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# The Politics of Acknowledgement



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*Joanna R. Quinn*

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**The Politics of Acknowledgement**  
Truth Commissions in Uganda  
and Haiti



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As is customary, any errors in the manuscript are mine alone.

# Abbreviations

AAAS	American Association for the Advancement of Science
CIVHR	Commission of Inquiry into Violations of Human Rights (Uganda)
CNVJ	Commission nationale de vérité et de justice (Haiti)
ICHRDD	International Centre for Human Rights and Democratic Development
IGO	international governmental organization
MICIVIH	Mission Civile Internationale en Haïti (International Civilian Mission in Haiti), joint mission of the United Nations and Organization of American States
NRA	National Resistance Army; became National Resistance Movement
NRM	National Resistance Movement; formerly National Resistance Army
OAS	Organization of American States
TRC	Truth and Reconciliation Commission (South Africa)
UNAIDS	Joint United Nations Programme on HIV/AIDS



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# The Politics of Acknowledgement



# Introduction

Mass atrocity devastates a society. Whether the result of a regime bent on the elimination of certain groups, or a civil war, or any number of other causes, the effect of human rights violations on a society can leave deep and lasting scars. The impact is often felt in at least two dimensions: physical and social. The destruction of the physical infrastructure becomes apparent in crumbling hospitals, bullet-riddled buildings, and collapsed roads and bridges. Just as important, however, and often overlooked, is the social infrastructure, which includes the reestablishment of the rule of law, civil society, and participation in the political system, to name only a few. In most cases, the finite financial resources of the society enable it to tackle either the physical *or* the social. The trade-off in selecting one over the other can have obvious consequences. Yet, engaging in the repair of the social infrastructure can have many and significant benefits.

This book is concerned with that social infrastructure. It arose out of an initial interest in how societies begin to reckon with a history of mass atrocity, and how those same societies might go about getting the social dimension working again. What I very quickly realized was that the rebuilding of a society is not a simple task. Indeed, it is a process that comprises several discrete, yet inter-related, steps. As I define them, these steps include acknowledgement, the act of forgiveness, and the development of social trust and civic engagement, as well as of social capital and social cohesion.

Acknowledgement is a necessary but not sufficient condition in the process of rebuilding. That is, societies, and the individuals who make up those societies, must first engage in a process of acknowledgement before any of the other steps can take place. This means publicly admitting to and accepting a knowledge of the events that have taken place. In many communities,

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◀ *Figure 1* Map of Uganda

*Figure 2* Map of Haiti

past crimes are simply never discussed. Rather, events and their consequences are left to bubble under the surface. I argue that unless these atrocities are both privately and publicly acknowledged by individuals within a society, the society cannot move forward on the continuum of social rebuilding.

The concept of acknowledgement, as I use it here, is different from the manner in which it has been used elsewhere. Govier, for example, sees acknowledgement as a perpetrator-centric pursuit.<sup>1</sup> In the normative model I have developed, however, I conceive of acknowledgement as an activity to be undertaken by both victims and perpetrators. This is considerably different from, and much more ambitious, I think, than the standards that others have used in evaluating truth commissions. Indeed, proper and successful acknowledgement by a society cannot take place unless perpetrators own up to their crimes and their victims admit to having been brutalized. In this way, the facts about what happened are brought into the realm of public discourse.

This focus on acknowledgement is important. Societies that have been devastated by conflict and atrocity are increasingly bombarded with solutions and offers of assistance. Following the genocide that took place in Rwanda, for example, institutions were established at several levels (that is, international tribunals, national courts, and community “gacaca” courts) that were intended to begin to rebuild the social infrastructure of the decimated country. Similarly, the crimes that had taken place in the former Yugoslavia were dealt with in the form of a tribunal, as well as by national courts and smaller truth-seeking efforts. Yet, these institutions were experiments at best. The officials who established these institutions had never before seen them at work. No one knew for certain how the societies in question would “take” to these institutions, or what effect they might have. This book attempts to frame the work of such institutions within that process of acknowledgement, which is detailed more clearly in Chapter 1.

The book begins with the building of a normative, prescriptive framework that is useful in evaluating cases of transitional justice – in this case, the truth commissions of Uganda and Haiti. These ideas are important not only because they frame the discussion that follows but also because they inform the construct on which the book is based. With these arguments in mind, the discussion moves to observations about the truth commission as a mechanism within which such ideas might reasonably be fostered, as well as to a brief overview of the two truth commissions that are under investigation. This book attempts two things: first, it outlines a theory of practice within which instruments of transitional justice such as the truth commission ought to operate. And, second, it evaluates the truth commissions that took place in Uganda and Haiti against the theoretical framework itself.

Public acknowledgement of past crimes does not often take place spontaneously, outside the construct of some kind of institution designed to

bring it about. In designing the project, it seemed to me that one type of mechanism that might be suitable for the purpose of encouraging acknowledgement was the truth commission. Such a body is appointed to collect evidence and testimony in establishing the “truth” about past events. Since the mid-1970s, truth commissions have been used as a means of repairing the social infrastructure of countries, with a focus on restorative justice as a desired outcome. To date, the best-known truth commission has been the Truth and Reconciliation Commission of South Africa, although approximately thirty-five others have operated, with varying degrees of support and success.

In an effort to “test” the model of acknowledgement I had developed, I selected two of these truth commissions, Uganda and Haiti. The Ugandan Commission of Inquiry into Violations of Human Rights (CIVHR) was established in 1986 to consider all of the human rights abuses that had taken place since the country’s independence in 1962. This included the atrocities committed under the regimes of both Idi Amin and Milton Obote. In all, nearly a million people were tortured and killed during this period. The truth commission was appointed when Yoweri Museveni and the National Resistance Army seized power in 1986. It completed its work in 1994.

The Haitian truth commission, the Commission nationale de vérité et de justice (CNVJ), was appointed to look at the abuses perpetrated from 1991 to 1994, when duly elected President Jean-Bertrand Aristide was exiled and Haiti was under the military dictatorship of Raoul Cédras. During this period, Aristide’s supporters were brutalized, and many were killed. The truth commission was appointed in 1994 when Aristide returned to Haiti. It operated until 1996.

In both cases, the truth commissions succeeded very little in accomplishing their mandates. As in many societies in transition, Uganda and Haiti articulated admirable goals in setting up their truth commissions. But in both cases, these goals became tangled in the politics surrounding the process of transition. Chapter 4 considers these complications in greater detail. Indeed, both commissions were buffeted by a series of limitations and deficiencies that frustrated their respective efforts to get at the truth about the events that had taken place. As a result, both commissions failed to support any significant public acknowledgement of past events. Far from being insignificant, it is important to recognize that the consideration of what might be called “failed” cases is of great value to the emerging transitional justice literature. Indeed, some have called this kind of detailed case-specific reflection critical to test the theoretical premises that are often upheld in the practice of transitional justice.<sup>2</sup>

This book, then, also considers just what the lack of acknowledgement on the part of both commissions actually meant. The impact of these limitations and deficiencies was felt in various ways, including a lack of political

will in support of the commissions, and institutional constraints that beset both commissions from the very beginning. A detailed look at these particular shortcomings is presented in Chapters 4 and 5, in an attempt to explain how and why the failure to achieve public acknowledgement was so acute. A discussion of just how the commissions tried and failed to acknowledge appears in Chapter 6.

If acknowledgement has taken place, according to the theoretical model, then the growth of individual and societal participation in the stuff of civil society ought to serve as evidence of the success of the process of acknowledgement. Conversely, if acknowledgement has not taken place, the development of civil society will be retarded. Chapter 7, entitled “Social Underpinnings,” is devoted to the consideration of evidence of civil society in both Uganda and Haiti. It is clear that the truth commissions of Uganda and Haiti were unable to foster any real public acknowledgement.

