

# Equality in Reconciliation: From Theoretical to Practical Opportunities

Heidi Jokinen & Björn Vikström

*Reconciliation is a central concept in theology, often described as a unilateral process with God as the primary actor, but the initiation of reconciliation processes are an established procedure also in the legal and political spheres. This article asks if and how reconciliation as a relational process is practically possible in the context of solving violent conflicts, the particular focus being on equality, respectively inequality, between the participating parties. The question is analyzed in relation to two cases: postcolonial reconciliation processes in involving the Sámi population in the Nordic countries and the use of restorative justice in cases of domestic violence against women. With the help of Paul Ricoeur's notion of complex equality and Ricoeur's and Tore Johnsen's models of reconciliation the paper argues that reconciliation is not only a theoretical opportunity, but that it also holds potential for practical opportunities. This requires, however, that the evident challenges raised by the unequal positions of the parties before, during and after the process are taken into account.*

## 1. Introduction

Reconciliation is a central theological concept in several religious traditions, but it has also been applied in other contexts, such as legal and political arenas. During recent decades, reconciliation has been the outspoken aim of aspirations to solve conflicts on national or international levels.<sup>1</sup> In reconciliation processes, legal, political and moral discourses intertwine. Reconciliation presupposes distorted relations between two or more parties. Because such a relation can never be said to have been reconciled once and for all, we prefer to treat reconciliation as a process aiming at establishing or maintaining as safe, just and peaceful conditions as possible.

Different aspects of reconciliation have also been the object of a vast body of research. In this article, we ask if and how reconciliation as a relational process is possible in the practical level in the context of solving violent conflicts. Our special interest is how the unequal power structures between the participating parties both in the past and in the present affect the reconciliation process and its outcome.

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<sup>1</sup> Kjell-Åke Nordquist, *Reconciliation as Politics: A Concept and Its Practice*. Pickwick Publications, 2017, p. 1; Sigríður Guðmarsdóttir, Paulette Regan, and Demaine Solomons, eds., *Trading Justice for Peace? Reframing Reconciliation in TRC Processes in South Africa, Canada and Nordic Countries*, *AOSIS Scholarly Books*. Cape Town: Aosis, 2021. <https://doi.org/10.4102/aosis.2021.BK174>.

To showcase the practical challenges, we employ two very different cases. Firstly, the postcolonial reconciliation processes in relation to the Sámi population in the Nordic countries. Secondly the use of restorative justice in cases of domestic violence against women.<sup>2</sup> In both cases the process brings together two parties where one has harmed the other, and yet they are to engage in a joint venture to identify and address these harms, needs and obligations.<sup>3</sup>

Reconciliation research usually distinguishes between different types of reconciliation. For example, Helga West mentions interpersonal, intergroup, national, and international reconciliation. The Sámi case, she points out, is about institutional reconciliation, a form of social reconciliation that concerns people or peoples and their relations to an institution that initiates a compensational process as a result of their having suffered—or continuing to suffer—from structural violence caused by the institution.<sup>4</sup> In the domestic violence case, the interpersonal reconciliation comes to the fore.

Our contribution is based on a critical reading of the French philosopher Paul Ricoeur's elaboration of reconciliation, in which he distinguishes between a justice-oriented and a gift-oriented understanding of equality; by Ricoeur himself also referred to as the respective orders of justice and love.<sup>5</sup> We engage Ricoeur in a dialogue with Tore Johnsen, a Sámi theologian and pastor in the Norwegian (Lutheran) Church, who has developed a model for reconciliation of colonial relationships between majority populations (States, majority Churches) and indigenous peoples.<sup>6</sup> By comparing Ricoeur's and Johnsen's models, we strive to identify both strengths and weaknesses in their approaches. In our discussion, we apply Peace and Conflict researcher Kjell-Åke Nordquist's distinction between the vertical and horizontal dimensions of political reconciliation, by which he explicitly aims to tackle the question of inequality. Nordquist has wide experiences of reconciliation processes in different parts of the world both as a researcher, observer and mediator.<sup>7</sup>

This paper seeks to clarify how equality can be regarded as a real-life practical opportunity during and after reconciliation processes, in addition of being a theoretically elaborated concept argued for by many thinkers, such as Ricoeur and Johnsen, despite the practical challenges demonstrated. Our main point of departure is that that these practical difficulties are a consequence of a confusing use of terminology regarding equality, compensation, gift and forgiveness.

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<sup>2</sup> Also called intimate partner violence. See e.g. WHO, *Violence against Women Prevalence Estimates, 2018: Global, Regional and National Prevalence Estimates for Intimate Partner Violence against Women and Global and Regional Prevalence Estimates for Non-Partner Sexual Violence against Women* (Geneva: World Health Organization, 2021), viii; and Victoria Canning, *Torture and Torturous Violence: Transcending Definitions of Torture*, 1st ed. Bristol University Press, 2023, p. 77. <https://doi.org/10.2307/j.ctv367kc8h>.

<sup>3</sup> For a definition on restorative justice, see e.g. Howard Zehr, *The Little Book of Restorative Justice*. Intercourse, PA: Good Books, 2002, p. 37.

