transitional justice practices. From a conceptual point of view it is not clear what forgiveness really means in a collective, public setting. Second, the promotion of forgiveness can generate counterproductive processes. The question of which word and which method to use in transitional justice practices must evolve from specific traditions and context. Empirical research has shown that reconciliation attempts have failed on the use of terminology.[19] Forgiveness seems to be an example of a highly laden - and therefore problematic - notion in this context. These findings indicate a need for a more pragmatic or 'minimalist' approach to forgiveness; that is, admitting that recognition of wrongdoing has priority, forgiveness is only a bonus. In the next section I will elaborate on this in more detail in my discussion of the relation between reconciliation and recognition.

3. The wings of transitional justice

In making the transition from a situation of violent conflict or oppression towards peace, democracy, the rule of law and respect for individual and collective rights, societies must confront the painful legacy of the past in order to achieve a holistic sense of justice for all citizens, to establish or renew civic trust, to reconcile people and communities, and to prevent future abuses.[20] This generally involves a combination of complementary judicial and non-judicial strategies, such as prosecuting perpetrators; establishing truth commissions and or other forms of inquiry into the past; forging efforts towards reconciliation; developing reparation packages for those most affected by the violence or abuse; memorializing and remembering victims; and reforming a wide spectrum of abusive state institutions (such as security services, police, or military) in an attempt to prevent future violations.[21]

Transitional justice has increasingly become an industry in which Western countries invest: international courts, hybrid courts, truth commissions, special sections of the ordinary court system, (neo) traditional processes of healing. Empirical studies have shown that in assessing the value of institutions of transitional justice, it is vital to assess these institutions not by measure of their legality, but via the legitimacy that they have within a given local context.[22] In her study on transitional justice and its legitimacy Barbara Oomen quotes a Timorese activist who states that "justice and reconciliation are like the two wings of a plane, they both need to function in order to be able to fly."[23] In the present section I will defend that empowerment may be the concept that can help to balance the wings of the aforementioned plane. I will try to shed some conceptual clarity on the different concepts. After that I will explain why I consider empowerment a crucial notion and how it can balance the wings of justice and reconciliation.

[A] Reconciliation versus justice

In a rather general way, reconciliation prevents, once and for all, the use of the past as the seed of renewed conflict.[24] In other words, reconciliation aims at building an inclusive future, "one that does not use violence to resolve conflict and in which all members are respected and accepted as part of the community."[25] From this conception of reconciliation it is clear that forgiveness is distinctly separate to reconciliation. Admittedly, the occasional examples of forgiveness may contribute to reconciliation. We can think of the forgiving attitude of people like Martin Luther King, Nelson Mandela, Archbishop Desmond Tutu, or less famous examples of Ginn Foury and the Amy Biehl's parents.[26] Trudy Govier and Colin Hirano, for example, elaborate on what they call 'invitational forgiveness' as a peace initiative.[27] However, these exceptional examples of forgiveness seem to be rather exceptional and for sure not a *sine qua non* for reconciliation. To explain the latter claim it is important to have a more subtle view on reconciliation. It seems that reconciliation can occur at different levels: it can take place in varying degrees. It is not an all-or-nothing concept.[28] Reconciliation implies "the restoration and sometimes the establishment of a hitherto non-existent relationship of trust"[29] or the "coming together after a rift, a rift that undermines trust between the parties."[30] The emphasis on trust building allows for a more fine-grained conception of reconciliation.

Although at all levels, reconciliation aims at the building and sustaining of relationships with sufficient closeness and trust to handle future conflicts and problems, this (re)building and sustaining of trust relations can occur at different levels: from very intimate relationships of friendship to the ability to work together or to peaceful co-existence. As such not forgiveness but some form of trust is the prerequisite for reconciliation. Knight rethinks reconciliation and forgiveness in the light of pleading guilty and pardon. By confessing, a wrongdoer faces the other "in deed and in introspection,"[31] which enables him to restore a more authentic relationship with the other. It does, however, not entitle the wrongdoer to forgiveness, even if the confession is accompanied with genuine remorse. Sometimes it may not be appropriate to seek forgiveness in the first place but to aim for an enlarged sense of human connection and responsibility. As such a confession can be restorative and healing, a movement towards relational wholeness. If a relation is restored in its wholeness, this may lead to forgiveness. In other cases, it may not lead to forgiveness but to the promise of reconciliation. Not forgiveness but engagement and relational wholeness are the central notions according to this view.

