

PUBLIC FORGIVENESS: THEORETICAL AND PRACTICAL PERSPECTIVES

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1. INTRODUCTION

Over the last decades the notions of forgiveness and reconciliation have increasingly been expressed in the public sphere in many countries. There is a pervasive trend towards public apologies, forms of national introspection and public appeals to grant forgiveness.

Archbishop Tutu's motto that "there is no future without forgiveness" is well known. He has argued that forgiveness is the only way to liberate oneself from the prison of past animosity and rancour.¹ Partly due to Tutu's efforts, the South African Truth and Reconciliation Commission (TRC) has become an important model and source of inspiration for many other countries that want to deal with their past grievances and internal conflicts. For others, however, to speak of forgiveness in politics is inappropriate and risky. What is more unforgivable than the atrocities of the powerful? Forgiveness is seldom a servant of justice, some claim.²

The opposition between proponents and opponents of public forgiveness raises conceptual, philosophical, empirical and practical questions: What does 'forgiveness' mean, how does speaking in terms of 'forgiveness' function, and under what conditions can it foster transitional justice processes?

Section 2 will start with some philosophical questions regarding the meaning of 'public forgiveness' and we will relate these to questions about the conditions under which the oratory of public forgiveness does occur. We will elaborate two positions, one labelled 'minimalist', in section 3, and the other 'maximalist' position, in section 4. In section 5 we will discuss the notion of 'invitational forgiveness' and the question whether a forgiving attitude is a necessary aspect of mitigating a confrontational social climate. In section 6 we will pay attention

¹ Tutu 1999.

² Shriver 1995.

to some cultural and religious contexts in which public forgiveness may occur. Which conditions do promote or impede that process?

2. WHAT IS PUBLIC FORGIVENESS?

Philosopher Trudy Govier stated: “Some find the notion of forgiveness in politics naïve to the point of absurdity.”³ An extension of the use of forgiveness to the public realm does indeed evoke many questions. What exactly is “forgiveness”? Do we have to distinguish between different kinds of forgiveness? To what extent is it bound to “face-to-face” relationship between individuals? Under what conditions can people grant forgiveness or ask for it? Is vicarious or representative forgiveness possible? Can collectives ever be entitled to grant forgiveness (or even act morally at all)? What are the conceptual implications and what are the empirical consequences of extending the use of forgiveness to the public realm?

Certainly, forgiveness is a daunting notion for a post-conflict society. Many deem public calls to forgive to be offensive, in the sense that the personal nature of the act of forgiveness should remain private and separate from the collective reconciliation process. Philosophers have often stressed how extremely difficult forgiveness is and suggested that public forgiveness is even completely “impossible.”⁴

However, even within Christian circles, the view that forgiveness is a private virtue is often challenged. For instance, Pope John Paul II repeatedly stressed that forgiveness is not inimical to justice but rather an essential component of stable, peaceful and just societies.⁵

According to Amstutz, legal and political philosophers have ignored the political dimensions of forgiveness. They have done so in the belief that the major moral purpose of the state is to enact justice, conceived in terms of the protection of individual rights. They tend to view forgiveness as a private, spiritual ethic. Forgiveness is assumed to be an aspect of personal morality that is to be applied among individuals in their private relationships, and thus not part of political morality. Accordingly, although individual victims can forgive, institutions cannot. Instead, their chief task would be the pursuit of justice.

One of the first philosophers to explore the political aspects of forgiveness was Hannah Arendt. She identified forgiveness as one of the two human capacities that allow for genuine political action (the other being our capacity to make promises or covenants). Forgiveness has the power to “undo the deeds of the past,” that is, “the possible redemption from the predicament of

³ Govier 2002: 78.

⁴ See, for example, Derrida 2000; 2001; Van Tongeren 2008.

⁵ Amstutz 2005.

irreversibility.”⁶ It enables human beings to liberate themselves from the prison of the past, to be born anew in politics. For Arendt, forgiveness is not moral sentiment, but part of politics, in which love and authentic, personal feelings should not play a role.⁷

Ever since Arendt’s claims, public forgiveness has evoked lively philosophical discussions. Many authors object to Arendt’s argument and stress that forgiveness is an individual act directed toward a perpetrator, meaning that groups or states cannot forgive. However, as Govier argues, groups can be regarded as moral agents and seem to display attitudes and feelings (for example, they may feel harm, respond with hatred, or show solidarity). At the very least, collectives behave *as if* they have feelings and it is possible to attribute feelings to them. If we can grant them actual feelings, then we should also grant them the ability to forgive.⁸

Daku argues that although the state cannot bestow personal forgiveness or offer forgiveness on behalf of persons, it can offer forgiveness to citizens’ groups as a political unit.⁹ Thus a perpetrator may be granted forgiveness as a citizen of the state. This would imply that one can be forgiven politically while not being forgiven personally, and vice versa. Perhaps it is in this way that churches and religious organizations are able to grant perpetrators forgiveness, not on behalf of victims, but as citizens of God’s kingdom.