<sup>4</sup> Helga West, 'Renegotiating Relations, Structuring Justice: Institutional Reconciliation with the Saami in the 1990–2020 Reconciliation Processes of the Church of Sweden and the Church of Norway', *Religions* 11, no. 7 (July 9, 2020), at p. 3. <https://doi.org/10.3390/rel11070343>.

<sup>5</sup> See e.g. Paul Ricoeur, 'Love and Justice', in *Figuring the Sacred: Religion, Narrative, and Imagination*, trans. Mark I. Wallace. Minneapolis: Fortress Press, 1995.

<sup>6</sup> See e.g. Tore Johnsen, 'Erkänd historia och förnyade relationer: Perspektiv på försoningsarbetet mellan kyrkorna och samerna,' in *Samerna och Svenska kyrkan: underlag för kyrkligt försoningsarbete*, ed. Daniel Lindmark and Olle Sundström. Möklinta: Gidlunds förlag, 2017.

<sup>7</sup> Nordquist, *Reconciliation as Politics*, p. viii.

## 2. The Theoretical Opportunity - Paul Ricoeur's Three Steps to Reconciliation

Paul Ricoeur proposed in the 1990's three steps to reconciliation in Europe. In the model, he draws together themes that are central in his later production: narrative identity, memory and forgiveness, mutual recognition, and translation understood as linguistic hospitality.

The first step to reconciliation is a stout defense of the possibility of understanding and translating between different languages, cultures, and religions. Even though misunderstandings occur, and something always is lost in translation, communication takes place all the time. To deny this, is according to Ricoeur to make reconciliation impossible.<sup>8</sup>

The second step is an exchange of memories. By listening to the stories of others, we learn that quite different stories can be told about the same events. We also learn that our narrative identities as individuals and groups are intertwined: we play a role in the story of others, and they in our stories. The same actors are assigned different roles in these stories: of friends or enemies, helpers or perpetrators, heroes or victims. Because of this exchange of memories, we hopefully understand, that the stories we, as a nation, religious denomination or ethnic group, build our identity upon, may need to be changed.<sup>9</sup>

The third step in Ricoeur's model is forgiveness. To forgive is not to forget, he underscores, but to remember differently by recounting the common history in a different way. It is impossible to change the past, but by modifying our stories about ourselves as individuals and communities it is possible to change how the past impacts us today. He adds that not all crimes can be forgiven, at least not at the moment. Forgiveness requires patience.<sup>10</sup>

The historical context for the model was the end of the Cold War and the ongoing wars on the Balkan. Ricoeur had also first-hand experiences of wars in Europe; his father was killed in the First World War, and he himself was a prisoner of war in Germany during the Second World War. Therefore, while Ricoeur decidedly argues for the possibility of reconciliation on a theoretical level, his model is also practically informed. However, we argue that the model has limitations especially regarding the question of equality between the parties.

Ricoeur's first step – the possibility of understanding – is rejected, or at least contested by many representatives of the post-colonial perspectives. They argue that only those who belong to, for example, indigenous peoples, black women or sexual minorities, are able to understand the injustices the group in question has faced and is facing. Benevolent outsiders, trying to join the struggle for justice and recognition of all, are accused of unconsciously projecting the majority's perspective on the minority groups.<sup>11</sup> A similar critique, according to which the unequal power balance distorts the possibilities to achieve a fair and lasting reconciliation, has also been launched against the use of mediation in the domestic violence against women. In our article, we aim to clarify to what

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<sup>8</sup> Paul Ricoeur, 'Reflections on a New Ethos for Europe', *Philosophy & Social Criticism* 21, no. 5–6 (September 1, 1995): at pp. 4–5. <https://doi.org/10.1177/0191453795021005-602>.

<sup>9</sup> Ricoeur, 'Reflections', pp. 5–9.

<sup>10</sup> Ricoeur, 'Reflections', pp. 9–12.

<sup>11</sup> Helga West, 'Om jag vill utgöra ditt forskningsmaterial? I helvete heller?' in *Inifrån Sápmi: Vittnesmål Från Stulet Land*, ed. Malin Nord, Patricia Fjellgren, and Pedar Jalvi. Stockholm: Verbal, 2021, at pp. 201–203.

extent Ricoeur's argument that reconciliation presupposes the possibility of interpersonal and cross-cultural understanding can be justified, despite these critical objections.

Another point for clarification is Ricoeur's idea of an exchange of memories. What memories are exactly to be exchanged and whose narrative is to be revised? How should unequal power structures be balanced during the encounters, so that both parties feel safe to share their stories? What kind of consensus needs to be achieved regarding the reasons for the conflict, the facts about what has happened, and the aims of the reconciliation process? In the absence of clarification of these issues, there is a risk of a harmful reading of Ricoeur's position. The idea of mutually revised narratives might be understood as a plea to ask both parties to repent and confess. This might lead to the conclusion that also the harmed party is required to admit its errors and share its failures - thus paving way for the accusation that the victim at least partly can be blamed for its own suffering. This would pose an enormous practical challenge for the process, as would the possibility that the oppressed part is acting under pressure or threat.

### 3. The Practical Challenge - Colonialization of the Sámi People and Domestic Violence against Women

To explore and exemplify the role of inequality in reconciliation, we focus on two very different cases. First, we look at the relation between on the one hand the Nordic nation states and national Lutheran churches, on the other the Sámi population. Thereafter we focus on domestic violence against women. The two cases, albeit very different, hold important similarities too. Both present a case where two parties come together to address past wrongs in a joint venture.