Throughout the book, I refer to the relative “success” and “failure” of the two commissions. Obviously, there can be no exact measurement of success or failure of truth commissions in a book such as this. While some truth commissions, such as the South African Truth and Reconciliation Commission, might have been considered to have been successful at gathering versions of the truth, it can be considered equally unsuccessful at promoting the rule of law in the post-conflict transition. Likewise, Chile’s *Comisión Nacional para la Verdad y Reconciliación*, which chose not to name names, might be seen by some victims to have failed, while simultaneously succeeding for others, such as those perpetrators who are anxious to avoid being held accountable for their actions. Although other authors have defined various means of evaluating truth commissions, I reject their means of evaluation and instead propose to use acknowledgement as an alternative way of evaluating truth commissions. This book considers that proposal, and evaluates its utility.

It is entirely likely that no truth commission can be seen as a success. In using the terms “success” and “failure,” therefore, I aim simply to point to the strengths and weaknesses of the commissions in their acknowledgement of past crimes – and to the manner in which they were able, or in this case unable, to accomplish those goals laid out in their mandates.

Both commissions failed even to capture public attention in any real way. One consequence of this was that collecting the data to be used in this book was often difficult. It took nearly three years for me to find the report of the Ugandan CIVHR, for example. Eventually, a photocopied version arrived via the Danish Foreign Ministry in Copenhagen. Yet, when I arrived in Uganda, my first interviewee took a bound copy from a tall stack of commission reports sitting on top of his filing cabinet and presented it to me. Similarly, when an official at Makerere University gave me a ring of keys and told me that some of the documentation from the CIVHR was being kept

“somewhere” in the building, I was astonished to come across a dusty closet occupied by a water heater – and a mountain of boxes filled with primary documentation from the commission. The lack of public interest had conspired to keep the information produced by the commission from being disseminated.

The collection of data for the Haitian commission, too, was challenging. In the end, I was unable to travel to Haiti because of security concerns and so much of the data I have collected on this case were found in other places, detailed below. Fortunately, because of the CNVJ’s international nature, significant amounts of material were available in places other than Haiti. I was able, ultimately, to access primary material in both Montreal and Washington, and to interview many of the commissioners and other staffers who worked on the CNVJ.

### **Methodological Approaches**

My interest lies in the work of the truth commissions themselves, along with their resultant outcomes. I wanted to focus on that end product in both cases. There is no doubt that truth commissions can be enormously different, with different conceptual frameworks and vastly different structures. In its purest form, the mandate of the truth commission is simply that which is implied by its name: to establish a common truth and to report on the truth that has been found. For this reason, I have elected to take as a given the basic similarities of truth commissions and their outcomes and have sought to identify those features that the Ugandan and Haitian cases have in common, which account for those outcomes.

This focus on outcomes is indicative of Przeworski and Teune’s Most Different Systems Design (MDSD), which places emphasis on the systemic differences between two otherwise similar cases.<sup>3</sup> The real strength of MDSD lies in the ability to compare very different cases, both of which have in common the same dependent variable, so that any other circumstance that is present in all cases can be regarded as the independent variable. Because I am interested in the outcomes of both truth commissions, and not in the various similarities between the truth commissions themselves except as explanatory variables, the MDSD method allows for the intersystemic differences in culture and religion between the countries, for example, to be disregarded, in order that the research can focus on their one commonality: the outcome of the truth commission. Landman has advocated the use of MDSD in studies of this type, saying, “MDSD allows the researcher to distill out the common elements from a diverse set of cases that have greater explanatory power.”<sup>4</sup>

The strength of such an approach, I believe, lies in its ability to focus on the similarities between the cases, no matter in which set of circumstances they are conducted. The countries of Uganda and Haiti are located in different

geographical regions, and the people of these countries speak different languages, organize their societies differently, practise politics differently, and adhere to different religions. Likewise, each of the two commissions responded very differently to how it would face its conflicted past; the scope and mandate of each commission varied considerably, shaped by the interests of its founders and the society and culture that surrounded it. The manner in which people were pressed to participate also varied, as did the composition of each. But the MDSD method is valuable as an approach because, despite their differences, these two countries can still be compared, inductively, on the basis of their one salient commonality: each country's experience with the truth commission as a mechanism of acknowledgement.

### **Data Collection**

In the summer of 2001, I spent nine weeks in Uganda investigating the commission. While there, I was based primarily in the largest city, Kampala. I was able to access the resources both of Makerere University and of the Uganda Human Rights Commission, as well as several different government ministries. I travelled outside the capital twice, through the Luweero Triangle region where so much of the violence under Obote had taken place. I have since spent a significant amount of time in Uganda, working on a related project, and have travelled widely throughout the country.

A similar trip to Haiti proved impossible. In the autumn of 2001, as I prepared to leave for Haiti, reports of escalating violence began to emerge, and in late November, the Canadian Department of Foreign Affairs and International Trade issued an advisory stating that travel to Haiti should be avoided. In the end, I was able to interview several people in Washington, DC, and in New York, since many of the key figures in the Haitian CNVJ had been foreign nationals and several of them had gone on to other projects with their same organizations (that is, the Organization of American States or OAS, and the United Nations) in North America. I also travelled to Geneva and The Hague to interview former commissioners and commission staff who had relocated when the work of the commission came to an end. As well, I was able to access several notables through the large Haitian diaspora community in Montreal and Ottawa. Finally, I was able to conduct written interviews via email with several people who remain in Haiti.

In each case, I hoped to capitalize on the expertise that each of the potential interviewees might have in specific areas. In constructing the questions, I opted to use semi-structured or open-ended questions in order to capitalize on what the interviewee knew. I was careful to allow the conversation to explore sometimes tangential aspects of these ideas, which resulted, many times, in particularly illuminating interpretations and explanations. And when issues arose from the questions asked or the answers given, I was

anxious to pursue alternative lines of questioning; as such, I was able to elicit a broad diversity of opinion relating not only to the precise question I had asked but also to issues the interviewees felt deserved attention.

In total, I officially interviewed thirty-five people in Uganda, as well as several informants who provided me with a great deal of information. I spoke in person with each of the six truth commissioners, as well as workers at non-governmental organizations (NGOs) and international non-governmental organizations (INGOs), government and opposition officials, professors, former guerrilla soldiers, pastors, journalists, returned refugees, and civic leaders. I conducted one email interview and one telephone interview with INGO workers, and interviewed in person one Asian-Ugandan still in exile in Toronto. I also conducted a number of unofficial interviews with people who were reluctant to speak publicly about the commission or its outcomes and to comply with the strict ethics protocol requirements enforced by my home institution.

I interviewed nineteen people about the Haitian commission. Fifteen of these interviews were conducted in person, four via email. I interviewed three of the commissioners, as well as several advisors and consultants to the commission, members of the international investigation team, a pastor, NGO and INGO workers, and one Haitian living in exile. Many of these interviews were conducted in French. These interviews have been translated by me into English. Any errors in translation are mine alone.

I also collected archival data in a series of visits to the Uganda Human Rights Commission and the Makerere University Human Rights and Peace Centre in Uganda, and the International Centre for Human Rights and Democratic Development (now called "Rights and Democracy") in Montreal. Other INGOs pertaining to both commissions allowed me the use of relevant documentation. Specifically, these institutions provided access to many of the primary documents produced and used by the truth commissions. They also provided several secondary documents that proved useful.