These perspectives do not imply that perpetrators might escape punishment, nor does it mean that forgiveness would not demand remorse, repentance and reparation.¹⁰ Some authors define political forgiveness as the relinquishment of a right to retributive justice.¹¹ However, this view does not seem convincing because it obscures the differences between pardon and forgiveness. When state officials express forgiveness in public, all they say is that the state will no longer resent the actions of those political actors to whom forgiveness is granted.¹²

Daku also argues that while the state cannot determine personal forgiveness, state actions can clearly contribute to its emergence. Political and religious leaders are ‘forerunners’ – they hope that their appeal to the people will bring about change and contribute to political order and stability. Although political and religious calls to forgive may be premature, they may change attitudes and

⁶ Arendt 1958: 236.

⁷ In a similar vein Elshtain (2003) contends that we have to reverse the order of our thinking in order to understand political forgiveness: in some circumstances it may be that forgiveness makes politics itself possible. Wanting to forgive creates space for truth-telling and opens up the possibility of an interpretative struggle over the significance of past wrongs. In this view forgiveness is not so much oriented to restoring wrongdoers to a moral community, but to open the way to the realization of a world held in common (see also Van Roermund 2001; Schaap 2006).

⁸ Govier 2004.

⁹ Daku 2008.

¹⁰ See Soyinka 1999.

¹¹ Diseger 2001.

¹² Daku 2008.

bring about the trust that is needed for long-term reconciliation.¹³ In particular, by implementing truth commissions the state is able to create ‘truth-value’ and foster the appropriate conditions for personal forgiveness to emerge. In Daku’s view, the TRC did a good job because it made the complete disclosure of incriminating facts a prerequisite to amnesty: “In doing so they managed to construct a much denser account of the atrocities of Apartheid than would have been possible in a traditional trial. This creation of truth-value – of facts and accounts – can be a direct contribution to personal-forgiveness.”¹⁴ Since the accounts of events may disclose who is responsible, victims may change their understanding of the accused persons.¹⁵

Political and religious leaders may grant forgiveness in the name of peace and stability. They assume that the quest for an absolute ‘human right’ based on justice generally cannot be met.¹⁶ In other words, ‘civil peace’ is deemed more important than the ‘high’ morality of retributive justice. Many church leaders support the case of unconditional forgiveness through religious language. Generally liberal authors have no a priori objection against church-leaders including forgiveness in their agenda. But in a liberal culture introducing religious notions into public life is a contested issue, all the more when religious oratory is used.

Religious leaders like archbishop Tutu challenged the dominant discourse of individual human rights and offered an altogether different set of concepts as a new basis for unity.¹⁷ Religious metaphors and gestures may inspire innovative political practices. According to Hatch, religious language tends to express rhetorical coherence better than the secular, democratic politics of debate and dissent. It provides a horizon or prophetic vision of the ultimate good. Hatch states that: “The spirit of reconciliation displayed by leaders and citizens of faith can reanimate a disenchanted public with fresh visions of human potential for creating a common good.”¹⁸ Where social agents have lost faith in the workings

¹³ Govier 2004.

¹⁴ Daku 2008: 18.

¹⁵ Daye (2004) also argues that the greatest success of the TRC has been this truth-telling aspect, rather than its assumption of responsibility and the facilitation of healing. Surveys have shown that South Africans have internalized the details of Apartheid atrocities. Nonetheless, there is much disagreement concerning whether the TRC helped the process of forgiveness. According to Daye, on the level of public opinion, the answer appears to be yes. However, some reports in South Africa suggest there is a risk of retraumatization for victims giving testimony to the TRC (Chapman 2007). There are many reasons to distrust the saying that ‘truth necessarily heals’. In Rwanda, female victims testifying in the *gacaca* courts (in which witnesses are surrounded by an audience consisting of former *génocidaires* or their families) were subjected to threats, harassment and violence (Brouneus 2007). For some groups of victims truth may be a release, but for others it is a source of new pain. Past sensibilities may be too strong, and for many victims self-respect is still lacking (see Doorn 2008).

¹⁶ Levy and Sznajder 2006.

¹⁷ Doxtader 2009.

¹⁸ Hatch 2006: 19. In the U.S.A, Hatch adds, the reconciling spirit of civil rights leaders (such as Martin Luther King) is still able to energize national initiatives to restore moral coherence to race relations.

of present power structures to bring about good, reconciliation as religious metaphor may frame political discourse about violence and its end in a way that restores “working faith in the works of words.”¹⁹

But Hatch also argues that Tutu’s rhetorical strength was at the same time a political weakness. “His reconciling ethos and faith were of a fundamentally Christian character; yet he called a nation of deep racial, cultural, economic, and religious disparities to enter into the thick of reconciliation so conceived, laden with the weight of divine grace, messianic promise, redemptive sacrifice, and unconditional forgiveness. It is one thing to call a church congregation, or even a village or clan with a shared religious tradition, to live into the drama of divine history and destiny. To expect the same of a pluralistic, secular state is another matter. To some extent Tutu’s presence conflated the two: it appeared to go beyond *informing* transitional politics with a sacred understanding of reconciliation to *pressing* a model of confession, forgiveness, and transcendence on a watching nation.”²⁰

According to Brudholm, Tutu’s “boosterism” of forgiveness seems on a par with irresponsible ‘marketing’. The invocation of Jesus on the cross and the attitude of God to his creation may put improper pressure on the believer to comply. The glorification of forgiveness, often enacted with charisma, assumes and imposes a deep moral and religious consensus and silences or makes inappropriate the voicing of dissent and resistance.²¹