Through centuries, the Sámi population has endured violence and oppression: land grabbing, forced relocation, suppression of culture, language, traditional ways of living, and religious beliefs and practices. These kinds of violations were in the past not directed only against the Sámi peoples, as most minorities were powerless under the ruling classes and have lost their specific features in the process. However, the Sámi were systematically treated as "others" because of their ethnic background, language and religiosity. Rauna Kuokkanen calls this process a "settler colonialism", which emphasizes the structural injustices (racism, heteronormativity etc.) and the ongoing character of this phenomenon. The reasons behind these violations of the integrity and the human rights of the Sámi population, have been both financial (use of land and its resources), nationalist (the creation of a homogenous people with a common language, culture and education), and religious (the replacement of so called pagan beliefs, rituals, tools, symbols and holy places with a Lutheran faith and praxis). These violations have left intergenerational wounds in the Sámi population.<sup>12</sup>

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<sup>12</sup> Tore Johnsen, 'Negotiating the Meaning of 'TRC' in the Norwegian Context', in *Trading Justice for Peace? Reframing Reconciliation in TRC Processes in South Africa, Canada and Nordic Countries*, ed. Sigríður Guðmarsdóttir, Paulette Regan, and Demaine Solomons (Cape Town: AOSIS, 2021), at pp. 21–24. <https://doi.org/10.4102/aosis.2021.BK174>; West, 'Renegotiating Relations', pp. 6–7; Helga West, 'Ristin ja rummun kipeä historia: Saamelaiden kristillistämisen tapa taustana kirkollisille sovintoprosesseille', *Uskallus: Uskonnot, katsomukset ja osallisuus* (blog), 2020. <https://blogs.helsinki.fi/uskallus-hanke/saamelaiset-ja-sovinto/>; Rauna Kuokkanen, 'All I See Is White. The Colonial Problem in Finland', in *Finnishness, Whiteness and Coloniality*, ed. Josephine Hoegaerts et al. Helsinki: Helsinki University Press, 2022, at p. 300. <https://doi.org/10.33134/HUP-17-12>.

Currently there are reconciliation processes going on in Norway, Sweden and Finland both on state and church level.<sup>13</sup> Among many elements making these processes complicated is the fact that neither minorities nor majorities are homogenous: there are many different groups of Sámi peoples, with their own language, culture and history. The violations these groups have suffered vary, and there have been tensions between the Sámi groups, for example as a consequence of forced relocation. Given this, there is no obvious answer to the questions, who has the right to speak for the whole Sámi population, and who has the right to receive and maybe accept an apology from the state or from the national church. While such a situation poses a typical complication to a reconciliation process applied in practice, our aim with this article focuses on another complication: the risks that a minority faces when taking part in a reconciliation process. We acknowledge, however, that questions of intragroup reconciliation need to be taken into account before a successful intergroup process can take place.

Our second example concerns the use of restorative justice in cases involving domestic violence against women. While also men encounter domestic violence, the gendered nature of violence against women in intimate partnerships makes it particularly urgent. According to the so called Istanbul Convention, gender-based violence against women refers to violence that "...is directed against a woman because she is a woman or that affects women disproportionately."<sup>14</sup> Experience of domestic violence is highly gendered. At least one in three women globally will experience some form of physical, sexual, emotional or financial abuse, sometimes lethal, by a partner in home.<sup>15</sup> Domestic violence is globally acknowledged as a major violation of women's human rights, as well as a serious public health problem.<sup>16</sup>

Domestic violence against women is also particularly complicated. Ample body of research shows that the main drivers of male violence against women include multiple gender and structural inequalities in the society, including economic inequalities and challenges associated with unpaid care work.<sup>17</sup> The structural problems of gender inequality challenge also the aftermath of such violence.

For decades, feminist legal scholars have documented the numerous ways in which legal rules and concepts have consolidated inequality between the sexes.<sup>18</sup> Interestingly, it is not only through legal prosecution that domestic violence can be addressed. While restorative justice programs were initially developed for crimes such as assault and robbery, they have also been available for sexual and family violence for

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<sup>13</sup> West, 'Renegotiating Relations', pp. 2–4.

<sup>14</sup> Council of Europe, *Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence*, CETS No. 210 § (2014), art. 3d. <https://www.coe.int/en/web/istanbul-convention> Chapter 1, article.

<sup>15</sup> Hannah Bows and Bianca Fileborn, 'Introduction', in *Geographies of Gender-Based Violence*, ed. Hannah Bows and Bianca Fileborn, 1st ed., A Multi-Disciplinary Perspective (Bristol University Press, 2022), at p. 1. <https://doi.org/10.2307/j.ctv2xqnfbt.7>; WHO, *Violence against Women*, p. viii.

<sup>16</sup> WHO, *Violence against Women*, viii.

<sup>17</sup> Naomi Pfitzner et al., *Violence Against Women During Coronavirus: When Staying Home Isn't Safe*, 2023 (Cham: Springer International Publishing: Imprint: Palgrave Macmillan, 2023), at pp. 7, 25-26. <https://doi.org/10.1007/978-3-031-29356-6>.

