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DE ETHICA

A JOURNAL OF PHILOSOPHICAL, THEOLOGICAL, AND APPLIED ETHICS

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Cover: "The Return of the Prodigal Son", by Rembrandt Harmenszoon van Rijn, c. 1669 (oil on canvas, 262 cm × 205 cm, location: Hermitage Museum, Saint Petersburg). Photo courtesy of Wikimedia Commons.

From the Editors

When this text is written, it is December 10th, marking the 76th anniversary of the adoption of the Universal Declaration of Human Rights in 1948. This landmark document was conceived as a response to the horrors of war, genocide, and systematic injustices, aiming to establish a universal framework to protect human dignity and prevent future atrocities. Yet, the world continues to grapple with such atrocities, along with more localized but still painful injustices. In the aftermath of these, a pressing ethical challenge is how to address the demands of justice and restore trust and relationships among the parties involved. By addressing the wounds of injustices, reconciliation, and reconciliation processes are thought to be tools for restoring trust and relationships, fostering a foundation for mutual understanding and – sometimes – even healing.¹

Reconciliation as a tool for restoring broken trust and relationships implies that there once was an initial relationship and trust to rebuild. This understanding is not without problems, as it suggests that the responsibility for reconciliation is placed on all parties, including victims of injustice. Thus, the practice of reconciliation may be in tension with the pursuit of justice. Justice often demands accountability, punishment, or compensation, while reconciliation emphasizes dialogue, understanding, and, in some cases, forgiveness. This raises several questions: Can reconciliation be achieved without compromising justice? Are there certain acts that can never be morally forgivable? Thus, reconciliation is a concept and a practice that is not without difficulties, calling for a conception that prioritizes redressing harm and addressing power imbalances rather than presuming mutual responsibility.

In this context, Daniel Philpott offers a helpful definition, describing reconciliation as “a broad restoration of right relationship involving a multiplicity of practices that each redress wounds of injustice in a particular way.”² This conception captures the complex nature of reconciliation, emphasizing the role it can play in healing and building – but not necessarily rebuilding – relationships. Redressing the wounds of injustice involves not only holding perpetrators accountable but, most importantly, attending to the needs of the victims. Thus, reconciliation, as the redressing of injustice, resolves some of the tensions surrounding reconciliation and justice.

The relationship between reconciliation and justice is one main issue of ethical concern, as is the relationship between reconciliation and forgiveness. This relationship also raises difficult questions: What, if any, is the role of forgiveness in reconciliation processes? Can reconciliation truly be achieved without forgiveness, or does the absence of forgiveness render reconciliation incomplete? Can redressing injustice and (re)storing relationships be possible without it? Are there acts, such as genocide, torture, and systemic oppression, that cannot – or should not – be forgiven?

¹ Radzik, Linda and Murphy, Colleen. "Reconciliation". The Stanford Encyclopedia of Philosophy (Fall 2023 Edition). Edward N. Zalta and Uri Nodelman (eds.). URL = <https://plato.stanford.edu/archives/fall2023/entries/reconciliation/>.

² Philpott, Daniel. *Just and Unjust Peace: An Ethic of Political Reconciliation*. Studies in Strategic Peacebuilding (New York, 2012; online edn, Oxford Academic. 20 Sept. 2012). <https://doi.org/10.1093/acprof:oso/9780199827565.001.0001> accessed 10 Dec. 2024. p. 50.

On the one hand, forgiveness can be seen as a profound moral act, transcending vengeance and breaking cycles of hatred. On the other hand, forgiving certain atrocities may be perceived as a treachery of the suffering of others. Some argue that forgiving the unforgivable could undermine moral accountability, while others propose that forgiveness is a supererogative act, a gift, freely given, that need not negate justice but is a complement.

This tension raises further questions concerning moral agency and moral responsibility. Should forgiveness be an individual choice, or is there a moral duty not to forgive? An alternative way, as suggested by Claudia Card in her *The Atrocity Paradigm*, is to perceive forgiveness as moral power that can play a role in reconciliation.³ She argues that atrocities fundamentally alter relationships among victims and perpetrators but also among victims and bystanders. These altered (or in some cases newly created) relationships create moral powers of the victims, such as the ability to testify, to blame, to resent, to forgive, or to punish – if they wish to do so.

This special issue is the first of two from the Societas Ethica conference on The Ethics of Reconciliation held in Sarajevo in August 2023. In this issue, the practice of reconciliation is analysed from the vantage points of truth commissions and workplace bullying, and theoretical issues of reconciliation are discussed from theological and egalitarian perspectives.

Alexandra Lebedeva's article analyzes truth commissions, an institutional response to human rights atrocities that can be understood as a means to reconciliation. However, she notes that such commissions raise significant moral and political questions. Two important upshots from the analysis are presented. First, Lebedeva points to the risk of depoliticizing human rights through their individualization. This may result in a failure to identify the same power structures that contributed to the atrocities initially taking place. Second, truth commissions may focus on allowing the victims to speak without emphasizing the obligation of the powerful to listen. She ends her article by arguing that the way we address past human rights violations should be guided by an ideal of responsibility for justice.

In the article *Equality in Reconciliation. From Theoretical to Practical Opportunities*, Heidi Jokinen and Björn Wikström take on the concept of reconciliation from the perspective of equality. Discussing two cases – the reconciliation processes involving the Sámi population in the Nordic countries and the use of restorative justice in cases of domestic violence against women – they find that a proper understanding of reconciliation also has implications for the practice of achieving reconciliation in real-life cases. They propose a model that includes considerations of understanding, truth-telling, compensation, and restoration. They find, finally, that forgiveness is not a requirement for reconciliation but that it can be an expression of a changed attitude as the outcome of the process of reconciliation.

Mikael Nilsson discusses reconciliation in the context of workplace bullying, with a focus on justice and the question of the distribution of responsibilities in reconciliatory processes. He identifies a strand of individualist thinking in the views of HR professionals, which he analyzes as problematic. In the place of a view on reconciliation that makes virtues out of efficiency and predictability, he proposes an alternative view. This approach to reconciliation starts from the social restorative processes of re-narration, responsibility, and grace. He also points out that reconciliation demands justice in the workplace bullying

³ Card, Claudia. *The Atrocity Paradigm: A Theory of Evil* (New York, 2002; online edn, Oxford Academic, 1 Nov. 2003). <https://doi.org/10.1093/0195145089.001.0001>, accessed 10 Dec. 2024. pp. 167f.

context, but that though this process aims toward restoration is open-ended. Reconciliation is a possibility from within a dynamic social process.

The relationship between reconciliation and forgiveness is discussed in the article by Werner Wolbert. More particularly the question is asked whether forgiveness should be understood as conditional or unconditionally. There are complicated interrelations between these concepts and considerations. Wolbert makes note of three reservations concerning unconditional forgiveness. It should not undermine justice or fairness, especially in public contexts. Forgiveness should not allow for the continuation of harmful behavior. Unconditional forgiveness should not compromise the victim's self-respect or dignity. He ends by urging a certain restraint in demands for forgiveness.

We look forward to presenting more work on reconciliation in the coming second issue from the Sarajevo conference and wish for interesting reading in this issue.

Lars Lindblom, *Executive Editor*
Johanna Romare, *Guest Editor*

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Testimony in Truth Commissions: *Aporetic Critique*

Alexandra Lebedeva

In this article, I critically examine the role of testimony in the work of truth commissions and its implications for understanding human rights violations and testimony drawing on Jacques Derrida's deconstruction of testimony. Two key implications emerge from this analysis. First, by applying a tort model, human rights violations are depoliticized through their individualization. This approach turns testimonies into evidence, limiting their critical potential. Depoliticization involves overlooking the political context of violence, which results in a failure to consider power dynamics, potentially reinforcing the same power structures that contributed to the atrocities in the first place. Second, the rationale behind truth commissions, often framed as "giving a voice to the voiceless," tends to prioritize the act of speaking over the moral obligation to listen to testimonies and reflect on one's moral and political responsibilities. Finally, I argue that addressing past human rights violations and their root causes should be guided by an idea of responsibility, particularly the responsibility for justice. The way truth commissions utilize testimony may hinder the fulfillment of this responsibility.

Introduction

Initially, it is important to acknowledge the plurality of truth commissions and the diversity of their experiences across different times and contexts. The focus of this analysis is on the concept of truth commission as a political institution founded on specific normative assumptions. One such assumption is intimately connected to the practice of testimony and the presumed effects and functions that this practice is believed to fulfill.

The concept of testimony has been a subject of philosophical analyses tracing its roots legal, historical, and theological contexts.¹ The role of truth commissions as tools for addressing past human rights atrocities through testimonies and public hearings has also gained much attention both in the academic discourse and the realm of politics. Since the experiences of the South African Truth and Reconciliation Commission it has been widely recognized that testimony and public hearings are central for the work of truth commissions and their potential contribution to justice and reconciliation.² Martha Minow has argued that the notion of the restorative power of narrative through testimony has

¹ For example, Emmanuel Lévinas, Paul Ricœur, Hannah Arendt, Jacques Derrida.

² Gready, Paul: "Culture, Testimony, and the Toolbox of Transitional Justice", in *A Journal of Social Justice*, Vol. 20, No. 1, 2008; Minow, Martha: *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence*. Beacon Press, Boston 1998.

been a key factor in the establishment of truth commissions, viewing them as public platforms for victims to share their experiences of suffering.³

It has been previously suggested that the idea about the positive impacts of testimony and public witnessing of human rights violations constitutes one of the foundational assumptions underlying the concept of truth commissions. In these processes, truth and truth-telling are regarded as crucial elements in addressing past atrocities, with truth seen as a prerequisite for achieving justice.⁴ On an international policy level, the United Nations High Commissioner for Human Rights has emphasized the pedagogical role of public hearings in informing society about past abuses and stimulating discussion about the past.⁵ Beyond the societal impact, testimony is also believed to have a positive psychological effect on survivors, as it acknowledges their suffering and offers a healing process that can contribute to reconciliation.⁶

The discourse on truth commissions often includes the concept of healing, highlighting a significant difference between trials and truth commissions. While trials focus on establishing the accountability of individual perpetrators, truth commissions are intended to address the needs of the entire society, which is seen as requiring healing. Franka Winter points out that societies are often presumed to need to work through past trauma and undergo a healing process.⁷ However, in his essay "The Meaning of Working Through the Past," Theodor Adorno warns of the dangers of using psychological language to shift the issue of moral responsibility into the psychological realm, thereby avoiding confrontation with the brutality of one's actions and the conditions that made them possible.⁸ The use of psychological terminology tends to frame human rights violations as trauma or suffering rather than as moral wrongdoings – an interpretation that must be critically examined and challenged.

In this article, my aim is two-fold: first, to critically analyze the role of testimony as one of normative foundations underpinning the concept of truth commissions and its implications for understanding human rights violations; and second, to examine the critical potential of Derrida's deconstruction and *aporetic* analysis in this context. I begin by examining the implications of the centrality given to testimony and witnessing within the framework of truth commission, which is a key normative assumption underlying the concept of truth commissions. The critique of testimony presented here operates on a

³ Minow, Martha: *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence*. Beacon Press, Boston 1998, 66.

⁴ In my doctoral thesis, I have identified and critically discussed three normative assumptions behind the idea of truth commission: firstly, the justification for truth commissions derives from the idea that in the aftermath of large-scale human rights violations, restorative justice should be given priority over retributive justice; secondly, truth is a prerequisite for justice and for dealing with past human rights violations; and thirdly, public testimony as a form of truth-telling is connected to the purpose of justice and presupposes it to have a positive impact for victims and society in general. Lebedeva, Alexandra: *Justice and Politics. On the Depoliticization of Justice Claims in the Work of Truth Commissions*. Acta Universitatis Upsaliensis, Uppsala 2022.

⁵ Office of the United Nations High Commissioner for Human Rights: *Rule-of-Law Tools for Post-Conflict States: Reparations Programmes*, HR/PUB/08/1, 2008, 18-19.

⁶ Office of the United Nations High Commissioner for Human Rights: *Rule-of-Law Tools for Post-Conflict States: Reparations Programmes*, 23.

⁷ Winter, Franka: Giving Voice to the Voiceless? Second Thoughts on Testimony in Transitional Justice, in *A Journal on Social History and Literature in Latin America*, Vol. 6, No. 3, Spring 2009, 93.

⁸ Adorno, Theodor W.: "What Does Coming to Terms with the Past Mean?", in Hartman, Geoffrey (ed.): *Bitburg in Moral and Political Perspective*. Indiana University Press, Bloomington 1986.

normative level but is also empirically informed by examples from various truth commissions and their experiences with testimony and public hearings. I offer a critical analysis of the implications of placing testimony at the core of efforts to address past human rights atrocities, and I discuss the questions that *ought* to be prioritized in these processes.

In my endeavor to discuss the problem introduced above, I engage critically with the work of Jacques Derrida. In 1998, Derrida visited South Africa and delivered lectures on reconciliation and forgiveness in the context of the Truth and Reconciliation Commission's work. He argued that the concepts of reconciliation and forgiveness should be distinctly separated. According to Derrida, reconciliation, represents a form of conditional forgiveness which he refers to as "political therapy", whereas forgiveness should remain pure and unforgivable.⁹

When analyzing testimony, Derrida critiques its reductionist use within the legal realm, where testimony is often reduced to the demonstrable truth, and thereby stripping it of its essential meaning as an act of faith. In the deconstruction of testimony, Derrida places Paul Celan's poetry at the center of his analysis, concluding that the poet is "the only one who can bear witness to them".¹⁰ The analysis of the use of testimony within truth commissions is informed by Derrida's *aporetic* perspective, the limitations of his thought is also acknowledged in the final part of the article.

It is important to recognize that Derrida's *aporetic* understanding of testimony, as discussed in the article, is deeply influenced by the concrete historical events of the twentieth century, particularly the efforts to comprehend and articulate the experiences of the Holocaust. These experiences remain both unbearable and incomprehensible, yet have also become an object of revisionism. The efforts to convey the experiences of the Holocaust by thinkers like Jacques Derrida or Theodor Adorno have raised profound moral questions that remain unresolved and require ongoing critical reflection in relation to the contemporary contexts. How can a society best deal with its traumatic history, particularly during political transitions? We must also ask whether addressing the past through transitional justice mechanisms, such as truth commissions, is a viable alternative.

The challenge of conveying the Holocaust experiences has also been central to Hannah Arendt's analysis of the Eichmann trial, which marked the beginning of the "era of testimony".¹¹ Arendt refers to Nazi crimes as "speechless horrors" that defy both punishment and forgiveness. She offered a stark critique, arguing that although these horrors were beyond words, people nevertheless attempted to express them or to translate their speechlessness into emotional expressions. In Arendt's view, all such attempts were ultimately inadequate.¹²

The increasing prominence of testimony and truth commissions¹³ raises significant moral and political questions regarding how human rights atrocities ought to be

⁹ Derrida, Jacques: *On Cosmopolitanism and Forgiveness (Thinking in Action)*. Routledge, New York 2001, 27, 31-32.

¹⁰ Derrida, Jacques: "Poetics and Politics of Witnessing" in *Sovereignities in Question: The Poetics of Paul Celan*. Fordham University Press, New York 2005, 67.

¹¹ For example, Annette Wieviorka, Elizabeth Jelin, Kay Schaffer, Sidonie Smith and Leora Bilsky.

¹² Arendt, Hannah: "Some Questions of Moral Philosophy", in *Responsibility and Judgement*. Schocken Books, New York 2003, 56.

¹³ Depending on how truth commissions are defined (whether as truth and reconciliation commissions or commissions of inquiry), there have been more than 40 such truth commissions since 1974.

addressed, including the question of the moral foundations of truth commissions. Different answers have been proposed. Martha Minow argues that the moral foundation of truth commissions lies in their public acknowledgement of human rights violations and their efforts to restore the dignity of victims.¹⁴ Amy Gutman and Dennis Thompson contend that the moral basis of truth commissions is rooted in restoring public recognition of the humanity of victims.¹⁵ Meanwhile, Maria Ericson suggests that truth commissions create a shared moral landscape, offering a shared understanding of different groups' experiences and interpretations of reconciliation and peace, particularly, in the context of armed conflicts and wars.¹⁶

In light of these perspectives, my concern is that justice in the aftermath of human rights violations risks being confined to pivotal yet insufficient questions, such as those related to healing and reconciliation. I propose that the most crucial issue that ought to be addressed in dealing with past atrocities are questions of justice and responsibility. Drawing on Derrida's deconstruction of testimony, I critique the reductionist approach to testimony, which is often shaped by its institutionalization and instrumental uses. I argue that truth commissions frequently downplay or overlook the political and socio-economic contexts of human rights violations, focusing primarily on individual instance of wrongdoing.

The article is structured as follows. It begins with an analysis of Derrida's perspective on testimony, highlighting critical insights that are subsequently applied to the context of truth commissions. Following this, I present and discuss various uses of testimony based on Shoshana Felman's distinction between legal and historical uses of testimony. This distinction of testimony's different uses in truth commissions is supported by the references to prior research rather than empirical analysis. In the conclusion, I summarize the implications of placing testimony at the center and address the key questions that *ought* to be considered when dealing with large-scale human rights violations.

Testimony's *Aporetic* Conditions

The point of departure for my analysis is Derrida's deconstruction of testimony and the challenge of *aporetic unrepresentability*. As Shoshana Felman has noted, the *aporetic* condition of testimony introduces a new perspective on testimony, raising questions about the responsibility of survivors who assume the role of witnesses. Felman writes: "To testify is thus not merely to narrate but to commit oneself, and to commit the narrative, to others: to take responsibility – in speech – for history or for the truth of an occurrence, for something which, by definition, goes beyond the personal, in having general (nonpersonal) validity and consequences."¹⁷ I propose that Derrida's *aporetic* thinking should be developed towards an ethics of responsibility, particularly – responsibility for justice.

¹⁴ Minow, Martha: "The Hope for Healing: What Can Truth Commissions Do?" in Robert I. Rotberg and Dennis Thompson (eds.): *Truth v. Justice: The Morality of Truth Commissions*, 236-237.