Applied in a public context this layered approach of reconciliation seems to be more promising than the view according to which forgiveness is the *sine qua non* for reconciliation. It is rather the other way around; reconciliation may - but does not necessarily so - provide a way to forgiveness. In the previous section it was said that reconciliation should balance with justice in order to be legitimized within in a given local context. Justice is multi-faceted notion in this context. Justice has both a retributive and a restorative side. People's feelings of retributive justice often demand that former wrongdoers are punished for their deeds, or at least acknowledge what they did. As such truth commissions might provide a means to uncover what happened. In the excellent book on the morality of truth commissions with the significant title 'truth versus justice', the editor states that

> If societies are to prevent recurrences of past atrocities and to cleanse themselves of the corrosive enduring effects of massive injuries to individuals and whole groups, societies must understand […] what occurred and why. In order to come fully to terms with their brutal pasts, they must uncover, in precise detail, who did what to whom, and why, and under whose orders. They must seek, at least, thus to uncover the truth […].[32]

However, in order to be able to establish a truth commission and to gain support from the former oppressors, political compromises need to be made. If the security forces under the control of the previous regime are so powerful, any attempt to prosecute may lead to more violence and even return to military rule.[33] In South Africa the amnesty arrangements were part of such a political deal.[34] Former wrongdoers were offered amnesty if they gave full disclosure of what happened. These arrangements were heavily criticized for being unjust. How can people get away with amnesty after doing the most atrocious and gruesome deeds?[35] Some people argue that "truth commissions sacrifice the pursuit of justice as usually understood for the sake of promoting other social purposes, such as historical truth and reconciliation."[36] By 'justice as usually understood' the authors refer to retributive justice. According to this retributive view crime requires punishment. However, if we follow a more restorative view on justice, punishment does not seem to be the central concept. Restorative justice refers to approaches where both victims and wrongdoers, as well as their affected communities are engaged in search for solutions that promote repair, reconciliation and the rebuilding of relationships. According to this view

> The pursuit of justice does not presuppose a retributive view of punishment. It means only bringing individuals to trial who are credibly alleged to have committed crimes and are seeking a legal verdict and an appropriate punishment if they are found guilty.[37]

If one conceives of reconciliation and justice as an either/or relation, it is usually retributive justice that is at stake. It is then the tension between the backward-looking search for retributive justice and acknowledgment and the urge to reach forward, as exemplified in the title of the book on the South African Truth and Reconciliation Commission *Looking Back, Reaching Forward*. However, in the same book it is argued that the one cannot go without the other.

> Sacrosanct is an obligation to promote national unity on the basis of the full acknowledgment of evil. To fail effectively to acknowledge the extent to which an individual, a state, or a liberation movement violated the rights of others is "to fail to give a full account of the past." It would be immoral and irresponsible to sidestep that challenge.[38]

The question becomes thus, how to do justice to both demands, how to bridge the gab between the forward-looking quest for reconciliation and the backward-looking demand for justice?

[B] Recognition/empowerment as a bridge between reconciliation and justice

To proceed from here, it might be a good starting point to look at an important obstacle on the way of reconciliation, relating to the personal identity of the victim.