<sup>18</sup> Stéphanie Hennette Vauchez and Ruth Rubio-Marín, 'Introduction: From Law and Gender to Law as Gender – The Legal Subject and the Co-Production Hypothesis', in *The Cambridge Companion to Gender and the Law*, ed. Stéphanie Hennette Vauchez and Ruth Rubio-Marín. Cambridge: Cambridge University Press, 2023, at p. 1. <https://doi.org/10.1017/9781108634069.001>.

decades. However, this has been a controversial topic.<sup>19</sup> Many feminist scholars have been extremely critical of the practice, the main critique pertaining to questions of equality between the two parties before, during and after the process. The ability of the process to address the power imbalance underpinning sexual and family violence is contested, and the safety of the female participant is seen to be put at risk.<sup>20</sup>

The two cases exhibit practical challenges for reconciliation that may seem unsurmountable. However, keeping in mind the positive theoretical prospects offered by Ricoeur, we will now investigate further how the two levels, practical and theoretical, could go together.

#### 4. Reconciliation between Unequal Parties

Tore Johnsen has elaborated a model of a four-stage reconciliation process for post-colonial purposes. It has important similarities, but also significant differences compared to the contribution of Ricoeur.

The first of Johnsen's stages is telling the truth. Johnsen argues that history must be recognized for what it is; the representatives of the harming part must listen to the stories of the oppressed minority and readjust their own understanding of history. This careful acknowledging of what happened should not, according to Johnsen, be disregarded by jumping too easily to an excuse or to a plea for forgiveness. Johnsen emphasizes that the stories of the majority populations in the Nordic countries must be challenged by listening to the stories of several generations of Sámi people.<sup>21</sup>

The second step is to be emotionally affected by the stories about suffering, oppression and loss. The representatives of the offenders need to show that they are willing to carry the burden of guilt.<sup>22</sup> This brings Johnsen to the third and fourth elements, which he calls restoration and forgiveness. He asserts that forgiveness should be a gift, but he adds that the offender can make it easier for the offended to forgive by showing that penitence and remorse are not only empty words but come together with acts of different sorts. This involves, among other things, dimensions of restorative and redistributive justice. In the case of the Sámis, it could mean giving back land, giving their representatives more power regarding decisions that affect them and the area where they live, and supporting their language and culture.<sup>23</sup>□

We argue that Johnsen's last two steps are part of a conceptual confusion. They seem to mix two different models of forgiveness, the conditional one which is dependent upon the perpetrator's actions, and the unconditional one, which is entirely up to the discretion of the victim. Therefore, this point requires more attention, if it is to have practical relevance.

Both Ricoeur and Johnsen provide a scheme of reconciliation, reachable in consecutive steps that can be shuffled in different orders and also evolve as parallel tracks.

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<sup>19</sup> Daye Gang, Maggie Kirkman, and Bebe Loff, "Obviously It's for the Victim to Decide": Restorative Justice for Sexual and Family Violence From the Perspective of Second-Wave Anti-Rape Activists', *Violence Against Women*, May 11, 2023, pp. 1-24, at pp. 2-3. <https://doi.org/10.1177/10778012231174353>.

<sup>20</sup> Julie Stubbs, 'Restorative Justice, Domestic Violence and Family Violence', Australian Domestic & Family Violence Clearinghouse issues paper ; 9, 2004, at pp. 9-10.

<sup>21</sup> Johnsen, 'Erkänd historia', pp. 106-8.

<sup>22</sup> Johnsen, 'Erkänd historia', pp. 109-11.

<sup>23</sup> Johnsen, 'Erkänd historia', pp. 111-17.

Where the two seem to differ the most is at the early stages of the process. Ricoeur talks about the possibility of translation and a mutual exchange of memories. Johnsen talks about a revision of historical facts based on the stories of the harmed part. Regarding the risks of misinterpreting Ricoeur that we identified above, Johnsen's model provides an alternative: it is explicitly the offender who must revise his or her story.

We have now presented two models of reconciliation, neither one fully able to address the practical challenges. Both Ricoeur and Johnsen can be criticized for being vague regarding the participants in the reconciliation process. Do these act as individuals, or in their positions as, for example, politicians and state officials, when they reformulate their stories, express remorse or ask for forgiveness? This vagueness results in an insufficient distinction between interpersonal and institutional relations, and in the blurring of the line between reconciliation and forgiveness.

Ricoeur does not seem to pay enough attention to the vulnerability of the weaker part and the need to create safe spaces, where the sharing of stories can take place. Johnsen is aware of the problems linked to the unequal power balance, but he creates a new imbalance by giving a privileged and exclusive position to the stories of the offended part. How can stories be shared, and mutual recognition be achieved, if one part is from the outset given privileged access to the truth? In addition, his model does not seem to take into consideration the inner tensions between different subgroups in the Sámi population, which is expressed for example in current conflicts concerning the conditions for membership of the Sámi community.