¹⁵ Gutman Amy and Thompson Dennis: "The Moral Foundations of Truth Commissions?" in Robert I. Rotberg and Dennis Thompson (eds.): *Truth v. Justice: The Morality of Truth Commissions*, 32.

¹⁶ Ericson, Maria: Reconciliation and the search for a shared moral landscape: Insights and challenges from Northern Ireland and South Africa, in *Journal of theology for Southern Africa*, 2003, Vol. 115.

¹⁷ Felman, Shoshana and Laub, Dori: *Testimony: Crises of Witnessing in Literature, Psychoanalysis, and History*, Routledge, New York 1992, 204.

In the essay “Poetics and Politics of Witnessing” in *Sovereignities in Question: The Poetics of Paul Celan*, Derrida states that “the only condition for bearing the witness, its only condition of possibility as condition of its impossibility – paradoxical and *aporetic*”.¹⁸ According to Derrida, the essence of testimony does not and cannot lie in its evidential function, but in its built-in uncertainty. He argues that witnessing should not be equated with proving or confirming knowledge. Instead, testimony is fundamentally an act of faith.

This performative nature of testimony involves the witness making a promise to convey what they have seen, heard, or experienced.¹⁹ However, this performativity as a constitutive element of testimony should be reciprocal. When a witness makes a promise and requests the recipient to believe them, it imposes a reciprocal demand on the recipient to believe and engage in an act of faith. Derrida asserts that the only possible response to the “performativity” of testimony is another “performative” act – saying “I believe you”. As an act of faith, testimony is always characterized by built-in uncertainty and cannot be guaranteed without risking the loss of its value.

The Latin etymology of the word “testimony” highlights a fundamental discrepancy between two categories: *testis* and *superstes*. *Testis* refers to someone who testifies as the third party, while *superstes* denotes someone who testifies as a survivor.²⁰ Primo Levi famously used the discrepancy to illustrate the “essential lacuna” of testimonies. Levi observes: “There is another lacuna in every testimony: witnesses are by definition survivors and so all, to some degree, enjoyed a privilege...”²¹

In addition to *testis* and *superstes*, Levi introduces a third category: “the true witness,” those who witness through their death. This third category underscores the *aporia* of testimony: the dead cannot witness due to their death, and survivors cannot witness due to their survival. This *aporetic* condition, or essential lacuna, raises critical questions about moral and political responsibility toward those who cannot testify – whether due to death or their exclusion and inability to speak for themselves. Following Felman’s idea, the responsibility toward these “true witnesses” involves remembering and protecting the dead from being misappropriated or exploited.²²

Derrida formulates the hypothesis that “all responsible witnessing engages a poetic experience of language.”²³ To understand this hypothesis, we need to address two questions: what makes witnessing responsible, and what does a poetic experience of language entail.

Responsible witnessing can be interpreted as ability to answer or to respond for oneself. Derrida argues: “It is on this condition that the witness can respond, can answer for himself, be responsible for his testimony as well as for the oath by which he commits himself to it and guarantees it.”²⁴ From the perspective of an ethics of responsibility, this means that true moral responsibility involves bearing witness on one’s own behalf, not on

¹⁸ Derrida, Jacques: “Poetics and Politics of Witnessing” in *Sovereignities in Question: The Poetics of Paul Celan*. Fordham University Press, New York 2005, 68.

¹⁹ Ibid., 80.

²⁰ Derrida, Jacques: “Poetics and Politics of Witnessing” in *Sovereignities in Question: The Poetics of Paul Celan*, 72-73.

²¹ Levi, Primo: *The Drowned and the Saved*, quoted in Agamben, Giorgio: *Remnants of Auschwitz: The Witness and the Archive*. Zone Books, New York 2002, 33.

²² Felman, Shoshana: *The Juridical Unconscious*, Harvard University Press, Harvard 2002, 15.

²³ Derrida, Jacques: “Poetics and Politics of Witnessing” in *Sovereignities in Question: The Poetics of Paul Celan*, 66.

²⁴ Ibid., 80.

behalf of others. The only way to take one's moral responsibility is to bear witness for oneself and nobody else. The concept of collective subject and representation through individual stories inevitably risks misappropriating and inadequately representing others' unique and individual experiences. Therefore, the moral responsibility of those who speak and testify includes acknowledging and addressing the risk of misappropriation and the potential failure of representation.

The second part of Derrida's hypothesis about the poetic experience of language addresses the singularity and irreplaceability of individual experience, and by extension, the uniqueness of each testimony. This concept takes us to the last phrase in Paul Celan's poem *Ashglory*: "No-one bears witness for the witness."²⁵ Derrida's prescriptive interpretation of this phrase suggests that no one *should* bear witness on behalf of another.

According to Derrida: "...all bearing witness must always appear as 'poetic' (a singular act, concerning a singular event and engaging a unique, and thus inventive, relationship to language)."²⁶ No one should bear witness for the witness since testimony is characterized by the radical uniqueness of both the experience and the means of describing it. Testimony arises from firsthand experience, which is transformed into testimony through the act of bearing witness, by the *superstes*. The irreplaceability of the witnessing subject is the condition of testimony.

Derrida's deconstruction of testimony reveals two *aporetic* conditions inherent to testimony. The first condition pertains to the essence of testimony and its built-in uncertainty. This built-in uncertainty challenges the reductionist view of testimony as mere evidence and cautions against its instrumental use. Testimony, as an act of faith, is performative, and requires both a witness and an audience. Thus, testimony demands both responsible witnessing and responsible listening.

The second condition addresses the *aporetic unrepresentability* of testimony and the irreplaceability of the witnessing subject. This perspective critiques the assumption of testimony's representative potential, particularly in the context of political representation. Claims of collective representation often obscure the risk of misrepresentation, as they may fail to account for the unique and singular nature of individual experiences.

The use of testimony in truth commissions

In the field of testimonial studies, two poles have been identified: one that highlights the political dimension of testimony, and another that underscores the *aporetic unrepresentability* of suffering.²⁷ Anne Cubilié and Carl Good, who explore and discuss these two poles, critique the tendency of some institutions to constraint testimony by using it for narrow purposes. They argue that when testimony is overly institutionalized it risks becoming complacent and limited in scope. The narrow conception of testimony is shaped by the application of rigid rules governing its production, the imposition of predetermined political functions, and the treatment of testimony as an unmediated representation of historical experience.²⁸

²⁵ Derrida, Jacques: "Poetics and Politics of Witnessing" in *Sovereignities in Question: The Poetics of Paul Celan*, 67, 75.

²⁶ Ibid., 88.

²⁷ Cubilié, Anne and Good, Carl: "Introduction: The Future of Testimony", in *Discourse*, Vol. 25, No. 1 and 2, 2003, 5.

²⁸ Cubilié, Anne and Good, Carl: "Introduction: The Future of Testimony", 5.

In the context of truth commissions, the tendency to restrict the use of testimony for specific needs is particularly evident. Truth commission exemplify a narrow perspective on testimony and demonstrate the problematic institutionalization of testimony, as they often reduce testimony to a tool for achieving specific political objectives, rather than recognizing its broader, more complex significance.

Furthermore, as will be demonstrated, specific functions are ascribed to testimony, encompassing both political and pragmatic dimensions. To identify these “functions” or different uses of testimony, I draw on Shoshana Felman’s works on testimony. Felman distinguishes between the legal use of testimony in courts and its historical use. She argues that the most traditional use of testimony within the legal context involves calling upon testimony when the facts of the situation upon which justice must deliver a verdict, are unclear. In this context, testimony serves as a supporting element of evidence.²⁹

According to Felman, testimony’s historical use represents a broader application, both in terms of form and context. Unlike its role in the legal context, where testimony functions as supporting evidence, historical use of testimony is a mode of representation of past events from the first-person perspective. This type of testimony is often presented in academic research, literature, and various forms of art. Examples of this broader use include *testimonio* and prison literature, where personal accounts are used to convey historical experiences, often shedding light on the social and political conditions surrounding those events.

The case of truth commissions blurs the boundaries between the legal and historical uses of testimony, as elements of both are interwoven. On one hand, testimonies are provided within rule-governed circumstances, where the form and content are regulated by the commissioners, mandates, and other institutional frameworks. This approach often seeks to fill gaps in evidence and complete the historical record, functioning similarly to the legal use of testimony. On the other hand, testimony within truth commissions also serves the purpose of revealing the past in a broader context, aiming to inform the society about the past human rights atrocities and contribute to a collective understanding of historical events.

Legal use and the problem of individualization

In the context of truth commissions as quasi-judicial institutions, the legal use of testimony is exemplified by the connection between witnessing and the right to reparations. The legal use should be interpreted broadly, taking into account the various contexts and expressions it may assume. For the purpose of my analysis I focus on the right to reparation and the role of testimony as one possible interpretation of testimony’s legal use.

Examining the experiences of Morocco’s Equity and Reconciliation Commission, which was widely perceived as successful largely due to the extensive reparations granted and paid, it becomes evident that testimonies were intricately linked with the process of applying for reparations. In the Moroccan context, Susan Slyomovics highlights the term *ifada* used to denote a statement made for indemnification.³⁰ In Morocco, *ifada* contrasts with the term *shahada*, meaning witnessing or testimony, which is associated with the

²⁹ Felman, Shoshana and Dori, Laub: *Testimony: The Crisis of Witnessing in Literature, Psychoanalysis and History*, 6.

³⁰ Slyomovics, Susan: “Financial Reparations, Blood Money, and Human Rights Witness Testimony: Morocco and Algeria”, in Richard Ashby Wilson and Richard D. Brown (eds.) *Humanitarianism and Suffering: The Mobilization of Empathy*, Cambridge University Press, Cambridge, 2009.

prison literature written in Morocco during the so-called years of lead.³¹ Thus, testimonies were often integrated into application forms (*ifada*) that detailed the harms incurred and required repair.³²

In this context, testimony – whether in written or oral form – often becomes a prerequisite for economic reparation. A story must be told, or a form must be completed, to receive compensation. This process reduces testimony to a form of proof or evidence, aligning it with a reductionist legal perspective that contrasts sharply with the understanding of testimony as an act of faith. Consequently, the performative and relational aspects of testimony are overlooked. Instead of establishing a relationship characterized by responsible witnessing and responsible listening, the association of economic compensation with testimony can signal a sense of finality in the pursuit of justice, potentially undermining the deeper moral and ethical dimensions of testimony.

While reparations and economic compensations are crucial components in the pursuit of justice in the aftermath of large-scale human rights violations, a narrow link between testimony and reparation can have significant implications for understanding these violations, especially when a legal paradigm of compensation or model of tort is applied. Compensatory justice and the model of tort are traditionally used to resolve disputes between private parties, which raises questions about their suitability for addressing large-scale human rights violations.

Pablo de Greiff, a professor of international law and former Special Rapporteur on the promotion of truth, justice, and reparation, highlights several issues that emerge when a legalistic approach to reparations is applied. He argues that the compensatory model, which bases compensation on the proportionality of harm, may be appropriate for individual cases but becomes problematic when applied to collective violations. de Greiff points out that this model often overlooks the specific circumstances of violence, including its systematic nature and normalization. When massive reparation programs are implemented, they may fail to address the complexities and broader implications of collective violations, reducing them to mere calculable harms rather than acknowledging their broader social and political dimensions.³³

Historical use and the problem of representation

Given the limitations of testimony in legal contexts, its historical use sought to highlight the political dimension of human rights atrocities. Scholars in subaltern studies, for example, John Beverly, have advocated for a “subaltern” perspective on testimony.³⁴ This perspective emphasizes the political representation of collective experiences of human rights violations through personal stories. These stories capture both the uniqueness of individual experiences and their connection to the broader community where the violations occurred. Testimonial narratives offer alternatives to official accounts, serving

³¹ For example, El Bouih, Fatna: *Talk of Darkness*. Center for Middle Eastern Studies at the University of Texas, Austin 2008, and BineBine, Aziz: *Tazmamart*. Haus Publishing Ltd., London 2019.

³² Slyomovics, Susan: “Financial Reparations, Blood Money, and Human Rights Witness Testimony: Morocco and Algeria”.

³³ de Greiff, Pablo: “Justice and Reparations”, in de Greiff, Pablo (ed.): *The Handbook of Reparations*. Oxford University Press, New York 2006, 454-55.

³⁴ Beverly, John: *Testimonio: On the Politics of Truth*. University of Minnesota Press, Minneapolis 2004, 27.

to amplify the voices of those whose experiences have been marginalized, thereby challenging their subaltern position.

Beverley advocates for the collective representability of individual testimonies, emphasizing the link between testimony and democracy. He suggests that individual voices form a common ground that can be leveraged for political action.³⁵ According to Beverley, the purpose of testimony is not merely to reveal the subalternity but to actively engage with the audience. In his analysis, Beverly asserts that testimonial literature (*testimonio*) serves to dismantle hegemonic power structures and overcome subalternity. However, I argue that his view is flawed. Rather than eliminating subalternity, this assumed representability of testimony can actually reinforce and exacerbate it.

The concept of giving voice to the voiceless and representing collective experiences through personal stories within institutional setting, such as truth commissions hearings, demands confronting the problem of representation and the inherent risk of misappropriation. Derrida argues that testimony requires recognizing that the witnessing subject is unique and cannot stand in for others who may have similar experiences. The *aporetic unrepresentability* of testimony compels us to confront the complexities of representation: how collective experiences are conveyed, how injustices are defined and by whom, whose voices are amplified, and whose remain excluded from the public discourse.

The asymmetrical and hierarchical relationship between those who are privileged enough to access the public sphere, such as the truth commission hearing, and those who remain excluded must be acknowledged. The institutionalization of testimony within truth commissions often serves as predetermined framework for recounting human rights violations, operating within established modes of representation. Winter illustrates how the perceived openness of public hearings at the Peruvian Truth and Reconciliation Commissions was undermined by the preparation given to witnesses before their testimony, which shaped both the content and structure of their accounts. Winter contends that these public hearings were “highly ritualized events”.³⁶

The experiences from the Solomon Islands Truth and Reconciliation Commission reveal similar issues – testimonies were often repetitive, pre-written, and read aloud.³⁷ A similar pattern emerged in Morocco’s Equity and Reconciliation Commissions, where testimonies from the Amazigh minority also adhered to prewritten scripts.³⁸ These examples illustrate how testimonies can lose their uniqueness and critical potential when constrained by predetermined narratives. The issue extends beyond the matter of shared language proficiency or the inclusion of minority languages in the hearings. The core problem lies in the truth commissions’ failure to create alternative institutional frameworks that genuinely include all individuals affected by human rights violations in the processes of addressing past injustices. This failure results in a secondary injustice – the injustice of exclusion.

In other words, representation is imbued with the history of the power dynamics that shaped it. Often leaving power structures unchallenged and hegemony intact. The

³⁵ Ibid.

³⁶ Winter, Franka: *Giving Voice to the Voiceless? Second Thoughts on Testimony in Transitional Justice*, 99.

³⁷ Bronéus, Karen: *Truth and Reconciliation Commission Processes: Learning from the Solomon Islands*. Rowman & Littlefield Publishers, London 2019.

³⁸ From a talk with a former commissioner Abdelhay Moudenin in Rabat, Morocco, April 2018.

radical uniqueness of individual experience, along with the language used to describe it, poses a challenge to the notion of testimony as a form of representation and the concept of a collective testimonial subject. This is particularly evident in truth commissions, where witnesses are often expected to represent entire groups and follow a pre-written narrative. Such practices risk undermining the authenticity and individuality of the testimonies, reinforcing rather than dismantling existing power relations.

The issue of the representative potential of testimony becomes even more complex within the work of truth commissions due to the gap between how testimonies are initially presented and how they are later represented in the final reports. Mark Sanders highlights this discrepancy in his analysis of the South African Truth and Reconciliation Commission, describing it as “a bifurcated event”. According to Sanders, the commission operated between two stages - listening to the testimonies during hearings and the producing the final report, which involves reading and interpreting the testimonies”.³⁹ This bifurcation means that the testimonies given during the hearings are not fully or continuously represented in the final reports as they were originally expressed. Instead, they are processed, selected, revised, and mediated by the commission members and various working groups. This process results in a new mode of representing human rights violations that emphasizes the patterns and statistical data but often omits the raw, original experiences and the testimonies that conveyed them.

The inclusion of original testimonies in truth commission reports has varied significantly across different commissions. For instance, Morocco’s Equity and Reconciliation Commission, did not include any citations in its final report, with the exception of brief descriptions of violence experienced by women survivors.⁴⁰ In contrast, the South African Truth and Reconciliation Commission made original testimonies accessible on its website, though they were not incorporated in the final reports.⁴¹ On the other hand, Argentine’s National Commission on the Disappearance of Persons documented its work in the report *Nunca Más*, which featured detailed descriptions of individual cases of disappearance and torture, alongside an analysis of the context of the violations.⁴²

Despite these differences, it is clear that the establishment of truth commissions often leads to a bifurcation in the representation of large-scale human rights violations. This split creates a gap between the public hearings, where testimonies are shared, and the final reports, which often present a more processed and mediated version of these accounts.

The bifurcation between public testimonies and their representation in truth commission reports, resulting in two distinct modes of representation, has been critically examined from various perspectives. Psychologically, the act of bearing witness to human rights violations carries the risk of secondary traumatization for those recounting their

³⁹ Sanders, Mark: *Ambiguities of Witnessing. Law and Literature in the Time of a Truth Commission*. Stanford University Press, Stanford 2007, 148.

⁴⁰ Equity and Reconciliation Commission: Final Report, Volume 1 “Truth, Equity and Reconciliation”, 82-83.

⁴¹ Truth and Reconciliation Commission, Human Rights Violations: Hearings and Submissions. Available at: <https://www.justice.gov.za/trc/hrvtrans/index.htm>.

⁴² National Commission of the Disappearance of Persons: Report “Nunca Más”, 1984, Available at: http://www.desaparecidos.org/nuncamas/web/english/library/nevagain/nevagain_000.htm.

experiences.⁴³ This risk has been observed in both legal trials and truth commissions settings.⁴⁴ Ethically, the failure to accurately represent testimonies in final reports poses a serious threat to the dignity of the witnesses. It undermines the credibility of the experiences and the ways they express them, effectively rendering their suffering invisible. This lapse not only diminishes the validity of the testimonies but also perpetuates the injustice by failing to honor the truth of their experiences.