Especially for victims, the experience of being wronged, can dramatically affect their feeling of self-worth and, consequently their trust in others, which is conceptually elaborated by Axel Honneth.[39] Honneth developed an account of identity-formation, which requires the recognition by others. Honneth's argument runs briefly as follows. To be able to see oneself as a fully autonomous and individuated person, i.e. the very possibility of identity formation depends crucially on the development of self-confidence, self-respect and self-esteem. These three modes of relating to oneself can only be acquired and maintained intersubjectively, through being granted recognition by others whom one also recognizes. Accordingly, the conditions for self-realisation turn out to be dependent on the establishment of relationships of mutual recognition. Honneth's account of these relationships of mutual recognition is threefold: (a) close relations of love and friendship, (b) legally institutionalized relations of universal respect for the autonomy and dignity of persons and (c) networks of solidarity and shared values within which the particular worth of individual members of a community can be acknowledged.

The three modes of relating to oneself, self-confidence, self-respect and self-esteem, are sustained by the three forms of recognition. The three distinct species of 'relating to oneself' involve a dynamic process in which individuals come to experience themselves as having a certain status, be it as a focus of concern, a responsible agent, or a valued contributor to shared projects. Honneth emphasizes, based on the work by Hegel and Mead, that coming to relate to oneself in these ways necessarily involves experiencing recognition from others.[40] The normative self-image of each and every individual is dependent on the possibility of being continually backed up by others. Those who have been wronged by others can develop a negative self-image, which "carries with it the danger of an injury that can bring the identity of the person as a whole to the point of collapse."[41] If we follow Honneth's account of identity-formation, one's relationship to oneself is an intersubjective process. It requires the capacity to trust one's own sense of what one needs or wants (self-confidence), a sense of possessing universal dignity, which has to do with viewing oneself as entitled to the same status and treatment as every other person (self-respect) and the absence of systematic denigration from outside one's subculture (self-esteem). This capacity is a precondition for self-realization in any human community.

How can we translate Honneth's insights to the practice of transitional justice? To answer this question I borrow from Smith's notion of empowerment. Though having their origin in different contexts - the terms identity and identity-formation seem to have their origin in philosophical writings, whereas empowerment seems to be a term originally used in the social sciences - they refer to (more or less) the same phenomenon. I will therefore use the terms empowerment and identity-formation interchangeably. Smith defines empowerment as "the growth of an individual's capacity to act and make choices based on confidence, a sense of self, and the belief that existing systems of power are not absolute."[42] It is sometimes argued that forgiveness is a source of empowerment, enabling the victim to release him or herself of the power the former wrongdoer has over him or her. After all, by forgiving the victim releases him or herself of the bounds of the past. However, without a sufficient sense of selfhood, the choice of people to forgive in order to feel 'disencumbered' could get in the way of true healing.

Case studies have also shown that the choice to forgive seems to correlate with a certain amount agency and sense of personhood.[43] People who define forgiveness as a necessary condition for reconciliation seem to confuse forgiveness with empowerment. Recovery from a traumatic past does not require forgiveness but a sense of selfhood that enables people to find a capacity to affect things around them.[44] This also implies the absence of structural inequalities as I will explain below, but I will first turn to a possible objection. The paper so far mistakenly distinguishes between the victim group and the wrongdoer group, thereby falling into the pitfalls of group entativity and the related and intergroup prejudice, one might argue. Entativity is the perception of a group as pure entity abstracted from its attendant individuals. People partly derive their identity from the group they are part of. This can vary from the emotions they feel to work they accomplish. But conversely, group entativity can also be a source of intergroup prejudice. Much of the transitional justice practices deal with conflicts that are based on entativious considerations.

After all, people are harmed because they belonged to a certain group. Thinking in terms of groups poses a real danger to pacification. Think of the case where a person commits an act of agression toward a member of the other group (outgroup) out of revenge for an act committed to a member of his own group (ingroup) but not to himself. In psychological literature this is called vicarious retribution. Vicarious retribution can often be directed toward outgroup members who themselves were not the primary offenders. This way the distinction between victims and wrongdoers becomes blurred. Members of both groups get involved in a violent spiral which is hard to break out of.[45] The occurrence of vicarious retribution seems to blur the theoretical distinction between victims and wrongdoers: there are no pure victims and pure wrongdoers.