In summary, “public forgiveness” has generated many discussions and reactions, ranging from severe criticism to approval. Two fundamental perspectives can be distinguished. On the one hand, we find authors who assume that forgiveness in the public sphere is often difficult if not impossible to achieve, and that the search for justice will be obstructed when participants are encouraged or ‘forced’ to offer forgiveness. Such authors call for “reconciliation without forgiveness.” On the other hand, authors claim that public calls for forgiveness may contribute to the peace process. Political statements in which the wrongdoer is granted forgiveness may relieve the burdens of the past, bring about hope, and stimulate cross-community contacts and the development of an out-group perspective. In these two divergent perspectives, the relationship between justice and forgiveness is reflected in fundamentally different ways. These two positions – which we have called minimalist and maximalist respectively – have to be related to empirical data and historical experiences. We will briefly elaborate each position below.

¹⁹ See Doxtader 2009.

²⁰ Hatch 2006: 19.

²¹ See Brudholm 2009: 145. Moon (2004) argues that Christian narratives of forgiveness and reconciliation work to produce the effect of ‘recovering’ a ‘lost harmony’ between victim and perpetrator. Tutu’s words call upon a prelapsarian human condition, a return to unity that preceded “The Fall” (also Moon 2008).

3. THE MINIMALIST ACCOUNT: 'RECONCILIATION WITHOUT FORGIVENESS'

Generally liberals are skeptical that healing and forgiveness belong in politics. Gutmann and Thompson criticize the overt religiosity with which reconciliation was represented in South Africa.²² They see in Tutu's theological vision of reconciliation a danger of a "deeply illiberal idea," an idea that involves the expectation that all groups would "subscribe to a single comprehensive moral perspective. ... The difficulty is that many victims do not share Tutu's Christian faith, and even those who do may hold a different view about the appropriateness of forgiveness in such situations." In the context of a truth commission – a public, state sponsored institution – the official invocation of forgiveness represents an unwelcome intrusion of religious discourse into the public, political sphere.²³

Liberals argue that expressing forgiveness in the public domain is not a straightforward matter, and that we need a more pragmatic or "minimalist" approach to transitional justice processes. According to this view, forgiveness may be too high a demand for reconciliation and the processing and recognition of wrongdoing must occur before forgiveness can be considered.²⁴ In Northern Ireland, many deemed public forgiveness to be offensive, in the sense that the personal nature of the act of forgiveness should remain private and separate from the collective reconciliation process.²⁵

Many authors assume that victims might feel the granting of forgiveness by the government as a lack of acknowledgment of their suffering. They indicate that justice must first be done through punishing the guilty, especially in more extreme cases of violence. Doing justice affirms the moral order, thereby increasing the feeling of security. It is considered that the failure to respond to injustice can actually harm victims once more, and that it supports impunity by offering to accept the past without requiring changes to the perpetrator's behaviour. If political leaders do not refer appropriately to brutalities and offences suffered by many citizens, they may further damage those concerned.²⁶ Some research findings on the TRC have shown that the emphasis on forgiveness sometimes hampers rather than promotes the rapprochement of formerly hostile groups. Many victims who testified felt forced into reconciliation and perhaps it is not always appropriate to seek forgiveness in the first instance but to aim

²² Gutmann and Thompson 2000.

²³ Brudholm (2008; 2009) has criticized the Christian advocacy of forgiveness after mass atrocity for being hasty and uncritical. He calls into question the practice of forgiveness by leaders as Tutu who would often pressure victims to forgive, deny the positive value of anger and resentment, ignore the fact that victims might not share his Christian faith, and generally flout victims' autonomy.

²⁴ Hamber 2007.

²⁵ Collins 2008.

²⁶ See Doorn 2008.

instead for an enlarged sense of human connectedness, responsibility and cooperation.²⁷ According to this view, the central notion is not forgiveness but the engagement required to restore trust.²⁸ In public contexts, a weak or limited form of reconciliation might therefore be more promising than the view according to which forgiveness is the *sine qua non* for reconciliation.²⁹

An important question in this regard is whether citizens really feel free not to offer their forgiveness when it is promoted on a large scale. The experience in Rwanda is important in this respect as it was found that when asked to forgive, many people believed they were obliged to by religion, the authorities or cultural custom, and so seemed simply to obey these authorities.³⁰ Forgiveness might therefore be considered to imprison the past narrative within certain circumstances rather than setting it free. It is possible as a result that forgiveness-related programmes could be used by paramilitaries and state bodies to curtail the desire for an exploration of the truth and its maintenance in the public eye.

Smith adds that a weaker party may forgive a stronger party because the weaker party feels it has no alternative.³¹ Collectives may place pressure upon minorities who have suffered harm to make a gesture of forgiveness in order to provide reassurance that the bonds of society are still intact. In such circumstances, showing too much forgiveness may be instrumental in a group's return to the abusive relationship that existed previously. Thus, public calls to forgive might be a tool for silencing the oppressed, with the implicit message transmitted being "ignore how you feel" and "let go of your anger." The result may be that survivors are not given the chance to confirm their self-worth and, as Smith also argues, public forgiveness may suggest a trivializing of the injuries and a disinclination to hold perpetrators accountable. In this sense, public calls for forgiveness can seem condescending and might be considered disempowering.³²

These observations suggest that the notion of "forgiveness" might in many respects be ill-suited to function as a principle of peace building.³³ Would the process of moral learning within peace-building processes be better conceived of in terms of opening up, truth telling and developing understanding, rather than being presented in terms of forgiveness?