Drawing on Jean-François Lyotard's concept of the *differend*,⁴⁵ Iris Marion Young examines a form of injustice that occurs when the prevailing discourse fails to accommodate the expression of a wrong.⁴⁶ The presence of multiple systems of representation, organized hierarchically, creates a risk of silencing and marginalizing experiences if injustice that do not conform to the dominant system of representation. In a situation of *differend*, some human rights violations are acknowledged and prioritized, while others remain invisible and excluded from public discourse. The failure to recognize certain injustices not only exacerbates the original injustice but also introduces the risk of secondary injustice, where the lack of recognition further compounds the harm.⁴⁷

The Implications of Testimony's Central Role

Placing testimony and public hearings at the core of truth commissions' moral foundations carries significant implications. As demonstrated, the act of speaking out about atrocities and testifying to human rights violations is justified by the goals of recognizing suffering and restoration the dignity of survivors. On a societal level, testimony is also seen as having an educational role, informing the society about the violations and acknowledging the moral wrongs involved. What are the implications of placing testimony at the core of efforts to address past human rights violations?

Building on Derrida's *aporetic* view of testimony, I argue that truth commissions face a significant risk of overlooking the inherent openness and complexity of testimonies.

⁴³ Brounéus, Karen: "The Trauma of Truth Telling: Effects of Witnessing in the Rwandan Gacaca Courts on Psychological Health", in *Journal of Conflict Resolution*, Vol. 54, No.3, 2010.

⁴⁴ For example, Dembour, Marie-Benedicte, & Haslam, Emily: Silencing hearings? victim-witnesses at war crimes trials, in *European Journal of International Law*, Vol. 15, No. 1, 2004; and Robins, Simon: Challenging the Therapeutic Ethic: A Victim-Centred Evaluation of Transitional Justice Process in Timor-Leste, in *The International Journal of Transitional Justice*, Vol. 6, 2012.

⁴⁵ Lyotard defines *differend* in the following way: "A case of different between two parties takes place where the 'regulation' of the conflict that opposes them is done in the idiom of one of the parties while the wrong suffered by the other is not signified in that idiom." The concept was developed against the background of the arguments presented by Robert Faurisson, an Auschwitz revisionist, who questioned the existence of gas chambers. Lyotard, Jean-François: *The Differend: Phrases in Dispute*. University of Minnesota Press, Minneapolis 1988.

⁴⁶ Young, Iris Marion: *Inclusion and Democracy*. Oxford University Press, Oxford 2000, 72.

⁴⁷ In her book on epistemic injustice, Miranda Fricker presents a theory of epistemic injustice that connects epistemic injustice with other forms of systematic injustice. She distinguishes between testimonial injustice, where an individual is unjustly questioned as a credible witness, and hermeneutical injustice, where unequal participation in the creation of meaning occurs. Hermeneutical injustice arises when a witness lacks the linguistic resources needed to articulate their experiences. Fricker, Miranda: *Epistemic Injustice: Power and the Ethics of Knowing*. Oxford University Press, Oxford 2007. It goes beyond the scope of this article to discuss her theory in detail, but it has been approached in the analysis of Belgium's Truth Commission, for example. See: Destrooper, Tine: Belgium's "Truth Commission" on its overseas colonial legacy: An expressivist analysis of transitional justice in consolidated democracies, in *Journal of Human Rights*, 2023-03, Vol.22, No. 2, 168.

Truth commissions are designed to investigate human rights violations and present their findings to the public. In the name of justice and reconciliation, testimonies are often treated as demonstrable and incontrovertible truths. This approach distorts the essence of testimony. As Giorgio Agamben observes, there has been some conceptual confusion and contamination of categories that have spread far beyond the legal domain.⁴⁸

The narrow focus on linking testimony to reparation – essentially using testimony within a legal framework – highlights its instrumentalization as mere evidence or demonstrable truth. This perspective reduces the act of bearing witness to a matter of aligning testimony with other sources. While testimony should be coupled with compensation for the harm suffered, the violation itself is viewed solely through a legal lens. The legalistic approach imposes a model of tort that individualizes violations, detaching them from their broader political and power dynamics, and obscuring the underlying political and social conflicts that contributed to the atrocities.

Given the specific circumstances of injustice, such as systematic violence and widespread complicity, treating violations in an individualized manner is inadequate. This approach fails to address the broader moral and political responsibilities, leaving critical questions about accountability and the larger context of the violations unresolved.

The instrumental use of testimony in truth commissions often leads to the depoliticization of human rights atrocities. This depoliticization can be understood through Wendy Brown's concept, where it is seen as a strategy that naturalizes political compromises and enforces a façade of impartiality regarding political conflicts.⁴⁹ In the context of truth commissions, depoliticization functions as a tactic to evade legal accountability and political responsibility. By framing human rights violations within a narrow legal or procedural scope, truth commissions can diminish the political dimensions of these atrocities, thus avoiding deeper engagement with the underlying issues of power and responsibility.

Depoliticization does not mean that political power vanishes; rather, it functions as though it were objective and therefore not in need of justification. According to Brown, to depoliticize means to analyze or address issues by removing them from their political and historical contexts.⁵⁰ Truth commissions, grounded in the ideal of impartiality, are expected to act as neutral arbiters without delving into the political contexts of the violations they examine or passing political judgment. They are based on the belief that justice and reconciliation are non-political.

In addition to the individualization of violations, depoliticization also occurs when societal problems and conflicts are portrayed as objective and natural, rather than being understood as part of a complex web of power dynamics. The politics of reconciliation in response to human rights atrocities can be counterproductive because it often overlooks the power dynamics at play, thereby limiting the discussion of the true roots of political violence.

This lack of focus on power dynamics is further complicated by the assumed representativeness of testimony. The risk here is that it can unintentionally reinforce power imbalance between those who are heard and those who remain ultimately voiceless.

⁴⁸ Agamben, Giorgio: *Remnants of Auschwitz: The Witness and the Archive*, Zone Books, New York 2002, 18.

⁴⁹ Brown, Wendy: *Regulating Aversion: Tolerance in the Age of Identity and Empire*, Princeton University Press, Princeton 2006, 15-16.

⁵⁰ Ibid.

Representational issues arise from the separation between public hearings and official reports, as well as from the way testimonies and hearings are pre-structured.

The performative and relational aspects of testimony are often overlooked when the primary focus of truth commissions becomes simply providing a platform for speaking. This emphasis on the act of giving a voice diminishes the importance of actively listening to these testimonies, undermining the intending pedagogical role. While testimonies are presented in public hearings and documented in final reports, there is no obligation for passive bystanders or other members of society to engage with these accounts.

Jacques Derrida's analysis of testimony highlights that a commitment to telling the truth must be matched by a commitment to listening, which I view as foundational to our moral responsibility. This insight reveals that testimony holds significant moral and political potential, which is unfortunately neglected in the framework of truth commissions.

Conclusion

A critique of the representative potential of testimony, derived from Derrida's thought, is a radical critique. This radicalism stems from the complete denial of the possibility for someone to testify in the role of *testis*, or third party. Alongside Celan, Derrida contends that no one should bear witness for the witness. The act of witnessing is thus imbued with the responsibility of bearing witness solely for oneself, rendering it a burden and responsibility of solitude.⁵¹ For Derrida, Celan's poetry represents a profound instance of bearing witness to the Holocaust. Celan's innovative and unconventional use of language exemplifies how the poet becomes "the only one who can bear witness".⁵² However, this raises a question: Is the poet truly the only conceivable witness, and is such a perspective tenable?

The analysis presented in this article reveals that Derrida's *aporetic* perspective on testimony lacks a focus on power perspective. By positioning the poet as the sole true witness and poetry as the exclusive means of bearing witness, Derrida's approach diminishes the capability to address how large-scale human rights violations *ought* to be dealt with. While Derrida's work offers valuable tools for scrutinizing the use and misuse of testimonies, it does not extend to challenging truth commissions as institutions of justice and reconciliation. Derrida's critical insights into mass atrocities overlook the need to analyze power structures, as well as the socio-economic and political factors that contribute to violence, which are crucial for addressing in the aftermath of large-scale human rights violations. Consequently, Derrida's contribution through deconstruction must be critically assessed, acknowledging the limitations within his thought and the lack of self-awareness regarding his own position of power.

By exploring the various uses of testimony and its implications in addressing past human rights violations, I have challenged the reductionist view of testimony and the claimed aims of truth commissions to contribute to justice and reconciliation. The primary critique presented in this article targets the pragmatism of political practices and institutions that seek to address human rights atrocities in the name of justice. The institutionalization of testimony through truth commissions can potentially lead to the

⁵¹ Felman refers to Paul Celan in the book Felman, Shoshana and Laub, Dori: *Testimony: Crises of Witnessing in Literature, Psychoanalysis, and History*, 3.

⁵² Derrida, Jacques: "Poetics and Politics of Witnessing", 67.

negotiation and depoliticization of human rights violations. While efforts to address past injustices can never be fully completed, our moral and political responsibility lies in acknowledging the failures inherent in every attempt at representation. This involves recognizing privilege and the unavoidable asymmetry of power in these processes.

Considering the observed implications, I argue that truth commissions and other institutions of transitional justice often shift the focus from addressing justice to prioritizing healing and reconciliation. From an ethical perspective, this shift is problematic because it fails to address the underlying circumstances that enabled the atrocities, such as the systematic nature of the violence, mass compliance, and the normalization of violence. These critical questions should be at the forefront of efforts to address past human rights violations alongside an analysis of political changes required to prevent future occurrences.

In the context of transitional justice, the desire to link political reforms with the investigation of atrocities is accompanied by the rhetoric of reconciliation. This rhetoric calls for compromises and coming to terms with violent past for the sake of the future. As Adorno insightfully noted, efforts to address the past are frequently motivated by “the intention to close the books of the past”⁵³ and move forward. While this intention is understandable, it is problematic because it tends to bypass a self-critical perspective and neglects serious engagement with structural violence and the root causes of human rights violations. Addressing these issues requires a focus on justice, rather than solely on healing and reconciliation.

In the aftermath of large-scale human rights violations, justice should not be confined to legal accountability or economic compensations. Coming to terms with the past is an ongoing process, and any attempt to close the archives in name of reconciliation must be critically evaluated and challenged from the perspective of justice. Justice, I suggest, requires political inclusion, recognition and a just distribution of power. It should serve as a moral guideline for political processes, especially in societies that have historically dealt with political and ideological conflicts through violence. Political conflicts and disagreements are inherent part of all societies and should be resolved through democratic means.

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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.¹ 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.

¹ 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.² 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.³

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.⁴ 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.⁵ 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.⁶ 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.⁷

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.

² 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>.

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

⁴ 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>.

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

⁶ 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.

⁷ 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.⁸

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.⁹

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.¹⁰

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.¹¹ 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

⁸ 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>.

⁹ Ricoeur, 'Reflections', pp. 5–9.

¹⁰ Ricoeur, 'Reflections', pp. 9–12.

¹¹ 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.¹²

¹² 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.¹³ 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."¹⁴ 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.¹⁵ Domestic violence is globally acknowledged as a major violation of women's human rights, as well as a serious public health problem.¹⁶

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.¹⁷ 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.¹⁸ 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

¹³ West, 'Renegotiating Relations', pp. 2–4.

¹⁴ 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.

¹⁵ 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.

¹⁶ WHO, *Violence against Women*, viii.

¹⁷ 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>.

¹⁸ 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.¹⁹ 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.²⁰

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.²¹

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.²² 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.²³□

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.

¹⁹ 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>.

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

²¹ Johnsen, 'Erkänd historia', pp. 106-8.

²² Johnsen, 'Erkänd historia', pp. 109-11.

²³ 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,²⁴ 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

²⁴ 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.²⁵

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.²⁶

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.²⁷

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.²⁸ 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.²⁹

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.³⁰ 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

²⁵ 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>.

²⁶ Ricœur, *The Course of Recognition*, p. 163.

²⁷ Ricœur, *The Course of Recognition*, pp. 152, 218, 271.

²⁸ Ricœur, *The Course of Recognition*, p. 170.

²⁹ Ricœur, *The Course of Recognition*, p. 218.

³⁰ 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.³¹

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.³²

The problem is that social goods are heterogeneous and the reasons that govern their evaluation are incommensurable.³³ 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.³⁴

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."³⁵ 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.³⁶ 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

³¹ Ricoeur, *The Course of Recognition*, p. 225.

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

³³ Ricoeur, *The Just*, p. 79.

³⁴ Ricoeur, *The Just*, p. 92.

³⁵ Nordquist, *Reconciliation as Politics*, p. 72.

³⁶ 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.³⁷

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.³⁸

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.³⁹

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.⁴⁰

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

³⁷ Nordquist, *Reconciliation as Politics*, p. 30.

³⁸ Nordquist, *Reconciliation as Politics*, p. 76.

³⁹ Ricoeur, 'Love and Justice', pp. 325-326.

⁴⁰ 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.⁴¹

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.⁴² 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

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

⁴² 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.⁴³

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.⁴⁴ 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.⁴⁵

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.

⁴³ Ricoeur, 'Love and Justice', p. 321.

⁴⁴ Nordquist, *Reconciliation as Politics*, p. 99.

⁴⁵ 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.⁴⁶ 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.⁴⁷

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.⁴⁸

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

⁴⁶ Nordquist, *Reconciliation as Politics*, pp. 39–40.

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

⁴⁸ 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.

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Reconciliation in Workplace Bullying Contexts: Renarration, Responsibility, Grace(?)

Mikael Nilsson

The purpose of this article is to discuss reconciliation in workplace bullying contexts. Bullying is a complex and subtle phenomenon that appears in multilayered workplace contexts, which makes reconciliation a controversial issue. What might reconciliation mean in escalated and deeply harmful bullying processes in ordinary workplaces? By discussing this question, I also address the urgent ethical question of justice and the distribution of responsibilities in reconciliatory processes. Drawing from previous research on bullying interventions, primarily focusing on the views of interventions by HR professionals, I trace underlying assumptions about reconciliation and the human beings involved. These tend to be derived from endeavors for financial gain and virtues like efficiency and predictability. As an alternative frame to an individualist approach that seem to be silently operative in the intervention discourse, I seek to explore the ontological imagery of the social body. From there, I elaborate on potential implications of what reconciliation could mean in a workplace bullying context. Resisting the efficiency and predictability of fixed procedures, I suggest organic, social restorative processes of renarration, responsibility, and grace, from within which reconciliation may appear as one among other potential outcomes.

Introduction

Bullying is a complex and subtle phenomenon that appears in ordinary workplaces, yet it is still responsible for devastating health effects on victims and bystanders.¹ Therefore, it is of great importance to be able to intervene and support processes of healing in one way or another. In workplace bullying cases, reconciliation has become a controversial issue. In this article I ask, what might reconciliation mean in a working-life context where bullying has escalated among the workers? I will discuss the possibilities for reconciliation, in the sense of more or less healed relationships. By doing so, I engage in difficult ethical problems regarding how justice can be demanded and how responsibilities might be distributed in reconciliatory processes in cases of serious bullying.

¹ Health effects include a wide range of psychological and somatic symptoms and medical diagnoses. See Eva Gemzøe Mikkelsen et al., 'Individual Consequences of Being Exposed to Workplace Bullying', *Bullying and Harassment in the Workplace: Theory, Research, and Practice*, edited by Ståle Valvatne Einarsen et al. (Boca Raton, FL: CRC Press, 2020 (2002)), pp. 163–208.

Firstly, I describe the concept of bullying according to previous European bullying research and the complexities that need to be considered when dealing with reconciliation. Secondly, I explore the reluctance and limitations regarding reconciliation, which have been highlighted in some empirical research on bullying interventions, specifically among HR professionals. Thirdly, I trace some underlying assumptions regarding reconciliation and the human being that seems to be operative in the intervention discourse. Fourthly, I explore alternative anthropological assumptions to see if and how that may change the course of considerations regarding interventions. And finally, based on these anthropological assumptions, I also draw out some implications for reconciliation and propose guidelines for what might signify restorative processes, including the demand for justice in workplace bullying contexts.

The Complexity of Workplace Bullying and the Problem of Reconciliation

According to previous research, especially in the European context, bullying refers to negative and unwanted words and actions that are repeated over a period of time and presuppose or develop certain power dynamics. Words and actions may be targeted at particular individuals, either passively (for example, silences) or in an active manner (for example, verbal offences). Negative behaviors can be either work-related (for example, unmanageable workload and unreasonable deadlines) or person-related (for example, excessive teasing or spreading rumors). These negative behaviors are not isolated or accidental events but repeated and intensified over a period of time. Bullying presupposes or produces an imbalance of power that makes the victim unable to defend themselves. The imbalance can be based, for example, on different positions in a hierarchy or a single individual exposed to negative behaviors by a group of colleagues.² This third aspect is critical regarding the conditions for reconciliation. It is debated whether bullying should be understood as a subcategory of conflict (i.e., a serious and prolonged conflict) or a phenomenon in its own right. I prefer to speak about bullying and conflicts as distinct but related phenomena, primarily based on the power imbalance that is essential for bullying but not necessarily a considered and problematic aspect of ordinary conflicts. Bullying is usually not a permanent state, but rather an intensified process, from subtle offences to serious violations. What started as a conflict between equal combatants may subtly escalate into serious bullying where the imbalance of power leaves the victim in a powerless position.³ Moreover, the changing state of the situation and the different experiences of victims, perpetrators and bystanders make it possible to interpret behaviors and narrate situations differently.

Bullying evolves in a multilayered, work-life context. On the level of the workplace, the context is characterized by specific structures, organizational cultures, roles, and leadership styles. Moreover, the workplace is situated in a sociocultural and political context, which provides different working conditions and possibilities for union organizations and so forth. Beyond that, contemporary work-life is for the most part

² Ståle Valvatne Einarsen et al., 'The Concept of Bullying and Harassment at Work: The European Tradition', *Bullying and Harassment in the Workplace: Theory, Research, and Practice*, edited by Ståle Valvatne Einarsen et al. (Boca Raton, FL: CRC Press, 2020 (2002)), pp. 3-54, at pp. 10-18.