Although on the individual level one can speak of 'pure victims' and 'pure wrongdoers', on a higher level there are hardly ever groups that fully restrain from violence and committing wrongs. Even in 'obvious' cases such as the South African apartheid regime all groups have to some extent committed wrongs. It is therefore unjust to the judge all the white people as wrongdoers and all the black and coloured people as victims, one might argue, so the argument goes. This objection is sound in the sense that reconciliation is not about judging people and labelling them as either victims or wrongdoers. However, as far as the history continues in the present in the sense that people from the suppressing group often still enjoy the privileges of, e.g., restricted competition for good jobs, high salaries and profits from investments done in the past, the members of this group share a sense of transpersonal guilt.[46] This transpersonal guilt "concerns groups of people and their history even if not every individual *as individual* bears the totality of that guilt" (italics in original).[47] At this group level the wrongdoers have a task to repair the injustices they take advantage of.[48] Many authors mention the social justice as a prerequisite for reconciliation. The outburst of violence in South Africans against foreign employees in spring 2008 seems to confirm this point. While the majority of black South Africans still live with the consequences of apartheid, those who became rich and privileged during decades of apartheid regime enjoy the fruits of decades of racially determined selective state policy and expenditure.

As such the civil discontent amongst the poor (often black) people does not seem to be surprising. Viewed this way, social justice is part of the notion of self-identity or empowerment, as described above. As long as gross social injustices exist, people will not be able to develop a full sense of self-esteem (Honneth) or a capacity to affect things around them (Smith/Herman). In other words, the victim will remain hostage of the social circumstances. Let me summarize the line of argument. I first argued that transitional justice requires a balance between reconciliation and justice demands. Subsequently, I introduced the work by Axel Honneth and I explained that the lack of feelings of self-worth and recognition by others may seriously hamper the possibility of sustainable reconciliation. I further elaborated on the notions of recognition, identity-formation and empowerment and showed that they entail both justice in the sense of acknowledgment (of wrongs) and justice in the sense of an absence of structural inequalities. As such they pave the way to a more peaceful future without neglecting the violent past. Lastly, I discussed the objection that to talk in terms of victims and wrongdoers introduces a false dichotomy between 'pure victims' and 'pure wrongdoers'. This objection was rejected by arguing that, while wrongs can be committed at both sides, the societal structure is most often beneficial to only one group of people. As long as these societal injustices have not been removed, sustainable reconciliation will be difficult to achieve.

4. Reconciliation policy

On the basis of the insights gained in the previous section, I will now try to translate those into the practice of reconciliation policy. Without suggesting that a single recipe for pacification can be given, it is worthwhile to consider the framework of reconciliation policy outlined by Huyse.[49] He distinguishes three stages within the reconciliation process and he emphasizes the need for a safe environment in the earliest stage. 'Building confidence and trust' (stage 2) and 'Towards Empathy' (stage 3) are the other two stages. Huyse argues that without a minimum of physical security there is no prospect of any progress along the path to reconciliation. Only after this stage, people can start to build confidence and trust and ultimately gain some form of empathy. Attempts to improve the social conditions might be as important in this stage of the process as attempts to promote dialogue between the victims and wrongdoers,[50] which is reflected in the four pillars of reconciliation policy: healing, justice, truth-telling and reparation. Together these four pillars lay the foundations for the gradual creation of various outcomes of reconciliation.[51]

The four pillars are intertwined: without reparation, justice and truth no healing can occur. In other words, the four pillars are not separate components that work one after the other. Medical, economic, and psychosocial compensation should be given in parallel to the hearings of truth commissions. Not receiving promised compensation can seriously jeopardize the reconciliation process in general and the healing process of the victims in particular. As such it may deepen the perception of justice being denied.[52] Accordingly, reconciliation policy should be aimed at a balance between the four instruments. As long as structural injustices in the political, legal or economic domains remain, people will not be able to develop the aforementioned capacity for identity formation and consequently, reconciliation will not be sustainable. Any reconciliation attempt must therefore be aimed at a removal of unjust inequalities, and a commitment by the society in general, and the former wrongdoers in particular, to take responsibility for the past (in particular truth telling) and future (healing and reparation).