Although I received permission to identify the source of quotations from the majority of those whom I interviewed, I have chosen not to do so in order not to place them in harm's way. Instead, the interviewees have been variously identified by use of descriptors meant to explain their particular affiliation with the truth commissions of Uganda and Haiti, their political affiliation, or an experience they have had. In most cases, I have presented the comments the interviewees made in the form of direct quotations, although their names have not been included. In a couple of cases, with the express permission of the interviewee, I have actually attributed a direct quotation.

The result is a qualitative study intended as an in-depth examination of the outcomes of the truth commissions of Uganda and Haiti. Because the

contributions of the interviewees have been judged to be comprehensible, plausible, and consistent, they add a great deal of contextuality and depth to the inquiry. And although the views of those I interviewed are by no means broadly representative, they speak volumes about the way many people feel about the truth commissions in Uganda and Haiti.

### **Summary**

This book attempts to elucidate the argument that acknowledgement ought to figure prominently in the successful outcomes of truth commissions. In Chapter 1, the normative framework surrounding the process of acknowledgement is laid out in relation to the broader experience of social healing. Acknowledgement is a necessary component of the social rebuilding process, although it is in no way sufficient to bring the process about. Chapter 1 demonstrates the role of acknowledgement in other processes, such as forgiveness and reconciliation, social trust, civic engagement, and social cohesion.

The argument here is “tested” against the extraordinary experiences of the truth commissions of Uganda and Haiti. The enormous difficulties each encountered and the manner in which each was able to carry out its work are important in providing a backdrop against which the theoretical model can be questioned. Chapter 2 provides an examination of truth commissions generally and outlines their role and utility in the ever-expanding universe of transitional justice mechanisms available to societies in transition. Drawing on the development of the truth commission as an instrument for use in periods of transition, Chapter 3 considers the formation and existence of the truth commissions of Uganda and Haiti against the social and historical contexts in which they were created.

Chapter 4 evaluates these truth commissions in terms of the numerous competing political wills that buffeted their work. It is evident from the experiences of the two that the admirable goals of the truth commission are clearly altered in the politics of negotiation and conciliation that surround social and political transition. Chapter 5 contemplates the various institutional constraints that interfered with the work of the commissions, including the commissions’ capacity to carry out their duties, security concerns, critical funding shortages, and time delays.

Having delved into the details of the operations and outcomes of both commissions, the book then turns to an examination of the role of acknowledgement. The remaining chapters examine whether acknowledgement was able to withstand the “test” of the truth commissions in Uganda and Haiti. Chapter 6 calculates the relative degree of acknowledgement that each of the commissions was able to bring about. Since acknowledgement is, further, postulated to be able to encourage the growth of civil society, Chapter 7

evaluates the existence of civil society as an indicator of the presence of acknowledgement in both Uganda and Haiti. The concluding chapter provides a summary of the lessons learned from both countries' truth commissions and contemplates the larger questions these findings and the concept of acknowledgement can and do have for the field of transitional justice.

### **Implications**

The broader importance of these findings is, of course, that truth commissions may not be the vehicle they are hoped to be. Other societies, including Canada, have begun to lay the foundations for truth commissions in their own countries; in June 2008, the Canadian Indian Residential Schools Truth and Reconciliation Commission was launched as part of the Indian Residential Schools Settlement Agreement. Yet, not enough is known about how and why truth commissions seem to work when and where they do. And so a thorough knowledge of the shortcomings of some mechanisms that have operated elsewhere should aid in avoiding the same mistakes in another case. Understanding, too, the theoretical framework and the goals toward which any successful truth commission ought to be working should likewise assist in achieving the outcomes needed.

The following, then, considers the role of acknowledgement in helping two societies, Uganda and Haiti, in the rebuilding of their social infrastructures. As a prescriptive, theoretical proposition, the process of acknowledgement appears to hold significant promise in figuring out when and how societies can begin the process toward recovery. As a test of the truth commission, it is apparent that in not all cases is the truth commission able to foster the process of acknowledgement.



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**Part 1**  
Theoretical Model



# 1

## The Politics of Acknowledgement

Reckoning with past injustices is an important step in the process of acknowledgement, which can lead to forgiveness, and to strengthened networks of civic engagement, all of which may lead, ultimately, to increased levels of social trust and reconciliation. These are particularly important in overcoming the causes of conflict within divided transitional societies. There is a strong and causal relationship between acknowledgement and forgiveness, social trust, social cohesion, and reconciliation. It is my hypothesis that acknowledgement is one stage through which any successful process of societal recovery must pass. Acknowledgement in and of itself is not an end point, as is reconciliation, for example. Nor is it, in and of itself, able to bring about some kind of meaningful change. Rather, it forms a necessary but not sufficient condition for rebuilding. Ultimately, I argue that acknowledgement is responsible for the creation of the bonds of social capital and social trust.

In attempting to reckon with a history of mass human rights violations committed at the hands of the state, societies have increasingly opted to use holistic methods of restorative justice in concert with methods of retributive or reparative justice.<sup>1</sup> Each of these methods is discussed in more detail in Chapter 2. I define restorative justice as a process of active participation in which the wider community, including both victims and perpetrators, deliberates over past crimes, giving centre stage to both victim and offender in a process that seeks to bestow dignity and empowerment on victims, with special emphasis placed on contextual factors.<sup>2</sup>

This type of restorative justice has broad applicability. Mechanisms such as the truth commission have proven to be useful instruments in searching for details of past events in societies where mass violations of human rights have occurred. Victims and perpetrators come forward to tell their stories, and from these a narrative history of the often graphic and frightening nature of the society's past emerges.

What is especially important about this truth-seeking, however, is the process of acknowledgement that takes place throughout. I submit that acknowledging the events of the past and one's complicity in them is particularly important. My theory of acknowledgement presupposes that acknowledgement is necessarily a multifaceted process, comprising separate and distinct acts to be undertaken by individuals within a given society. Far from being a static or concrete one-time-only act, acknowledgement is a process that comprises any number of elements, including, but not limited to, coming to terms with the past, emotional responses to past events, and actively remembering the past. I suggest that acknowledgement must be attempted by individuals within a society: by both victims and perpetrators, actors and bystanders, and by those in authority over that society, past and present. These groups, who live in post-conflict and transitional societies, must begin to consider the actions of everyone who lived in that society during the conflict, or prior to the transformation, to better understand what happened during that period. Acknowledgement is intrinsically different from, and a separate stage than, forgiveness. Yet, all of these factors are important in moving beyond acknowledgement to strengthen those aspects of civil society that are necessary for it to function as a cohesive whole. It is my hypothesis that acknowledgement is one stage through which any successful process of societal recovery or social reconstruction must pass. And so the theoretical model of acknowledgement is itself normative and seeks to evaluate how and why cases of transitional justice function the way they do.

The balance of this chapter, therefore, outlines the factors contributing to and influenced by acknowledgement. I examine the process of acknowledgement, which is followed by forgiveness, social trust, and civic engagement, and which may result in the development of social cohesion or reconciliation. I argue that this process is shaped by numerous factors that may or may not be present in the instruments, such as truth commissions, that are established to bring about acknowledgement. Acknowledgement itself is a necessary but not sufficient condition of reckoning with the past. For, I argue, once acknowledgement has taken place, the barriers to forgiveness are significantly reduced. This act of forgiveness allows victims to begin again to pursue relationships of camaraderie and friendship or civic engagement, and to establish bonds of trust, generating social capital.

### **Acknowledgement**

The process of acknowledgement is composed of at least three elements: coming to terms with the past, emotional response, and memory and remembering.