Restorative justice often contains elements of both compensatory justice and distributive justice,<sup>24</sup> but these elements are included only in Johnsen's model. Both Ricoeur and Johnsen do, however, include forgiveness as the final stage of reconciliation, and they underscore that forgiveness is a gift and cannot be the outcome of a bargain or a judicial process. Johnsen is aware of the tensions evolving from his inclusion of compensation and forgiveness in the same process. His argument that received compensation may motivate the offended part to forgive, seems however, according to our understanding, to blur the line between justice and forgiveness. Ricoeur, on the other hand, may, because of his neglect to consider compensation and redistribution, be accused of jumping too quickly to forgiveness – a tendency in reconciliation processes criticized by both Johnsen and West. One underlying reason for this inconsistency is that neither Ricoeur nor Johnsen seem to pay enough attention to the differences between interpersonal and institutional reconciliation. We argue that the models must be refined still to function in practice.

## 5. Equality Revisited

Our argumentation so far has led us to some preliminary conclusions: (a) Reconciliation is applied in different ways in various contexts, which creates a conceptual confusion. (b) The two cases we have put forward bring to the fore several complications to the prospects of reconciliation in practice. (c) Ricoeur's and Johnsen's ambition to include forgiveness as the desired outcome of reconciliation processes raises the need for a clarification of how the vertical dimension characteristic of justice and the horizontal level involving love and gift-giving are related to each other. The latter claim is especially important to clarify

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<sup>24</sup> Alexandra Lebedeva, *Justice and Politics. On the Depoliticization of Justice Claims in the Work of Truth Commissions*. Uppsala: Uppsala Studies in Social Ethics 53, 2022, p. 289.

because of Johnsen's decision to make forgiveness at least indirectly dependent upon compensation.

### 5.1. Ricoeur and the complex equality

Ricoeur's understanding of equality provides an important rationale for why it is meaningful to bring the two seemingly distinct types of cases, domestic violence against women and the Sámi reconciliation commissions, into the same discussion. Namely, Ricoeur distinguishes between "being-with" and "being-among" and, together with Aristoteles, insists on the fundamentally political nature of human relationships, both those of a single human being and those of the state.<sup>25</sup>

In explaining the concept of equality, Ricoeur draws inspiration from a critical reading of Hobbes for whom the fear of violent death in the original state of nature leads to the institution of government. Ricoeur admits that such imagining of a fundamental violent relationship between human beings talks to the contemporary societal reality of wars between states, to episodes of subversion within states, and to everyday fear of theft, assault and murder.<sup>26</sup>

Consequently, for the sake of this paper, we acknowledge that with Hobbes any possibility of restorative justice exercised outside of the sphere of public governance may be put into question. In fact, in line with Hobbes, a court of law may be better positioned in canalizing the original, uncontrolled and mortal struggle of human beings against one another than a restorative encounter. But Ricoeur does not contend with Hobbes in the negative assumption of the nature of the original relationship.

For Ricoeur, the original state of nature is not a war of all against all, but a state of peace, where both negative and positive motives for the interminable struggle are exhibited. This struggle is not about the Hobbesian fear of death, but, as Hegel already argued, about a desire to be recognized.<sup>27</sup>

A central challenge in Hobbes' model, according to Ricoeur, is the contractual nature of the organized relationship. Such a relationship presupposes some degree of reciprocity, but according to Ricoeur, this claimed reciprocity may in fact conceal an ambition to preserve one's own power.<sup>28</sup> A claim for affective, judicial, and social recognition, through its conflictual, militant style, may end up in a bad and indefinite demand, in an incurable sense of victimization or in an indefatigable postulation of unattainable ideals.<sup>29</sup>

According to Ricoeur the state of peace can be known both as *philia*, *eros* and as *agape*. Interestingly, the last one seems to refute the idea of mutual recognition, as the practice of gift-giving, in its pure form, neither requires nor expects a gift in return. Ricoeur underlines a paradox of the gift and the unilaterality of *agape*. If a gift is given in return, this is based on gratitude, not on the logic of commerce.<sup>30</sup> Through this move, Ricoeur can preserve the receiver's moral agency: if he or she chooses to give a gift in return, it is like

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<sup>25</sup> Paul Ricœur, *The Course of Recognition*, Cambridge, Massachusetts: Harvard University Press, 2005, p. 162; For a reflection on diverse human relationships, some direct and near like the one to the neighbor, and some mediated through institutions, see also Paul Ricœur, "The Socius and the Neighbor," in *History and Truth*, trans. Charles A. Kelbley. Evanston [Ill.]: Northwestern University Press, 1965, pp. 103–109. <http://archive.org/details/historytruthessa0000unse>.

<sup>26</sup> Ricœur, *The Course of Recognition*, p. 163.

<sup>27</sup> Ricœur, *The Course of Recognition*, pp. 152, 218, 271.

<sup>28</sup> Ricœur, *The Course of Recognition*, p. 170.

<sup>29</sup> Ricœur, *The Course of Recognition*, p. 218.