³ Einarsen et al., 'The Concept of Bullying and Harassment at Work: The European Tradition', pp. 24-29. See also Dieter Zapf and Claudia Gross, 'Conflict escalation and coping with workplace bullying: A replication and extension', *European Journal of Work and Organizational Psychology* 10:4 (2001), pp. 497-522, at pp. 499-503.

affected by a neoliberal economy, with its own cultural characteristics, and thus conditioned by enhanced endeavors to achieve virtues like competitiveness, efficiency, and adaptability.⁴ This multilayered context provides the normative frame for what particular collegial relationships are expected to be like. Depending on how that normative frame is configured, bullying can be more or less visible, deviating from the perceived normal state. Thus, bullying processes can be driven and masked by interests, embedded in the specific context, and still cause serious harm to individuals and interpersonal relationships. The multilayered context with its embedded and hidden driving forces certainly does not take away or diminish the responsibility of perpetrators. It instead complicates the way in which responsibilities are understood and distributed.

Considering the contextual complexity and subtly changing state of the process, bullying appears as an urgent, multidimensional and difficult ethical problem. In this context, reconciliation has become a controversial and debated issue. What might reconciliation mean in such a context? Is reconciliation a possible or even desirable solution? Much research about bullying and reconciliation belongs to the practical field of intervention instead of the philosophical field of ontology, ethics, and so forth. Which intervening methods are most efficient in dealing with bullying? Which strategies should be adopted by the employer? In early-conflict stages of bullying, different kinds of dialogical conflict resolution methods have been recommended.⁵ Dialogue-based practices such as mediation and restorative practices have been considered.⁶

However, in serious and long-standing cases of bullying, an investigation of filed complaints, separation of the parties, and sanctions against the perpetrators are usually preferred.⁷ Thus, the bullying case is handled in a kind of legal and retributive framework. Dialogue-based procedures are not necessarily considered unwanted or problematic, but inappropriate, if not practically impossible, in long-term bullying processes. The only realistic solution seems to be separation of the parties. Such difficulties have led to an emphasis on prevention rather than reconciliation. This reluctance is confirmed by the stories told by the former bullying victims that I have interviewed in my ongoing research project. Very little is said about reconciliation. It seems to be out of reach. One of the participants stated: "I will never ask them this question because I never want to contact them. I want nothing to do with them, but I would like to know: did you see in retrospect what this was about?"⁸ There do not seem to be any possibilities for a continued relationship. Furthermore, the reluctance of reconciliation poses a serious ethical question whether it is possible to defend reconciliatory processes as adequate interventions. Are such interventions able to accommodate an ethical demand for justice, or is retribution the only defensible choice in cases of serious bullying?

⁴ Premilla D'Cruz, 'Back to the Drawing Board: Revisiting the Bases of the Field of Workplace Bullying', Keynote lecture, *International Association on Workplace Bullying and Harassment, Virtual Conference* (April 12, 2021).

⁵ Loreleigh Keashly, Honey Mindkowitz, and Branda L. Nowell, 'Conflict, Conflict Resolution and Workplace Bullying', *Bullying and Harassment in the Workplace: Theory, Research, and Practice*, edited by Ståle Valvatne Einarsen et al. (Boca Raton, FL: CRC Press, 2020 (2002)), pp. 332-362, at p. 349.

⁶ See, for example, Moira Jenkins, 'Practice Note: Is Mediation Suitable for Complaints of Workplace Bullying?', *Conflict Resolution Quarterly* 29:1 (2011), pp. 25-38; Pia Helena Lappalainen, 'Conflicts as Triggers of Personal Growth: Post-Traumatic Growth in the Organizational Setup', *SciMedicine Journal* 1:3 (2019), pp. 124-136.

⁷ Dieter Zapf and Maarit Vartiainen, 'Prevention and Treatment of Workplace Bullying: An Overview', *Bullying and Harassment in the Workplace: Theory, Research, and Practice*, edited by Ståle Valvatne Einarsen et al. (Boca Raton, FL: CRC Press, 2020 (2002)), pp. 457-496, at p. 471.

⁸ Interview, August 16, 2021.

Views of Interventions by Human Resource Professionals

When workplace bullying is managed by the employer, human resource (henceforth HR) professionals usually get involved at an early phase. The dual expectations of their role are instructive when it comes to understanding the complexity of interventions in workplace contexts. On the one hand, HR professionals are part of the management and thus expected to contribute to the competitive advantage of the workplace. On the other hand, they are responsible for the well-being of employees, and thus they are involved in the design of anti-bullying policies and practices.⁹

A global study by Denise Salin and colleagues on the views of prevention and interventions in interviews with HR professionals in 14 countries may help illuminate the issue in more detail.¹⁰ Regarding secondary interventions (i.e., interventions applied when bullying has occurred), the study shows that fact-finding about what has happened in the particular case, followed by prompt action, was widely agreed to be the necessary initial intervention. But what kind of prompt action is appropriate? The responses to this question differed. Of those who specified a preference, the majority were in favor of disciplinary actions like formal warnings and threat of dismissal (in other words, retributive interventions). This preference is also seen in a study in Norwegian municipalities, which recommended sanctions.¹¹ According to the interviews conducted by Salin and colleagues, HR professionals from only three out of 14 countries (Finland, Austria, and some participants from Australia) preferred reconciliation and reconciliatory intervention methods instead. The authors explain this difference by pointing to cultural factors. Bullying in these countries usually takes place between peers, which makes the power imbalance less obvious, and thus dialogical methods are more appropriate. When bullying is expressed through subtle processes of social exclusion, it is more difficult to prove and punish through disciplinary actions. Moreover, the power distance in these contexts is often modest, which is considered to ease mediation. While considering these factors, there might be another thinkable aspect to reflect on, namely the reasons for intervening that was mentioned by the HR professionals.

Of the participants, 40.2% mentioned productivity and efficiency as the primary reasons for intervening. This—as well as other recurrent factors like absenteeism and workers' attitudes and commitment, together with company branding—refers implicitly to economic factors. The message was summed up as follows: “a happy worker is a productive worker.” Only 9.8% of the participants were motivated by ethical aspects, and this minority of participants mostly belonged to the same contexts (Finland, Australia, and Mexico) as those who favored reconciliatory interventions. Listening to HR professionals worldwide, it may be suggested that the reluctance toward reconciliatory processes in workplace bullying cases is often based more on economic than ethical considerations. This does not mean that no ethical problems with reconciliation exist or that a retributive response would be unethical. Despite the relative lack of ethical considerations among HR professionals, especially those in favor of retribution, it may be argued that retributive

⁹ Denise Salin, 'Human Resource Management and Bullying: Part of the Problem or Part of the Solution', *Bullying and Harassment in the Workplace: Theory, Research, and Practice*, edited by Ståle Valvatne Einarsen et al. (Boca Raton, FL: CRC Press, 2020 (2002)), pp. 521-540, at p. 531.

¹⁰ Denise Salin et al., 'Prevention and interventions in workplace bullying: a global study of human resource professionals' reflections on preferred actions', *The International Journal of Human Resource Management* 31:20 (2020), pp. 2622–2644.

¹¹ Kari Einarsen et al., 'Ethical Infrastructure and Successful Handling of Workplace Bullying', *Nordic Journal of Working Life Studies* 7:1 (2017), pp. 37–54.

interventions could be used to protect the victim from further harm, and that an ethical demand for justice is obscured in more dialogical approaches. Moreover, while the reluctance toward reconciliation among the interviewed HR professionals seems to primarily follow economic considerations, it does not mean that economic considerations have no ethical value. Economic factors tend to frame the process of decision-making in specific ways that are not ethically neutral but put virtues like efficiency and productivity in the foreground.

Tracing Assumptions in the HR Discourse

To better understand the considerations by HR professionals regarding bullying interventions, I ask two different but related questions: What assumptions are implied and operative about reconciliation in the considerations on bullying interventions? And, extending the discussion into the philosophical and theological fields, what philosophical anthropology is implied and operative in the intervention discourse?

First, interventions should be preceded by an investigation of facts about what has been going on, followed by prompt action. In other words, we find an active leadership asking: What has happened, and what can be done about it? Secondly, as we have seen, the overarching aim of reconciliation seems to be restored productivity rather than restored relationships. The call for an efficient method and a good strategy primarily reflects an economic language rather than a language of ethics and care for the other person. Thirdly, there seem to be a wish for predictability. If reconciliatory interventions are to be adopted on an institutional level, there needs to be some kind of way – or more than one – to make sure that they will work. Why else would an employer invest the time, money, and energy needed for costly reconciliatory processes? From that perspective, separation of the parties seems safer.

As for the next question, virtues like efficiency and predictability seem to be regarded as superior in the search for intervening actions. Thus, a corresponding anthropological assumption seems to be silently operative and taken for granted in the background. Such virtues are compatible with how the philosopher Joseph Dunne has characterized the modern individual, dating back to René Descartes, as “sovereign” and “originally posited in isolation.”¹² The autonomous and independent individual creates their own self and destiny, undisturbed by other similarly autonomous individuals. Dunne speaks for the modern ego: “no one else can be in a relationship with me of a kind that would enable her or him to interpret for me where my interest or good might lie; nor can any prior relationship in which I stand have any constitutive role in shaping what my preferences will be.”¹³ As the modern individual chooses independently, they become relatively stable and predictable. Few surprises are expected in encounters with others. Starting from here, the interests and preferences of the autonomous parties of a bullying process are not expected to be deeply affected by each other in a social process. If they are, the procedure is no longer as predictable as desired for the sake of the financial calculation. The modern ego can be described differently and in a more nuanced way, but for pedagogical reasons and to make my point clear I am consciously overemphasizing the

¹² Joseph Dunne, ‘Beyond Sovereignty and Deconstruction: The Storied Self’, *Paul Ricoeur: The Hermeneutics of Action*, edited by Richard Kearney and Paul Ricoeur (London: Sage, 1996), pp. 138-157, at p. 139.

¹³ Joseph Dunne, ‘Beyond Sovereignty and Deconstruction’, p. 139.

individualist assumption: it makes a difference what we assume ontologically about the human being when human beings are to be reconciled or separated.

Testing an Alternative: The Social Body

To respond to these assumptions about reconciliation and the human beings involved, I will explore an alternative view to see if and how that may change the course of considerations regarding intervention. Let me start with the anthropological question and from there draw out implications for the question about reconciliation. A lot of late modern voices have already questioned the stability of the modern ego. Drawing from Marxism and psychoanalysis, Dunne highlighted the deconstructed and the narrative self. But instead of starting with another abstract identity theory, I would like to start with the concrete existence of the body—or rather bodies in community with each other. When considerations about reconciliatory interventions are framed by financial calculations, it tends to be considered from a position that is abstracted from the level of the involved bodies. To explore a different starting point, I thus begin with an analysis of this community of bodies. Here, I am not proposing something else than, or something separated from, the mind or the spirit but rather an aspect of personhood that underlines the embodied, exposed, and vulnerable nature of the person.

In contrast to the closed and lifeless body that Michel Foucault identified in the modern birth of the clinic, contemporary voices have been raised to pinpoint the living, situated, and social body.¹⁴ The anthropologist Mary Douglas notes how bodies are communicative, having “a natural tendency to express situations of a certain kind in an appropriate bodily style. It is generated in response to a perceived social situation, [...] clothed in its local history and culture.”¹⁵ According to her, there is no such a thing as an autonomous body, closed to other bodies. The bodily expression always responds to and is affected by social expectations and historical contexts. Douglas continues by arguing that “the human body is always treated as an image of society and that there can be no natural way of considering the body that does not involve at the same time a social dimension.”¹⁶ By arguing for such a strong connection between the individual and the societal body, the body as an image of society, she finally concludes: “What it (the body) symbolizes naturally is the relation of parts of an organism to the whole.”¹⁷

In this way, Douglas reconnects with ancient traditions, dating back to Plato’s *Dialogues* and New Testament texts, that make use of the individual body as a microcosm of the city, the church, or the entire cosmos. Historically, the metaphor has been used in different ways, and in the ancient era it was widely used in a conservative defense of the traditional hierarchies of the society.¹⁸ But just like the philosopher Jean-Luc Nancy, I do not identify the imagery of the social body with a specific social arrangement of justice or injustice, equality or inequality: “it’s not a matter of signifying those *things*, but of giving

¹⁴ See Jeffrey P. Bishop, *The Anticipatory Corpse: Medicine, Power and the Care of the Dying* (Notre Dame, IN: University of Notre Dame Press, 2011), ch. 1, 2, 10.

¹⁵ Mary Douglas, *Natural Symbols* (London: Routledge, 2003 (1970)), p. 76.

¹⁶ Douglas, *Natural Symbols*, p. 78.

¹⁷ Douglas, *Natural Symbols*, p. 91.

¹⁸ Ola Sigurdsson, *Himmelska kroppar: Inkarnation, blick, kroppslighet*, Logos Pathos 6 (Göteborg: Glänta produktion, 2006), p. 368.

them a *place*.”¹⁹ Thus, I do not understand the social body as an image of a friendly and idealistic community of equals, but a specific metaphorical place that accommodates the complexities of human relationships in a specific way. While the Pauline use of the metaphor relativized the societal hierarchies of his time by signifying equal relationships in the church community between men and women, Jews and Greeks, slaves and freedmen,²⁰ people nevertheless did continuously live with these tensions in the Roman society, as well as in the apparent group conflicts of the church. The social body was a vision of human community from which hierarchies, chaotic relationships, and enmity were identified, criticized, and dealt with.

The image of the social body may seem odd to illuminate the community of the contemporary workplace, which is based on labor relations and economic agreements. Contemporary workplaces are often enough characterized by hierarchies and rivalry, both between and within working organizations. And often enough, one does not actively choose their colleagues. Thus, the workplace of a company or state agency is primarily expected to be characterized by professional relationships rather than friendship. But, as indicated above in the reference to Nancy, I do not use the image of the social body as a sociological metaphor, envisioning or promoting a certain kind of “close” or “good” community. Of course, the ancient church and a contemporary workplace are sociologically very different. Still, the contemporary workplace, as well as the ancient church, is assumed to be characterized by human relationships of friendship and enmity, justice and injustice, equality and inequality, a complex sociological reality that is not possible to capture in a single metaphor. I am rather exploring the social body as an *ontological* metaphor, a vision of human existence at its most basic level, assuming foundational interpersonal connections that are not possible to opt out of. It places the messy sociological reality of the workplace in a specific ontological and metaphorical place of interpretation, where words, actions, events, and processes among colleagues are identified, interpreted, named, and recognized as just or unjust.

The theologian Ola Sigurdsson highlights that in the ancient context, the social body was used as more than a symbol in the modern sense. The ontological interconnectedness between the social and individual body was real, organic, and immediate.²¹ Paul states: “Just as a body, though one, has many parts, but all its many parts form one body, so it is with Christ” (1 Cor 12:12). Just as the parts of the body is connected in one body, so the members of the community are analogically connected to each other. Paul draws out the ethical implications of this kind of ontological interconnectedness: “The eye cannot say to the hand, ‘I don’t need you!’ And the head cannot say to the feet, ‘I don’t need you!’ On the contrary, those parts of the body that seem to be weaker are indispensable” (1 Cor 12:21–22). Thus, one *cannot* say to the other “I don’t need you!,” even when that other is weaker and less powerful. Such a statement would simply run contrary to the assumed ontological and cosmological understanding. Injustices like bullying in a community could be considered a practical way of saying “I don’t need you.” So, the metaphor of the social body does not necessarily imply a “good” community, freed from enmity and exclusion, but it instead gives the exclusionary behaviors and patterns a frame,

¹⁹ Jean-Luc Nancy, *Corpus*, e-book, translated by Richard A. Rand (New York: Fordham University Press, 2008), p. 134.

²⁰ Sigurdsson, *Himmelska kroppar*, p. 369. This use of the image is also challenging the conservative political concept of the organism, which instead takes societal hierarchies as a natural condition.

²¹ Sigurdsson, *Himmelska kroppar*, pp. 367–368.

a name, and an image: a division in the body, with specific bodily parts literally *split* from the rest of the body. It means open wounds in the individual as well as the social body.

By this discussion, I am not aiming to establish a dichotomy between individuality and sociality, but rather highlight different ontological frames in which individuality and sociality are understood. My aim is to clarify how different ontological imageries, when used and repeated over time, establish different expectations about the social process between victims and perpetrators. I am looking for alternative ways of framing the understanding of human beings in relationship and thus new ways of framing the search for adequate interventions in cases of workplace bullying. What does separation mean? What does reconciliation mean? I argue that the answers to such questions are conditioned by the assumptions on which they are based.

If human beings, the workers, are assumed to be preferably autonomous and “originally posited in isolation,”²² then bullying should not be regarded as a notably dramatic event. The independent victim should reasonably be able to dismiss the bully and move on. But the verified serious health effects of exposure to bullying challenge such a conclusion. Bullying *is* a dramatic and dangerous event, and we need an ontological imagery that makes it visible and understandable. Regarding reconciliation, the (overemphasized) individualist starting point has the advantage that it places the parties in a position to make their own choice. Their freedom of choice is not expected to be disturbed or manipulated by the more powerful combatant. This freedom is crucial in a restorative or reconciliatory process, as it may never be forced on anyone. The problem is the far-reaching independency claimed about the choice. That easily makes the social process superfluous. Why invest time and energy in a process that is not expected to entail any profound reassessments?

However, if human beings are assumed to be ontologically connected in social bodies of interdependent relationships, relationships are no longer only the result of independent rational choices. This does not take away the autonomy and responsibility of the one choosing. Relationships are considered to be the inevitable shared ground, the *place* in which responsible choices are made. Note again that the metaphor does not necessarily refer to “good” or “close” relationships, but rather assumed foundational and unavoidable interpersonal connections. If the condition of the individual body is interconnected to the condition of the social body, there are no possibilities to say “I don’t need you” in a final and absolute sense. But a critic may fairly object: does not this talk about interdependency obscure the fact that the victim may be radically dependent on the perpetrator? What happens to a victim who is unable to say “I don’t need you” to a perpetrator? Are there no possibilities for the victim to reject the perpetrator? These are fair questions in defense of the victim’s individual autonomy and agency. However, the impossibility to say “I don’t need you” should not be described in moral terms as a prohibition. It is rather the ontological precondition that makes bullying *appear* as a deviating and damaging phenomenon from the outset. If interdependency is used to describe the sociological bullying condition, the body metaphor becomes highly problematic, as it risks obscuring the imbalance of power between the parties. But I suggest that the ontological interdependency of the social body actually clarifies the original relationality that has been broken, and thus indicates what has been going wrong. Thus, the division is not caused by the victim who needs to distance themselves from the perpetrator, but by the perpetrator who initially cut off the victim from the community. This consideration does not in itself

²² Dunne, ‘Beyond Sovereignty and Deconstruction’, p. 139.

imply a preference for reconciliatory interventions but instead modifies the meaning of the consideration of interventions itself and what is at stake.