²⁷ Chapman 2007.

²⁸ The role of trust is discussed in Govier and Verwoerd 2002; Verwoerd 2007.

²⁹ "Reconciliation without forgiveness"; see Chapman 2007.

³⁰ Staub 2005.

³¹ Smith 2008.

³² Smith 2008.

³³ Van Stokkom 2008.

4. THE MAXIMALIST ACCOUNT: ‘NO FUTURE WITHOUT FORGIVENESS’

It is questionable whether this minimalist approach is satisfactory. It seems to have its own problems, such as underestimating the significance of symbolic public messages. Moreover, minimalist perceptions seem to have implicit Western biases, such as individualism and competitiveness.

A key element of many African approaches is the centrality of the collective responsibility of the community when it comes to resolving disputes. This sense of interdependence is referred to, for example, as *karakor* in Sudan and *ubuntu* in South Africa. In this context, it is interesting that the Maasai (Kenyan) word for “peace” means “relationship.”³⁴ African mediators (elders or religious leaders) often move away from an adversarial approach (win-lose) and adopt a longer-term perspective in which both parties feel understood and respected.

In Africa, many reconciliation processes are initiated at the religious leadership level. In times of insecurity and conflict, ordinary people look to religious organizations for security and guidance, with religious leaders providing moral leadership and often being involved in encompassing ordinary people to become involved in the peace process. For example, in the Nigerian region of Kaduna, the coordination of the Muslim-Christian Dialogue Forum is carried out by two men: a pastor and an imam. The two clergymen stress that forgiveness gives strength and leads people away from paralyzing feelings of fear. It is suggested that forgiveness sets society as a whole free from the burden of past grievances, divisions and hatred.³⁵

The spirit of Ubuntu has been at the heart of the decision to take the path of the TRC in South Africa. Archbishop Desmond Tutu claims that Ubuntu is characteristic of traditional African jurisprudence insofar as its “central concern is not retribution or punishment but, the healing of breaches, the redressing of balances, the restoration of broken relationships.”³⁶ Tutu rejects all the arguments against the role of forgiveness. He argues that forgiveness does not mean condoning what has been done and that it is important to keep remembering.³⁷

Journalist Helena Cobban points out that many Westerners prescribe criminal prosecutions as the best policy response to the atrocities of the past, and she adds that Western-based rights movements consider the juridical process to be the best way of holding perpetrators accountable. However, in taking this position, other aims, such as trying to comfort the bereaved, succour the injured or repair broken relationships, are deemed less relevant. The following words of

³⁴ Naber 2006: 87.

³⁵ Wuye and Ashafa 1999; see also the documentary titled “The Imam and the Pastor,” directed by Alan Channer.

³⁶ Cited by Roche 2003: 27.

³⁷ Tutu 2000.

South African minister Rejoice Mabudhafasi may illustrate African thoughts on the potential punishment of the Apartheid system's abusers and torturers: "We can never do anything to them as bad as what they did to us. It's not in our nature. God will deal with them. We leave that to Him."³⁸

Moreover, the consequences of prosecutions might be counterproductive. ANC leader Alex Boraine pleaded against the notion of obligatory prosecution, because such circumstances could lead to new bloody confrontations and thus cause new harm. The pursuit of justice through prosecution may encourage powerful factions to resist the peace process.

Rather than, or at least alongside, these legal measures, a moral appeal might have its own and stronger results. The symbolism of a "new beginning" and the striving towards a "shared future" is sometimes deemed to be a way out of the burdened past and as articulating expectations and hopes. In South Africa, many peace-promoting gatherings have tried to achieve a future-oriented solution to conflict, arguing that such measures will "make for a better tomorrow." For example, in the Zwelethemba model, the matters under dispute are not addressed through a backward-looking process that seeks to balance wrongs with the burden of punishment, but through a forward-looking view that seeks to guarantee that the disputants' moral worth will be respected in the future. Contrary to what one might expect from deontological approaches, the parties involved experience this peace making as both just and effective.³⁹

Although a "maximalist" account may overstate the possibilities of forgiving, healing and restoration, its future-oriented aspects are appealing. It meets the wish of the population to look towards a positive future, free from fear and from the threat of repeated victimization. Can the wish to realize peace and the readiness to forgive be so strong that they can override the dominant language of "offender" and "victim", often trapping the parties in the events of the past?

5. CONTEXTS OF PUBLIC FORGIVENESS

The preceding reflections show that forgiveness must be studied in relation to the cultural contexts in which an appeal to it is being made. In some contexts, inciting the public to forgive may promote a willingness to look ahead and develop broader cross-community perspectives without relapsing into conflicting views on the poisonous past – public statements of forgiveness may function as a "leap forwards." In other contexts, making appeals to forgive may have counterproductive results. In these contexts, understanding each other's perspectives and developing empathy may be enough.

³⁸ Cited by Cobban 2006.

³⁹ Froestad and Shearing 2007.