5. Conclusions

The present paper describes an attempt to balance the delicate relation between demands for justice and reconciliation.

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Starting from an exploration of forgiveness in the context of transitional justice it was found that forgiveness is a difficult undertaking. Both conceptual and empirical objections indicate that forgiveness does not seem to be an appropriate ideal to aim at. This raises the question whether forgiveness must be viewed as a necessary condition in peacemaking at all. On the basis of trust conception of justice it was shown that reconciliation is not an all-pr-nothing concept and that it allows for varying degrees. Elaboration of the notions of recognition, identity-formation and empowerment showed that a future of sustainable reconciliation requires acknowledgment of the gruesome past and the absence of structural injustices and inequalities. For communities that have suffered under severe violence and humiliation, it seems important to regain some basic sense of self-worth and trust in one's own identity. Besides truth-telling and acknowledgement, reconciliation policy should therefore also be aimed at the removal of structural injustices, both in a political, legal and economic sense. Without appropriate reparation and compensation, the healing process of the, already vulnerable victims, will be retarded which may even deepen the perception of justice being denied.

Notes

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[28] See, e.g., Ch Villa-Vicencio, 'Getting on with life: a move towards reconciliation', in *Looking Back, Reaching Forward. Reflections on the Truth and Reconciliation Commission of South Africa*, Ch Villa-Vicencio and W Verwoerd (eds), University of Cape Town Press, Cape Town, 2000; H F Knight, 'The Face of Forgiveness in a Post-Holocaust World' in *After-words. Post-Holocaust Struggles with Forgiveness*, D Patterson and J K Roth (eds), University of Washington Press, Seattle/London, 2004; T Govier and W Verwoerd, 'Trust and the Problem of National Reconciliation'. *Philosophy of the Social Sciences*, vol. 32 (2), June 2002, pp. 178-205; Verwoerd, 2007.

[29] Villa-Vicencio, p. 108.

[30] Govier and Verwoerd, 'Trust and the Problem of National Reconciliation', p. 185.

[31] Knight, p. 33.

[32] R I Rotberg, 'Truth Commission and the Provision of Truth, Justice, and Reconciliation', in *Truth vs Justice. The Morality of Truth Commissions*, R I Rotberg and D Thompson (eds), Princeton University Press, Princeton, 2000, p. 3.

[33] P van Zyl, 'Justice without punishment: guaranteeing human rights in transitional societies', in *Looking Back, Reaching Forward. Reflections on the Truth and Reconciliation Commission of South Africa*, Ch Villa-Vicencio and W Verwoerd (eds), Juta Publishing Co., Cape Town, 2000.

[34] E Kiss, 'Moral Ambition Within and Beyond Political Constraints: Reflections on Restorative Justice', in *Truth vs Justice. The Morality of Truth Commissions*, R I Rotberg and D Thompson (eds), Princeton University Press, Princeton, 2000; J de Lange, 'The historical context, legal origins and philosophical foundation of the South African Truth and Reconciliation Commission', in *Looking Back, Reaching Forward. Reflections on the Truth and Reconciliation Commission of South Africa*, Ch Villa-Vicencio and W Verwoerd (eds), Juta Publishing Co., Cape Town, 2000.

[35] Cf. R Lyster, 'Amnesty: the burden of victims', in *Looking Back, Reaching Forward. Reflections on the Truth and Reconciliation Commission of South Africa*, Ch Villa-Vicencio and W Verwoerd (eds), Juta Publishing Co., Cape Town, 2000; R C Slye, 'Amnesty, Truth, and Reconciliation: Reflections on the South African Amnesty Process', in *Truth vs Justice. The Morality of Truth Commissions*, R I Rotberg and D Thompson (eds), Princeton University Press, Princeton, 2000; K Greenewalt, 'Amnesty's Justice', in *Truth vs Justice. The Morality of Truth Commissions*, R I Rotberg and D Thompson (eds), Princeton University Press, Princeton, 2000.

