

**TRANSFORMATIVE JUSTICE:
THE UNFORGIVING AND SOCIETAL REPAIR**

by

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BA (Hons)., The University of Calgary, 2010

A THESIS SUBMITTED IN PARTIAL FULFILLMENT OF
THE REQUIREMENTS FOR THE DEGREE OF

MASTER OF ARTS

in

THE FACULTY OF GRADUATE STUDIES
(Political Science)

THE UNIVERSITY OF BRITISH COLUMBIA
(Vancouver)

August 2012

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ABSTRACT

In both the discourse and practice of transitional justice the act of individual forgiveness has become conflated with the process of political reconciliation. The effect has been to delegitimize the political space for those who identify as unforgiving or resentful. Despite a lack of empirical evidence illustrating the consequence of forgiveness on the political landscape, forgiveness continues to be promoted in transitional justice narratives as though it necessarily advances the process of political reconciliation. In other words, it is perceived as having a social utility. This presumed collective benefit allows forgiveness discourse to overshadow the concerns that imposing forgiveness may have negative effects on individual survivors and communities transitioning away from mass violence. Using the data from South Africa's Truth and Reconciliation Barometer, this work uses binomial logit to question the uninterrogated assumption that unforgiving attitudes represent a barrier to political reconciliation. Showing that it is possible to be both unforgiving and supportive of political reconciliation, this piece argues that the unforgiving also play a critical role in reconciliation processes. This work rejects forgiveness as an a priori good; showing the important role resentment and the reservation of forgiveness can play in demanding accountability and transformation. The testimony of the unforgiving possess a transformative capacity that is silenced by discourse and practices that conflate forgiveness with reconciliation. This serves to undermine the opportunity to generate transformed relationships through transitional processes. I argue here for the reclaiming of political space for the voices of the unforgiving and resentful in order to restore dignity to survivors and create the room for transformation of structures and relationships.

PREFACE

This research benefits from the work and research of the South African Institute for Justice and Reconciliation (IJR). The South African Truth and Reconciliation Barometer has been conducted for more than a decade across South Africa and the quantitative portion of this research benefits from their collected data. Many thanks to Kate Lefko-Everett, Senior Project Leader for the IJR, for her assistance in pooling the data from the surveys between 2003-2009.

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ACKNOWLEDGEMENTS

I would like to offer my sincere thanks to my supervisor Dr. Glen Coulthard for expanding my perspective on questions of reconciliation, negative emotions and societal repair, especially regarding the building of new relationships between colonized and settler peoples. I am grateful for his prompt and thoughtful feedback, as well as his trust in my own ability to meet deadlines and produce work. I would also like to thank Dr. Erin Baines for her great insight into constructions of gender and moral judgment in the particularly fraught and delicate context of transitional justice situations. In particular, I am thankful for her guidance on the literature of trauma, which importantly informed parts of this work's theoretical analysis.

My great thanks goes out to Dr. Fred Cutler for acting as my second reader, and for trying to do the impossible by instructing me in the ways of econometrics and statistical analysis. I also owe debts of gratitude to Dr. Maxwell Cameron for his challenging and insightful instruction in the field of comparative politics, and the Dr. Lisa Sundstrom and the UBC Department of Political Science for their welcome and support over my time here.

I would also like to thank my colleagues, Kiosh Iselin, and all the students of WMST 506 for their thoughtful contributions and feedback on this work. In addition, I would like to thank my colleague and friend Matthew Wildcat for keeping me on track and on time. His support and advice has meant a great deal to me.

Finally, I would like to thank the Social Sciences and Humanities Research Council (SSHRC) for their generous support of my graduate work through the Joseph Armand Bombardier Fellowship. The funding of research in the arts and humanities is a fundamentally important function of government, and I would like to thank the tri-councils for their support of my inquiry and scholarship.

*As always, to Joy and John;
I am first and forever their daughter.*

INTRODUCTION

In 1994 South Africa famously embarked on its transition from apartheid. The paradigm setting experience has profoundly imprinted not only the character of South Africa's emerging democracy, but also the entire field of transitional justice. Where many experts in post conflict peace building predicted a collapse into civil war, none emerged. For all its clear trade offs and bargains of necessity, the truth and reconciliation process that is credited with driving the transition is still widely regarded as the most successful transitional project in recent memory.

Among the more prominent legacies of South Africa's transition is the Truth and Reconciliation Commission's persistent emphasis on forgiveness. Since Archbishop Tutu declared that "there can be no future without forgiveness"¹, practitioners and theorists of transitional justice have debated what role individual forgiveness has in a collective process of societal repair and reconciliation. Is reconciliation without forgiveness too minimalist a conception? Is reconciliation that requires mass forgiveness an impractical impossible goal? Despite a wealth of theorizing on the concept of forgiveness and its relationship to transitional justice no consensus has emerged, and big questions remain.

This work seeks to begin interrogating the question that James Gibson leaves open in his works: "[H]ow exactly would the process of intergroup forgiveness, if it were to happen, influence the political landscape and vice versa?"² A study of the literature and recent practice of transitional justice suggests that in both the discourse and practice of transitional justice the act of individual forgiveness has become conflated and confused with the collective process of political reconciliation. I contend that this is dangerous both for individuals and for the process of social repair and societal rebuilding. Despite literature in psychology, counseling and psychiatry that effectively illustrates the dangers of imposed forgiveness at the individual level, forgiveness continues to gain traction in transitional justice narratives because it is thought to

¹ Desmond Tutu, *No Future Without Forgiveness*, (New York: Doubleday, 1999).

² James L. Gibson, "The Contributions of Truth to Reconciliation: Lessons from South Africa", *The Journal of Conflict Resolution*, Vol. 50, No. 3, Jun., 2006: 409-432.

advance the process of political reconciliation. In other words, it is perceived as having a social utility. This assumed collective good is allowed to overshadow the personal right to offer or refuse forgiveness. The effect has been to impose on the psychological space of unforgiving people and to delegitimize the political space for their voices. We do this without clear evidence that unforgiveness actually impedes societal repair.

Using the data from South Africa's Truth and Reconciliation Barometer, this essay uses binomial logit to question the uninterrogated assumption that unforgiving attitudes represent a barrier to political reconciliation or that attitudes of forgiveness further the agenda of rebuilding new and reconciled political orders. First, quantitative analysis demonstrates that it is possible to be both unforgiving and supportive of political reconciliation; showing that those with forgiving or unforgiving attitudes do not score substantially differently from one another in their relationships to other indicators of societal repair. Second, this piece argues that the unforgiving also play a different and critical role in reconciliation processes. This analysis suggests that while the unforgiving are not necessarily a threat to a new social order, they are inherently threatening to old social orders. In their refusal to move past what they see as truly unforgiveable, their perspective challenges fundamental structures of the old order and the ongoing structures of violence that underpin it. The testimony of the unforgiving possess a transformative capacity that is capable of challenging structural and socioeconomic injustices, but it is always at risk of being silenced by the conflation of forgiveness and reconciliation. This serves to undermine the opportunity to generate transformed relationships through transitional processes. I argue here for the reclaiming of political space for the voices of the unforgiving as a means of according dignity to survivors, and of transforming ongoing structures of not only physical but also structural and socioeconomic violence.

This work proceeds in three parts. In part one I consider the literature and recent practice of transitional justice in order to illustrate how the concept of forgiveness has permeated the field, and the consequence this has had on the lived experience of people in transitioning communities. In the second part I quantitatively interrogate Gibson's question, asking: how does forgiveness (and its opposite: unforgiveness) influence the political landscape? I consider this question by showing the difference attitudes of forgiveness versus unforgiveness have on

four indicators of societal repair including the use of violence for political ends, shared understanding of the past, tolerance of systemic discrimination, and respect for the rule of law. My analysis suggests that the relationship between individual attitudes of forgiveness and a collective process of societal repair are tenuous at best. Finally, in the third section I consider the important role that unforgiving attitudes might play in a process of transition and repair, and the damage that can be inflicted on both individuals and communities through the promotion of a forgiveness discourse. This section considers how advancing understandings of the experience of trauma demand reconsideration of time and healing, and as a consequence- our expectations of survivors. Through this discussion I hope to restore a place of dignity and respect to those survivors who refuse to forgive. Their voices, far from representing only the inability to achieve forgiveness, are an important conscience calling for recognition, accountability and change. We marginalize their experience to the detriment of our processes of transition, rebuilding and repair.

HEGEMONY OF FORGIVENESS?

According to Rebecca Saunders, “[f]orgiveness has gained prominence in transitional justice in part because of the considerable influence of the South African Truth and Reconciliation Commission (TRC) and of its chairperson, Desmond Tutu, a charismatic purveyor of forgiveness”; since then it has continued to gain considerable purchase across the globe.³ In January 1995, Irish Cardinal Cahal Daly publicly asked forgiveness of the people of Britain and insisted on a ‘reciprocal recognition of the need to forgive and to be forgiven’ as a condition of political reconciliation.⁴ Shortly after, Rwanda’s President Paul Kagame and Adolfo Paz, leader of Colombia’s Autodefensas Unidas de Colombia, joined the chorus. Kagame has explicitly encouraged forgiveness on a national level since 2002. At the twelfth commemoration of the Rwandan genocide, Kagame emphasized again the notion of forgiveness in underlining the

³ Rebecca Saunders, “Questionable Associations”, *International Journal of Transitional Justice*, Vol. 5, 2011, 122.