### Coming to Terms with the Past

As many have argued, in order for any society to begin to move forward, people must be called to account for past events. The truth commission can provide a means by which people may testify to their experiences and to the experiences of others who have been disappeared or killed. In facing the details of history, past events can be revisited, evidence uncovered, people and institutions potentially held accountable, and a rationale of deterrence made possible.<sup>3</sup> It is in the open discussion of these atrocities, in the revealing of the criminal actions of the perpetrator, that the victim can begin to take control of his or her circumstances; by implication, the powerless individual victims who fill a society make up a suffering, struggling whole. If wrongs are never discussed, the dregs of past atrocities are simply left to fester under the surface of that society.

Some, though, believe that such details should instead be left well enough alone.<sup>4</sup> They argue that acknowledgement in fact hinders recovery and threatens the stability of transitional societies.<sup>5</sup> Hayner, for example, notes that fear of negative consequences, lack of political interest, other urgent priorities, and alternative mechanisms or preferences may indicate a lack of desire to establish the truth.<sup>6</sup> Yet, she persuasively argues subsequently that “in choosing to remember, in recognizing that it is impossible to forget these events, a country will be in a stronger position to build a more stable future, less likely to be threatened with tensions and conflict emerging from the shadows of a mysterious past.”<sup>7</sup>

Just what does “coming to terms with the past” mean?<sup>8</sup> It’s an idea that deals with elements of both consciousness and acceptance. My theory of acknowledgement assumes that, in dealing with the past, one must accept “the admission of something as true or as stated and the recognition of the authority of the claims of others,” as it is defined by the *Canadian Oxford Dictionary*.<sup>9</sup> Such a process is necessary before moving on in the process of working toward reconciliation, or forgiveness, or any one of a number of potential goals. As Frayling says, “We have to be prepared to face our own history, however strong may be our personal inclination to disown it.”<sup>10</sup> The available definitions are wide-ranging, but they are important because they demonstrate the disagreement that exists within the literature about what coming to terms with the past should include. Nevertheless, to varying degrees, many scholars agree that some form of coming to terms with the past is necessary. It is on this basis that the theory of acknowledgement proceeds.

Coming to terms with the past can take place through several instruments. Minow discusses the need for truth commissions, trials, and reparation in instances where human rights have been violated on a mass scale.<sup>11</sup> Hayner’s

work reflects a belief in the capacity of the truth commission to uncover evidence and enabling such past deeds to be recognized.<sup>12</sup> Orentlicher speaks of both national and international judicial remedies intended to help in this process, as does Power, whose argument for trials appears to be based mainly on her perception of the inadequacies of truth commissions generally.<sup>13</sup> Human Rights Watch has adopted a policy based on governments ensuring accountability for past abuses that is echoed by others working toward dealing successfully with perpetrators of mass human rights violations.<sup>14</sup> Governments at many levels have also adopted strategies deemed useful in coming to terms with the past, as has the Secretary-General of the United Nations.<sup>15</sup>

Reckoning with the past is not only warranted but encouraged because it is through the process of reckoning that one can confront the past directly. Frayling's approach is that "history has to be revisited and interpreted if we are to understand that present dilemmas have their roots in past events and decisions."<sup>16</sup> This approach fits with the sense that "tainted memory" must be dealt with in order to avoid a life of ruin.<sup>17</sup> There may also be a need for "hard facts" in transitional societies.<sup>18</sup> Still others posit that the way in which the past is recalled and made present is critical. The level of comprehension and the lengths to which society is willing to go in dealing with such horrors has everything to do with the relative success of the process itself.<sup>19</sup> If a truth commission merely engages a select few citizens at the pinnacle of society in a poorly publicized forum, the majority of the population will not become engaged in the process of acknowledgement.

There appears to be a consensus that, in talking about mass violations and by extension through prosecuting them, a rationale of deterrence may be developed within the country.<sup>20</sup> This was the case in Argentina. The Argentine National Commission on the Disappeared was seen as a "preliminary step toward prosecutions that [then] follow, and indeed the information from this commission was critical to later trials."<sup>21</sup>

Admittedly, there are others whose exhortation to leave things well enough alone is strong. In the discussion of his metaphorical time machine, Lowenthal's look at the past examines many significant risks to revisiting history: he cites disappointment, the inability to cope, and problems living again in the present as reasons to avoid any type of antiquarian introspection.<sup>22</sup> Others have counselled against dredging up the past for fear of "stirring up trouble," as in the case of Mozambique, where people simply did "not want to reenter into this morass of conflict, hatred and pain ... [and chose instead] to focus on the future."<sup>23</sup> Many have also considered the potentially destabilizing effects that such introspection might pose on any type of transitional society.<sup>24</sup> Telling the truth about the past is sometimes considered dangerous when combined with judicial activity because of its potentially destabilizing effect.<sup>25</sup> Certainly, transitional societies are in a fragile and weakened state,

and the total costs of such a process for any transitional society may be too much to bear.<sup>26</sup> These costs might include a return to hostile or violent relations between community members or increased instability.

Still other difficulties present themselves in the process of coming to terms with the past. In the gathering of details about past elements, which makes up a major aspect of facing the past, questions of historical inaccuracy are often raised. Debates between historical purists and historical relativists pit value-laden accounts against verifiability.<sup>27</sup> Because history tends to alter memory, questions of accuracy and credibility are raised.<sup>28</sup> In addition, as has been discovered in the testimony of Holocaust survivors, events are rarely remembered in any semblance of temporal or chronological order but, instead, in “durational time.”<sup>29</sup> As defined by the *Canadian Oxford Dictionary*, duration is “the time during which anything continues ... until the end of a particular activity,” making less and less credible the details reported.<sup>30</sup> Acknowledgement, in the sense of accepting the claims of others, is particularly relevant because any details that are discussed are necessarily subjective and yet must be accepted by the potentially different views of society at large.<sup>31</sup>

Coming to terms with the past, whether turning the page or retrieving the past, is fraught with inconsistencies and disagreement. However, a society’s ability to overcome a legacy of mass violations of human rights is affected not only by confronting its past but also by beginning to do something to overcome that past.<sup>32</sup>

### **Emotional Response**

Individuals must go through a wide range of emotions before they are able to move beyond the overwhelming feelings of loss experienced in traumatic situations. Although terribly difficult in many cases, the expression of emotion is a healthy response. Victims and their families are often forced to carry on with the tasks of everyday living without benefit of reflection on the past. These people may consciously remember nothing of past events, and the daily trauma they continue to experience may simply become normalized.<sup>33</sup> Or, a conscious decision may be made to reject the truth surrounding the past, as witnessed in denial and revisionism.<sup>34</sup> Denial and revisionism may be carried out by both victims and perpetrators, although revisionism is characteristically the province of perpetrators. This denial becomes internalized as a means of coping, in much the same manner as those who normalize events.

The literature reveals many approaches to the study of emotion, and to what I have termed “emotional response” in particular. One of these is Kübler-Ross’s study of the stages of grief: denial, anger, bargaining, depression, and acceptance.<sup>35</sup> Her conception of the spectrum of emotional responses is helpful in providing a picture of the process of grieving experienced

by “ordinary” people who are dealing with many of the same feelings as those people in societies recovering from an extended period of atrocity: feelings of loss, lack of self-worth and self-respect, and helplessness.<sup>36</sup> There is no question that trauma and grief are indeed related, and that trauma can complicate the grieving process.<sup>37</sup> Certainly, the literature reflects many similar divisions and a fascination with certain emotional responses over others. And so I have chosen to focus on three emotional responses: denial, mourning, and revenge.