<sup>30</sup> Ricœur, *The Course of Recognition*, pp. 219, 359.



reacting to an offer, not a repayment. A financial transaction requires reciprocity, but not necessarily mutuality. The latter relation is, however, according to Ricoeur essential in the exchange of gifts.<sup>31</sup>

The logic of reciprocity points to the core of Ricoeur's notion of equality. In *The Just* he engages in a dialogue with Michael Walzer and sustains how Western thought has been founded on an idea of equality as the synonym of justice, where justice has been understood as the distribution of equal shares. In such a case, putting forward a simple, arithmetic, equality is easy: everyone gets the same share. But equality seldom is quite so simple. Therefore, Ricoeur, together with Walzer, talks about complex equality. In that case, equality has to do with the limitation of domination and in the way social goods are distributed in societies.<sup>32</sup>

The problem is that social goods are heterogeneous and the reasons that govern their evaluation are incommensurable.<sup>33</sup> This point lies at the heart of the problem with equality, a problem that Ricoeur acknowledges as a real and accelerating problem in the Western plural societies. He underlines that outside of the utopia of Eden the only possibility to deal with disagreements is through compromises, and this, in turn, threatens to compromise the principles themselves.<sup>34</sup>

Ricoeur's model revisits the concept of equality through questioning the bases of a prevailing understanding of equality as a conditional exchange. Ricoeur argues theoretically for the opportunity of equality in reconciliation: the order of gift must be discerned from the mathematical and legal understandings of equality. This point is essential for our aim with this paper.

### 5.2 Vertical and Horizontal Reconciliation

While Ricoeur subscribes to the fact that equality is often a complex equality, torned between the ideals of a measurable justice and an unmeasurable love, Kjell-Åke Nordquist responds to the practical challenge of equality by distinguishing between vertical and horizontal reconciliation, both as a process and as an end: "Horizontal reconciliation is then a process between equals, ideally equals in all dimensions relevant to the process, such as experiences, resources, political roles, number of peoples involved etc."<sup>35</sup> Vertical reconciliation, on the contrary, is a process between un-equals, for example when the process involves the political leadership and a discriminated group.

Nordquist argues that the vertical reconciliation is a prerequisite for the horizontal reconciliation. Without a vertical reconciliation, there is no moral reason for a horizontal one.<sup>36</sup> On the other hand, if the horizontal reconciliation is not reached, the vertical reconciliation may lose its legitimacy.

In a successful horizontal reconciliation process, the personal attitudes of people involved are changed. In order to achieve a peaceful or at least a tolerably safe coexistence, individuals may be ready to overlook some of the injustices they have suffered and even be willing to forgive. Nordquist underscores that no reconciliation is possible without

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<sup>31</sup> Ricoeur, *The Course of Recognition*, p. 225.

<sup>32</sup> Paul Ricoeur, *The Just*, Chicago: University of Chicago Press, 2000, pp. 77–78.

<sup>33</sup> Ricoeur, *The Just*, p. 79.

<sup>34</sup> Ricoeur, *The Just*, p. 92.

<sup>35</sup> Nordquist, *Reconciliation as Politics*, p. 72.

<sup>36</sup> Nordquist, *Reconciliation as Politics*, p. 73.

some kind of change of attitudes from both sides, even though these kinds of changes cannot be forced upon anyone.<sup>37</sup>

For our discussion of the reconciliation models of Ricoeur and Johnsen, it is interesting to observe that Nordquist characterizes horizontal reconciliation by interpersonal relations of trust, recognition and mutuality. The vertical reconciliation, on the other hand, should according to him not rely on the attitudes of individuals, not even of those individuals who exercise political or military power. The aim of vertical reconciliation is to create structures that in the long run are able to reinforce predictability and stability, as well as reparation and justice. When these structures are in place, they can influence the change of attitudes and lead to an increased level of trust in society, both nationally and locally.<sup>38</sup>

The distinction between the vertical and horizontal dimensions of reconciliation brings us back to Ricoeur. In his criticism of a purely arithmetic concept of equality, he seems to deny the possibility of vertical reconciliation. It is, however, more correct to claim that Ricoeur's position is that vertical reconciliation must be continuously challenged by the hyper-ethical demand of love that cherishes the complex nature of equality. Justice and love (as well as forgiveness) have, according to Ricoeur, a common source, which he describes as a fundamental generosity, a "logic of superabundance", at the roots of human existence. Life is something given to us, literally a gift – or rather an overflowing amount of gifts. Justice concerns how these gifts should be distributed justly between all living creatures, while love is concerned with how we as human beings respond to this "givenness" of life.<sup>39</sup>

It is important to note that neither Johnsen nor Ricoeur claim a mandatory participation in a reconciliation process. A process should be initiated only if the parties, and in particular the victim herself chooses to explore whether reconciliation might be possible to achieve. Those who have been offended have the right to demand justice, and the right to be protected from their offenders. In the case of an oppressed minority, total separation is, however, not possible. A reconciliation process is a potential road to a more just and equal co-existence. As Alexandra Lebedeva has argued, the expected desirable outcome should not be used as an excuse for not holding offenders responsible for their deeds.<sup>40</sup>

By distinguishing between the orders of justice and love, we think that it is possible to identify the place of forgiveness as a possible outcome of reconciliation on the personal level in the order of love. Forgiveness is, however, neither a prerequisite nor a mandatory outcome. Nordquist can therefore be read as a practical complement to Ricoeur's theoretical point of departure.

## 6. Reconciliation – between Theoretical and Practical Opportunities

We now return to the question posed at the start of the article: is reconciliation practically possible as a relational process in the context of solving violent conflicts between unequal parties – and if so, how? In the following, we will sketch a broader model for reconciliation based on our argumentation above regarding the opportunities and challenges related to

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<sup>37</sup> Nordquist, *Reconciliation as Politics*, p. 30.