⁴ Jean Bethke Elshtain, ‘Politics and Forgiveness,’ in *Burying the Past: Making Peace and Doing Justice after Civil Conflict*, ed. Nigel Biggar (Washington, DC: Georgetown University Press, 2003), 52.

need to “confront the truth, to tolerate and to forgive for the sake of our future, to give the Rwandans new dignity”.⁵ Adolfo Paz promotes forgiveness over justice, arguing that justice should only exist in the peace process insofar as it provides a framework for reconciliation. He states “the one and only thing that can change the past is forgiveness because when one truly forgives, the past ceases to exist”.⁶ Milton Blahyi, a former Liberian rebel leader, accompanied his confession to atrocity not just with a plea for forgiveness but “also with a counsel of forgiveness as ‘the right way to go’ and the key to national healing”.⁷ The rhetoric of Kagame, Paz, and Blahyi are increasingly common refrains from public officials during times of transition.

The trend of public forgiveness reached into the more distant past as Auschwitz survivor Eva Kor, who with her twin sister, Miriam, was subjected to Josef Mengele’s infamous medical experiments and whose other family members were killed in the gas chambers, travelled to Auschwitz in 1995 to issue a formal statement of forgiveness to Nazis. Conceiving of forgiveness as ‘the ultimate act of self-healing and self-empowerment,’ Kor has established an organization and a museum that emphasize forgiveness, speaks regularly on the subject to schools and civic organizations and is the subject of the film, *Forgiving Dr. Mengele*.

The discourse has become so prevalent in the practice of transitional justice that it is becoming institutionalized. A UK-based nongovernmental organization called the Forgiveness Project has collected ‘personal stories of reconciliation and renewal’ from Northern Ireland, the UK, South Africa, the US, Israel, Palestine, Rwanda, Poland and elsewhere. While the organization focuses on ‘personal stories,’ many of the testimonies that comprise its material derive from post conflict contexts and are conceived both as part of a larger societal reconciliation process

⁵ Paul Kagame, President, Republic of Rwanda, *Address at the Twelfth Commemoration of the Rwandan Genocide* (Apr.7, 2006) available at www.gov.rw/government/president/speeches/2006/07_04_06_genocide.html

⁶ Pilar Riano-Acala, *Dwellers of Memory: Youth and Violence in Medellin, Colombia* (Transaction Publishers, New Brunswick), 174.

⁷ Thomas Brudholm and Valerie Rosoux, “Resistance to Forgiveness After Atrocity”, *Law and Contemporary Problems*, (2009); 35.

and as the primary alternative to revenge, destructive animosity and ‘endless cycles of conflict, violence, crime and injustice’.

The advocacy of forgiveness discourse in practice is so closely intertwined with theoretical literature on the psychological and therapeutic personal effects of forgiveness that it is often difficult to tell whether the theoretical gave birth to the practice or vice versa. The work of Robert Enright and the Human Development Study Group, who over the past two decades have developed a widely implemented “forgiveness therapy program” and spawned a formidable forgiveness industry that includes social reconciliation projects and dedicated research foundations, continues to importantly inform the discourse of transitional justice. Drawing on philosopher Joanna North’s insights, Enright and his colleagues define forgiveness as the “willingness to abandon one’s right to resentment, negative judgment and indifferent behavior toward one who unjustly hurt us, while fostering the undeserved qualities of compassion, generosity, and even love towards him or her”.⁸ This definition underpins the discussion of reconciliation in post conflict settings by such important writers as Samuel Oliner,⁹ Andrew Rigby¹⁰, Didier Pollefeyt¹¹ and Yehudith Auerbach¹², all of whom incorporate this understanding into transitional projects, viewing forgiveness as a necessary, though not sufficient, condition of political reconciliation.

For Jens Meierhenrich, a Harvard professor who has worked closely with the International Criminal Court and the International Criminal Tribunal for the Former Yugoslavia,

⁸ Robert Enright, Freedman and Rique, “The “Ideal” of Forgiveness: A Philosopher’s Exploration” in *Exploring Forgiveness*, ed. Robert D. Enright and Joanna North (Madison, WI: University of Wisconsin Press, 1998): 46–47.

⁹ Samuel Oliner, *Altruism, Intergroup Apology, Forgiveness, and Reconciliation*, (Middletown: 2008).

¹⁰ Andrew Rigby, *Justice and Reconciliation: After the Violence*, (London: Lynne Rienner Publishers, 2001).

¹¹ Didier Pollefeyt, “Forgiveness After the Holocaust” in D. PATTERSON & J. ROTH (ed.) *After-Words. Post-Holocaust Struggles with Forgiveness, Reconciliation, Justice*, Seattle, University of Washington Press, 2004, p. 55-72.

¹² Yehudith Auerbach, ‘The Role of Forgiveness in Reconciliation’, in Yaacov Bar-Siman-Tov (ed.), *From Conflict Resolution to Reconciliation*, (Oxford University Press, 2004), p.154.

“forgiveness is a constitutive element of reconciliation”.¹³ According to Meierhenrich’s conceptual analysis, any definition of reconciliation that does not include forgiveness is guilty of conceptual stretching. “The incorporation of forgiveness and mercy into the systematized concept makes reconciliation epistemologically demanding...If reconciliation is to retain its connotation of an ultimate achievement, we must rein in the conceptualization of reconciliation... for if reconciliation is everywhere, it is nowhere”¹⁴.-The work of Fletcher and Weinstein, Neil Kritz and Ruti Teitel bring the theoretical back into the realm of practice with their emphasis on the implementation of transitional processes that privilege forgiveness over other alternatives.¹⁵ They argue that encouraging forgiveness among the population is one way to build the foundations for a shared future, leaving the past behind the community and moving on.

While a handful of authors, like Susan Dwyer, Rebecca Saunders, Thomas Brudholm, Jeffrie Murphy, Sharon Lamb and Mellor, Bretherton and Firth have made important interventions by suggesting that “reconciliation and forgiveness are conceptually independent”¹⁶, the literature has become so heavily one sided that Thomas Brudholm describes the current debate as characterized by “the near hegemonic status afforded to the logic of forgiveness in the literatures on transitional justice and reconciliation”,¹⁷ and Daniel Levy and Nathan Sznajder call dissenting authors “lonely voices in a near global march toward forgiveness and reconciliation.”¹⁸ Practice and scholarship now serve as mutually reinforcing agents, promoting forgiveness as a panacea for the ailments of nations torn apart by war, atrocity and genocide.

¹³ Jens Meierhenrich, “Varieties of Reconciliation”, *Law and Social Inquiry*, vol 33, no 1, (Winter 2008): 206.

¹⁴ Meierhenrich, 212.

¹⁵ Laurel E. Fletcher and Harvey M. Weinstein, “Violence and Social Repair: Rethinking the Contribution of Justice to Reconciliation”, *Human Rights Quarterly* vol 24: (2004) 573-639.

¹⁶ Susan Dwyer, “Reconciliation for Realists”, *Ethics & International Affairs*, vol 13; 90.

¹⁷ Thomas Brudholm, “Transitional Justice and the Ethics of Anger” in *Resentment’s Virtue*, (Temple University Press: Philadelphia) 2008: 3.

¹⁸ Daniel Levy and Nathan Sznajder, “Forgive and Not Forget: Reconciliation Between Forgiveness and Resentment” in *Taking Wrongs Seriously: Apologies and Reconciliation*, EDT by Elazar Barkan and Alexander Karn; 88.

LIVING THE DISCOURSE OF FORGIVENESS

Importantly, the discourse of forgiveness is experienced not only as rhetoric, but also as a process. When integrated into processes of transitional justice, forgiveness is actively valued, relegating other reactions. It is crucial to be clear about what a discourse of forgiveness looks like in practice. The consequence is not only that forgiveness is praised, but that the voices of those who express something other than the acceptable emotion are marginalized and pathologized. In South Africa's Human Rights Violations hearings many such examples emerge, below I draw on Annelies Verdoolaege's primary research to illustrate one such example.

Patrick Morake is a young man who testified before the Human Rights and Violations Committee in October 1996. He was attacked by a group of right-wing Afrikaners, an attack whereby his car was destroyed. Mr. Morake expresses some powerful feelings of resentment, which are dealt with in a particular way by Commissioner Gcabashe.