### *Denial*

Denial is one emotional response that has garnered much attention, particularly in the collective sense. Interestingly, both victims and perpetrators respond with denial. In the first manifestation, denial is seen as a passive avoidance of historical realities. Moses discusses the “normalization” of some events, including terrorism and atrocity. He submits that such dangerous activities are often ignored or avoided in order to “continue functioning.”<sup>38</sup> The danger with this is that in long periods of commonplace threats and corresponding denial, denial becomes internalized as a coping strategy and may continue even in the aftermath of such activity. Klein and Kogan, along with Davidson, seem to support this premise in their work on denial as a defence mechanism and “the Survivor Syndrome” respectively.<sup>39</sup> The Survivor Syndrome refers to a condition in which Holocaust survivors (and, presumably, survivors of more recent genocides) seem, for a period, to be free of the symptoms exhibited by other survivors. This “symptom-free interval” is explained by two major factors: adaptation to new conditions and the need for a period of physical recovery. However, evidence shows that, after this period of forgetting and denial, painful memories come “flooding back.”<sup>40</sup>

One other extremely prolific form of denial is revisionism. Revisionists attempt to rewrite history, which constitutes a very active form of denial. Specifically, some revisionists deny that the Holocaust ever took place, and have sought to prove this in many ways. As Vidal-Naquet puts it, “Revisionism attempts to deprive, ideologically, a whole community of memory.”<sup>41</sup> Two modern examples are Ernst Zündel, a German-born Holocaust denier, and Robert Faurisson from France. Vidal-Naquet suggests that the ideas of revisionism stem from an attempt to hide profound ignorance on the part of its authors.<sup>42</sup> At the very least, revisionism constitutes denial; taken to its logical conclusion, revisionists’ refusal to come to terms with past events constitutes an extreme form of self-deception – as seen in some Germans’ postwar denial of much of what happened during the Holocaust.<sup>43</sup> This self-deception is especially important when considering the potential impact on future generations. A mistaken belief (or ignorance) of events in the past could promote a repetition of history.

Acknowledgement of that past also appears to be very important in a society's ability to follow through with the process of transition to some semblance of a civil society. Govier argues that "[acknowledgement is] what happens and can only happen to knowledge when it becomes officially sanctioned, when it is made part of the public scene."<sup>44</sup> Govier allows that acknowledgement is a "necessary condition of the willingness to make restitution and commit to positive change."<sup>45</sup> Although Govier conceives of acknowledgement in this manner, this definition is not entirely accurate. In fact, both groups *must* acknowledge past events for there to be a societal effect. Not only perpetrators but victims too must acknowledge those crimes committed against them. As stated above, I believe acknowledgement to be one step in the process through which a society, made up of both victims and perpetrators, must pass in order to achieve the goal of civil society.

### *Mourning*

Moving past the stage of denial is essential if the necessary mourning is to take place. Until the facts are recognized and people on both sides have come to terms with the events of the past, the society cannot begin to grieve its losses. Mourning is another of the emotional responses that is easily extrapolated from the individual to the collective. Mitscherlich and Mitscherlich describe the inability to mourn as a long-lasting group phenomenon.<sup>46</sup> In studying Holocaust survivors, they found that many had had more than they could bear simply in resuming everyday life. Accordingly, they had skipped the mourning process altogether. Kübler-Ross equates grief with mourning. The detrimental effects of the inability to mourn are seen clearly in instances of disappearances, where families are unable to move forward in virtually any stage of their lives. Disappearances leave "family members, ignorant of the fate of their loved ones, their emotions alternating between hope and despair, wondering and waiting, sometimes for years, for news that may never come."<sup>47</sup> In many cases, societies experience a similar paralysis when they have failed to mourn.<sup>48</sup>

### *Revenge*

Revenge is another common emotional response to events of the past. One group argues that revenge is a good and natural process to a greater or lesser extent. Murphy, for example, endorses revenge and vindictiveness, along with hatred, citing Western systems of retributive justice as proof of the obvious benefit of vengeance. In the Victorian era, Murphy adds, "certain wrongdoers quite properly excite[d] resentment."<sup>49</sup> Similarly, Jacoby treats vengeance as somewhat analogous to absolution and, at the same time, vindictiveness.<sup>50</sup> Neither author sees substantial harm in letting justice take care of itself, resulting as it would in blood feuds or frontier justice.<sup>51</sup> I disagree.

These arguments are not convincing for several reasons. First, promoting or even allowing vengeance in a period of social rebuilding simply perpetuates the cyclical patterns of criminality that have brought about the need for acknowledgement to occur. In this respect, revenge fundamentally undermines the acknowledgement process. Retribution almost always excludes the emotive necessity that is addressed through the process of acknowledgement. Govier's argument is that "retributivism is a theory of legally imposed punishments, and such punishments are clearly different from acts of revenge."<sup>52</sup> The framers of South Africa's interim constitution recognized this point in their focus on *ubuntu*, a Zulu word "which in its most fundamental sense represents personhood, humanity, humaneness and morality."<sup>53</sup> It was used to describe the desired form that their non-retributive focus on the past would take.<sup>54</sup>

Second, in Boesak's words, "the quest for vengeance must be weighed with regard to love, forgiveness, sacrifice and peace."<sup>55</sup> All agree that vengeance is rife with feelings of hatred, anger, vindictiveness, and potentially violent retaliation. Revenge, it is argued, attracts "brutality and dehumanization" and other forms of violence and terror.<sup>56</sup> Thus, vengeance prevents movement toward the forgiveness, sacrifice, internal peace and, ultimately, love needed for moving forward.

In short, emotional responses, including the avoidance of denial and vengeance, and moving through a period of mourning, are very important in the process of giving life to civil society. But not all of these emotional responses are particularly healthy, especially if allowed to run their course and reach their logical conclusion. In this category are included both avoidance and revisionism – denial's double-edged sword – and also revenge. On the other hand, many of the emotional stages are seen as being more cathartic and more profitable for the society, including acknowledgement and mourning. And so it is foolish to believe that to repress any of these responses is any better. Rather, things such as denial and revenge must be explored and alternative means then found to allow the responses to take place.

### **Memory and Remembering**

The combination of coming to terms with the past and emotional response hinges on memory and the remembering of past events. Recollections form a critical component of the acknowledgement process. In fact, individual memories appear to become situated "within the larger narrative of the community,"<sup>57</sup> forming a cultural or social collective memory. In this way, individual remembering contributes to the creation of a self-portrait of the larger society. It is a fundamental element of the building of stronger societies.

The literature on the subject of memory is vast. Many of these treatments come from a psychological or psychoanalytic perspective and deal solely with

individual memory. Others have looked at memory in a social or collective context; their work is much more relevant to this discussion. Nora, for example, identifies three kinds of memory that he claims have lapsed due to what he calls a “preoccupation with the individual psychology of remembering” and a general disconnect with the past: *archive-memory*, or the desperate recreation of history through physical artefact; *duty-memory*, a demand for the recovery of history, especially by marginalized and persecuted groups; and *distance-memory*, the recognition of the chasm between past and present that drives the act of remembering. Nora argues that citizens of the late twentieth and twenty-first centuries have found a frightening discontinuity between past and present, causing a faulty sense of distance-memory.<sup>58</sup> If distance-memory is faulty, the remembering of past events becomes an impossible task for a group or society to undertake.

Not everyone agrees that memory is capable of playing a role of any importance in the process of moving forward. Some speak of the “harmless oblivion” of forgetting, even temporarily.<sup>59</sup> Some see a purpose in simply avoiding the process of remembering altogether.<sup>60</sup> Still others argue that remembering horrific experiences such as the Holocaust is almost certainly guaranteed to produce a tainted future.<sup>61</sup> Remembering, they argue, will serve only to poison present and future acts of living. In addition, collective memory has been shown to possess the power to divide whole societies.<sup>62</sup>

Contrary to such positions is evidence supporting the claim that these initially unpleasant memories can be transformed into building blocks for an even stronger society.<sup>63</sup> To develop this claim, we must consider whether a collective or societal memory exists. It is possible for individual acts or sentiments, particularly of trust and memory, to be extrapolated to the collective. That is, those acts that might normally be ascribed to an individual might often as easily be attributed to groups of people, keeping in mind that groups are “logically distinct” from their members.<sup>64</sup>

Collective experiences constitute one of the strongest building blocks that may be employed when asking communities to begin to form new and cohesive relationships with one another. Many members of the community, after all, will have shared experiences that may be remembered in a similar manner. For example, women whose husbands have been disappeared will have faced similar emotional and socio-economic hardships and subsequent feelings. It is not only experiences, however, that are shared within a given society between those involved in a particular set of events, but also the general remembering of such events. The manner in which a community has chosen either to honour or reject such events, for example, will in part determine its response to such events in memory. And this shared experience constitutes collective memory.