It is important to come to grips with factors that affect citizens' willingness to forgive and apologize. Every country with a troubled and discordant history has its own difficulties in bringing about reconciliation. Amongst the social and cultural factors that might inhibit the willingness to forgive are the power imbalances between former or present adversaries, cultural differences and differences between religions, and a lack of trustworthy political and religious leaders.⁴⁰

Religious leaders and their organizations have in fact played remarkably varied roles in transitional justice.⁴¹ In many locales, they have encouraged and even conducted truth commissions. In other instances they have exercised little influence at all due to a legacy of complicity in authoritarianism or even mass atrocity. The Catholic Church in Chile and Catholic and Protestant leaders in Brazil investigated the human rights violations of their countries' dictators. The Catholic Church of Guatemala, led by archbishop Juan Gerardi, launched its own Recovery of Historical Memory Project (REMHI). In East Timor, Peru, Sierra Leone, religious leaders have lobbied their governments for truth commissions. In those countries, religious communities contributed logistical support, assisting in organizing and carrying out hearings, finding and encouraging victims and witnesses, and providing counseling once hearings were over.⁴² In other countries, by contrast, religious communities played little or no role at all. The established churches in Rwanda, Argentina, El Salvador and former Yugoslavia did little to bring about trials or truth commissions. The Catholic Church in Argentina or catholic and protestant hierarchies in Rwanda exercised not much distance from their regimes and thus had hardly influence on transitions.

Philpott concludes that thus far the vast majority of national efforts at transitional justice have occurred in majority-Christian countries, but there is some evidence of support for truth commissions among Muslims as well. "In South Africa as well as Sierra Leone, whose population is 60% Muslim, prominent Muslim leaders have promoted truth and reconciliation efforts. Morocco is the

⁴⁰ For an overview see Kriesberg 2003 and Auerbach 2003. Furthermore, factors that stem from the specific aspects of the conflict may inhibit the reconciliation process and the willingness to forgive, for example, if all parties claim to be victims or if a clear consensus about the perpetrator's actions is lacking. In some countries and regions, the sources of violence and the attribution of blame might be very complex, while in others it is more or less clear which persons, factions and subgroups are responsible for the violence (Celik and Kantowitz 2008). Of course, the severity of past conflicts and oppression also plays a role.

⁴¹ Philpott 2009.

⁴² Regarding the South-African TRC Van der Merwe (2003) concludes: 'The TRC made extensive use of church networks when setting up Human Rights Violations Hearings in local communities. Through the Council of Churches and other religious networks, local ministers were drawn into the process of coordinating meetings, arranging publicity, statement taking and other crucial functions to ensure effective community engagement in the hearings.' The most profound impact of religion was however through the implementation of the TRC's mandate by particular religious leaders who functioned as commissioners and key staff.

first country with an almost solely Muslim population to carry out a truth commission.”

Many truth commissions did not succeed to bring former enemies together and involve the population. May be South Africa is an exceptional case, since the stigmatization of the Apartheid-regime was broadly endorsed. Many white perpetrators rejected the former regime. The elites of both parts of the population wanted to encourage reconciliation. On both sides leaders stressed inclusiveness and the acknowledgement of victims. In particular the following conditions seem to have stimulated the forthcoming of the South-African TRC:⁴³

- The importance of attractive leadership: Mandela was able to convince not only the black population but also most whites. He also enjoyed great fame and respect internationally.
- In South Africa there was an absolute rupture with the past: the Apartheid regime was condemned by all (international) parties.
- Both parties, including the ANC, were pleading for truth finding, to clear up violations in their own group.
- All parts of the population were involved in the transition; the conflict was clear (no in between positions).

These conditions seem very difficult to replicate elsewhere. In many countries the notion of public forgiveness does not seem to be very relevant or is plainly dismissed. The case of Northern-Ireland may illustrate this. Research findings in Northern Ireland show that both Catholics and Protestants are generally not willing to forgive.⁴⁴ Victims often reject the option of forgiveness because they equate it with pardoning or forgetting.⁴⁵ The concepts of reconciliation and forgiveness are scarcely used in everyday language. For many, these terms generate negative and cynical reactions, and are dismissed as being theological and therefore irrelevant. Citizens prefer terms such as ‘good relations’, and they emphasize acknowledgment of the past. Reconciliation is also seen as a threatening process in which ‘coming together’ is promoted – it is often associated with some compromise, at least the re-humanization of old enemies. Amongst politicians, researchers have found nervousness about promoting reconciliation, with many continuing to engage in sectarian and polarizing politics.⁴⁶

In other countries the spokespersons of reconciliation and forgiveness seem to be more successful. According to Philpott, in Sierra Leone, East Timor and Peru the churches contributed to strong truth recovery, in part because their

⁴³ Ellian 2003.

⁴⁴ Cairns et al. 2005.

⁴⁵ Hamber 2007.

⁴⁶ Hamber and Kelly 2005.

architects sought to improve upon South Africa's experience.⁴⁷ In all three countries, transitional justice emerged from a peace agreement that did not involve the total defeat of one side.

6. AIMS AND OVERVIEW

The main questions that will be dealt with in this book are related to the sketched divergent scenarios: 'reconciliation without forgiveness' over against 'no future without forgiveness'. These scenarios reflect specific cultural and religious backgrounds in which forgiveness may be stimulated or discouraged.