Commissioner Gcabashe: *How do you feel ever since this has happened?*

Mr. Morake: *This occurrence changed my life so drastically. I feel I have this deep hatred for a White person. When I see a White person, especially at night I have these negative thoughts and even at work when I White person speaks to me I just look at him. I totally distrust them because during the day they are people and in the evening they are killers. Even when I'm driving a car and passing through Brandfort these thoughts come back to me so vividly as if it only happened yesterday. I just don't know how to explain this. Eachtime I think of this occurrence and I think of this attack . . . (incomplete) (...)*

Commissioner Gcabashe: *Now, when you say, ever since this incident took place and you have this problematic relationship with White people, did you ever try to get any treatment or some counseling with regard to that?*

*Mr. Morake: No, I've never thought of getting any treatment because I feel that where they are, they are the ones who should be getting the treatment. I think where they are the ones who are supposed to receive the treatment because I think they were the ones who are sick.*¹⁹

In this testimony the commissioner presents Mr. Morake's feelings as a psychological illness. His hatred of White people is not interpreted as a natural feeling but as an emotion that needs to be cured. Patrick Morake fiercely challenges this interpretation, by saying that he is not the one who needs treatment. Although such hatred could still be conceptualized as dangerous for the polity, it should in the first place be framed as understandable. "By suggesting that feelings of resentment and vengeance were mental diseases, the commissioners discouraged other victims to express similar emotions—no one wanted to be presented as a mental patient, definitely not before the eyes of the world".²⁰

Thus, although the commission is heralded as a venue for truth telling and for the free expression of lived experiences, the accepted discourse is quite obviously circumscribed. Verdoolaege's counting of the written transcripts to the Human Rights Violation Committee of South Africa's TRC observed that in about 70% of testimonies the commissioners themselves either evoked the concept of reconciliation, or urged the victims to express a willingness to forgive and reconcile. "When victims in public appearances did deviate from the pro-forgiveness party line, they were guided back by the commissioners".²¹ In Mr. Morake's case, for expressing views counter to the discourse of forgiveness and reconciliation, his truth was not just 'guided', but also expressly pathologized.

Richard Wilson's experience in South Africa's hearings led him to comment that "[v]irtues of forgiveness and reconciliation were so loudly and roundly applauded that emotions of vengeance, hatred and bitterness were rendered unacceptable, an ugly intrusion on a peaceful

¹⁹ Annelies Verdoolaege, *Managing Reconciliation at the Human Rights Violations Hearings of the South African TRC. Human Rights and Negative Emotions: Special Issue of Journal of Human Rights*, (2005): 71.

²⁰ *Ibid.*

²¹ *Ibid.*

healing process”.²² These constraints run counter to fundamental assumptions about the cathartic potential of speaking and having truth recognized in public venues. While many critiques are often levied against the ability of truth and reconciliation commissions to deliver justice, the unifying praise that these alternative venues most often retain is that there is inherent value in creating a space for survivors to detail their experience and to have it acknowledged and recorded. As Verdoolaege’s analysis of testimony suggests, “Tutu’s zeal for forgiveness, was perceived as at least putting undue moral pressure on victims to forgive”.²³ Where the authenticity of testimony is in question, the value of these venues is diminished. Witnesses in these processes have rightly met this ethical imposition with suspicion and concern. One witness in South Africa’s process wrote that “The oppression was bad, but what is much worse, what makes me even more angry is that they are trying to dictate my forgiveness”.²⁴

COLLECTIVE RESPONSIBILITY

Moreover, while the therapeutic language of healing continues to permeate the transitional justice field, national narratives that promote forgiveness by all survivors knowingly ignore the possible dangers of imposing forgiveness on individuals. Richard Wilson, whose sister Charlotte was murdered in Uganda by members of the Lord’s Resistance Army (LRA) describes expectations of forgiveness in this way:

In the rage-filled summer that followed my sister’s murder, a close friend was reduced to tears as I described my efforts to track down those responsible. “But don’t you think you

²² Richard Wilson, *The Politics of Truth and Reconciliation in South Africa: Legitimizing the Post Apartheid State*, Cambridge: Cambridge University Press, 2001: 120.

²³ Vilhelm Verwoerd, “Towards a Response to the Criticisms of South Africa’s Truth and Reconciliation Commission”, in *Dilemmas of Reconciliation* (Waterloo, Wilfred Laurier University Press, 2003) ed by Carol Prager and Trudy Govier, 264.

²⁴ Kalukwe Mawila in Vilhelm Verwoerd, “Toward a Response to Criticisms of The South African Truth and Reconciliation Commission” in *Dilemmas of Reconciliation* (Wilfred Laurier University Press: Waterloo, 2003): 264.

should try to forgive?” she implored me. At the time, the question just made me feel angrier, more frustrated, and more alone.²⁵

Moreover, extensive work in the fields of psychology, counseling and psychiatry show that:

While forgiveness may bring a sense of resolution to some individuals, it may place unwarranted psychological burdens on victims, and that perceived pressure to forgive may cause significant trauma on its own... forgiveness may impair self-esteem, enable oppression, put forgivers in harm’s way and cause considerable psychic distress.²⁶

Yet when the move is made from reconciliation between individuals to reconciliation between groups and nations, this body knowledge is willingly sacrificed in favor of a universal promotion of forgiveness. For what reasons have the concerns over an individual’s psychological well being been so extensively dismissed? Here the literature on testimony can provide us some insight into this dissonance.

“Literature on trauma and narrative is explicit in its recognition that telling may ‘reawaken’ memories of trauma, with negative effects for the individual”²⁷, but the role of testimony in legalism reinforces the need to promote testimony as a morally courageous act because of its role in delivering retributive justice. Because of the necessity of witness testimony in maintaining political order, we regard testimony as a moral obligation. The social repair that we believe is achieved through retributive justice depends on the sacrifices witnesses make when they agree to put themselves at risk of more psychological harm by testifying. The individual is subsumed to the collective good.

²⁵ Richard Wilson, “The Futility of Forgiveness” in *Prospect Magazine*, June 10, 2012. <http://www.prospectmagazine.co.uk/magazine/the-futility-of-forgiveness-hutu-tutsi-murder-burundi/>

²⁶ Saunders, 130.

²⁷ Fiona Ross, “On Having Voice and Being Heard: Some After Effects of Testifying Before the South African Truth and Reconciliation Commission”, *Anthropological Theory* (2003); 325.

The parallels to forgiveness are clear. South African anti-apartheid activist Wilhem Verwoerd writes that “[t]hey believed that apologies by individuals and group representatives, and forgiveness on the part of the victimized individuals and groups were vitally important for national reconciliation”²⁸. In *Getting on With Life* Charles Villa-Vicencio writes that in South Africa’s process “the victim is asked to give priority to his or her obligations as a citizen rather than as a violated person”.²⁹ He reinforces this sentiment of personal responsibility of the victim to the collective when he later states that the aggrieved survivor “should not allow past wrongdoing and resentment towards others to undermine the political process”.³⁰ Andrew Rigby’s writing makes this expectation painfully clear:

*Individuals, like collectives, for the sake of peace must somehow become capable of accepting loss and moving on. This ability to let go of pain of the past is at the heart of what many understand to be forgiveness... For this to occur they are required not to forget but to forgive the past, and thus be in a position to move forward together.*³¹

Forgiveness is “often cast as a ...particularly noble contribution to the moral architecture of the new nation”.³² For Rigby and so many others, it is reasonable to demand forgiveness of survivors because survivors owe this to their communities. The reasoning is apparent: forgiveness is understood as “a social good, parallel to justice or healing or the claiming of responsibility, that can be pursued with tangible policies, even if it takes a longer period to achieve”.³³

²⁸ Verwoerd, 263.

²⁹ Charles Villa-Vicencio, *Getting on With Life: A Move Towards Reconciliation*, 201.

³⁰ Ibid, 208.

³¹ Rigby, 12.

³² Saunders, 119.

³³ Franklin Oduro, ‘What Do We Understand by ‘Reconciliation’? Emerging Definitions of Reconciliation in the Context of Transitional Justice’ (paper presented at the Centre for the Study of Violence and Reconciliation and International Development Research Centre workshop, ‘Evaluating Experiences in Transitional Justice and Reconciliation: Challenges and Opportunities for Advancing the Field,’ Cape Town, South Africa, 2–4 April 2007).

So, given what we know about the dangers of demanding forgiveness of victims, we might puzzle at the increasing reproduction of forgiveness discourse in transitional justice processes. But simple investigation lays bare the motivation; we believe forgiveness has a social utility. “To opt for forgiveness is, or so it seems, to side not only with virtue but also with prudence”.³⁴ Because it helps to achieve or maintain social order, it is acceptable that the same act requires sacrifice on the part of the victim. Forgiveness is the victims’ responsibility to their community.

Yet this linkage between individual forgiveness and societal reconstruction remains largely uninterrogated. What benefit does individual forgiveness offer to a collective process of post conflict societal repair? Does an attitude of forgiveness, or lack thereof, really facilitate the process of societal repair? Are the unforgiving necessarily shirking their civic responsibility to the collective process? Despite the wealth of theoretical literature on forgiveness and political reconciliation, very little empirical analysis has been done to test the connections between individual attitudes of forgiveness and attitudes towards other indicators of political reconciliation. In the quantitative analysis that follows I investigate the strength of this linkage.

DATA AND METHOD

The method employed here makes use of The Institute for Justice and Reconciliation’s (IJR) South African Reconciliation Barometer surveys³⁵ to test the attitudinal differences between individuals who identify as forgiving or unforgiving on four indicators of reconciliation in South Africa. Ultimately this section asks the question: how exactly do attitudes of forgiveness, and its opposite- unforgiveness, influence the political landscape?