Accordingly, it is important both to define collective memory and to understand its meaning. Mirroring the conceptual paradigms with which

the social sciences have long grappled, the views on collective memory can be divided as follows. The *liberal* view argues against public narratives as satisfactory channels for dealing with the cathartic urge to remember, while the *communitarian* approach calls for individuals undertaking some process of remembering to locate their memories “within the larger narrative of the community [past and future].”<sup>65</sup> I think the ideal model of memory-building lies somewhere between the liberal and communitarian approaches, although it is closer to the communitarian conception.

What, then, is collective memory? Collective memory “consists of the stories a society tells about momentous events in its history, the events that most profoundly affect the lives of its members.”<sup>66</sup> Sturken’s version, which she calls *cultural memory*, is seen as something outside formalized historical accounts. Sturken’s cultural memory is richly imbued with cultural significance. Its meaning, when shared in the public realm, changes from that meaning it held as an individual memory.<sup>67</sup> Connerton’s version, *social memory*, is similar; he goes further in adding that “it is an implicit rule that participants in any social order must presuppose a shared memory.”<sup>68</sup> Such memory is “embedded in the social structure” of a community.<sup>69</sup> It involves a form of deep remembering, of dealing completely and honestly with inner feelings of guilt and hurt, or some form of deep memory focused completely on the series of memories in question.<sup>70</sup> In looking at such definitions, it seems obvious that collective remembering, in all its various guises, exists in a realm different from that of individual or personal memory. And its importance to a community in the process of reckoning with both past and future is again reinforced.

Admittedly, many have reservations about the process of remembering as merely an interpretation or fictitious account of past events, somewhat in the vein of historiography. Certainly, the way in which past events are remembered changes over time, based on a greater perspective or seen through the lens of time and space. A distinction must be made between (a) historical reconstruction, most often undertaken by inductive researchers such as historians; (b) the “evidentiary assumptions and legal fictions” created by judges and prosecutors in criminal trials following periods of mass atrocity; and (c) a general and purposeful altering of events from the past as they pass through the memory; and collective memory itself.<sup>71</sup> Although these understandings have their place in particular circumstances, collective memory is not concerned with the creation of any formal type of memory. Rather, society creates, by remembering, a self-portrait. However, collective memory that strays too far may be dangerous. For example, the created self-portrait might serve to reinforce hatred. In these cases, the focus should remain instead on the solidarity created among those remembering and on their common experiences.

In summary, collective memory is indeed a reality, distinct from the simple extrapolation of individual memory to the collective consciousness. A society bent on moving forward must construct a collective memory. It joins moving past denial and opening up to mourning as part of acknowledgement.

### *Commemoration*

The mental act of remembering is often complemented by physical manifestations in the form of monuments and memorials. In many societies, these are erected to honour both victims and survivors. They may be hospitals or schools named after war heroes or former leaders, or actual memorial markers that have been raised. In other instances, days of remembrance are held to bring to mind past events. The physicality of memory serves as an indication of social acknowledgement.

The list of those things used in commemoration is long. It includes special days and public ceremonies, flags, museums, functional memorials, such as hospitals and schools, cemeteries and/or sepulchres, monuments and physical memorials. Their common function is helping to keep memory alive. Through this process of commemoration, people are provided with the opportunity to use the lessons from that which is being remembered as an ongoing reminder in their daily lives.<sup>72</sup>

Many monuments have been constructed to record the names of the dead and missing, and to provide them with a final resting place. The literature is particularly rich with prescriptive ideas as to how such commemoration should proceed: only the finest materials must be used. The construction must reflect a sense of going forward.<sup>73</sup> And they should be placed in urban centres where they will often be seen. This line of thinking has existed for centuries. In 1809, Godwin pleaded for simplicity in the design of such monuments.<sup>74</sup> The same principles were used in the construction of the Vietnam War Memorial more than 150 years later.<sup>75</sup> Such principles remain valid because it is believed that honouring heroes and victims is an important step in acknowledging the events of the past.

In 1866, Howells argued that monuments and memorials should commemorate not only the fallen but also survivors, a view still held by many.<sup>76</sup> The practical purpose of having monuments is straightforward: they exist "to invite the collaboration of the community in acts of remembrance."<sup>77</sup> Moreover, this act of remembrance must be an ongoing activity. Others take a similar stance:

By creating common spaces for memory, monuments propagate the illusion of common memory. If part of the state's aim is to create a sense of shared values and ideals, then it will also be the state's aim to create the sense of common memory. Public memorials, national days of commemoration, and

shared calendars thus all work to create common loci around which national identity is forged.<sup>78</sup>

Yet, other intentions are frequently at play in the establishment of monuments and memorials. It is often the first task of those who take over the reins of power from a prior regime to destroy any monuments that support the former regime.<sup>79</sup> In other cases, victors manipulate the events of the past to suit their purposes. These actions are an attempt on the part of those in power to demonstrate what will and will not be tolerated, and to draw the proverbial line in the sand.<sup>80</sup> Hitler, for one, employed such a strategy: beginning with a ban on the carving of gravestones for Jews by German citizens in 1936, Hitler embarked on a plan to obliterate Jews from the collective German memory in conjunction with his plan to destroy them as a people.<sup>81</sup> This action is particularly significant in light of commemoration's social purpose, as explored above. The act of physical remembering is as significant as the act of choosing wilfully to disregard those same memories. Commemorations can be seen to have both stabilizing and reinforcing properties.<sup>82</sup>

Commemoration can take on great importance in a society seeking acknowledgement based on collective memory. Israel's Holocaust Remembrance Day, Yom Hashoah, is marked by absolute stillness. At an appointed time, everything comes to a stop, and even people driving on highways get out of their cars and stand still along the side of the road.<sup>83</sup> The marking of history in this manner provides an example of what Handelman calls an "event-that-models," a "symbol that stands for, evokes, or brings into being something else."<sup>84</sup> In this case, the standstill forces Israeli citizens to pay attention to the events marked by the observance of Yom Hashoah. Following Handelman, such acts of commemoration can play an instructive role within a society, teaching others to respect, revere, and even to fear the event being recognized. Even in defeat, such physical remembrances allow a society to honour the individuals who fought and died – although sometimes commemoration politicizes events, causing some citizens to withdraw further into their *Gemeinschaft* communities.<sup>85</sup>

Official commemorations provide a means by which the state can ensure some sense of normalcy, for two reasons.<sup>86</sup> First, commemoration takes a particular act from the present and imposes some measure of space and time between it and those who lived its horrors. In this respect, commemoration separates particular events from the day-to-day activity of the community. Second, by speaking openly and directly about events of the past, victims are recognized for their suffering in some way. This recognition is an essential element of acknowledgement.