[36] A Gutmann and D Thompson, 'The Moral Foundations of Truth Commissions', in *Truth vs Justice. The Morality of Truth Commissions*, R I Rotberg and D Thompson (eds), Princeton University Press, Princeton, 2000, p. 3.

[37] ibid., p. 22.

[38] Ch Villa-Vicencio and W Verwoerd, *Looking Back, Reaching Forward. Reflections on the Truth and Reconciliation Commission of South Africa*. University of Cape Town Press, Cape Town, 2000.

[39] A Honneth, *The Struggle for Recognition*, Original German title: Kampf um Anerkennung. Polity Press, Cambridge, 1992.

[40] J Anderson, 'Translator's Introduction', in Honneth, 1992, p. xii.

[41] Honneth, pp. 131-132.

[42] M E Smith, 'An Exploration of Forgiveness, Empowerment and the Journey of Healing', in: *Forgiveness: Probing the Boundaries*, S Bloch-Schulman and D. White (eds), Inter-Disciplinary Press, Oxford, 2009, pp. 153-166.

[43] J L Herman, *Trauma and Recovery*, Basic Books, New York, 1997, pp. 189-190.

[44] Smith.

[45] Already in 1954, Gordon Allport formulated the so-called contact hypothesis which states that bringing groups into contact under favorable conditions is an effective way to reduce intergroup prejudice (G W Allport, *The nature of prejudice*, Addisson-Wesley, Cambridge, 1954). He proposed four optimal contact conditions which are crucial for the reduction of prejudice: equal status, common goals, cooperation instead of competition, and support of authorities and institutions. The contact hypothesis has been extensively tested in various fields. A meta-analysis with over 500 studies confirmed that the conditions did indeed increase the likelihood of changing attitudes between groups and reduced intergroup prejudice. Reduction of the feelings of uncertainty and anxiety were found to be an important mechanism underlying the relationship between prejudice reduction and the contact conditions. Note that 'equal status' and 'support of authorities and institution' show similarities with the second and third capacity of Honneth's account of identity-formation, viz. self-respect and self-esteem.

[46] D Moellendorf, 'Reconciliation as a Political Value'. *Journal of Social Philosophy*, vol. 38(2), 2007, p. 206.

[47] D Pollefeyt, 'Forgiveness after the Holocaust', in *After-words. Post-Holocaust Struggles with Forgiveness*, D Patterson and J K Roth (eds), University of Washington Press, Seattle/London, 2004.

[48] De Lange for example states that while the focus of the African Truth and Reconciliation Commission was on seeking the truth in order to restore the moral order, serious delays in the improvement of the quality of life threaten any attempts at reconciliation (De Lange, p. 30). The TRC addressed this topic in the concluding sentence of the report, stating reconciliation requires a commitment, especially by those who have benefited and continue to benefit from past discrimination, to the transformation of unjust inequalities and dehumanizing poverty. In the late 1990s South Africa did indeed sign a number of important international instruments, which place it under an obligation to provide victims of human rights abuse with fair and adequate compensation.

[49] Huyse, pp. 19-33.

[50] Cf. the contributions by J De Lange and R Lyster in Villa-Vicencio and Verwoerd (2000) and N J Kritz, *Transitional Justice. How Emerging Democracies Reckon with Former Regimes. Volume 1. General Considerations*, United States Institute of Peace, Washington, 1995.

[51] Huyse, op. cit., p. 24.

[52] Cf. W Orr, 'Reparation delayed is healing retarded', in *Looking Back, Reaching Forward. Reflections on the Truth and Reconciliation Commission of South Africa*, Ch Villa-Vicencio and W Verwoerd (eds), Juta Publishing Co, Cape Town, 2000, p. 249; Brounéus, p. 56.

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