The research instrument used by the South African Reconciliation Barometer is in the form of a questionnaire developed by the Institute for Justice and Reconciliation in South Africa that includes one hundred and eighty two survey variables. All questions are close- ended, and the

³⁴ Thomas Brudholm and Valerie Rosoux, “ The Unforgiving: Reflections on the Resistance to Forgiveness After Atrocity”, *Law and Contemporary Problems*, (2009), 34.

³⁵ The South African Reconciliation Barometer is a project of the Institute for Justice and Reconciliation (IJR). This data has generously been made available the IJR’s research department for the purposes of scholarly and public inquiry.

majority is in the form of 5 or 3-point Likert scales. A national sample is drawn that is representative of the South African adult population (ages 16 and above), and includes approximately 2 000 metro and 1 500 non- metro inhabitants, with an equal gender split. The sample frame is based on the 2001 census enumerator areas, and random sampling is used. Face-to-face interviews were conducted in six languages, according to the preferences of respondents: English, Afrikaans, Zulu, Sotho, Xhosa and Tswana.³⁶ The data analyzed here represents a pooling of surveys 1-9 conducted from 2003-2009. Because surveys were repeated twice in 2003 and 2004 I have dropped observations from survey rounds 2 and 4 so that only one annual survey, conducted at the same time each yearly cycle is used over the time frame.

This data is published annually by the IJR in the form of a report that directly reproduces the responses from that year. Only one other published analysis of this data exists, which I will discuss my relationship to below.

PROJECT METHODOLOGY:

INDICATORS OF RECONCILIATION

The IJR's data has been used once before in James L. Gibson's 2004 work *Overcoming Apartheid: Can Truth Reconcile a Divided Nation?* In this work he assesses the hypothesis that truth contributes to reconciliation. Though arrived at independently, the logic for what variables constitute an index of reconciliation in my own project is similar in many ways to the Gibson's framework. "Truth" is conceptualized and operationalized as the degree of individual acceptance of the collective memory promulgated by the TRC (e.g., the TRC's conclusions that apartheid was a crime against humanity and that all sides in the struggle committed gross human rights violations). I refer to this same variable as a 'shared understanding of the past'. The idea that a shared understanding of the past is important for a rebuilt and healed future is prominent not only in Gibson's work but throughout the literature of peace building and reconciliation.

For Gibson "Reconciliation" consists of four major sub dimensions: (1) interracial reconciliation (rejection of interracial stereotypes and prejudice), (2) political tolerance (willingness to allow

³⁶ Institute for Justice and Reconciliation, *2009 Reconciliation Barometer Annual Report*.

one's political foes full rights of political contestation), (3) support for human rights principles (and, in particular, the rule of law), and (4) the extension of legitimacy to the political institutions of the New South Africa (Parliament and the Constitutional Court).³⁷

In my own analysis I take seriously Gibson's findings about the causal relationship between truth and reconciliation and so include his variables on truth (the TRC's conclusions that apartheid was a crime against). I also use the variable that reflects support for the rule of law, but I do this not as a reflection of support for human rights principles, but instead as a measure of support for the basic legitimacy of the state. Where people consider the rule of law worth obeying, they are indicating deference to state authority. Whether this is because of perceived legitimacy or perceived capacity of the state, in either event it is fundamental to any process of repair. However, I also hope to look at the bare minimum requirements of peace and coexistence: i.e., the end of violence, and so I consider variables that reflect attitudes towards the use of violence as a political tactic.

The additional variables are in part informed by Crocker's framework of political reconciliation:

First, there is the most minimal understanding, where reconciliation is little more than 'simple coexistence'. It would merely involve a cessation of hostilities and peaceful coexistence ... The second conception, based on liberal democratic theory, promotes a citizenship-based result and is often termed 'liberal social solidarity' or 'democratic reciprocity'. Finally there is 'a shared comprehensive vision of mutual healing.'³⁸

First, 'simple coexistence', will be measured by assessing an individual's attitude towards the use of political violence, and respect for the rule of law. Second, democratic reciprocity is measured by assessing attitudes of discrimination in various political and economic spheres.

³⁷ James L. Gibson, "The Contributions of Truth to Reconciliation: Lessons from South Africa", *The Journal of Conflict Resolution*, Vol. 50, No. 3, (Jun., 2006), 415.

³⁸ In Damien Short, "Reconciliation and the Problem of Internal Colonialism", *Journal of Intercultural Studies*, 26:3(2005) 267-282

Finally, I draw on José Zalaquett's and Trudy Govier's insights into group level reconciliation in order to operationalize Crocker's concept of a 'shared comprehensive vision of mutual healing'. Zalaquett asserts that "[t]ruth commissions should help to create a consensus concerning events about which the community is deeply divided... The purpose of truth is to lay the groundwork for a shared understanding".³⁹ This has been operationalized through an assessment of people's shared perception of apartheid as a crime against humanity.

The final indicator variables in my project are therefore an extrapolation of Gibson's work but also of Crocker's analysis of 'superficial' and 'deep' reconciliation. This gives us more room to consider how attitudes of forgiveness are related to both minimalist and maximalist concepts of reconciliation.

A binomial logit model is used against the pooled data. The advantage of pooling data is it facilitates year over year comparison and provides a large set of data. Ordinary Least Squares regression is also used to provide insight into the directions and strengths of the relationships. The variables are described in depth below.

³⁹ Jose Zalaquett in Charon Hribar, "Truth Commission on Conscience in War" Extended Research Report in *"The Truth and Reconciliation Commission Model within an Ongoing Process of Social Transformation"* (May 13, 2010).

Table 1- Operationalizing Concepts Using Survey Variables

Concept	Survey Question	Variable Name
Independent variable		
<i>Forgiveness</i>	<i>“I am trying to forgive those who hurt me during apartheid”</i> . The variable <i>Unforgiving</i> is a transformation of the above question into a dummy variable that disregards those who are uncertain and who answer that they don’t know. It leaves us with two groups of people, those who are “trying to forgive” and those who “refuse to forgive”. These groups are referred to in the rest of this analysis as the ‘forgiving’ and the ‘unforgiving’.	Unforgiving
Dependent Variables		
<i>Return to Violence</i>	Where government was disrespecting human rights, <i>“I would like you to tell me if it would be justified if some people did the following: use force or violent methods such as damaging public property or taking hostages”</i> . Respondents could choose from: it is justified, I don’t know or it is unjustified.	Violence2
<i>Rule of Law</i>	<i>“It is not necessary to obey laws made by a government I didn’t vote for”</i> . This is also transformed into a dummy variable so that those who are uncertain or don’t know are dropped from consideration. This model explicitly tests for those who support the rule of law, and those who do not consider it important to support the rule of law.	NotObeyLaw2
<i>Shared Understanding of the Past</i>	<i>“Apartheid was a crime against humanity”</i> . This is a dummy variable that only allows respondents to agree or disagree with the statement.	Apartcrime2 :
<i>Political Tolerance</i>	<i>“I think it is fair that people who discriminated against others during apartheid should feel what it is like to be discriminated against”</i> . Reconciliation literature considers this kind of vengeful attitude a barrier because it inhibits coexistence between equal citizens.	Discriminate2:

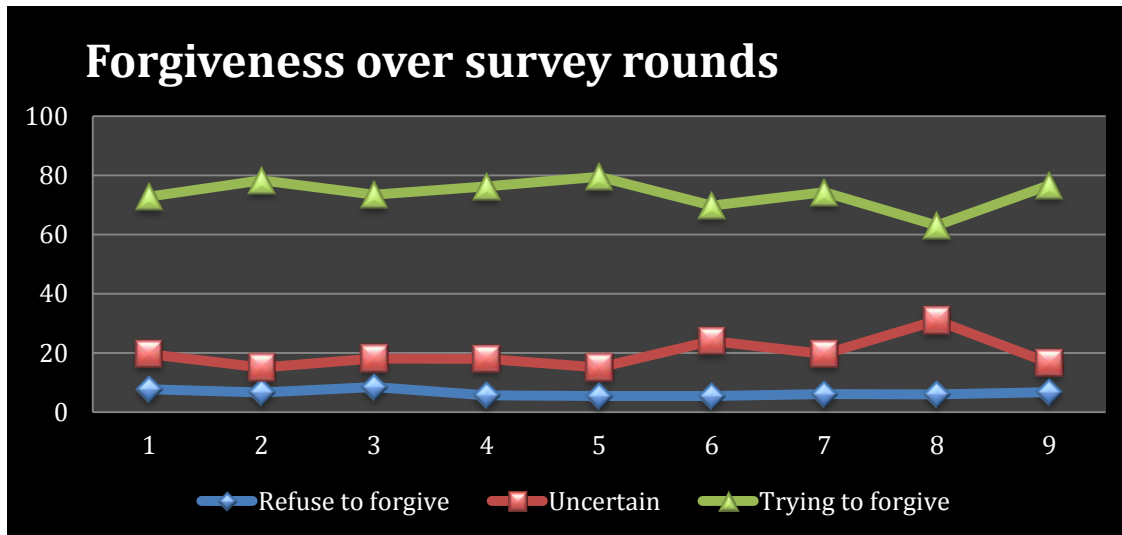
SOCIO-ECONOMIC CONTROLS

For all five reconciliation indicators this paper controls for *race* [a dummy variable between White(zero) and Black (one) South African respondents], levels of *education* (an ordinal variable measured 1-11), *income* (ordinal, measured 1-18), and *gender* (dummy measured 0 for male and 1 for female).