Commemoration in a transitional society is a part of the acknowledgement that helps move a society forward. A transitional society is one whose past

regime has been corrupt and tyrannical, and whose actions have caused grievous harm to many citizens. Society becomes transitional when it stops such behaviour while trying to get back to the business of everyday life, with full inclusion extended to every member of society.<sup>87</sup> Monuments and memorials can provide an important indicator of the state administration's position on moving society forward in the wake of past atrocity. The history of societal debate on commemorations old and new, and also the society's reaction to and reception of these markers of memory, however, may provide a clearer and somewhat different picture of the value of such monuments to that society.

As with any critique of historiography, which arguably is the essential nature of commemoration, some posit that the "truth" is not presented in any retelling. In this view, the historian's account is simply that which the historian feels is important to record.<sup>88</sup> Nonetheless, the historian's account may itself become superimposed on the memory of the citizen and come to be seen as a more important account. In contrast, archaeology relies on "a breadth of knowledge, an open mind, and the creativity to speculate or interpret."<sup>89</sup> Especially in cases where one side is either not left or is left unable to tell its side of the story (for example, disappeared Argentineans), or where no official account exists that contains the complete record of events from both sides of the story (for example, South Africa's apartheid-era history), I support the archaeological approach, as it allows the researcher to come to conclusions as to what actually happened.

Nevertheless, state-sanctioned commemoration is itself a reconstruction and manipulation of actual events. It is the country's cultivation of a particular narrative that may become the basis for a national identity.<sup>90</sup> This ritualization fits with Handelman's event-that-models: "At some point, it may even be the act of remembering together that becomes the shared memory; once ritualized, remembering together becomes an event in itself that is to be shared and remembered."<sup>91</sup> Commemorative projects are, therefore, subject to controversy, for this and other reasons. Charges of patronage and a failure to represent the general public often accompany the building of monuments and memorials.<sup>92</sup> Despite such dangers, monuments and memorials can play an important part in constructing collective memory.

### **After Acknowledgement**

The process of acknowledgement is necessary for the success of any social rebuilding project. Yet, it is not itself sufficient for this purpose. A number of other elements must also be present to ensure the outcomes of social rebuilding are reached. These include forgiveness and reconciliation, social trust, social capital, civic engagement, and social cohesion.

### Forgiveness and Reconciliation

Once the process of acknowledgement has begun, the barriers to forgiveness are significantly reduced, and genuine forgiveness, the setting free or dismissal of the debt of the perpetrator, can then take place. Here, I argue that acknowledgement is a precondition for forgiveness to take place. This is not to suggest that hurts magically disappear with forgiveness, or that victims necessarily become able to forget the offence. Rather, through the act of forgiving, the victim is granted some measure of grace and comfort.<sup>93</sup> The benefit of forgiveness has much less to do with the perpetrator than with the victim, and is of potentially more benefit to the person engaged in forgiveness than to other people. The carrying of grudges and outright discrimination and bitterness that come with resentment and decisions not to forgive are the stuff that keeps acknowledgement from taking hold and truth-telling from having any meaningful impact.

In order to discuss intelligently the concept of forgiveness, it is important that it be defined in clear and useful terms. Forgiveness is not excusing, nor is it pardoning, although it has these as its roots.<sup>94</sup> Nor is it condoning, forgetting, or denying.<sup>95</sup> Forgiveness is often linked – wrongly, I believe – with a “waiving of *quid pro quo* justice.”<sup>96</sup> This is not forgiveness, but, rather, the granting of a pardon.

I define forgiveness as a letting go or a giving over of emotions such as hate, guilt, and anger. Although the cost of forgiveness may be high for the giver, forgiveness costs the recipient nothing. It is a mainly interpersonal process, though its intrapersonal value should not be underestimated.<sup>97</sup> Murphy and Hampton insist that forgiveness is a cognitive process, and that it may not be dismissed as a knee-jerk reaction.<sup>98</sup> I share this belief. In addition, I argue that forgiveness may be carried out unilaterally, where a victim may decide to forgive regardless of whether the perpetrator has asked for any kind of forgiveness. Govier discusses this against a backdrop of bilateral forgiveness.<sup>99</sup>

Various authors have devised schemes and systems of organizing the phases of forgiveness. Worthington’s Pyramid Model emphasizes five steps: the victim must recall the hurt; the victim must then empathize with the one who hurt him or her; forgiveness must be given as an altruistic gift; the victim must make a public commitment to forgive; and the victim must maintain that forgiveness.<sup>100</sup> Enwright and Coyle look at the process as a series of twenty steps divided among four categories: the uncovering phase, the decision phase, the work phase, and the defining phase.<sup>101</sup> Similarly, Smedes’s interpretation labels the four stages as hurt, hate, healing, and coming together.<sup>102</sup> What all three conceptions have in common is an emphasis on acknowledging the incident that has caused such pain and moving toward some form of reconciliation through the act of ceasing to feel angry

– forgiveness. This is important in that it shows that acknowledgement is a fundamental notion.

One element that plagues theologians and philosophers about forgiveness is the question of agency. Forgiveness is the province of ordinary men and women. Yet, in cases where those victims who might have offered forgiveness have died, or where those perpetrators who ought to ask forgiveness are no longer able, is it acceptable for their descendants to do so? Müller-Fahrenholz is clear on this point: “It is wrong,” he says, “to say only the victims can forgive.”<sup>103</sup> Conversely, Murphy and Hampton state: “I do not have standing to resent or forgive you unless I myself have been the victim of your wrongdoing.”<sup>104</sup> I am inclined to agree with Müller-Fahrenholz. It would seem that to deny someone the right to offer forgiveness is to deny someone the opportunity to cease to feel angry and thus would do more harm than good. The victim’s opportunity to forgive, and by extension the opportunity for victims affected indirectly to forgive, then, is of great benefit.

Forgiveness is important because it makes reconciliation possible. Reconciliation is commonly seen as a restored relationship between one-time enemies. The *Oxford Paperback Dictionary* provides a concise definition of reconciliation. To reconcile, it says, is to “1. restore friendship between (people) after an estrangement or quarrel; 2. induce (a person or oneself) to accept an unwelcome fact or situation; 3. bring (facts or statements, etc.) into harmony or compatibility when they appear to conflict.”<sup>105</sup> Interestingly, reconciliation was once thought to be the special preserve of God, who alone could grant it.<sup>106</sup> Today, reconciliation is a widely used concept that is being called for in diverse circumstances, including the Aboriginal Canadians’ battle for compensation for the horrible treatment endured in residential schools.<sup>107</sup> To many, it appears to be a less expensive means of dealing with a troubled past. Often, transitional societies must make difficult decisions about the allocation of limited funds and may be forced to decide against forms of retributive justice.<sup>108</sup>

Govier describes three types of reconciliation. First, reconciliation may be simply non-violent coexistence, and be used mainly by the legal community. Second, it may involve deep emotional forgiveness and trust. Third is Govier’s own definition, which fits neither category: a community must engender enough trust to build sustainable cooperation.<sup>109</sup> This third definition seems especially important for societies dealing with a legacy of mass human rights violations.

Yancey and others argue that “forgiveness offers a way out ... It does not settle all questions of blame and fairness, but it does allow a relationship to start over, to begin anew.”<sup>110</sup> In this view, forgiveness, in fact, leads to reconciliation. As Roberts puts it, “The teleology of forgiveness is reconciliation.”<sup>111</sup>

Worthington qualifies his support for such a statement by claiming that the two are merely interdependent processes.<sup>112</sup> Govier believes that the two, forgiveness and reconciliation, may exist independent of each other.<sup>113</sup> However, I argue that, in light of the evidence presented in the literature on forgiveness, there must be at least a germ of “ceasing to be angry” in even the most practical of reconciliations. Müller-Fahrenholz adds that “forgiveness sets the stage for renewed relationships built on trust.”<sup>114</sup> And these relationships of trust are at their root the same ones that can be seen as building blocks for the growth of civil society, and so on. Thus, forgiveness provides the missing link in the building of a theory based on acknowledgment: setting the victim free.