Reconciliation? Practical Guidelines

What practical implications regarding reconciliation are possible to work out from this discussion? I would propose guidelines based on the alternative anthropological assumptions that have been explored, having careful respect of the complexities of the bullying phenomenon. By doing so, I am also exploring a potential critique of the assumptions about reconciliation that seem to underlie the HR discourse.

The ontological assumption of the social body has a double edge. On the one hand, it can be used to argue for reconciled healed relationships, as the view implies a strong interrelatedness between the condition of the individual body and the condition of the social body. On the other, it expands on the meaning and the seriousness of the harm that the bullying process entails, which may make reconciliation even more problematic and difficult to imagine and embrace. Thus, I want to underline initially that I resist speaking about reconciliation in normative terms. It cannot be *expected* of the victim that they will be reconciled with their bully. This also means reconciliation as such should not be institutionalized or established as a fixed procedure but rather regarded as one potential outcome of a restorative social process. Thus, I distinguish between a restorative and preparatory process and reconciliation as a potential outcome.

What can be done is to investigate the possibilities for – and, if possible, facilitate – a restorative process. If speaking about reconciliation as an outcome is to make sense, it needs to be backed up by some components of such a restorative social process. I am here inspired by the founder of the restorative justice movement, Howard Zehr.²³ I suggest a process of “renarration,” “responsibility,” and finally “grace(?)”

Renarration

One of the less reluctant voices in my interview study said this: “But if I had been given an explanation, I could have forgiven her.”²⁴ To this participant, forgiveness and maybe also reconciliation could have become a possibility if it was based on trustworthy communication. A similar desire for an honest story seems to underlie the question posed by the other participant that I referred to above, in which she describes an imagined confrontation with the former perpetrators: “did you see in retrospect what this was about?”²⁵

I find no reason to question the adequacy of the preparing actions suggested by the HR professionals in the global study, namely, fact-finding and prompt action. But I would expand the terminology by understanding facts in the context of stories. As considered initially, bullying processes are usually slowly and subtly changing states, and thus events, words, silences, and actions may be interpreted differently. Single events and actions find their meaning for the involved parties in the context of stories. This makes me more interested in the story than in isolated actions and events. The questions posed by the investigator are: What has happened? How does the victim tell their story? How do

²³ Howard Zehr, *The Little Book of Restorative Justice* (New York: Good Books, 2015), ch. 2–3.

²⁴ Interview, September 2, 2021.

²⁵ Interview, August 16, 2021.

they understand the temporality and causality of events, words, silences, and actions? And how are the perpetrators telling their stories? This investigation should be done with deep sensitivity for and with a critical awareness of the power imbalances involved in a bullying process. The interpretative prerogative has likely belonged to the perpetrators, and this may have silenced and/or perverted the story of the victim.²⁶

If the parties are voluntarily motivated, they may be invited to facilitated meetings to listen to and try to understand the story of the other persons, both regarding what has happened and how it has affected the victim. Zehr prefers face-to-face meetings but suggests that writing- and/or video-based encounters may be used initially or entirely to ease the communicative process. The facilitator encourages the participants to express feelings about what has been going on, and the encounter should include opportunities to ask questions.²⁷ The facilitator should strive to create as equal conditions as possible by including, for example, supporters of the victim. If the awareness of the harm that the perpetrators have caused is raised, their stories may resemble a confession, in which they clearly articulate their guilt and responsibility but maybe also the unintentional effects of their words and actions. The goal should be overlapping stories, which touch each other in close enough a manner to generate new and partly shared understandings of what has been going on. In these stories, the harms and experiences of the victim should also be recognized. Without a confession leading to a changed story and new understandings, reconciliation is simply nonsensical. The need for and adequacy of reconciliation are expected to appear as a potential *result* of and *response* to this groundwork.

Responsibility

To tell overlapping and changed stories about what has been going on implies expanded narrative identities for both the victim and the perpetrators.²⁸ New positions in the story also imply a redistribution of responsibilities and obligations. The question of responsibility brings us back to the ethical question posed before about justice, and actualizes the choice between retributive and restorative justice.²⁹ How is justice to be demanded? Both theories share a common endeavor for justice and reestablishing balance between the parties. They also share a moral intuition that the balance has been thrown off by the wrongdoing and that there should be a proportional relationship between the wrongdoing and the response.³⁰ However, there are significant differences between the approaches in terms of what kind of response is recommended. Retributive justice seeks to demand justice by imposing a proportionate penalty for the bully, which could mean, for example, warnings and/or dismissal. From this perspective, the perpetrator is the object

²⁶ See Sarah Ahmed, *Complaint!* (Durham, NC and London: Duke University Press, 2021), p. 150.

²⁷ Zehr, *The Little Book of Restorative Justice*, pp. 56–57.

²⁸ Narrative identity is here understood in a Ricœurian sense. Richard Kearney states: “Ricœur ties the question of identity to narrative by suggesting that the best response to the question ‘Who is the author or agent?’ is to tell the story of a life.” Richard Kearney, ‘Narrative Imagination: Between Ethics and Poetics’, *Paul Ricoeur: The Hermeneutics of Action*, edited by Richard Kearney and Paul Ricoeur (London: Sage, 1996), p. 181. Ricœur himself states: “The story told tells about the action of the ‘who.’ And the identity of this ‘who’ therefore itself must be a narrative identity” (Paul Ricoeur, *Time and Narrative, Volume 3*, translated by Kathleen Blamey and David Pellauer (Chicago: The University of Chicago Press, 1988), p. 246.

²⁹ I am here discussing interventions by the employer, not by the court. If the bullying process involves criminal actions, the case is handled in a legal process, which is not discussed here.

³⁰ Zehr, *The Little Book of Restorative Justice*, p. 75.

of actions and the demand for responsibility relates primarily to what should *be done* to the perpetrator in terms of a penalty. This intervention has the advantage of, at least for the moment, guaranteeing the protection of the victim and minimizing the risk of further harm. As we have seen, this alternative is widely accepted in serious bullying cases in previous research, as well as among HR professionals worldwide. Still, the obvious problem with this position is that justice and responsibility are demanded by, and directed to, an institution rather than the victim themselves. Thus, the needs and the voice of the victim run the risk of being silenced anew. As was also argued in the global HR investigation, a retributive approach demands strong evidence as a possible option, but this is not always feasible when the bullying process is subtle and ambiguous. In such cases, dialogical approaches may be more practicable.

From the perspective of restorative justice, combined with the ontology of social bodies, the exercise here is to demand justice and responsibility in a relational context from within a social process which certainly—at least for the moment—entails a higher risk. Justice means demanding responsibility by obligating practical reparations for the wrong that has been done to the “weaker part” and the split that has shattered the social body, including the wider community. Thus, the restorative process should include practical reparation by the perpetrator, not in terms of penalty but in terms of penance or remedy, clarified by Paul Leer Salvesen as “trust-building praxis.”³¹ From the perspective of restorative justice, therefore, the perpetrator is the subject of actions and the demand for responsibility relates primarily to what should *be done by* them in terms of a remedy. A responsible action by the perpetrator thus functions as a kind of embodied renarration of the continuous story. The expanded narrative identity opens a widened scope of reasonable and responsible actions. Thus, the distribution of responsibilities should follow from how the narrative is retold.

The subsequent facilitated meetings represent an expanded setting, which also includes stakeholders who may have influenced or been influenced by the bullying process. These may include, for example, union representatives, the employer, close colleagues, and HR professionals. In this wider setting, the restorative process may involve a critical review of the structures, culture, and interests that fueled the bullying process. What changes in the workplace are called for by the renarration? And what responsibilities are identified in the wider setting? This wider investigation is motivated by the multilayered context of workplace bullying and the fact that bullying usually not only refers to isolated cases but rather to patterns that characterize the whole working environment.

Grace(?)

If stories are retold and if responsibilities are acknowledged and distributed accordingly, restorative processes still remain open-ended. The open-endedness of the process follows from the anthropological assumption of the social body. Starting from the independent individual, relationships have no “constitutive role in shaping what my preferences will be,”³² at least theoretically. From there, social restorative processes are not clearly expected to give rise to any profound reassessments. But if the social processes of the working community are interpreted in light of the anthropology of the social body, with different

³¹ See Paul Leer Salvesen, *Forsoning etter krenkelser* (Bergen: Fagbokforlaget, 2009), p. 206.

³² Dunne, ‘Beyond Sovereignty and Deconstruction’, p. 139.

individual bodies connected in one social body, the social process cannot be easily predicted. As Paul states: “If one part suffers, every part suffers with it; if one part is honored, every part rejoices with it” (1 Cor 12:26). What affects the one has the potential to affect the other. Once again, there are no guarantees that this or other theoretical lenses will change anything in practice, but I would argue that the ontological imagery we use repeatedly creates normative imaginations and expectations. If the social process is interpreted as a negotiation between different parts of a social body, whose potential to suffer and rejoice with each other may be deeply disturbed and corrupted but still taken for granted, it affects the imagination of what the process *is about*. It conceptually reframes the restorative process itself.

Based on such assumptions, the restorative process remains unpredictable and open-ended. Reconciliation still needs to be followed by a question mark, and it cannot be implemented as a stable method, strategy, or procedure. It is rather constituted as instability, as unpredictability, not beyond participation but beyond control. Every attempt to control or force the process toward reconciliation runs the risk of new violations. For reconciliation to appear as a possibility, it presupposes a space to think, to feel, to speak, to act, and to choose. Reconciliation needs space. A restorative process creates space. And in this space, different possibilities are kept open. The restorative process should prepare for a variety of possible outcomes and actions. Separation may be one – and sometimes the only – possible choice. Other outcomes may be a professional relationship in terms of friendship, an ability to stay under the same roof, or something in between. As Zehr underlines, “forgiveness or reconciliation is not a primary principle or focus of restorative justice.”³³ It is a process and framework that may have different outcomes. However, as said above no matter how the process ends, it should be followed by some kind of prompt action. Reconciliation appears as *one* potential possibility *from within* the dynamic social process. It cannot be an external prescription but is rather characterized in theological terms of grace: an experience of interpersonal transformation, as my enemy appears as *someone* beyond the enmity. It entails a renewed willingness to freely give and receive a gift. It is not the result of a calculation. It is rather a miracle that no one involved could predict, a gift that *may* be given and received in due time. It means that grace also must be followed by a question mark.

Reconciliation? Concluding Remarks

As we have seen, workplace bullying is a highly complex phenomenon that causes serious damage to victims. The complexity and seriousness of the phenomenon, as well as its multilayered context, need to be considered when dealing with bullying interventions in the workplace.

Workplaces are not neutral ground but ideologically established frames of decision-making. Even if I have problematized the endeavor for financial gain, which is often dominant in work-life settings, that endeavor will always – to a certain degree, at least – frame decision-making in the workplace. Thus, I ask for self-critical awareness of the underlying assumptions that may determine the considerations and expectations regarding actions of intervention. Such considerations extend beyond the efficiency of the intervention itself. What are interventions about? What are social processes about? What is at stake? Such questions are not independent from the ontological assumptions we make

³³ Zehr, *The Little Book of Restorative Justice*, p. 13.

about the human beings involved. I have argued that the imagery of the social body frames the consideration in a different way than the concept of autonomous individuals does. My point is, ontological imageries matter.

On the basis of the different ontological imageries, I have elaborated on the question of reconciliation. I have suggested a restorative process of renarration, responsibility and grace(?), from which reconciliation may appear as a potential outcome. By doing so, I have also addressed the urgent ethical question regarding the demand for justice and responsibility as a choice between penalty (what should *be done to* the perpetrator) and remedy (what should *be done by* the perpetrator). While retribution may sometimes be the only possible option in serious bullying cases, I propose that a restorative process *may* be worthy of consideration from the relational perspective of the social body, even if it is potentially more risky and not easily justifiable from the individualist point of view. I agree with Zehr's conclusion, applied to cases of workplace bullying: "A realistic goal, perhaps, is to move as far as we can towards an approach that is restorative."³⁴

As far as I can ascertain, one of the serious ethical problems with reconciliation arises when it is framed and implemented as a fixed and determined procedure. In other words, the problem appears when the question mark, following terms such as reconciliation, forgiveness, and grace, is replaced by an exclamation mark. Such institutionalization and instrumentalization of organic social processes run the risk of worsening the wounds of both individuals and communities.

I firmly believe that the door to reconciliation—the healing of the individual and social bodies—should be kept open, even in serious bullying cases, not for everyone to enter, but because the workings of unpredictable grace are beyond the control of everyone involved. If reconciliation is a miracle, then who is anyone to close that door?³⁵

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³⁴ Zehr, *The Little Book of Restorative Justice*, p. 76.

³⁵ I am sincerely grateful to Pamela Slotte, Björn Vikström, the research seminar in systematic theology at Åbo Akademi University and the Nordic research school in ethics for valuable feedback on the drafts of this article. Thanks also to the anonymous reviewers for insightful comments. Finally, I thank the Polin Institute at Åbo Akademi University for financial support, and Marie Cederschiöld University in Stockholm for office space and collegial fellowship.

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Vergebung – bedingt oder unbedingt?

Werner Wolbert

Von theologischer wie philosophischer Seite wird bisweilen gefordert, Vergebung müsse unbedingt sein. Darüber hinaus wird bei Psychotherapeuten die therapeutische Wirkung der Vergebung betont, so dass Vergebung im Eigeninteresse der gekränkten oder geschädigten Personen zu liegen scheint. Dabei werden Gesichtspunkte der Gerechtigkeit und der Prävention und der Selbstachtung des Opfers übersehen, wie die im Artikel aufgezeigten Vorbehalte deutlich machen können. Dabei kommt speziell die Perspektive der Geschädigten, der Opfer stärker in den Blick. Außerdem sind die einschlägigen Mahnungen im Neuen Testament, die die Unbedingtheit der Forderung nach Vergebung zu bestätigen scheinen, bei genauer Betrachtung durchaus differenzierter.

Einführung

Unter Theologen, vor allem Neustamentlern, hat man oft und gern von der *Radikalität* der ethischen Botschaft des Neuen Testaments, speziell der Bergpredigt, gesprochen. In letzter Zeit ist man hier etwas vorsichtiger geworden, u.a. wegen möglicher antijudaistischer Konsequenzen, wenn die Botschaft Jesu allzu sehr in Diskontinuität mit der Hebräischen Bibel gesehen wird. Solche Radikalität findet sich bisweilen beim Thema Vergebung, wenn man von der *Bedingungslosigkeit* der entsprechenden Forderung spricht. Dieses Verständnis scheint sich zunächst vor allem durch diverse biblische Texte naheulegen, vor allem das Gleichnis vom verlorenen Sohn (Lk 15,11-32) sowie die Aufforderung Jesu, dem Bruder (der Schwester) siebzimal sieben Mal zu verzeihen (Mt 18,22, bei Lk 17,4 siebenmal). Aus anderer Perspektive wird diese Auffassung heute von psychotherapeutischer Seite unterstützt. Salopp könnte man formulieren: Verzeihen ist gesund. Nicht zu vergeben wäre dann geradezu unvernünftig. Maria Mayo verweist auf den Titel des Buches des Psychologen Lewis B. Smedes *Forgive and Forget: Healing the Hurts We Don't Deserve*;¹ für diesen geschehe Vergebung vor allem „for our own sakes“.²

¹ New York: Harper Collins 1984. Dabei geht es auch darum, dass sich die Opfer nicht mehr nur in dieser Rolle verstehen oder angesehen werden wollen, wie es eindrucksvoll bezeugt ist bei: Eva Mozes Kor, *Die Macht des Vergebens* (Wals bei Salzburg: Benevento 2016).

² Maria Mayo, *The Limits of Forgiveness. Case Studies in the Distortion of a Biblical Ideal* (Minneapolis (MN): Fortress Press, 2015), pp. 26-27. Man beachte die starken Metaphern im folgenden Zitat von Smedes, *Forgive and forget*, p. 133, zitiert bei Mayo p. 27: «The only way to heal the pain that will not heal itself is to forgive the person who hurt you. Forgiving stops the reruns of pain. Forgiving heals your memory as you change your memory's vision. When you release the wrongdoer from the wrong, you cut a malignant tumor out of your inner life. You set a prisoner free, but you discover that the real

Vergebung wäre also im rechtverstandenen Eigeninteresse. Diese Forschungen mögen nützliche Anregungen für Seelsorge und Pastoralpsychologie geben, können zur Plausibilität christlicher Forderungen beitragen; sie sind freilich zu kritisieren, wenn sie die einseitige Vergebung als „alternativlos“ hinstellen. Solche Aussagen dürften wohl nur einen privaten Kontext im Auge haben, in dem es nur um zwei oder wenige Personen geht. Im öffentlichen politischen Bereich ist die Frage differenzierter anzugehen, da hier Aspekte mitzubedenken sind, die im privaten Bereich keine oder nur eine geringe Rolle spielen. In den letzten Jahrzehnten haben dagegen die Themen Vergebung und Versöhnung gerade in der Politik eine wichtige Rolle gespielt, wie die diversen Wahrheits- und Versöhnungskommissionen demonstriert haben. Gerade angesichts der gegenwärtigen Weltlage wird das Thema wohl seine Aktualität nicht so schnell verlieren. Bei einer theologischen Tagung in Olmütz (Olomouc, Tschechien) im Herbst 2022 hatte ich die Gelegenheit, einige kritische Überlegungen zur Forderung der bedingungslosen Vergebung vorgetragen, bei der auch zwei Kollegen aus Lemberg (Lviv, Ukraine) anwesend waren. Beide haben mir versichert, einige wichtige Einsichten für ihre Situation, für die Diskussionen zu diesem Thema in ihrem Land und für ihre eigene Orientierung gewonnen zu haben, in diesen Fragen, speziell in der (gegenwärtigen und zukünftigen) Beziehung zu Russland und den Russ:innen.