FORGIVENESS OVER TIME

South Africa is well recognized in the transitional justice literature to have pushed rhetoric of forgiveness throughout its transition away from apartheid. As a result we can expect that people are likely to publicly identify as forgiving and this is what is found. Table1 and Graph1 show the changes in the variable *Forgiveness* over the survey rounds.

Figure 2- Agreement with the statement: “I am trying to forgive those who hurt me during apartheid”



ARE THE UNFORGIVING A BARRIER TO REBUILDING AND RECONCILIATION?

Although the percentage of South Africans who indicate that they are willing to forgive is high in every year of the survey, what concerns us in this paper is not how many South Africans are swayed one way or the other but the effect an attitude of forgiveness or unforgiveness has on other aspects of the reconstruction and reconciliation process.

RETURN TO VIOLENCE

Table 2- Ordinary Least Squares Regression: The effect of being unforgiving on the perceived legitimacy of violence as a political tactic

Independent Variable	Dependent Variable: Violence 2
Unforgiving	-0.1397**
Education	-0.0028
Race	-0.1897**
Gender	0.0257
Income	-0.0007
<i>*Indicates significance at 95%</i>	<i>** Indicates significance at 99.9%</i>

Is it justified to use force or violence methods such as damaging public property or taking hostages?

OLS regression indicates that forgiveness and race play important roles in peoples' attitudes towards violence. With a coefficient of -0.1398 the effect of identifying as unforgiving pushes the variable violence towards the category "agree". The effect of being unforgiving is more intuitively related through the predicted probabilities generated by binomial logit analysis. Those who identify as forgiving have a 14.3% predicted probability of agreeing that violence can be justified as a method of political protest compared to a 19.4% predicted probability among those who identify as refusing to forgive. With a difference of 5.1%, the standard error is 0.008.

All of the socio-economic controls make a substantive difference in attitudes towards the use of violence except gender. As OLS model 1 reports, moving from zero (White) to one (Black) on the race variable has an even stronger effect than forgiveness, pushing towards an acceptance that violence is justifiable in certain cases. The combined effect of race and forgiveness is well illustrated by predicted probabilities. Those who are Black and forgiving have a 7% higher predicted probability of considering violence a justifiable method than those who are White and forgiving. Importantly, those who are Black and unforgiving have a 23.6% predicted probability of considering violence justifiable. This is significantly higher than both those who are Black and forgiving (16.2%) and those who are White and unforgiving (7.6%).

The effect of education on attitudes towards the use of violence is somewhat hidden in the OLS regression but becomes evident in the logit analysis. At the highest levels of education (a completed university degree), attitudes toward violence change just 2% between those who try to forgive and those who refuse. Therefore, the uneducated are just as unlikely as the educated to consider violence a justifiable tactic so long as they have positive attitudes towards forgiveness, if they are unforgiving however education will have an important effect on their attitudes towards the use of violence. Similarly, high levels of income diminish the difference in attitudes between the forgiving and the unforgiving. At the highest level of income the difference between the two groups is half as big as it is at the lowest level of income.

Table 3-Predicted Probabilities: The difference between those with forgiving and unforgiving attitudes on the perceived legitimacy of violence as a political tactic

Independent Variable	Dependent Variable: Violence 2
Forgiving	0.14*
Unforgiving	0.19*
<i>*Indicates significance at 95%</i>	<i>** Indicates significance at 99.9%</i>

SHARED UNDERSTANDING

Table 4-Ordinary Least Squares Regression: The effect of being unforgiving on a shared understanding of apartheid as a crime against humanity

Independent Variable	Dependent Variable: Apartcrime2
Unforgiving	0.1329**
Education	-0.0026
Race	-0.1513**
Gender	0.0037
Income	-0.0002*
<i>*Indicates significance at 95%</i>	<i>** Indicates significance at 99.9%</i>

Apartheid was a crime against humanity. Agree or disagree.

While 93.2% of those who identify as forgiving agree that apartheid was a crime against humanity, only 78.2% of those who identify as unforgiving agree. The predicted probability of agreeing that apartheid was crime goes down as we move from the forgiving (0) to the unforgiving (1). This difference of 14.95% has a standard error of 0.01188. This relationship is mirrored in the OLS coefficient for forgiveness (0.133) whose direction also indicates that the unforgiving are less likely to agree that apartheid was a crime against humanity. However, much of the difference between these two groups is explained by race. As reported by the OLS coefficient, race is an even more important driver for this relationship than attitudes toward forgiveness. White South Africans are generally less likely to see Apartheid as a crime against humanity with a predicted probability of 81.6% of the forgiving agreeing and just 59.5% of the unforgiving White South Africans in agreement. Forgiving Black South Africans are 12% more likely than forgiving White South Africans to believe Apartheid was a crime against humanity, and unforgiving Black South Africans are 21% more likely to believe Apartheid was a crime against humanity than White South Africans.

Table 5- Selected Predicted Probabilities: *The difference between those with forgiving and unforgiving attitudes on a shared understanding of the apartheid past as a crime against humanity*

Independent Variable	Dependent Variable: Apartcrime2
Forgiving	0.93**
Unforgiving	0.78**
Race: Black Forgiving	0.94**
Unforgiving	0.81
Race: White Forgiving	0.82**
Unforgiving	0.60**

DISCRIMINATION

Table 6-Ordinary Least Squares Regression: *The effect of being unforgiving on a belief that discrimination against beneficiaries of apartheid is acceptable*

Independent Variable	Dependent Variable: Discriminate2
Unforgiving	-0.3548**
Education	-0.0015
Race	-0.4961**
Gender	0.0454*
Income	0.0001
*Indicates significance at 95%	** Indicates significance at 99.9%

I think it is fair that people who discriminated against others during apartheid should feel what it is like to be discriminated against. Both race and forgiveness have strong, significant negative relationships with the variable *discriminate*. This means that both the unforgiving and Black South Africans are more likely to agree with this statement than their forgiving or White South African counterparts. While the coefficient for *Unforgiving* is important at -0.3548, race has a significantly larger effect at -0.4961. Ordered logit analysis shows us that where about half of forgiving respondents (51.2%) agree with reverse discrimination, closer to 65% of those who identify as unforgiving agree with this statement. This difference of 13.9% has a standard error of 0.014.

Education, gender and income do not have a statistically significant effect on the variable *discriminate* according to OLS but binary logit helps us to see that high levels of education can temper the effect of forgiveness. Where there is a large gap between agreement with the

statement from the forgiving (57.5%) and the unforgiving (76.8%) at no formal education, there is virtually no gap in agreement with the statement at high levels of education (roughly 39% for both unforgiving and forgiving). The same is true for low and high income. Where there is a large gap in agreement with the discrimination statement among the forgiving low income (49.4%) and the unforgiving low income (70.05%) there is virtually no difference at the highest level of income with both forgiving and unforgiving having a predicted probability of agreement at 41% and 43% respectively.

Table 7- Selected Predicted Probabilities: The difference between those with forgiving and unforgiving attitudes on a belief that discrimination against beneficiaries of apartheid is acceptable

Independent Variable	Dependent Variable: Discriminate2
Forgiving	0.52**
Unforgiving	0.66**
No Education: Forgiving	0.58**
Unforgiving	0.77**
Most Education: Forgiving	0.39
Unforgiving	0.40

RULE OF LAW

Table 8-Ordinary Least Squares Regression: The effect of being unforgiving on support for the rule of law

Independent Variable	Dependent Variable: Notobeylaw2
Unforgiving	-0.1612**
Education	-0.0028
Race	-0.1213**
Gender	0.0067*
Income	0.0000
<i>*Indicates significance at 95%</i>	<i>** Indicates significance at 99.9%</i>

It is not necessary to obey the laws of a government I did not vote for. Agree or disagree.

The relationship between identifying as *Unforgiving* and the dependent variable representing the rule of law is once again statistically significant and relatively strong with a coefficient of -

0.161, and this time is stronger than race whose coefficient is -0.121. The effect of being forgiving or unforgiving on respect for the rule of law is lesser than in the other categories. The unforgiving have a 28.6% predicted probability of agreeing with this statement whereas the forgiving are nearby at 22%. This difference of 6.6% has a standard error of 0.010. A respect for the rule of law therefore appears to be relatively independent of attitudes towards forgiveness.

Education once again plays a similar role in relation to forgiveness. Where there is a big gap in agreement with the statement between the forgiving (20.1%) and the unforgiving (31.3%) when no formal education is present, there is a very small gap between the forgiving and the unforgiving at the highest level of education (roughly 2% difference in predicted probabilities). Income follows the same pattern with a large gap in agreement with this statement existing between the forgiving and the unforgiving at the lowest income, but very little gap between these groups at the highest income.