### **Trust: How Civil Society Is Affected**

Setting free enables the victim to start again to pursue relationships of camaraderie and friendship. Moreover, through the establishment of such interaction, the victim is able to establish bonds of trust and begin to participate in various social interactions and organizations.<sup>115</sup> In societies devastated by mass atrocity, the ability to trust is one of the parts of civil society that is most badly damaged. Without trust there is apt to be distrust, or worse. People inevitably stop believing their neighbours, stop accepting the word of their superiors, and stop participating in the life of civil society.<sup>116</sup> They become afraid and suspicious, and begin to keep to themselves, eschewing community projects.

Trust is the sentiment that informs interactions between individuals. It has been identified as a “functional prerequisite for [even] the possibility of a society.”<sup>117</sup> It may be ascribed equally to groups with little difficulty.<sup>118</sup> Furthermore, trust has been identified as an essential element in the development of networks of civic engagement and in the creation of strong political structures.<sup>119</sup> It is also fundamental to the sustainable cooperation that must exist in order for any kind of restoration of relationships or acknowledgment of past events – reconciliation – to occur. A society’s beginning to trust, the connection of such interpersonal trust with the laying of the foundations of civic participation, the strengthening of civic institutions, and the re-establishment of social relationships, then, can have significant implications for that society’s transition from a divided, dysfunctional society to a functional one.

In many parts of the world, states and the societies within them are attempting to acclimate themselves in the aftermath of civil strife, genocide, and war that have destroyed nearly every shred of the civil society that once existed. One part of society that appears to have been badly damaged is the ability to trust. The following looks at the concept of trust and its implications for civil society, with an eye toward the issues of reorientation and rebuilding as they confront societies in transition.

A brief review of the scholarly literature on trust reveals a wide and varied understanding of the concept among those who have studied it. Some have considered trust only in its role in psychology and development. Others have expanded their interpretation to include a discussion of trust as a factor in decisions as varied as industrial problem-solving and mob-mentality behaviour.<sup>120</sup> Still others, including Govier, Almond and Verba, and Putnam, have looked at trust in the context of civil society and civic cooperation. This thinking is especially relevant for understanding how to rebuild societies in transition.

Trust is defined as “fundamentally an attitude, based on beliefs and feelings, and implying expectations and dispositions.”<sup>121</sup> It makes decisions possible. It allows the individual to depend on others for a variety of purposes, from specialized knowledge to personal safety. It informs interaction between individuals. Thus, trust is a sentiment that allows for a whole range of connections, with cognitive, emotional, and behavioural elements,<sup>122</sup> and which can take place at various levels, from the individual to the systems/institutional level.<sup>123</sup>

Although often conceived as an individual attribute, trust can be ascribed to groups with little difficulty, keeping in mind that groups are logically distinct from their members.<sup>124</sup> Groups can and do trust, in as much as they take decisions and actions.<sup>125</sup> In fact, trust exists specifically within the context of social relationships. Overall, trust is seen as fundamental to the success (and, correspondingly, failure) of groups.<sup>126</sup> Along with systems of beliefs and norms, trust is an essential building block of civil society.<sup>127</sup> Like acknowledgement, it is a necessary but not sufficient condition for social rebuilding.

The rotating credit association, as studied by Geertz, is widely cited as an example of an institutionalized system of trust. The very word for rotating credit association, *arisan*, translates to “mutual help.” In the Javanese case, the *arisan* holds a place somewhere between Tönnies’ conceptions of *Gemeinschaft* and *Gesellschaft*:<sup>128</sup> kinship ties give way to the *arisan*, an “intermediate institution.”<sup>129</sup> And the biggest benefit? *Rukun*, or communal harmony.<sup>130</sup>

Another example with somewhat more currency in Western circles is that of the South African Truth and Reconciliation Commission. Govier and Verwoerd discuss the relationship between truth, trust, and reconciliation. They imagine a gradation of trust that can (and does) result in different levels of reconciliation, the most salient of which mixes a healthy dose of truth with “mundane reliability” to allow for cooperation.<sup>131</sup>

In both the Javanese and South African cases, trust impacts on the behaviour of a particular group. Inferences may be drawn for the rest of society in general from these two examples. Coleman discusses the relative significance of trust in relationships from social exchange to authority structures.<sup>132</sup> Govier adds that trust informs our actions and interactions, our assessments

and our motivation.<sup>133</sup> And her validations of trust dovetail nicely with Coleman's conception: we must be able to trust in everything from the mundane to the judgements of experts.<sup>134</sup>

Trust, then, is an important determinant in creating a society.<sup>135</sup> It is instrumental in producing social capital. And it is believed that this social capital is required for the emergence of civil society. Putnam's thirty-year study of social trust is a seminal work dealing with this relationship. "Social trust" is the terminology Putnam uses to explain *confianza*, or mutual trust, which, if properly nurtured, develops into deep and far-reaching networks of civic engagement.<sup>136</sup> Putnam found that in those parts of Italian society where there were strong networks, consisting of something as simple as a bowling league or as complex as Geertz's rotating credit associations, democracy had taken a firm hold. And the social capital produced by such memberships, instead of disappearing once used, only multiplied exponentially.<sup>137</sup>

War, mass killings, and civil strife have unpleasant and often horrific after-effects. In some cases, the state's infrastructure is damaged beyond use. In other cases, people have become separated, through time and circumstances, from their neighbours. The population may disengage from the political process altogether. This damage to social capital damages the ability of civil society to recover after a period of mass atrocity.

A decline in social capital can have devastating consequences. Moser and Holland argue that declining social capital adversely affects both individual and group participation in civil society activities.<sup>138</sup> Colletta and Cullen describe a further effect of violent conflict: "This damage to a nation's social capital – the norms, values and social relations that bond communities together, as well as the bridges between communal groups (civil society) and the state – impedes the ability of either communal groups or the state to recover after hostilities cease."<sup>139</sup>

As discussed above, reconciliation itself might more appropriately be called *social cohesion*, intertwined as it is with the notion of social capital:

Social capital forms a subset of the notion of social cohesion. Social cohesion refers to two broader intertwined features of society: (1) the absence of latent conflict ... and (2) the presence of strong social bonds – measured by levels of trust and norms of reciprocity, the abundance of associations that bridge social divisions (civic society), and the presence of institutions of conflict management, e.g., responsive democracy, an independent judiciary, and an independent media.<sup>140</sup>

Social cohesion is the "key intervening variable between social capital and violent conflict."<sup>141</sup> It is, effectively, reconciliation. Certainly, there is a need for trust in efforts to rebuild, at all levels and in many different ways. Without trust, there cannot be a civil society.

## Conclusions

The process of acknowledgement is not an end point in social healing, as are strengthened civic institutions, for example. Nor is it by itself able to bring about some kind of meaningful change. Rather, the normative framework developed in this chapter demonstrates that acknowledgement forms a necessary but not sufficient condition for outcomes such as social trust and social cohesion to be realized. Ultimately, the effect of the progression of acknowledgement is to make possible both the *act* and the *process* of forgiveness.<sup>142</sup> And forgiveness itself, through acknowledgement, makes possible the creation of the bonds of social capital, social trust, and social cohesion in transitional societies.

The process of acknowledgement has the potential to effect real and lasting change. By bringing these events out into the open, the power of the perpetrators over their victims is finally severed. When these crimes have been acknowledged, individuals and their communities can begin once again to form relationships with their neighbours and to participate in the social activities and civic structures of society, finally defeating the deep-rooted conflicts that have served to paralyze that society. These networks of civic engagement are enabled by the process of acknowledgement.