Was die Termini angeht, so verwende ich die Termini *Verzeihung* und *Vergebung* synonym, wobei der erstere eher in privatem Kontext verwendet wird.³ Die Bedeutungen von *Verzeihung* und *Versöhnung* und deren Relation lassen sich mit James Alfred Loader so verdeutlichen:

Forgiveness is the interpersonal pardoning of guilt extended or offered by an offended party and accepted or discarded by a guilty party, by which the former party relinquishes any right to requital from the latter.

Reconciliation, when it is a matter of persons (as opposed to ideas or accounts), is fundamentally an interpersonal phenomenon, notably the reciprocal restoring of friendly relations between at least two parties, whereby a broken relationship is repaired to its previous harmonious state.⁴

Und über die Relation heißt es treffend:

Forgiveness is a means (among others) by which reconciliation can be attained. However, reconciliation is neither an inevitable consequence of forgiveness nor necessarily dependent on it. The restoration of a broken relationship only follows if the pardon is accepted and the underlying guilt is therefore conceded by the offending party. If the forgiveness is rejected or ignored by the offending party, it may still be upheld by the offended party, but remains one-sided and does not result in the reestablishment of harmonious relations. Conversely, reconciliation can by definition

prisoner was yourself.» Man beachte die religiöse Sprache entsprechender Publikationen: „Die erlösende Kraft des Verzeihens“, „Die heilende Kraft der Vergebung“ (Belege bei Susanne Boshammer, *Die zweite Chance. Warum wir (nicht alles) verzeihen sollten* (Hamburg: Rowohlt 2020), p. 126.)

³ Das Duden Wörterbuch (Günther Drosdrowski [Hg.] *Duden. Deutsches Universalwörterbuch*, Mannheim: Bibliographisches Institut 1983, 1359) gibt unter *vergeben* zwei Bedeutungen an: 1. Verzeihen, 2. Auftrag vergeben. *Verzeihen* hängt etymologisch mit *verzichten* zusammen (hier auf Vergeltung oder Hass oder das Eintreiben einer Schuld; vgl. das griechische ἀφιέναι etwa in Mt 18,27).

⁴ James Alfred Loader, Forgiveness and Reconciliation, in: Brawley, Robert L. (Hg.), *The Oxford Encyclopedia of the Bible and Ethics I*, Oxford: University Press, 296-304, hier 296.

not be one-sided. Thus the result of discarded forgiveness cannot go by the name of reconciliation.⁵

Hier ist allerdings auch ein wichtiges *Caveat* zu bedenken, nämlich "that concepts, in this case forgiveness and reconciliation, are frequently expressed in various ways other than clearly demarcated technical terms".⁶

Im Folgenden sei zunächst untersucht, ob neutestamentliche Texte die Forderung unbedingter Vergebung enthalten, ob diese somit zum Kernbestand der Botschaft Jesu gehört. Diese Frage stellt sich heute speziell im Kontext der – mindestens auf den ersten Blick – noch radikaleren Forderung Martha Nussbaums nach radikaler Liebe (statt nur Vergebung). Dabei wird auch die Relation von Vergebung und Versöhnung – im privaten wie im politischen Bereich – zur Sprache kommen. Zum Schluss sollen die spezifisch ethischen Bedenken gegen die Forderung unbedingter Vergebung anhand dreier Vorbehalte systematisiert werden.

Ist die Forderung unbedingt?

Jesu Forderung, bis zu siebzimal siebenmal zu vergeben (Mt 18,22/Lk 17,4), scheint zunächst die angebliche Unbedingtheit der Forderung zu unterstreichen; genauer gelesen, bezieht sie sich nur auf die *Anzahl* der Vergebungsakte, d.h. es ist nicht irgendwann ein Schlusstrich zu setzen nach dem Motto: Es reicht jetzt. In anderer Hinsicht ist die Forderung Jesu nicht in jeder Hinsicht unbedingt; sie ist nämlich nicht unabhängig vom Verhalten der Person, die sich schuldig gemacht hat, wie sich in Lk 17,3 zeigt: „Wenn dein Bruder sündigt, weise ihn zurecht, und *wenn er umkehrt*, vergib ihm.“ Der Vater des verlorenen Sohnes im Gleichnis Jesu (Lk 15, 11-32) stellt dagegen tatsächlich keine Bedingung; dessen Verhalten illustriert freilich zunächst einmal die *göttliche* Vergebung, die Jesus den Zöllnern und Sündern predigt. Diese Botschaft ist nicht ungeprüft auf Vergebung unter Menschen zu übertragen. Das mag deutlich werden, wenn man sich einmal auf die Bildhälfte des Gleichnisses beschränkt und die Sachhälfte, die Botschaft von der göttlichen Vergebung, ausblendet. Ein Religionslehrer in einer italienischen Schuler gab seinen Schüler:innen die Aufgabe, das Gleichnis vom verlorenen Sohn nachzuerzählen und sich ein eigenes Ende auszudenken. Der Großteil entschied sich für folgende Lösung: „Der Vater nimmt den verlorenen Sohn zwar wieder auf, doch er bestraft ihn hart und lässt ihn bei den Dienern leben. Damit der lernt, das Geld der Familie nicht durchzubringen“.⁷ Mit dieser Äußerung konfrontiert der Journalist Andrea Torielli P. Franziskus, der darauf antwortet: „Ja, das ist die ganz normale menschliche Reaktion. Die auch der ältere Sohn zeigt. Das ist nur menschlich. Doch die Barmherzigkeit Gottes ist eben göttlich.“ Der Papst mag Recht haben; aber als Kritik an den Schüler:innen wäre diese nicht berechtigt. Letztere

⁵ Ebd.

⁶ Ebd. 297. So erscheint im NT die Versöhnung durch Gott als einseitige Gottestat durch Sendung, Tod und Auferstehung Jesu ohne menschliche Vorleistungen (Röm 5,11; 2 Kor 5,18; Kol 1,20). Oliver O' Donovan kommentiert dazu: „Partly under the influence of the Stoic doctrine of *oikeiōsis* (Latin *conciatio*), the term has sometimes assumed a metaphysical implication and been extended to include the idea of an eschatological cosmic reintegration“ (Reconciliation, in: John Macquarrie and James Childress (Hgg.) *A New Dictionary of Christian Ethics*, London: Westminster Press 1986, 528). Auf ganz nichtreligiöse Weise stellt Plutarch Alexander den Großen als Versöhner des Alls vor, der die Menschheit in einem Weltstaat vereint hat (De Alexandri fortuna aut virtute I 329c, zitiert nach Helmut Merkel, *καταύσσω*, in: Horst Balz/Gerhard Schneider (Hgg.) *Exegetisches Wörterbuch zum Neuen Testament, Bd I*, Stuttgart: Kohlhammer 1981, 644-650, hier 645.

⁷ Papst Franziskus, *Der Name Gottes ist Barmherzigkeit* (München o.J.), p. 71.

haben - vermutlich ohne dass ihnen das bewusst war - nur eine für sie plausiblere Lösung für die *Bildhälfte* gefunden und somit eine gerechte Anwendung auf die Vergebung unter Menschen gesucht. Wo die Beteiligten nur Menschen sind, erscheint die vorgeschlagene Lösung vernünftig, und sie kontrastiert auf diese Weise den Unterschied von menschlicher und göttlicher Vergebung. Auch in einer christlichen Gemeinde ist die Umkehr des Sünders (der Sünderin) ein relevanter Gesichtspunkt für Vergebung und Versöhnung; hier braucht es disziplinarische Regeln, die Unrecht, Verfehlungen nicht einfach zudecken; die Wege Gottes sind dagegen in dieser Hinsicht souverän.⁸

Liebe statt Vergebung

Die Forderung nach unbedingter Vergebung findet sich in besonders extremer Formulierung nicht etwa bei Theolog:innen, sondern bei der Philosophin Martha Nussbaum. Für diese ist sogar die Rede von *Verggebung* zu wenig; diese sei zu sehr an der Vergangenheit orientiert, biete aber keine „future-directed attitude“.⁹ Dagegen sei das Großartige am Vater des verlorenen Sohnes, „that he does not pause to calculate and decide: he just runs to him and kisses him“. Hier zeige sich die Tiefe und Unbedingtheit elterlicher Liebe. Von unbedingter *Verggebung* zu sprechen sei irreführend; denn damit stelle man sich fälschlicherweise einen Vater „thinking about his resentment, and choosing freely to give it up“ vor.¹⁰ Es gehe vielmehr um unbedingte *Liebe* ohne Gewähr einer Umkehr, ohne das Bewusstsein einer bei der Vergebung (und erst recht bei erwarteter Wiedergutmachung) vorausgesetzten moralischen Überlegenheit. Für den von den Schulkindern vorgeschlagenen alternativen Ausgang des Gleichnisses würde Nussbaum wohl wenig Verständnis zeigen.

Auch für Alan J. Torrance gilt: „love is by its nature unconditional“¹¹; auch er illustriert das mit seiner Deutung des Gleichnisses vom Verlorenen Sohn. Der Vater verzeihe nicht, weil der Sohn bereue; dieser kehre nämlich nur zurück, weil es ihm schlecht gehe und er ein angenehmeres Leben führen wolle. Die Umkehr des Sohnes erfolge erst auf den Liebeserweis des Vaters hin.¹² Ob diese Deutung des Gleichnisses zutrifft, sei dahingestellt. Eher scheint die materielle Not dem verlorenen Sohn auch sein Fehlverhalten gegenüber seinem Vater bewusst zu machen; mit der Verschwendung des Erbes hat er ihn enttäuscht, entehrt und (in einer patriarchalischen Gesellschaft) dessen Ruf ruiniert: der Vater hat als Vater versagt. Beide Motivationen müssen sich freilich nicht ausschließen. Der Vater freilich scheint sich über die Motivation des Sohnes (Reue oder ein besseres Leben) keine Gedanken zu machen (zu einer entsprechenden Diagnose wäre wohl

⁸ Entsprechend erscheint Gott im NT auch als jemand, der die Versöhnung einseitig dekretiert; vgl. Anm. 6.

⁹ Martha Nussbaum, *Anger and Forgiveness. Resentment, Generosity, Justice* (New York: Oxford University Press 2016), p. 77.

¹⁰ Nussbaum, *Anger*, p. 81.

¹¹ Alan J. Torrance, 'The Theological Grounds for Advocating Forgiveness and Reconciliation in the Sociopolitical Realm', in: *The Politics of Past Evil*, edited by Daniel Philpott (Notre Dame, In: University of Notre Dame Press 2006), 45-85. Ähnlich Eve Garrard and David McNaughton, 'In Defence of Unconditional Forgiveness', in: *Proceedings of the Aristotelian Society* 104 (2003), pp. 39-60. Zur Kritik daran vgl. Charles L. Griswold, *Forgiveness. A Philosophical Exploration* (New York: Cambridge University Press 2007), pp. 62-69.

¹² Garrard and McNaughton, 'Defence', p. 56: "Comparing the quality of food enjoyed by his father's servants with the pig food he may have to start eating, he 'comes to his senses' and decides that the rational thing to do is to go home and seek his father's pity – in an attempt to redress the unhappy consequences of his cash flow problem."

die Zeit auch zu kurz). Wie man das Gleichnis auch versteht – Torrance bringt einen wichtigen Aspekt zur Sprache, den man als Kernbotschaft des Gleichnisses verstehen könnte: Versöhnung wird erleichtert, wenn das Opfer bzw. die gekränkte Person den ersten Schritt tut; insofern ist das Verhalten des barmherzigen Vaters „future-directed“.¹³

Die Aussicht auf Versöhnung

Nussbaums Äußerung scheint folgende Voraussetzungen zu enthalten:

- Jede Form von Vergeltungsgefühl ist ein Übel.
- Es gibt eine unbedingte Pflicht zur Vergebung, unabhängig vom Verhalten oder der Einstellung des Täters (der Täterin).
- Das Opfer besitzt gegenüber dem Täter keinerlei moralische Prärogative oder soll diese nicht beanspruchen.
- Bei der Vergebung muss der Blick auf die Zukunft gerichtet sein, nicht auf die Vergangenheit.

Für die letztere These gibt es zunächst gute Argumente. Menschen, die Unrecht getan haben, empfinden Reue bisweilen erst auf einen Erweis von Liebe und Vergebung hin, wie ihn Torrance fordert. Torrance nennt als Beispiel Winnie Mandela, die vor der Versöhnungskommission trotz vielfacher Zeugnisse gegen sie jedes Unrecht von ihrer Seite bestritt. Erst als Bischof Tutu sie in den Arm nahm und ihr seine Liebe versicherte, war sie bereit, Fehler zuzugeben und um Vergebung zu bitten.¹⁴ Die Berufung auf den barmherzigen Vater im Gleichnis Jesu passt hier freilich nicht ganz. Anders als der verlorene Sohn hatte Winnie Mandela nicht ihrem Mann oder Tutu, sondern *anderen* Unrecht getan, und *bedingungslose* Liebe kann und darf davon, also von Unrecht an Dritten, nicht absehen. Freilich mag ein Liebeserweis (sei es vom Opfer oder von einer dritten Person) den Eispanzer, mit dem sich die Täter:innen oft umgeben, zum Schmelzen bringen und so den ersten Schritt zum Eingeständnis der Schuld und der Bitte um Vergebung. Dazu muss allerdings nicht immer Vergebung oder Liebe erforderlich sein; manchmal genügt schon Fairness. Mit gewisser Vorsicht kann man das bei Rudolf Höß, Kommandant von Auschwitz beobachten, der bei seinem Prozess in Krakau von polnischer Seite fair behandelt wurde. Er schreibt im Februar 1947 in Krakau am Schluss seiner Autobiographie:

Nie hätte ich mich zu einer Selbstentäußerung, zu einer Entblößung meines geheimsten Ichs herbeigelassen – wenn man mir hier nicht mit einer Menschlichkeit, mit einem Verstehen entgegengekommen wäre, das mich entwaffnet, das ich nie und nimmer erwarten durfte.¹⁵

Allerdings steht dieser Satz ganz am Schluß seiner Aufzeichnungen und ziemlich isoliert da. Immerhin zeigt er eine Änderung seiner Einstellung zum polnischen Volk, wenn auch keinerlei Distanz von der Nazi-Ideologie. An seine Frau schreibt er: „Was Menschlichkeit

¹³ Vgl. Anm. 2.

¹⁴ Torrance, 'Forgiveness', p. 78.

¹⁵ Höß, Rudolf, *Kommandant in Auschwitz. Autobiographische Aufzeichnungen*, hg. von Martin Broszat, München: dtv 1978, 154.

ist, habe ich erst hier in den polnischen Gefängnissen kennengelernt.“¹⁶ Das Ehepaar Honecker war zwar dankbar für die Aufnahme in einem protestantischen Pfarrhaus; zu irgendeiner Art von Reue oder Schuldbewusstsein hat das aber nicht geführt.¹⁷

Auch im südafrikanischen Versöhnungsprozess hat Bischof Tutu regelmäßig die Bedeutung von Versöhnung im Hinblick auf die Zukunft der südafrikanischen Gesellschaft gemahnt. Tutu hat wiederholt seine Bewunderung und Freude über solche ausgedrückt, die „die Sonne über ihrem Zorn nicht untergehen“ (Eph 4,26) ließen und vergeben haben. Wie sind dann aber diejenigen einzuschätzen, die nicht oder noch nicht zu vergeben bereit sind? Sie zeigen nach Tutu „that forgiveness could not be taken for granted; it was neither cheap nor easy“¹⁸. Soll das bedeuten, dass Vergebung in manchen Fällen und/oder bis zu einem gewissen Grad übergebürlich (supererogatorisch) ist, dass man denen, die (noch) nicht vergeben, letztlich keinen Vorwurf machen kann? Oder sind Letztere gleichsam nur die Kontrastfolie, auf der das Beispiel derer, die unbedingt vergeben, umso heller glänzt?

Darüber hinaus ist eine gewisse Schwarzweißmalerei kritisch anzumerken, wenn Tutu über die, die vergeben haben, sagt, sie seien bereit gewesen, „to forgive rather than wreak vengeance“¹⁹. Gibt es wirklich nur die Alternative Vergebung oder Rache? Ist das nicht, wie wenn man den Menschen – bildlich gesprochen – entweder für kerngesund oder sterbenskrank erklärt, nach dem Motto: *tertium non datur*? Vergebung kann, je nach Kontext, in unterschiedlicher Weise geschehen: vom schlichten Verzicht auf Hass und Vergeltung (um sich nicht mit der Erinnerung zu belasten, nicht vom Hass besessen zu sein) bis zu vollständiger Versöhnung. Anthony Bash unterscheidet deswegen starke und schwache Formen von Vergebung.²⁰ Und die stärkeren Formen dürften Kandidaten für ein Verständnis im Sinne der Übergebühr sein, mindestens in dem Sinne, dass den Opfern Zeit gelassen wird, ihren Gefühlen Raum zu geben.

Die vereinfachte Alternative zeigt sich, wenn man den Wunsch nach Bestrafung der Schuldigen schlicht mit Rache gleichsetzt. Von *Rache* sollte man nur bei einem von starken Emotionen getriebenen Wunsch nach Vergeltung reden, der dann entsprechend unreflektiert und ungezügelt und rein oder vorwiegend egoistisch motiviert ist. Für Martha Nussbaum enthält jeder Wunsch nach Bestrafung ein Verlangen nach einem „payback“.²¹ Damit scheint jeder Wunsch nach Bestrafung letztlich ein Beispiel von Egoismus unter dem Deckmantel der Gerechtigkeit zu sein.²² Vergebung und der Wunsch

¹⁶ Zitiert nach: Manfred Deselaers, *Und sie hatten nie Gewissensbisse? Die Biographie von Rudolf Höß, Kommandant von Auschwitz, und die Frage nach seiner Verantwortung vor Gott und den Menschen* (Leipzig: Benno 1997), p. 223-224. Als biblisches Zeugnis wäre hier Zachäus zu nennen, der, motiviert durch die Zuwendung Jesu sein Unrecht mehrfach wiedergutmachen will (Lk 19,1-10). Vgl. auch Katharina von Kellenbach, *The Mark of Cain. Guilt and Denial in the Post-War Lives of Nazi Perpetrators*, Oxford: Oxford University Press 2013.