Table 9-Selected Predicted Probabilities: The difference between those with forgiving and unforgiving attitudes on support for the rule of law

Independent Variable	Dependent Variable: Notobeylaw2
Forgiving	0.22**
Unforgiving	0.29**
No Education: Forgiving	0.20*
Unforgiving	0.31*
Most Education: Forgiving	0.17
Unforgiving	0.15

DISCUSSION

For every dependent variable the effect of being unforgiving is statistically significant, but not always substantial. In every case being unforgiving results in a greater predicted probability that the respondent will also hold attitudes that are in opposition to those that political reconciliation requires. Yet the magnitude of the differences in attitudes is not great. In no case does it result in a more than 10% difference in predicted probabilities, and in all cases the forgiving also hold perspectives that would be considered counter to the goals of political reconstruction and reconciliation. Therefore, important factors other than attitudes towards forgiveness are informing peoples' attitudes towards particular pillars of social repair, like reverse discrimination and toleration of violence. Moreover, in all but the case of support for the rule of law, where attitudes towards forgiveness are of lesser importance, race is a more significant determinant of support for indicators of societal repair.

So how does forgiveness influence the political landscape? Forgiveness has a positive correlation with indicators of repair and reconciliation, but not that substantially. The difference between the two groups is marginal. The strong assertion that forgiveness has a clear social utility in a political reconciliation process is therefore called into question. That forgiveness is a necessary component of societal rebuilding is not at all evident.

The socioeconomic variables of race, income and education all have important effects on attitudes towards the four 'thin' reconciliation indicators discussed, while gender appears to play a surprisingly minor role. In the case of education and income, elevated levels of either has the result of tempering the effect of forgiveness on agreement with violence, discrimination and disrespect for the rule of law indicating that the relationship of *Unforgiving* to these dependent variables is non linear. In short, the effect of being unforgiving on the reconciliation indicators is greater for Black South Africans than it is for White South Africans, and greater on low income and uneducated South Africans than it is for their highly educated and high income counterparts.

Many of the racialized differences are to be expected given that South Africa's conflict is grounded in racial segregation. That White South Africans are less likely to identify Apartheid

as a crime against humanity or that they are less likely to feel that reverse discrimination is now warranted speaks directly to their role in an oppressor/oppressed dynamic. Though race may not be an equally important factor in other transitional contexts it is highly possible that this divide may be mirrored in perpetrator/victim group dynamics. It is surely a question of privilege, elite status, and its preservation.

The findings regarding education and income are important, but unsurprising. They make two things clear. First, that it is entirely possible to be both decidedly unforgiving and still supportive of the goals of social repair and reconstruction. Second, it shows that those in positions of power are able to navigate social expectations on their own terms. Societal power dynamics, questions of socioeconomic mobility and opportunity, are an important determining factor in people's relationships to the indicators of reconstruction considered above.

Colin Parry, a British man whose 11-year-old son was killed by an IRA bomb in England in 1994, offers a telling example. His response to loss was to establish an NGO dedicated to British-Irish reconciliation "I will never forgive the people who killed my son," he said. "But I am completely committed to the process of reconciliation."⁴⁰ Parry is asserting the right not to forgive, something apparently distinct from the desire to build a new unified community. Importantly, Parry's unforgiveness does not preclude a space for healing in the future, but it does make demands of the past. The actions of those who murdered his son are unforgiveable. In making this moral judgment he vilifies future acts of political violence, demanding an end to cycles of revenge and retribution.

Rather than affirming Desmond Tutu's message that "forgiveness and reconciliation are the only truly viable alternatives to revenge, retribution and reprisal"⁴¹, quantitative analysis supports instead theorist Thomas Brudholm's conclusions that "this dichotomy of either

⁴⁰ D. Bloomfield, "On Good Terms: Clarifying Reconciliation", *Berghof Report* No. 14. (Berlin: Berghof Research Center for Constructive Conflict Management; 2006):25.

⁴¹ Tutu, 204.

forgiveness or vengeance-hatred-bitterness does not do justice to the actual spectrum of possible attitudinal responses between those two poles”.⁴²

As a man of means and education, Parry is able to distinguish between the goal of social repair and his own personal right to withhold forgiveness. He is able to assert his autonomy in the face of social expectations and discourses of forgiveness, which characterize the abandoning of resentment as a morally superior emotion. The powerful can resist the incursion of state narratives onto their psychological space.

“Survivors who are marginal or isolated will be most at risk of the appropriation; if there is a powerful community, a measure of control can be retained. The pressures for conformity will be strong, precisely in reflection of the strength of the testimony itself.”⁴³ Knowing that the discourse of forgiveness is experienced differentially by the powerless renders the ethics of this rhetoric all the more unjustifiable for practitioners of transitional justice. As we endeavor to build new and transformed communities, communities that seek to make a break with prior institutions of oppression and violence, the promotion of a discourse that imposes on the weakest and most marginal survivors is unacceptable. Moreover, for a discourse as steeped in the language of healing and therapy as transitional justice, too little attention is paid to the survivors’ experience of trauma, how it informs memory, and how it ultimately does and should shape moral judgment.

TIME, MEMORY AND TRAUMA

Much of what transitional justice promises to deliver is a reckoning with the past. Counter to narratives that it is best to forget and move on, the field of transitional justice has emerged because scholars and practitioners support the belief that bringing the truth to light is better than burying it. The implicit assertion is dealing with the past is part of repairing the present and preparing for the future. This represents a profound and important acknowledgement of the

⁴² Brudholm 2008, 29.

⁴³ Kali Tal, *Worlds of Hurt: Reading the Literatures of Trauma*, (Cambridge Studies in American Literature and Culture. Cambridge University Press, 1996): 7.

individual experience of trauma in contrast to earlier thinking that would prefer to privilege the future over the past.

Jean Amery, a holocaust survivor whose tomes *Beyond Guilt and Atonement* continue to enlarge the perspective of transitional justice scholars, asserts that the attitude that the future should be considered more important than the past is “an intolerable form of human subjugation- a moral defeat to the social and biological, or allegedly ‘natural’, consciousness of time with its bias for the future”.⁴⁴ Amery asserts that acknowledging the past is first and foremost a question of human dignity. To promote paths that value future reconciliation over acknowledgment of the past is to do violence to the experience of trauma of victims. “What happened happened. This sentence is as true as it is hostile to morals and intellects”.⁴⁵

Amery’s words resonate with what we have come to learn about the individual experience of trauma. In Lawrence Langer’s *Holocaust Testimonies* survivor Charlotte Delbo writes about the experience of ‘doubling’. Asked if she lives with Auschwitz after her return, she replied “No- I live beside it. Auschwitz is there, fixed and unchangeable, but wrapped in an impervious skin of memory that segregates itself from the present ‘me’. Unlike the snake’s skin, the skin of memory doesn’t renew itself”.⁴⁶ This doubling that Delbo speaks of invalidates our ideas of continuity, chronology, and the commonly accepted wisdom that ‘time heals all wounds’. Indeed, as we come to better understand the survivors’ experience of the worst atrocities, we learn that some wounds never heal.

Thomas Brudholm tries to address these understandings of trauma within transitional justice when he writes that “communities can lose patience with survivors and relatives who seem stuck in grievances or who appear to nurse their victimhood...their rage, some may say, was understandable, but it has had its time....”.⁴⁷ Instead, as our understanding of trauma shifts, we

⁴⁴ Brudholm 2008,39.

⁴⁵ Ibid.

⁴⁶ Lawrence L. Langer, “Deep Memory: The Buried Self in Holocaust Testimonies” in *Holocaust Testimonies: The Ruins of Memory*, (Yale University Press, 1991): 5.

⁴⁷ Brudholm, *Resentment's Virtue*, 5.

learn that time is relative for survivors. Their experience of the dulling of pain and grief may not change for all trauma in the same way or on the same schedule. Holocaust survivor Vladimir Jankelevitch describes his relationship to time in this way:

*The time that dulls all things, the time that uses up sorrow as it erodes mountains, the time that favors pardon and forgetfulness, the time that consoles, settling and healing time, does not diminish in the least the colossal slaughter; on the contrary, it never ceases to revive its horror...crimes against humanity are imprescriptible, that is, the penalties against them cannot lapse; time has no hold on them.*⁴⁸

While the language of therapy continually pervades transitional justice discourse, very little scholarly attention in this field has been paid to more recent understandings of time and trauma. The psychological concept of *Hypermnesia* approximates the temporality described in Langer's and Jankelevitch's testimonies. W. Niederland describes hypermnesia as the all too clear and inflected memory of traumatic experiences that result in the shattering of the self.⁴⁹ It represents the medicalization of the experience of trauma, which unmoors a person from their time and self. Jenny Edkins writes that "trauma is that which refuses to take its place in history as done and finished with. It demands an acknowledgement of a different temporality, where past is produced by – or even takes place in – the present".⁵⁰

What this advancing knowledge of trauma demands of us is that we do not eschew the past and that we understand its consequence in the present. The recognition of these diverse experiences of trauma is fundamentally about human dignity. Respect for survivors demands a respect for their ongoing experience of trauma. Respectful discourses must create space for the trauma that does not subside with time, that cannot be moved on from, but that is always 'beside' its bearer. The corollary is that expectations that a victim can or should 'move on', 'let go' and embrace

⁴⁸ Vladimir Jankelevitch, "Should We Pardon Them?", *Critical Inquiry*, (1996): 567.