<sup>38</sup> Nordquist, *Reconciliation as Politics*, p. 76.

<sup>39</sup> Ricoeur, 'Love and Justice', pp. 325-326.

<sup>40</sup> Lebedeva, *Justice and Politics*, pp. 306-307.

equality. We do this by elaborating four components borrowed from Ricoeur's and Johnsen's models, namely understanding, truth-telling, restoration/compensation and forgiveness. These components are discussed in the light of the interplay between the vertical and horizontal dimensions of reconciliation, expressed also in the Ricoeurian interplay between justice and love. We strive to consider the risks the harmed part may encounter when joining a reconciliation process.

*a. Understanding*

The possibility of understanding and translation between human beings regardless of their background is, according to Ricoeur, both a theoretical and a practical prerequisite for reconciliation. Otherwise, the exchange of memories included in Ricoeur's description of reconciliation becomes impossible, and the same goes for the elements of truth-telling and of being emotionally affected by the suffering of others in Johnsen's model. If we are not able to understand each other at least partly, there is no point in trying to listen to the stories of others.

There are, however, reasons for the harmed part to be hesitant about this fundamental hermeneutical conviction, because the interests of the majority, or of the stronger part, may dictate the outcome. The question whether a deeper understanding is achieved needs therefore to be confirmed repeatedly during the reconciliation process. In this endeavor, the harmed part must play a central role, but the confrontation does not evolve into an encounter, if not all actors involved are given the opportunity to tell their story.

*b. Truth-telling*

In his idea of an exchange of stories, Ricoeur puts the emphasis on a mutual sharing and revising of stories, while Johnsen underscores the requirement that the majority needs to listen to the offended minority. Various reconciliation processes have struggled with the complexity of the concept of truth, linked to the difference between how truth is understood in judicial processes and in reconciliation processes. This difference between different concepts of truth comes to the fore in both our cases.

In courts, operating in the order of justice, the aim is to find out as objectively as possible the truth about what took place, who was involved and who can be held responsible. In the narrating in front of a truth and reconciliation commission, or in a restorative process, however, the central focus is the horizontal relationship and in the personal experience and interpretations of the events, as well as their effects and consequences. The therapeutic effect should not be taken for granted, but the sharing of experiences may have a beneficial influence: by collecting stories both of victims and perpetrators, it becomes more difficult for any single party to monopolize their version of what has happened.<sup>41</sup>

Helga West asserts that some indigenous representatives have contested whether the word reconciliation is useful in this connection at all, as it may presuppose an idea of returning to a previous relationship the minority do not want to restore.<sup>42</sup> Similarly, in restorative justice in domestic violence cases it is not to be expected that the intimate relationship between the two, that may have existed in the past, is restored during the

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<sup>41</sup> See Nordquist, *Reconciliation as Politics*, pp. 38–39. See also Lebedeva, *Justice and Politics*, p. 178 for a more critical approach.

<sup>42</sup> West, 'Renegotiating Relations', p. 3.

process. In many cases it is to be recommended that the two continue their separate lives. The re-narration can, however, ensure that the experience of the violent relationship does not need to burden the life after, so that it can be free of trauma and fear. Therefore, the aim of truth-telling in the context of reconciliation is rather forward than backward oriented.

*c. Restoration and compensation*

The relation between compensation and forgiveness is complicated and showcases how complex equality actually is. Should restoration be a precondition for a successful plea for forgiveness? Can reconciliation take place without compensation?

We claim that the distinction between justice and love can clarify this complex issue. Reconciliation can be approached both in the order of love and in the order of justice. Restoration and compensation belong mainly to the order of justice. In the order of love they must be approached differently. Their connection with the order of love, including forgiveness, should not be made an issue for negotiations and agreements – otherwise forgiveness loses its character of gift. As Ricoeur states with Biblical reference: love does not argue, but in the order of justice arguments play a crucial role.<sup>43</sup>

In the order of love compensation is not required. This, however, must be left to the discretion of the victim to decide. The order of justice, then again, becomes particularly relevant in the context of institutional reconciliation.

According to the model of Tore Johnsen, restoration and compensation is a consequence of the second stage, that is, to be emotionally affected by the stories of the suffering part, also called remorse. In such case, you do not only try to change your attitude, you also want to change things for the better. Changes in attitude and behavior are according to Nordquist necessary for a successful reconciliation.<sup>44</sup> Compensation in Johnsen's sense can be regarded as an expression and confirmation of this changed attitude, comparable to the repayment that Zacchaeus promised in the well-known story in the Gospel of Luke.

In the processes between the Lutheran Churches in both Norway and Sweden and the Sámi peoples, reconciliation is according to Helga West tied to the concept of 'justice': In the Church of Sweden, however, much emphasis has been put on truth-telling, while in Norway the church has moved on towards restoration of a kind that is not restricted to financial support. West mentions developing contextual Sámi theology and the strengthening of Sámi traditions within the Church.<sup>45</sup>

For the harmed part, compensation is a question of both justice and recognition, signifying that the narratives told have been acknowledged. Compensations for historical injustices is, however, a particularly tricky question. If a perpetrator is willing to pay some kind of compensation to the victims or their descendants, it is usually considered a one-time act. If compensation is granted and accepted, the offended part may in the future be in a position, where no further pleas for compensation are accepted. Due to the continuing unequal power balance, the offended part – in both our cases – has a lasting need for protection and support after mediation or reconciliation. Reparation or restoration should therefore primarily be forward oriented and include measures that strengthen, empower and protect the offended part.