The focus of the book is twofold: (1) We want to explore the concept of 'public forgiveness'. Does the concept of 'forgiveness' enable a public or political use of the term? Is it possible to forgive on behalf of others, and if so, under what conditions? Under what conditions can people grant forgiveness or ask for it? May political and religious leaders stimulate forgiving attitudes? What is the role of religious oratory in public appeals? (2) At the same time, we want to relate these conceptual questions to a reflection on the empirical data regarding the cultural and religious contexts of reconciliation and peace building, and the way the oratory on public forgiveness has occurred. In what contexts did the incitement to forgive promote a willingness to look ahead, develop broader cross-community perspectives and prevent a relapse into conflicting views on the poisonous past? In what contexts did political appeals to forgive have counterproductive results? In which contexts is the 'push' towards forgiveness experienced as a highly unfair process? What is the role of religion in this respect?

By focusing on these two sets of problems the book also aims to find answers to practical questions such as: Under what conditions does it make sense to use the concept 'forgiveness' in processes of transitional justice? In which cultural contexts does inter-group forgiveness make sense? What are the factors that stimulate such a process?

The chapters in this volume are divided into two parts. In the first part, we seek to explore philosophical accounts of public forgiveness. In the first contribution Trudy Govier meets the skeptical arguments about the notion of public forgiveness and counters major logical objections ("groups cannot have attitudes") and ethical objections. These ethical objections include themes as "only the direct victim is entitled to forgive" (The Victim Prerogative Principle), and "public forgiveness facilitates a culture of impunity and is incompatible with justice." She argues that a viable concept of public forgiveness is conceivable, one

⁴⁷ Philpott 2009.

that is defensible in the context of philosophical criticisms. She also criticizes arguments which claim that public forgiveness is not practically achievable.

In line with Govier, Alice MacLachlan tries to keep up the possibility of forgiveness in the public sphere, although she concentrates on the notion of “political forgiveness.” Likewise she responds to the major objections to extending forgiveness to political contexts. The main question she presents is the following: “Are philosophical fears about the dangers of thinking about forgiveness in political terms warranted – or do they perhaps depend in part on conceptual conservatism regarding what exactly political forgiveness might be?” If we want to adapt the concept of forgiveness to a political account, MacLachlan argues, we need to surpass the Emotional Model (genuine forgiveness involves an individual “change of heart”) and make conceptual space for descriptions of forgiveness in performative and social terms. The author examines some political grounds for forgiveness and concludes by reflecting on some of the forms that political forgiveness might take. She concludes that acts of forgiveness release us “just enough” to be able to move forward; they function as renewals of trust required to sustain a political space of verbal disputes.

After these chapters on the specified meanings of public forgiveness, two contributions will examine some issues of philosophy of law. Wouter Veraart contends that there are three principal ways in which we can respond to a period of severe injustice and violence. These periods are followed by an urge to forget what has happened, to remember it, or to seek forgiveness. The author frames these responses to historical injustice as ‘collective duties’. The concept of forgetting symbolizes the letting go of the past. The present is temporarily disconnected from its relationship with the past. The concept of remembrance on the other hand enables society to arrive at a point where it can establish the truth, come to terms with what has happened, and provide compensation and satisfaction. When forgiveness is the principal response, the relationship with the past is released while the future is anticipated. The author argues that blocking each of the three routes should be prevented. According to Veraart, conceptually, forgiveness is much closer to memory than to forgetting: in order to be able to forgive, one need to know what has happened and who is morally accountable for it. Therefore, it is much closer to the delivery of justice than to amnesty (akin to legal forgetting). Although a duty to forgive is even harder to imagine than a duty to forget or to remember, a humane and mundane legal order should maintain conditions in which forgiving may become a meaningful human practice.

In the next contribution, Bert van Roermund is building upon Ricoeur’s philosophy in which reconciliation and forgiveness can only be understood within a conceptual framework that goes ‘beyond the legal and the political’. From Ricoeur’s analysis of ‘difficult forgiveness’ both a negative and a positive consequence follow. The negative thesis says that there is no public dimension in

forgiveness. The “people” cannot be the agent of forgiving and there cannot be political institutions of reconciliation and forgiveness. The positive thesis says that forgiveness can only be thought in a “time beyond time,” in the optative mode of wish and hope, what Ricoeur calls “eschatology.” Van Roermund tries to formulate a protology of “time beyond time” and “time before time,” and a “proto-politics” as the vestigial memory of a polity about its origin. With Ricoeur, he agrees that forgiveness and reconciliation can be conceived of as conceptually prior to political institutions. But he maintains – contra Ricoeur – that the collective vow of the “we” is a genuinely political “we,” expressing a self-enclosure that follows the logic of representation. Addressing the representatives of the former oppressor invokes a more embracing “we” of a “polity-yet-to-be-established” that would include the former perpetrators. This act, van Roermund argues, has to be regarded as proto-political, in the sense of being not framed by political institutions. It is “prior” to politics as well as “posterior” to politics.