⁴⁹ William Niederland, *Volgen der Verfolgung: Das Überlebenden-Syndrom Seelenmord*, (Frankfurt am Main: Suhrkamp, 1980) :230.

⁵⁰ Jenny Edkins, *Trauma and the Politics of Memory*, (Cambridge, 2003):59.

the future become unreasonable. Moreover, I assert that a process in which their voices are marginalized or pathologized is also undesirable.

RESENTMENT'S VIRTUE

For individuals forgiveness can offer solace and therapy, but it may not. The difficult problem with the promotion of forgiveness discourse is its presumption that forgiveness will always offer relief to victims. As though the two were having a conversation (separated by mediums and years), Jeffrie Simpson writes that “We live in a time in which the virtue of forgiveness risks becoming distorted and cheapened by various movements that advocate it in hasty and uncritical ways”,⁵¹ to which Richard Wilson adds “When a profound moral concept is too loosely defined, the danger is that it can come to mean whatever the people who shout loudest want it to. And those on the receiving end of brutal crimes seldom have the loudest voices”.⁵²

While Murphy, a renowned philosopher of forgiveness and apology, is writing about the general trend in transitional justice, Wilson is speaking from personal experience. Wilson is the same man we encountered earlier in this work, struggling to write about the experience of losing his sister Charlotte to a brutal mass murder on board a bus in Uganda.

Among the books and articles I came across, the overwhelming view was that “unconditional forgiveness” was the ideal—the only way for victims to free themselves of anger and avoid being “imprisoned by the past.” The “healing power of forgiveness,” it seemed, could mend divided societies, transform hardened killers into law-abiding citizens, and save victims from a lifetime of rage and hatred.

⁵¹ Jeffrie Murphy, “Foreword” in *Resentment's Virtue* by Thomas Brudholm, (Philadelphia: Temple University Press, 2008); xii.

⁵² Wilson, Richard. “The Futility of Forgiveness” in *Prospect Magazine*, June 10, 2012. <http://www.prospectmagazine.co.uk/magazine/the-futility-of-forgiveness-hutu-tutsi-murder-burundi/>

Yet there was something about all of this that jarred—a moral absolutism combined with wishful thinking that seemed both dangerous and demeaning.

Wilson writes about the experience of coming across the unforgiving testimony of Julie Nicholson, a vicar for the Church of England. Choosing to go against the consensus, Nicholson, whose daughter Jenny was killed by a suicide bomber, chooses to relinquish her post as vicar rather than her resentment.

To own an anger, to own real feelings and the immensity of the feelings—I would argue that in many cases it's healthier than spending a lifetime trying to forgive something that you might do better just to lay to one side.⁵³

Nicholson is making a case here for what Wilson terms ‘the futility of forgiveness’, but more than a refusal to forgive, resentment can be an active virtue that helps to delineate our expectations of morality, dignity and respect. Charles Griswold offers this defense of the unforgiving survivor. Resentment, he argues, “testifies to a moral standpoint,” embodying “the demand that the wrong-doer show [us] the proper respect, and be accountable for not having done so”.⁵⁴ It is a perspective shared by philosophers as far back as the Reverend Joseph Butler, and Adam Smith. In 1897 Butler stated that “Resentment functions as a weapon, put into our hands by nature, against injury, injustice and cruelty”⁵⁵, stemming from the perceived violations of normative expectations, resentment is an emotion that performs a valuable socio-ethical function.

In its barest sense, “resentment” can simply refer to the anger we feel when reminded of a past injustice. However, it can also carry a wider meaning, linked to the idea of outrage, indignation,

⁵³ Ibid.

⁵⁴ Charles Griswold,

⁵⁵ Joseph Butler, Sermon VIII. Upon Resentment and Forgiveness of injuries--Matt. v. 43, 44., *Fifteen Sermons Preached at Rolls Chapel*, 1897.

and protest. Understood in this way, resentment offers promise not only for individuals, but for our communities.

RESENTMENT AS RESISTANCE

In the center of the Plaza de Mayo in Buenos Aires, the mothers of missing and disappeared children have marched for thirty-five years. Initially in small numbers, their heads covered in white scarves bearing the names of their children, they quietly defied the interdictions against protest and assembly. They consistently called attention to their loss, marked their grief, and demanded acknowledgment and transformation of the societal conditions that birthed their trauma. Long after the pacted transition, in which President Alfonsín offered mass amnesty to members of the military, the women continued to march. The “healing” offered to them was met with outrage and unforgiveness. The women write about their resistance to forgiveness as a conscious choice with ramifications for the future.

*We won't forgive, and we won't forget. We want children from the next generation to learn what happened in those years... We realize that to demand the fulfillment of human rights is a revolutionary act, that to question the government about bringing our children back alive was a revolutionary act... to transform a system is always revolutionary.*⁵⁶

After decades of visible resistance the group of mothers splintered. Some of the mothers worried that they were jeopardizing Argentina's peaceful transition. These women sought to moderate their rhetoric and action and blur gently into the new order, relinquishing their hold on resentment. Others did not. They continued to march, demanding recognition and redress for that which could never be restored, the lives of their children and family members. Theirs is the active practice of Arendt's observation that “there are certain crimes that one can neither punish nor forgive”.⁵⁷

⁵⁶ Adam Bennett, Marcee Ludlow and Christopher Reed, *Madres De La Plaza de Mayo: A History*, <https://webpace.utexas.edu/cmr485/www/mothers/history.html>

⁵⁷ Hannah Arendt, *The Human Condition*, (Chicago: Chicago University Press, 1989): 241.

Contrary to the way in which unforgiveness is described by transitional justice actors, like Desmond Tutu and the International Center for Transitional Justice's Alex Boraine, as the failure to achieve the act of forgiveness, withholding forgiveness is itself a conscious act, it is an act of resistance in the face of near totalizing and hegemonic discourse that demands survivors get comfortable with perpetrators and the actions that birthed their trauma. "In the midst of the world's silence our resentments holds its finger raised" writes Jean Amery.

Why reconciliation discourse should create space for these raised fingers is as important for societies at large as it is for the personally touched survivors themselves. Just like *Las Madres*, resentment helps to reinstate accountability. It is connected to normative expectations and their breach. In Jean Amery's extensive writings, what he expected was a moral response to the Nazi past, which for him was characterized by an assumption of personal guilt or collective historical responsibility, or both. Like *Las Madres*, Amery "brandished his resentments against denial, evasion, and cheap reconciliation".⁵⁸

It is the same sentiment that Leanne Simpson brings to her discussion of forgiveness and reconciliation for the wrongs of colonization in Canada. "Indigenous Peoples attempted to reconcile our differences in countless treaty negotiations, which categorically have not produced the kinds of relationships Indigenous Peoples intended... It reminds me of an abusive relationship where one person is being abused physically, emotionally, spiritually, and mentally... What are the consequences for Indigenous Peoples of participating in a process that attempts to absolve Canada of past wrong doings, while they continue to engage with our nations in a less than honourable way?"⁵⁹ Resentment here is guarding against a future that replicates the crimes of the past. It demands an accountable future, one that inscribes permanently the most egregious moral violations so that there is no space for them to be repeated. To forgive them, to leave them in the past, would not only do an indignity to survivors who continue to live their trauma, but it would dismantle the marker that guards against these violations in the present.

⁵⁸ Thomas Brudholm and Rosoux, "Revisiting Resentments: Jean Amery and the Dark Side of Forgiveness and Reconciliation", *Journal of Human Rights*, vol. 5(2006): 11.

⁵⁹ Leanne Simpson, *Dancing On Our Turtles Backs*, (Winnipeg: Arbeiter Ring Publishing): 23.

Instead, what resentment allows is to repeatedly and continually mark egregious violations. *Las Madres* and colonized peoples are just two of any number of examples which can be applied to Jenny Edkins' concept of 'encircling the trauma', the continual inscription of trauma in the public sphere; an overt refusal to leave the trauma in the past through a refusal to forgive, forget or let go. These are forms of memory and memorialization that do not produce linear narrative, but rather retain another notion of temporality. They retain in the present the unresolved traumas of the past. "We cannot remember this as something that took place in time, because this would neutralize it. All we can do is to 'encircle again and again the site' of the trauma, "to mark it in its very impossibility".⁶⁰

Edkins refers to these as 'ways of encircling the real'; a complicated concept about trying to relate to others the subjective reality of survivors' trauma. It is an idea that seeks to acknowledge the trauma of survivors, to dignify it through persistent recognition and to transform the future by persistently holding on to the past. The idea is not so far from, and is put in simpler terms by, Hannah Arendt's earlier observation that "real evil is that which causes us speechless horror, when all we can say is: This should never have happened"-- only for Edkins, we must say it over and over again.⁶¹

Edkins describes the reinscription of traumatic memory in the present as crucial, both for contesting the depoliticization that the rebuilding of state authority necessarily engenders, and for keeping open a space for a genuine political challenge by encircling the trauma rather than by attempting to render it palatable for society writ large. Indeed, the uncomfortable and unsettling character of resentment is part of why it matters. As I will explore in the subsequent section, the voices of the unforgiving play important roles in the process and the outcome of building new communities, societies, states and orders in the wake of genocide, crimes against humanity and mass atrocity.