¹⁷ Obwohl für die Familie selbst ein Sicherheitsrisiko wegen einer drohenden Erstürmung des Pfarrhauses durch eine wütende Menge bestand und es außerdem eine Bombendrohung gab, und obwohl die Kinder dank der von Margot Honecker verordneten Restriktionen kein Abitur machen und nicht studieren konnten.

¹⁸ Zitiert nach Thomas Brudholm, *Resentment's Virtue. Jean Améry and the Refusal to Forgive*, (Philadelphia, Pa: Temple University Press 2008) p. 3.

¹⁹ Nach Brudholm, *Resentment*, p. 29.

²⁰ Bash (*Just Forgiveness*, p. 35) „‘Forgivenesses’ – thick and thin“.

²¹ Nussbaum, *Anger*, p. 22: “For I may not want to get involved in revenge myself: I want someone else, or the law, or life itself, to do it for me. I want the doer to suffer.”

²² So Nussbaum, *Anger*, p. 16: “Furthermore, the appraisals and beliefs involved in anger are what I call ‚eudaimonistic‘: they are made from the point of view of the agent, and register the agent’s own view of what matters for life, rather than some detached or impersonal table of values. Even when

nach gerechter Strafe wären damit unvereinbar. Ein Gegenbeispiel wäre Eva Moses Kor; sie hat zwar den Nazis vergeben, weil sie ihr weiteres Leben nicht von Hass oder Rachsucht bestimmt sein lassen wollte; sie hat aber dennoch am Prozess gegen den SS-Unterscharführer Oskar Gröning teilgenommen und dessen Verurteilung befürwortet.

Ethische Vorbehalte

Damit sind einige Bedenken gegen die Forderung nach unbedingter Vergebung angedeutet, die die Philosophin Susanne Boshammer in drei Vorbehalten systematisiert: den *Gerechtigkeitsvorbehalt*, den *Präventionsvorbehalt* und den *Selbstachtungsvorbehalt*.²³ Schon der Titel des Buches „Die zweite Chance“ deutet eine Spannung an. Einerseits geht der Blick nach vorn auf die Zukunft: eine *zweite Chance* für den Täter (vielleicht auch für das Opfer); aber auch zurück: ob oder wie Vergebung gewährt wird, ist nicht unabhängig von dem, was genau geschehen ist, ebenso ob alle Fälle von Unrecht somit gleich zu behandeln wären.

1. Der Gerechtigkeitsvorbehalt

Mit Hinblick auf die Zukunft ist es zwar richtig festzuhalten, dass es den Opfern oft leichter fällt, den Täter:innen zu verzeihen als letzteren, um Verzeihung zu bitten. Mit einer entsprechenden Aufforderung aber wird ersteren sozusagen ein Strick gedreht, indem man einen entsprechenden Druck ausübt. Dieser ist dann auch bisweilen auf die Opfer in den diversen Versöhnungsprozessen ausgeübt worden, um so Versöhnung und einen Neuanfang zu ermöglichen oder zu erleichtern. Solches Plädoyer für Versöhnung schiebt freilich die Verantwortung für eine bessere Zukunft einseitig den Opfern zu. Das bedeutet eine unfaire Verteilung der Lasten vorzüglich auf diejenigen, die sowieso schon das erlittene Unrecht und seine Folgen zu tragen haben.²⁴ Schon um der Fairness willen wäre also der Versuch angebracht, die Gründe für die Verweigerung oder Verzögerung der Vergebung erst einmal zu verstehen, anstatt ihnen eine Art moralische Unzulänglichkeit zu attestieren. Sonst gilt die Aussage von Cynthia Ozick: „Forgiveness is pitiless. It forgets the victim“.²⁵ Die Nöte der Opfer werden ausgeblendet. Das illustriert - mit Anspielung auf den Verlorenen Sohn - Katharina von Kellenbach anhand der Vergebungsforderungen in Deutschland nach 1945:

anger involves issues of principle, of justice, or even global justice, this is because the angry person has managed to incorporate such concerns into her conception of what matters in life.” Zur Kritik an Nussbaum vgl. Cristina ROADEVIN, *Forgiving While Resenting*, in: *Ethical Perspectives* 25 (2018), pp. 257-384.

²³ Boshammer, *Die zweite Chance*.

²⁴ Vgl. dazu Werner Wolbert, *Barmherzigkeit oder Gerechtigkeit? Zur ethischen Einordnung einiger Fragen der Sexual- und Beziehungsmoral sowie der politischen Ethik* (Münster: Aschendorf 2020), p. 116-121 sowie Brudholm, *Resentment*. Damit sollen die Verdienste dieser Kommission, speziell die von Erzbischof Tutu nicht bestritten werden; bei aller möglichen Kritik war doch auch eine andere Lösung offenbar nicht in Sicht.

²⁵ Nach Thomas Brudholm, *On the Advocacy of Forgiveness after Mass Atrocities*, in: *The Religious in Responses to Mass Atrocities. Interdisciplinary Perspectives*, edited by Thomas Brudholm and Thomas Cushman, Cambridge, UK: Cambridge University Press 2009), pp. 124-153, hier 124. Vgl. auch Dirk Ansorge, *Vergebung auf Kosten der Opfer? Umriss einer Theologie der Versöhnung*, in: *Salzburger Theologische Zeitschrift* 6 (2002), pp. 36-58.

Nach 1945 passte die Botschaft göttlicher Vergebung und die kirchliche Aufnahmebereitschaft ohne Läuterung nahtlos in die Erwartung und Hoffnung der Täter, aus der Verantwortung für die Verwirklichung der Vision deutschen Herrenrassetums entlassen zu werden. Die so verstandene Sündenvergebung zementierte die Schlussstrichmentalität, die einen Neubeginn ohne Rückschau auf die vergangene Barbarei fabrizieren wollte. Die praktizierte Versöhnung verweigerte die ethische, psychologische und politische Konfrontation mit den Schrecken, welche die Opfer erlitten und die Täter verbrochen hatten.²⁶

Hinter dieser Zumutung an die Opfer steht die Voraussetzung, dass jede Form von Vergeltungsgefühl (*resentment*) moralisch verwerflich ist. Die Gegenthese, nämlich eine Apologie des *resentment* findet sich schon bei ethischen Klassikern wie Joseph Butler und Adam Smith.²⁷ Butler unterscheidet zwei Arten von *resentment*: das hastige und plötzliche (das man auch *Zorn* nennt) und das überlegte. Plötzlicher Ärger oder Zorn wird oft ausgelöst durch irgendeine Art von Ungerechtigkeit oder Verletzung. Der Mensch ist mit diesem Affekt ausgestattet, damit er auf diese Dinge reagiert: „that he might be better qualified to prevent, and likewise (or chiefly) to resist and defeat, sudden force, violence, and opposition“²⁸. Dieser Affekt kann in bestimmten Fällen Unrecht verhindern oder lindern; ohne diesen Affekt wären wir zu sehr verwundbar. Er steht im Dienst unserer Selbstverteidigung, nicht im Dienst der Ausübung von Gerechtigkeit. Das reflektierte *resentment* ist dagegen ausgelöst durch Grausamkeit und Ungerechtigkeit; der Wunsch, diese Dinge bestraft zu sehen, ist nicht eine Form von Bosheit, es ist nur *resentment* gegen Laster und Verbrechen. Letzteres richtet sich gegen Unrecht generell, das erstere unreflektiert spontane eher gegen uns selbst aktuell widerfahrenes Unrecht²⁹. In höherem Grade wird freilich auch ersteres ausgelöst, wenn es uns selbst widerfährt; das hängt zusammen mit der größeren Besorgnis, die Menschen zunächst um sich selbst haben.

Auch *Adam Smith* bietet in seiner „Theorie der ethischen Gefühle“ eine positive Bewertung des Vergeltungsgefühls als Gegenstück zum Dankbarkeitsgefühl: „Jenes Gefühl, das uns ganz unmittelbar und geradezu zum Belohnen antreibt, ist die Dankbarkeit, jenes, welches uns ganz unmittelbar und geradezu zum Strafen antreibt, ist das Vergeltungsgefühl“³⁰. Letzteres ist nicht mit Hass gleichzusetzen, wie Smith betont:

²⁶ Katharina von Kellenbach, Schuld und Versöhnung. Zur deutschen Praxis christlicher Versöhnung, in: Björn Kröndorfer/Katharina von Kellenbach/Norbert Reck (Hgg.), *Mit Blick auf die Täter. Fragen an die deutsche Theologie nach 1945*, edited by Björn Kröndorfer, Katharina von Kellenbach and Norbert Reck, Gütersloh: Gütersloher Verlagshaus 2006, 227-312, hier 251-252. Vgl. auch Dies, Christian Discourses of Forgiveness and the Perpetrators, in *Remembering for the Future. The Holocaust in an Age of Genocide II: Ethics and Religion*, edited by John K. Roth, Basingstoke: Houndmills 2001, 725-731 sowie Theologische Rede von Schuld und Vergebung als Täterschutz, in: Katharina von Kellenbach/Björn Kröndorfer/Norbert Reck (Hgg.), *Von Gott reden im Land der Täter. Theologische Stimmen der dritten Generation seit der Shoah*, Darmstadt: Wissenschaftliche Buchgesellschaft 2001, 46-67.

²⁷ Brudholm, *Resentment*

²⁸ Joseph Butler, *Sermons*, Oxford: Clarendon 1874, p. 94.

²⁹ Hastings Rashdall, *Conscience and Christ*, London: Duckworth, 1916 (Repr. New York 1969), formuliert (145): „We should never avenge an injury merely because we are angry, because it is I that have been injured, because *my* personal honour demands it.“ Joram Graf Haber, *Forgiveness*, Lanham, Md: Rowman & Littlefield 1991 erläutert (p. 48): „Thus, the essential difference between resentment and indignation is that the former is tied up with self-respect, while the latter is not. What follows from this is that, when I am personally injured and resent the injury, I do so because, inter alia, my self-respect is on the line. However, my self-respect is *not* on the line when I am indignant over injuries inflicted on strangers.“

³⁰ Adam Smith, *Theorie der ethischen Gefühle*, (Hamburg: Meiner 1995), pp. 97.

wenn derjenige, der uns irgendein großes Unrecht zugefügt hatte, der z.B. unseren Vater oder unseren Bruder ermordet hatte, bald danach an einem Fieber stürbe, oder selbst wegen irgendeines anderen Verbrechens auf das Schafott gebracht würde, dann würde dies zwar vielleicht unserem Hasse wohl tun, es würde jedoch unser Vergeltungsgefühl nicht völlig befriedigen.³¹

Warum nicht? Weil er nicht wegen des *uns* angetanen Unrechts bestraft wird. Ihn hat nicht die gerechte Strafe dafür ereilt, sondern er ist seiner Strafe entgangen. Was die ethische Bewertung dieses Affekts angeht, gibt Smith folgenden wichtigen Hinweis:

Diese wie alle anderen Affekte der menschlichen Natur erscheinen jedoch nur dann schicklich und werden nur dann gebilligt, sobald das Herz jedes unparteiischen Zuschauers mit ihnen ganz und gar sympathisiert, und sobald jeder unbeteiligte Augenzeuge sie vollkommen begreifen und mitfühlen kann.³²

Wie Smith in der Anmerkung betont, übersteigt das Vergeltungsgefühl der Betroffenen freilich oft das Maß einer unparteiischen Beurteilung (in diesem Sinn ist die neutestamentliche Warnung vor dem *Richten* angebracht; vgl. Mt 7,1). Das ist der Grund, warum wir – anders als im Fall von Wohltaten – Übeltaten nicht durch die Betroffenen vergelten lassen³³, sondern durch unparteiische Justiz. Nach Smith hat auch der Zorn eine positive Funktion:

Die inspirierten Schriftsteller würden sicherlich nicht so häufig oder mit solchem Nachdruck von dem Zorn und dem Ärger Gottes erzählt haben, wenn sie diese Affekte in jedem Grad sogar an einem so schwachen und unvollkommenen Geschöpf, wie es der Mensch ist, als lasterhaft und Böse betrachtet hätten.³⁴

Zorn ist eine Reaktion auf Unrecht; er wird, wie Aristoteles sagt, „durch eine sichtbar gewordene Ungerechtigkeit hervorgerufen“³⁵; er macht somit den moralischen Unwert des betreffenden Verhaltens deutlich und die Verpflichtung des Zürnenden auf moralische Standards. Was Laktanz dazu in seiner Schrift „*De ira Dei*“ schreibt, entspricht den Gedanken Butlers:

Denn würde Gott ganz allgemein das Zürnen verbieten, so wäre er selbst gewissermaßen zum Tadler seines Schöpfungswerkes geworden; denn er hat von Anfang an den Zorn in den Menschen gelegt; man glaubt ja, daß die Ursache dieser Erregung in der Flüssigkeit der Galle zu finden ist. Nicht ganz und gar verbietet also Gott das Zürnen; denn dieser Trieb liegt unaustilgbar im Menschen; Gott verbietet nur das Verbleiben im Zorne; denn der Zorn der Sterblichen muß sterblich sein; würde er fort dauern, so würden die Feindschaften sich festsetzen zu immerwährendem Verderben. Und wenn Gott uns wiederum gebietet, zwar zu zürnen, aber nicht zu sündigen, so wollte er damit sicherlich nicht den Zorn mit der Wurzel ausrotten, sondern nur mäßigen, damit wir bei jeder Züchtigung Maß und Gerechtigkeit einhielten.³⁶

³¹ Smith, *Gefühle*, p. 98f.

³² Smith, *Gefühle*, p. 100.

³³ *Vergelten* kann sich im Deutschen auch auf Wohltaten beziehen, etwa in dem Wunsch „Vergelt's Gott“.

³⁴ Smith, *Gefühle*, p. 113.

³⁵ Aristoteles, *Nikomachische Ethik*, 1135b 29 (Übersetzung jeweils nach O. Gigon, München: dtv 31978).

³⁶ Laktanz, *De ira Dei*, 21 (Übersetzung aus Bibliothek der Kirchenväter: <http://www.unifr.ch/bkv/kapitel501-20.htm>). Nirgendwo habe ich einen Hinweis auf Offb 6,10

Das Fehlen von Zorn ist für Aristoteles ein Mangel, der sich in der sklavischen Bereitschaft zeigt, „sich Beschimpfungen gefallen zu lassen und die Seinigen nicht dagegen zu schützen“³⁷. Bekanntlich schätzt Aristoteles Affekte prinzipiell positiv ein, wobei die Tugend für das Maß und die Mitte zwischen den Extremen sorgen muss, welche im Fall des Zorns die Milde (πραύτης) darstellt. Zwar zeigt sich in der Stoa die gegenteilige Tendenz; bei der Verurteilung des Zorns durch Seneca (in *De ira*) ist aber zu bedenken, dass *Zorn* für ihn definitionsgemäß ein Übermaß bezeichnet, wie es klassisch etwa Homer am Beispiel am Zorn (der μῆνις) des Achill zeigt. Seneca formuliert:

Wenn er sich Maß auferlegen läßt, muß er mit einer anderen Bezeichnung benannt werden; er hat aufgehört, Zorn zu sein, den ich als zügellos und ungezähmt verstehe ... So ist er entweder nicht Zorn, oder er ist unbrauchbar. Denn wenn jemand Strafe auferlegt, nicht aus Verlangen nach der Strafe an sich, sondern weil es nötig ist, darf er nicht unter die Zornigen gerechnet werden.³⁸

Der Unterschied zu Aristoteles ist also - zumindest zum Teil - nur ein sprachlicher, da Seneca kein Wort für einen legitimen Zorn kennt. Unter Zorn versteht die Stoa nämlich „ein Verlangen nach Rache“ (ἐπιθυμία τοῦ τιμωρήσασθαι);³⁹ dann gibt es definitionsgemäß keinen berechtigten Zorn. Das entsprechende sprachliche Problem zeigt sich auch im Matthäusevangelium. Dort heißt es in der Bergpredigt (5,22): Ich aber sage euch: „Jeder, der seinem Bruder auch nur zürnt, soll dem Gericht verfallen sein“. Einige Handschriften ergänzen das Wort εἰκῆ (ohne Grund); hier setzt man also - gut aristotelisch - voraus, dass es auch begründeten Zorn gibt.⁴⁰

Prinzipiell sind also Zorn und Vergeltungsgefühl legitim, und die entsprechenden Emotionen sind ernst zu nehmen. Ludwig Lemme formuliert, es gehöre „zu dem doktrinären Formalismus mancher Ethiker, mit der Versöhnlichkeit auch die Empfindung der Kränkung abzutun“.⁴¹ *Resentment* kann ein Gegengewicht gegen falsches Mitleid, falsche Nachsicht bedeuten. Die positive Wirkung dieses Affekts liegt in einer Hemmung gegen Unrecht; sein Missbrauch in Vergeltung und Rache resultiert in Parteilichkeit oder Unverhältnismäßigkeit. Das Gebot der Vergebung verbietet den Exzess und Missbrauch dieses natürlichen Affekts.

gefunden, wo nach der Öffnung des 5. Siegels die Märtyrer rufen: „Wie lange zögerst du noch, Herr, du Heiliger und Wahrhaftiger, Gericht zu halten und unser Blut an den Bewohnern der Erde zu rächen?“ Der Verfasser erkennt hier offenbar auch einen legitimen Zorn.

³⁷ Aristoteles, *Nikomachische Ethik*, 1126 a 6-8.