Erik Doxtader’s essay is an inquiry into the conditions, dynamics, and value of speech. He discusses the question whether forgiveness is (un)speakable. The public call for forgiveness arises at moments in which the capacity to ask and the capacity to answer are not given. According to the author, public forgiveness abides as a rhetorical question which communicates the power to make a new start, “a question in which the question-ability of language is an inextricable if not irresolvable part of the problem”. To examine this problem, Doxtader turns back to the accounts of forgiveness offered by Arendt and Derrida. Although they diverge in important ways, they take pains to consider precisely how speaking marks a central occasion for human beings to utter the question whether they might be forgiven. The aim of Doxtader is to grasp how forgiveness begins with a question of language that may well be inexpressible. The question that inaugurates forgiveness is looking perhaps less for a reply than a ‘movement toward’ that opens an inquiry into the experience of “suffering (of) language,” words that possibly provoke and disrupt or sound baseless. This experience to “giving over to language as such” does have several dimensions: (a) the vulnerability of the speaking subjects, (b) interruption of the given ends and means of interpretation and (c) opening space “in which to invent the constitutive grounds of interaction and argumentation.”

Nir Eisikovits criticizes the notion of public forgiveness and maintains that we can steer clear of revenge and the never-ending circle of violence without relapsing into the language of forgiving. One does not have to advocate forgiveness in order to avoid vengeance. Political reconciliation might better be conceived in terms of what Adam Smith called “sympathy” – the ability to imaginatively enter the minds of others. Sympathy makes our enemies more concrete and more ‘real’, “human beings with complicated wants, loves, hates, priorities, desires”. Sympathy might be effective in offsetting moral blindness, which is often the result of campaigns of de-individuation, perceiving victims as

faceless stand-ins for an entire group. Eisikovits argues that sympathy is particularly important in the case of physically inseparable enemies, when relationships are explosive and arguments about resources tend to turn into statements about one's identity. He makes his case by looking at two examples: the relationship between Israeli Jews and Israeli Arabs and the enmity between Israelis and Palestinians. Despite horrific starting conditions, Israeli Jews and Israeli Arabs coexist quite peacefully and have similarities in life style. People killed are not faceless. The existence of de facto sympathies can avert disaster. The Israeli Palestinian conflict offers a different picture: both parties refuse to be sensible to other's needs and refuse to acknowledge the impact of their actions on specific, flesh and blood human beings.

In the second part of the book, the authors relate the notions of public forgiveness to the political developments in (post)conflict regions. In her essay on Arendt's concept of political forgiveness, Catherine Guisan argues in line with MacLachlan: this concept is too often conflated with quasi-religious understanding of the term, referring to a "change of heart" and giving up resentment. Guisan offers other counterpoints to the usual interpretations of Arendtian forgiveness: first, the connection between forgiveness and promising is what endows forgiveness with its political character and secures justice. These two faculties "belong together" and have world-changing potentialities. And secondly: Arendt theorized reconciliation as the attempt to understand one's place in the world, a kind of pondering that admits self-reflection. Thus, forgiving, promising, and understanding belong together. Only together can they deploy their full effects in the public realm. In the second part of the essay, Guisan discusses three real life examples to illustrate that this perspective matters for politics. First, she presents the role of promising and forgiveness in the launching of the 1952 European Coal and Steel Community and the deficit of understanding. Subsequently, the South African Truth and Reconciliation Commission is sketched, including the deficit of promising. Finally, Guisan portrays the deficit of forgiving and understanding in some of the current Iraq and US reconciliatory attempts.

In her contribution, Margaret Smith presents an interdisciplinary reflection of the forgiveness process, if any, in Northern Ireland. She explores the question what to expect from reconciliation and forgiveness initiatives. The new government, in which the former warring parties share power, has had limited success in delivering a polity with a new sense of goodwill between the two communities. Neither community accepts culpability or adopts a spirit of contrition with regard to the conflict. Smith explains how the deeply divided nature of Northern Ireland society does not permit amnesty, reduces the likelihood of a truth commission, and prevents leaders from making reconciliatory gestures. For these reasons, the British government focuses mainly

on the needs of ‘innocent victims’, although the two victim-camps are the least likely to be forgiving. On the basis of an in-depth analysis of the conflict, Smith concludes that the victims’ ability to come up with a societal process of healing is likely to be limited. This is rooted in the historical nature of the conflict, the strong in-group identification, and the sense of severe victimhood that both communities have developed. She argues that public forgiveness, if it is possible at all in Northern Ireland, has to emerge from non-official quarters and grass-roots initiatives.

In *Forums of Apology and Forgiveness*, Sanderijn Cels attempts to answer two questions: (1) under which conditions are official apologies acts of public forgiveness; and (2) what are the possible consequences for the meaning and reception of official apologies, if these conditions are not met? On the basis of the official apology issued by then Prime Minister Blair to the Irishmen who were wrongly jailed for the Guildford and Woolwich bombings, she analyzes the practice of public and official apologies. Many formal apologies are prefabricated (“a one man show”) and do not allow a public response by the victims. Cels argues that the scholarly literature on public apologies often fails to take the performative features of official apologies into account. Cels pleads for a practice of apology as a mutual process of transformation in which both offender and victim take part. Thus victims have the possibility to speak up and may refuse the gestures. This means that the forum of apology should allow for a full rehabilitation of the victim as moral interlocutor and that the offender – or his spokesperson – will find himself in a vulnerable position. Cels concludes that only if a forum openly reflects the morality of both offender and victim, it can deliver on this moral promise.