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<sup>43</sup> Ricoeur, 'Love and Justice', p. 321.

<sup>44</sup> Nordquist, *Reconciliation as Politics*, p. 99.

<sup>45</sup> West, 'Renegotiating Relations', p. 16.

*d. Forgiveness*

Both Ricoeur and Johnsen mention forgiveness as the final stage in the reconciliation process. This solution is understandable: the past will continue to burden the future if we do not even try to forgive, and instead constantly remind ourselves and others of evils in the past. But forgiveness is not to be mixed with reconciliation.

Kjell-Åke Nordquist draws a clear line between these concepts. Reconciliation, he claims, requires an active contribution of two parts while forgiveness can be unilateral. According to him, the unique nature of forgiveness is blurred, if it is made part of reconciliation.<sup>46</sup> Forgiveness, therefore, belongs to the order of love. It does not require that things first are restored – or even afterwards. Vladimir Jankélévitch distinguishes in a similar matter between an excuse and forgiveness: an excuse requires reasons, while forgiveness may be granted even to a person who has done something inexcusable.<sup>47</sup>

Forgiveness is closely connected to the horizontal dimension, and it is always a free decision by an individual, or by representatives of a group. It must be noted that the one who forgives is free both to grant forgiveness and to deny it. It is compulsory to take part in a legal process, but forgiveness is always a voluntary act.

Between the act of forgiving and the courtroom there is also, according to Kjell-Åke Nordquist, the possibility of “overlooking” past injustices and violations. This may rely on a common understanding in the community that steps toward a better future need to be taken, even though not all injustices have been corrected and not all perpetrators have been persecuted. Overlooking should not be forced on anybody but must rely on a freely made decision to move forward as a society and as an individual. This does not require that the past is forgotten or that everything is forgiven.<sup>48</sup>

One of the fruitful aspects of Ricoeur’s approach is his idea that forgiveness is to tell your stories in another way, after you have listened to the stories of others. This does not change what has happened, but it can change the way the past affects the parties in the future. Public apologies expressed by representatives of a state or a church for past injustices in relation to oppressed minorities can be interpreted as a kind of retelling. The ceremonies are above all a confession: we represent the same state or church that took part in these violations of the integrity and dignity of your ancestors. The confession is also a promise: we will do our best to restore what has been broken. The act of repentance is not the end of a journey, but rather an invitation to further relation building. The oppressed party is, however, never morally obliged to forgive. Forgiveness is not part of a bargain, but it remains an opportunity.

## 7. Conclusions

This article has looked at equality as a theoretical opportunity and as a practical challenge in the framework of reconciliation and asked if and how reconciliation can be seen also as a practical opportunity when the process involves unequal parties.

Our conceptual point of departure was Paul Ricoeur’s model of reconciliation, which we, however, recognized entailing risks for misunderstanding, which would be

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<sup>46</sup> Nordquist, *Reconciliation as Politics*, pp. 39–40.

<sup>47</sup> Aaron T. Loney. *Vladimir Jankélévitch: The Time of Forgiveness*. New York: Fordham University Press, 2015, p. 136.

<sup>48</sup> Nordquist, *Reconciliation as Politics*, pp. 21, 33.

detrimental to the practical process that involves parties in very sensitive positions, such as a female victim after domestic violence or the Sámi peoples. We then assumed that Tore Johnsen's model of post-colonial reconciliation is fruitful for developing a reconciliation process viable in practice. Johnsen's model emphasizes that the trauma caused by past events cannot be healed, if restoration and compensation are not dealt with properly.

We identified similarities and differences between Ricoeur's and Johnsen's models and argued that their models need to be refined to avoid a blurring of the line between reconciliation and forgiveness, as well as between the institutional and personal dimensions of the process. We argued that it is possible to adjust and broaden the model by applying Ricoeur's reflections regarding the interplay between mutuality and recognition, as well as between love and justice, together with Kjell-Åke Nordquist's distinction between vertical and horizontal reconciliation processes.

The model we propose combines elements from Ricoeur and Johnsen. It starts with a commitment to the possibility of understanding. The element of truth-telling takes in consideration different understandings of truth. Compensation and restoration are opportunities for the perpetrator to express both understanding and remorse. Forgiveness is not a requirement for reconciliation, but rather an expression of the changed attitude that the process may lead to. The uncontrollable character of forgiveness is also one of the reasons why Ricoeur describes equality as something complex. It is impossible to give categorical solutions applicable in all practical situations: reconciliation is unavoidably contextual.

As a conclusion, we want to emphasize that reconciliation is not only a theoretical opportunity elaborated by philosophers such as Ricoeur, theologians like Johnsen or legal scholars like Nordquist but indeed a very real practical opportunity in the world filled with struggle, conflict and trauma.

Heidi Jokinen, Åbo Akademi University  
heidi.jokinen@abo.fi  
Björn Vikström, Åbo Akademi University  
bjorn.vikstrom@abo.fi

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