³⁸ Seneca, *de ira* I 9,3f. (Übs. nach L. Annaeus Seneca, Philosophische Schriften. Lateinisch und Deutsch I, übersetzt von Manfred Rosenbach, Darmstadt: wbg 1969. Vgl. I 15,1: „Zurechtgebogen werden muß also, wer Verfehlungen begeht, mit Zuspruch und Gewalt, gelinde und hart, und bessergemacht werden muß er, so für sich wie für andere, nicht ohne Züchtigung, sondern ohne Zorn; wer nämlich zürnt dem, den er heilt? (*Corrigendus est itaque qui peccat et admonitione et vi, et molliter et aspere, meliorque tam sibi quam aliis faciendus non sine castigatione, sed sine ira; quis enim cui medetur irascitur?*)).

³⁹ *Stoicorum Veterum Fragmenta*, collegit Ioannes von Arnim, volume III (Stuttgart: Teubner 1964), n° 359. Seneca bringt folgendes Zitat (de ira II 32,1), das die Haltung, die hinter der negativen Wertung steht, verdeutlicht: „Aber der Zorn enthält auch eine Art von Genuß, und süß ist es, Schmerz zu vergelten.“ (*At enim ira habet aliquam voluptatem et dulce est dolorem reddere.*). Die griechischen Ausdrücke τιμωρία etc. scheinen allerdings keinen klaren Unterschied zwischen Strafe, Genugtuung und Rache zu machen.

⁴⁰ So wohl auch in Eph 4,26 „Zürnt, aber sündigt nicht!“ Vgl. Werner Wolbert, *Was sollen wir tun? Biblische Weisung und ethische Reflexion* (Freiburg i. Ue: Academic Press und Freiburg i. Br.: Herder 2005), Kap. 8.

⁴¹ Ludwig Lemme, *Christliche Ethik*. Berlin: Runge 1905, p. 764.

Was Missachtung der Opfer bedeuten kann, sei noch an einem Beispiel aus einem anderen Kontext illustriert. Petra Reski berichtet in ihrem Buch über die Mafia über das Verhalten von Medienvertretern bei Mafiamorden gegenüber den Angehörigen des Opfers: „Die Leichen sind noch nicht kalt, da stellt schon der erste Fernsehreporter den Opfern die Frage nach der Vergebung.“⁴² Das ist ein besonders peinliches Beispiel für die Missachtung der Gefühle von Opfern. Geht es um eine Sensationsmeldung? Will man die Bereitschaft der Angehörigen testen, ihre Christ:innenpflicht (gemäß der Vorstellung des Reporters/der Reporterin) zu erfüllen? Oder sollte die Frage nach der Vergebung bzw. die Aufforderung dazu gar die Zumutung beinhalten, sich mit der Existenz der Mafia und ihrem Wirken als unabänderlichem Schicksal einfach abzufinden?⁴³

2. Der Präventionsvorbehalt

Der Präventionsvorbehalt war schon von den italienischen Schülern formuliert: Der heimgekehrte Sohn solle lernen, nicht das Geld der Familie durchzubringen. Vergebung sollte nicht dazu führen, dass alles beim Alten bleibt. Diese Erfahrung hat man jedenfalls in Ruanda gemacht, wie am Beispiel von *Mary Kayitesi Blewitt*, einer Tutsi aus Ruanda, deutlich wird. Diese hatte 50 Mitglieder ihrer Familie im Genozid verloren.⁴⁴ Sie bejaht im Prinzip Vergebung, hat aber Schwierigkeiten, weil viele Hutus noch nicht zur Verantwortung gezogen seien. Außerdem beobachtet sie, dass, wo Vergebung ohne Gerechtigkeit geschehe, Gewalt und Missbrauch weitergehen. Dieses Phänomen der „delayed atrocity“⁴⁵ zeigt, dass Vorsorge gegen Rückfall in alte Handlungsmuster offensichtlich berechtigt sein und Proklamation unbedingter Vergebung in der Tat in eine Falle führen kann. Das Bedenken der genannte italienischen Schüler:innen artikulierte dasselbe Problem

Wenn Lk 17,3 die Umkehr zur Bedingung der Vergebung gemacht wird, dürfte nicht zuzett der Aspekt der Gemeindedisziplin mitbedacht sein. Versöhnung in einer christlichen Gemeinde gibt es nicht ohne Umkehr. Das wird noch deutlicher bei Matthäus;

⁴² Petra Reski, *Mafia. Von Paten, Pizzariern und falschen Priestern* (München: Knaur 2009), p. 59. Dagegen verweigerte sich Rita Costa, Witwe des ermordeten Staatsanwalts Gaetano Costa dem „Ablasshandel“ (59f): „Ich verzeihe nichts und niemandem. Ich könnte die Mörder meines Mannes umbringen und danach seelenruhig einen Espresso in einem Café trinken.“ Vgl. hier Mayo, *Limits*, p. 4. Sie spricht (mit J. L. Herman) von der „cruel torture of forgiveness that appears to be out of reach to the most victims. In some cases victims succumb to pressure, forgive unrepentant offenders (who are potentially still dangerous), and make themselves vulnerable to future injury“.

⁴³ Vgl. dazu die Kritik an der lateinamerikanischen der Theologie der Versöhnung der achtziger Jahre. Der Befreiungstheologe Enrique Dussell kritisierte dazu: „Sie vertritt die Liebe und Versöhnung der ‚Reichen‘ (des herrschenden Sünders) mit dem ‚Armen‘ (dem durch die Sünde unterdrückten und Getöteten), ohne daß objektive Voraussetzungen für eine *Vergabung* bestünden.“ (Zitiert nach Marino Delgado, *Kirchliche Versöhnungsarbeit im lateinamerikanischen Kontext*, in: Gerhard Beestermöller/Hans Richard Reuter (Hgg.), *Politik der Versöhnung*, Stuttgart: Kohlhammer, 2002, pp. 133-153, hier 145. Delgado bemerkt kritisch (pp. 145-146): „Dussel appelliert hier an die klassische Lehre von Reue und Restitution als unabdingbare Voraussetzung der Versöhnung, verrät sich aber in seiner Sprache als Anhänger einer Staatsphilosophie, in der Reiche keinen Platz haben.“

⁴⁴ Vgl. The Forgiveness Project, in: <http://theforgivenessproject.com/stories/mary-blewitt-rwanda> [12.06.2020].

⁴⁵ Antony Bash, *Just Forgiveness. Exploring the Bible, weighing the issues*, London: SPCK 2011, p. 22. Dies Problem ist noch eindrücklicher illustriert durch das Beispiel von Innocent Rwigyira bei TH BRUDHOLM/A GRØN, *Picturing Forgiveness after Atrocity*, in: *Studies in Christian Ethics* 24 (2011), 159-170, hier 160f. Die Betroffenen empfinden das Thema Vergebung oft als von den humanitären Organisationen importiert und mit Geld motiviert.

dort findet sich unmittelbar vor der erwähnten Aufforderung zur mehrfachen Vergebung eine noch detailliertere Anweisung zur Zurechtweisung: erst unter vier Augen, dann unter Zuziehung von zwei oder drei Zeugen, und wenn die Zurechtweisung dann immer noch nicht angenommen wird, durch die Gemeinde insgesamt (Mt 18,15-22). Diese Mahnungen zeigen, dass deren Sitz im Leben die Gemeindedisziplin ist, deren Ziel die Versöhnung innerhalb der Gemeinde ist; und das funktioniert nicht ohne die Umkehr dessen, der Unrecht getan hat. Wer auf die Gemeinde nicht hört, gelte wie ein Heide oder Zöllner (Mt 18,17).

3. Der Selbstachtungsvorbehalt

Darf man unbedingte Liebe fordern, wenn eine Person die Massaker in Ruanda oder in Srebrenica erlebt und dabei Angehörige verloren hätte, oder wenn Angehörige Opfer des Holocausts geworden wären? Wie sollte etwa eine vergewaltigte Frau über Vergebung denken? Ein Überlebender des Massakers von Srebrenica sagt: „Ich möchte diese Mörder verhaftet und bestraft sehen; sonst werde ich niemals in meinem Leben Frieden finden.“⁴⁶ Verlangen nach Rache ist das eine; Verlangen nach einer Versicherung, dass man selbst und andere den Täter:innen und der Welt wieder trauen könne, etwas anderes.⁴⁷ Wenn jede Bitte um Vergebung ein Eingeständnis eines Fehlverhaltens enthält, kann solches Geständnis der vergebenden Person nicht gleichgültig sein. Bedingungslose Vergebung könnte dagegen auf eine Verletzung des Selbstrespekts hinauslaufen, damit auf eine Verletzung der Kantischen Forderung, die Menschheit in der *eigenen* Person immer auch als Zweck zu behandeln. Jeffrie Murphy formuliert treffend:

If I count morally as much as anyone else (as surely I do) a failure to resent moral injuries done to me is a failure to care about the moral value incarnate in my own person (that I am, in Kantian language, an end in myself) and thus a failure to care about the very rule of morality.

Oder in Bezug auf die bei der Wahrnehmung von Unrecht an Dritten empfundene Empörung:

If it is proper to feel *indignation* when I see third parties morally wronged, must it not be equally proper to feel *resentment* when I experience the moral wrong done to myself?⁴⁸

⁴⁶ Nach Brudholm, *Resentment*, p. 36 (“I want these murderers to be arrested and punished. Otherwise, I will never find peace in my life.”).

⁴⁷ Vgl. Raquel Aldana, ‘A Victim-Centered Reflection on Truth Commissions and Prosecutions as a Response to Mass Atrocities’, *Journal of Human Rights* 5 (2006), pp. 107-126, hier p. 117: “To forgive is not always appropriate or virtuous. It must be consistent with the dignity and self-respect of victims, and respond to their allegiance to the moral order. Some victims may reasonably believe that forgiveness may lead to an easier forgetting of mass atrocities, which should not be made easy to forget, for example. For some victims, in fact, rather than forgiveness, it is the pursuit of justice in the prosecutorial model that provides the only effective means of restoring the moral balance between offender and victim.” Dagegen Nussbaum, *Anger*, p. 24: “Why would an intelligent person think that inflicting pain on the offender assuages or cancels her own pain. There seems to be some type of magical thinking going on.”

⁴⁸ Jeffrey G. Murphy and Jean Hampton, *Forgiveness and Mercy*, Cambridge UK: Cambridge University Press 1988, p. 18. Vgl. auch Wolbert, Was sollen wir tun?, chap. 8 und 9. Damit wäre der von Boshammer genannte dritte Vorbehalt erläutert, der Selbstachtungsvorbehalt (*Die zweite Chance*, pp. 177-197).

Die Person, die Unrecht erleidet, ist in ihrer Würde verletzt. Eine Person, die selber Unrecht tut, verletzt nicht nur die Würde der anderen Person, sondern verstößt auch gegen die eigene Würde als sittliches Wesen. Das muss sie zwar letztlich mit Gott ausmachen; aber auch den Mitmenschen dürfen die (möglichen) Konsequenzen der Forderung bedingungsloser Liebe nicht gleichgültig sein. Kant hat hier prägnant formuliert: „Wer sich ... zum Wurm macht, kann nachher nicht klagen, daß er mit Füßen getreten wird.“⁴⁹

Die Warnung vor Rache ist also in solchen Kontexten mindestens voreilig. Was dieses Thema angeht, so trifft wohl die Diagnose von Suzanne Uniacke zu, dass Rache zwar ein Dauerthema in der Literatur seit Aischylos ist: „Yet the nature and morality of revenge have received scattered attention in Western philosophy.“⁵⁰ Uniacke unterscheidet zwischen dem retributiven *Aspekt* von Rache als „a matter of *making someone pay* on account of an insult or injury“ und der Vergeltung als „essentially retaliation, more precisely, it is *paying someone back*“.⁵¹ Rache will heimzahlen, und zwar mit einer entsprechend starken Emotion, und reduziert damit den anderen „tendenziell allein auf seine – schlechten! – Taten“⁵², und das Verlangen danach verzerrt die Wahrnehmung. Bei Vergeltung im legitimen Sinn geht es dagegen nicht um ein Heimzahlen, sondern um die Bewusstmachung des Unrechts, was durch das *resentment* geschieht. Susanne Boshammer sagt über das Verzeihen, dies sei ein Akt,

mit dem wir normative Autorität ausüben. Wer verzeiht, setzt der Botschaft der Missachtung, die mit dem Unrecht verbunden ist, eine Demonstration seiner normativen Autorität entgegen. Er verlässt die Opferrolle, indem er die moralische Beziehung zum anderen eigenmächtig transformiert – in dem Wissen, dass er allein dazu imstande ist. In der Bereitschaft, dem anderen eine zweite Chance zu geben und ihm zu erlauben, mit sich selbst ins Reine zu kommen, zeigt sich so gesehen, eine Form der Selbstverfügung, die uns als Personen auszeichnet.⁵³

Gegen Martha Nussbaum ist also gerade die moralische Überlegenheit des Opfers zu betonen; nur in diesem Bewusstsein ist echte Verzeihung möglich.

Es gibt eine Art Hierarchie der Vergebung. So steht etwa die Sünderin in Lk 7,36-49 am unteren Ende der gesellschaftlichen Pyramide und kann keineswegs dem Pharisäer verzeihen. Jesus hat dagegen ihr gegenüber die bessere Position, „so dass er als Gast – auch gegen den Willen der Anwesenden – der Frau Vergebung zusprechen kann“.⁵⁴ Ganz anders die Situation Jesu am Kreuz. Er kann nicht selbst seinen Kreuzigern vergeben, sondern nur den Vater darum bitten (Lk 23,34).⁵⁵ Dazu kommentiert Keene:

About the only way the structure of power can be invoked for forgiveness is the way Jesus chose: to ask God, who remains all powerful, to forgive. This is the only place

⁴⁹ Im Zusammenhang der Ausführungen zur *Kriecherei* (Metaphysik der Sitten, Akademie Ausgabe, VI 437).

⁵⁰ Suzanne Uniacke, 'Revenge', in: *Encyclopedia of Ethics*, edited by Lawrence C. Becker and Charlotte B. Becker, New York: Routledge and London: Routledge 2001, pp. 1492-1494. hier 1492.

⁵¹ Uniacke, *Revenge*, 1493.

⁵² Boshammer, *Die zweite Chance*, 142.

⁵³ Boshammer, *Die zweite Chance*, 16f.

⁵⁴ Andrea Lehner-Hartmann, *Wider das Schweigen und Vergessen. Gewalt in der Familie*, Innsbruck: Tyrolia, 2002, p. 239.

⁵⁵ Zu dieser Bitte und der vergleichbaren Vergebungsbitte des Stephanus (Apg 7,60) vgl. Marlis Gielen, *Die Passionserzählung in den vier Evangelien. Literarische Gestaltung – theologische Schwerpunkte*, Stuttgart: Kohlhammer 2008, pp. 205-206. Das Fehlen dieser Bitte in wichtigen Handschriften ließe sich aus frühen antijudaistischen Tendenzen erklären.

where, if Jesus wanted the weak to forgive the strong, he would have indicated it. He did not. He asked the strong to forgive, and being the less powerful, did not offer the forgiveness himself.⁵⁶

Vergebung wird somit nur von oben nach unten gewährt, da das Opfer durch die Vergebung normative Autorität ausübt.⁵⁷ Bemerkenswert ist in diesem Kontext 2 Kor 2,5-11: Paulus verzeiht erst, nachdem man in der Gemeinde einander verziehen hat und nachdem seine Autorität in Korinth wiederhergestellt ist. Außerdem sieht Paulus nicht eigentlich sich selbst als gekränkt an, sondern die ganze Gemeinde (2 Kor 2,5). Vergebung setzt somit eine hierarchische oder mindestens egalitäre Struktur voraus. Im Sinne einer hierarchischen Struktur erläutert auch Andrea Lehner Hartmann die Vaterunser Bitte (Mt6,12/ /Lk11,4) „Erlass uns unsere Schuld, wie auch wir sie unseren Schuldner erlassen haben“ hier speziell für den Fall von Gewalt in der Familie:

1. „Vergebung kann niemals als Forderung, auf die der Täter ein Anrecht hätte, angesehen werden. Sie kann auch nicht von anderen Menschen eingefordert werden. Sie kann lediglich vom Opfer geschenkt werden.“
2. „Vergebung ist in erster Linie an den Veränderungswillen des Täters und nicht an den Veränderungswillen des Opfers gebunden.“
3. „Vergebung kann nicht der erste Schritt sein, um verlorenes Leben wiederzugewinnen und zu einer versöhnten Gemeinschaft zu gelangen, sondern nur der letzte besiegelnde Schritt. Erinnerungsarbeit, die sich in erster Linie den Opfern verpflichtet fühlt, kann auch bedeuten, ein Nicht-vergeben-Können auszuhalten.“⁵⁸

Schluss

Die Darlegungen über die zu beachtenden Vorbehalte sollten zu einer gewissen Zurückhaltung und Besonnenheit bei der Forderung nach Barmherzigkeit oder Vergebung beitragen. In jedem Fall ist der jeweilige Kontext zu berücksichtigen. Wo man dies nicht beachtet, kann die Forderung nach Vergebung und Barmherzigkeit auch zur Falle werden, von der ein Autor treffend formuliert hat: „Die Barmherzigkeitsfalle ist die Kehrseite des hehren Lobpreises der leiblichen wie geistigen Werke der Barmherzigkeit.“⁵⁹

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⁵⁶ Frederick W. Keene, Structures of Forgiveness in the New Testament, in: in *Violence Against Women and Children. A Christian Theological Sourcebook*, edited by Carol J. Adams and Marie M. Fortune. New York: Continuum 1998, pp. 121-134, hier 128.

⁵⁷ Cf. Boshammer, *Die zweite Chance*, p. 116. Interessant ist, dass in Lk 6,37f für Verzeihen (singular im NT) das Verbum ἀπολύω verwendet wird, das sonst etwa für die Entlassung einer Frau durch ihren Mann steht (Mt 19,3); auch das belegt die hierarchische Struktur der Vergebung. In 1 Kor 7,11 steht dagegen für die Entlassung das Verb ἀφιέναι, das in den Evangelien für Vergebung verwendet wird.

⁵⁸ Boshammer, *Die zweite Chance*, p. 238. Es sei nicht verschwiegen, dass es in diesem Bereich auch Täterinnen gibt; vgl. dort p. 176-181.

⁵⁹ Johannes Röser, Die halbierte Aufklärung, in: *Christ in der Gegenwart* 35 (2018) ,379-380, hier 380.

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