The Truth and Reconciliation Commission (TRC) in South-Africa is the direct outcome of Mandela’s gestures of forgiveness. The ‘wrong’ in the South African situation is relatively undisputed compared to other countries. Few people would insist that the system of Apartheid was morally acceptable. Annelies Verdoolaege presents a discursive analysis of the language created at the Human Rights Violations hearings – the victim hearings – of the TRC. Verdoolaege’s central argument is that the TRC reconciliation discourse strengthened the willingness to reconcile among South African citizens. On the basis of a number of testifying victims, Verdoolaege demonstrates that the testifiers were allowed to frame reconciliation in different ways, be it religious, political, cultural, or by referring to national unity. Additionally, victims were also allowed to be highly critical about reconciliation or to only conditionally accept the notion of reconciliation. Verdoolaege argues that this inclusive nature of the “reconciliation discourse” urged South Africans to accept reconciliation, to relate to the term reconciliation, and to identify with this concept in many divergent ways. As a result of the discourse taking shape at the victim hearings, reconciliation became a central feature in post-TRC South Africa.

Stephen J. Pope asks the question whether Christian contributions to transitional justice should focus on reconciliation, herewith directly focusing on the dilemma between peace and justice in El Salvador. Pope shows that the language of reconciliation was employed in El Salvador, as well as in Chile and Argentina, well before the South African experiment was conceived. Yet human rights activists in Latin American countries often suspect appeals to reconciliation as attempts to evade accountability. Pope's main argument is that the promotion of forgiveness may easily slide, affirming that justice is unnecessary and even irrelevant to Christian concern. He stresses that justice is a critically necessary component of the path to reconciliation. Following the Catholic Christian faith, enlivened by the Second Vatican Council, he argues that the church has a special role in not allowing society at large – and political elites in particular – to forget about victims or unfairly to subordinate their well-being to others. Negatively, this means that the Church ought to resist “cheap forgiveness” or any initiative that ignores justice and seeks to protect perpetrators. Phrased positively, this commitment to justice means that the church can embrace a mission as being a “voice for the voiceless.”

Robert Schreiter offers a concluding essay in which he reflects on some of the core concepts and questions that are dealt with in this book. But he also explores the Christian meanings of reconciliation and forgiveness and compares this religious discourse with a more secular discourse to show both their potential contributions and their limits. The author argues that reconciliation and forgiveness in the Christian sense exhibit exocentric (or ec-centric) dimensions. These terms are never just about the actions between discrete human beings or communities; they have ontological or cosmic dimensions as well. God is perceived as an intrinsic actor in the repair of every form of human breach. In so doing, Schreiter says, the importance of human agency is not played down, but the frailty and finitude of human life are rather recognized. Thus, whereas Christianity opens up an exocentric view, a secular reading might start by positing human rights as the point upon which all else stands. Both views have strengths and limitations. Too much emphasis on the exocentric quality of forgiveness and reconciliation can lead to a passive stance against injustice. Too much emphasis on ‘the bounded character’ of secular peacemaking can lead to situations where nothing can change.

Nearly all contributions in this volume deal with Arendt's perspective on forgiveness and approve her interpretation that political forgiveness should not be grasped in “private” emotional terms of “love” and “compassion.” Expressing forgiveness in the political sphere has not much to do with overcoming vengeance, nor with exoneration or relieving offenders of moral obligations. Many endorse the view that the quasi-religious language of “change of heart” would be unfit in the political sphere. Expressing forgiving words in public is a performative act, to be sure a hazardous undertaking that may confuse, dazzle

or wound – and thus a manifestation of “suffering language” – but still this act may open up a dialogue between former enemies and fill up a discursive vacuum in a troublesome transitional period. The foundation or survival of a political community is at stake, not the needs of actual victims. To put it in Arendtian words: public forgiveness allows for a new beginning of a state or nation and finds its appropriate place in a proto-political setting. Expressing forgiving words offers the possibility to reactivate the political space of verbal disputes, or to use Govier’s terms, to “invite” former oppressors to make shifts in their views, in the hope of establishing improved relationships and to defuse the confrontational emotions that are often so prevalent after serious wrongs are inflicted. For these reasons, many standard-objections against public forgiveness as affronting victims, excusing misdeeds or impeding justice, do not seem to strike the right note.

Of course many aspects of public forgiveness need wider discussions. On the practical level, the authors in this volume seem to diverge when it comes to the question which settings might be best qualified to express gestures of forgiveness. Some opt for the peacemaking activities of grassroots movements, others stick to the idea that politicians and church leaders could take the initiative. Another issue is that many post-conflict regions or countries – like Northern Ireland or El Salvador – do not have a “proto-political setting.” In many – if not most – of those territories old (oppressive) institutions survive, the combatant parties stick to their positions and privileges, and perpetrators remain unknown. In other countries, the power differential is too big, so there is little or no acknowledgement of the severity of the wrong. Still another question is which role public forgiveness could play during victim hearings and truth commission gatherings. Forgiveness as “inviting strategy” to engage (former) leaders and partisans into political discourse might be justified for good reasons (in the name of a common polity that needs to be established; developing a new narrative of “we”), but confronting victims with forgiveness-talk could impede their interests and overwhelm them. Finally, a theme that is not worked out well in this volume is the relationship between economic development, social security, and distributive justice on the one hand and peacemaking – including public calls to overcome former animosities – on the other hand. It would be great when future research projects would take on these daring themes.

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