⁶⁰ Edkins, 17.

⁶¹ Hannah Arendt, "Some questions of moral philosophy" in *Responsibility and Judgment*, ed. Jerome Kohn. (New York: Schocken Books): 49-146.

STATECRAFT AND THE DISCIPLINING OF MEMORY

In *Varieties of Reconciliation* Meierhenrich asserts that “the incorporation of forgiveness and mercy into the systematized concept makes reconciliation epistemologically demanding... The formulation of realistic concepts of reconciliation that are more attainable in practice, as advocated by Dwyer, is counterproductive, for if reconciliation is everywhere, it is nowhere”.⁶² This formulation of the role of forgiveness mistakenly suggests that a process is minimalist without forgiveness. Conversely, while many critiques of forgiveness discourse suggest that it demands too much of transitional processes, I argue that it demands too little.

“It is the intersection of trauma and political power that makes it necessary for survivors to be disciplined” writes Edkins.⁶³ Through the careful idealization of forgiveness discourse and the delegitimation of the voices of the unforgiving the state is able to control testimony, and therefore the transformations that unforgiving testimony demands. The outcome of the transitional process is structured from the top down. “Bearing witness is an aggressive act... Its goal is change. If survivors retain control over the interpretation of their trauma, they can sometimes force a shift in the social and political structure”.⁶⁴

Witnesses and survivors of violence and trauma contribute to the collective process of repair precisely because they reject simple attempts to move on without transformation. In 1997 a township woman speaking at Grahamstown Town Hall invited South Africa’s Truth and Reconciliation Commission to heed her call for structural transformation. “Your lives have changed,” she said, addressing the TRC spokespersons. Pointing to their double breasted suits, she continued, “It is alright for you to forgive and embrace the perpetrators of heinous crimes for the sake of reconciliation... But our lives have not changed. We still live in the same shacks or matchbox houses...how can we forgive if our lives have not changed?”⁶⁵

⁶²Meierhenrich, 17.

⁶³ Edkins, 51.

⁶⁴ Tal, 7.

⁶⁵ Verwoerd, 252.

In the exercise of her unforgiving political voice she demands more of the reconciliation process. Not only indictment or retributive justice, but also social and economic justice. Her unforgiving voice does not seek cycles of retributive violence, it calls for the dismantling of ongoing structures of violence. It is not focused only on the individuals who have wronged her, but on the promises of those who structure the transition. When her voice is marginalized, the process rolls on without benefit of this enlarged perspective.

This unforgiving testimony calls us to see justice in a new perspective. For this survivor, there is no transition without transformation. Without an end to the structures of poverty and oppression that have confined her lived experience, there is no basis for forgiving. To rebuild on these foundations does nothing to subvert the structures that entrenched South Africa in violence for decades. A transitioned South Africa that replicates these relationships is not a reconciled South Africa- it is only a South Africa temporarily freed from violence. This is a South Africa of coexistence.

Indeed, what we know about continuums of violence should compel us to consider transformation as the necessary component of transitional justice. “Structural violence includes an ordering of oppressive inequality... The system closes the cycle of violence, justifying and protecting those structures that privilege the few at the cost of the many ... Violence is already present in the social order”.⁶⁶ Without the transformation of these structural violences, overt violence is always possible and all the more likely. As Todorov so powerfully writes about the descent into the Holocaust: “There is no break between extreme and center, only a series of imperceptible transitions”.⁶⁷

Guatemala’s experience of transitional justice stands as a warning against a violence that has been dampened, but not dealt with. While peace was achieved at the end of 1996, everyday

⁶⁶ Beatrice Manz, “The Continuum of Violence in Postwar Guatemala”, *Social Analysis*, vol 52 Summer 2008; 26.

⁶⁷ Tzevetan Todorov, “Facing Evil: Telling, Judging, Understanding”, *Facing the Extreme: Moral Life in the Concentration Camps*, (2000): 257.

violence has reached epidemic proportions.⁶⁸ The violence is rooted in a society that historically has been deeply divided along ethnic and rigid class lines and that has been fundamentally unjust, discriminatory, and abusive toward the oppressed population. The challenge then is much greater, and the likelihood of continued violence that much more likely, when the underlying grievances have not been and are unlikely to be addressed because those in power do not have the will to bring about the necessary changes.

Bronwyn Leebaw writes that Nuremburg and South Africa's TRC share a common problem. "Both are premised on the view that crime constitutes a discrete deviation from the shared norms or standards of a political community".⁶⁹ The failure to acknowledge the continuums that give birth to mass violence and atrocity has led to a strategy of what Leebaw calls 'depoliticization', which can best be understood as the reservation of moral judgment in macro level narratives. For South Africa, this has resulted in the even balancing of guilt; the assertion in official histories that both apartheid supporters and resisters have been equally harmed by, and are equally responsible for repairing, the experience of apartheid. Her critique is reminiscent of Primo Levi.

In Levi's famous oeuvre *The Grey Zone*, the Holocaust survivor writes extensively about the murky and uncomfortable waters that exist between our categories of victim and perpetrator. Yet, he is careful to warn against Leebaw's problem of depoliticization. Both Levi and Todorov are explicit that the incredible complexity of judicial or moral assignments of guilt does not diminish the need to nonetheless pass those judgments. Despite the occasional act of decency by an Auschwitz guard, and the near daily lateral violence perpetrated between victims, Levi writes that "to confuse them with their victims is a moral disease or an aesthetic affectation or a sinister sign of complicity".⁷⁰

⁶⁸ Manz, 150.

⁶⁹ Bronwyn Leebaw, *Judging State-Sponsored Violence, Imagining Political Change*, (Cambridge: Cambridge University Press, 2011): 15.

⁷⁰ Primo Levy, *The Drowned and the Saved*, (New York: Summit Books, 1988):18.

A program of forgiveness falls victim to Leebaw's criteria for a depoliticized discourse, one that seeks to marginalize current characterizations of guilt in favor of future prospects of reconciliation. In the face of a spectrum of evil, where action is constrained, coerced and influenced by structures outside of the individual, our assessments of right and wrong are complicated. We may be tempted, especially conceptually to throw up our hands and say that judgment is both impossible and inappropriate. While in theory this can be allowed to be true, in practice it is unacceptable. "[D]epoliticization has also undermined the critical role of transitional justice as a challenge to denial, as a basis for exposing the systemic dimensions of past wrongs, and as a basis for advancing an ongoing process of change".⁷¹

In this process the testimony of survivors is critical, and potentially transformative. "There is something in the very structure of testimony...that makes this form of remembering subversive of sovereign power..."⁷². Forgiveness and unforgiveness, when they are naturally embodied and free from coercion, represent the truest markers of moral judgment. When a survivor cannot offer forgiveness, they are demanding a reckoning with the past and the structures that allowed atrocious transgressions to occur. They challenge the comfortable neutrality of depoliticization and demand that the structures of oppression that states, and their privileged elites, are seeking to shore up through the process of rebuilding and repair be dismantled.

But that transformative potential is always at risk of being appropriated and manipulated. Writing about the events in Kosovo in 1999, Edkins contends that the exercise of NATO control and authority being established through the organization of the camp served to "blunt testimony's radical potential" by containing trauma within the framework of the legal witness. Forgiveness discourse can act in the same way to discipline the experience and testimony of trauma. "Because testimony is highly political and if as such it 'threatens the status quo, powerful political, economic and social forces will pressure survivors either to keep their silence or to revise their stories'".⁷³

⁷¹ Leebaw, 92.

⁷² Edkins, 232.

⁷³ Tal, 7.

This appropriation of transformative power allows the process of reconstituting state legitimacy to proceed more smoothly, dictated by top down discourse and less at risk of being fundamentally challenged by unforgiving testimony. It is not only that forgiveness discourse marginalizes the voices of the unforgiving through careful selection and attention to forgiving voices, it is that it also delegitimizes the public space for unforgiveness by positing it as a weaker emotion, one which a person can and should, overcome. In this way the unforgiving are drained of their power. We demand not only what may be impossible for those who continue to live beside their traumas, but what may be undesirable for our polities.

CONCLUSION

“Survivors of events we now label as traumatic have something to tell us. Specifically, they have something to tell us about how we order ourselves with respect to power and political community”.⁷⁴ It is precisely the challenging of these fundamental orders that transitions demand. If we allow structures of violence and oppression to persist unchallenged then we fail to address the roots of violence and conflict. Simply ending violence at one point is not enough to ensure it won't reoccur; for that we need transformation. Peoples' relationship to structural and socioeconomic violence has everything to do with their attitudes to reconciliation. To sideline the voices of the unforgiving through discourse that privileges forgiveness is to willfully ignore this part of the picture. It is to deprive the process of potentially important insights.

It is time to disentangle forgiveness from political reconciliation and to reject discourse that views it as an *a priori* good on the road to societal reconstruction. Many transitional processes inherently ask that victims give up their right to retributive justice. But we ask still more when we demand forgiveness. We ask that victims relinquish their political voice and set it aside. This steals the transformative capacity of their trauma. It confines the transition in ways that demand less of the transformation. Forgiveness erases the benchmarks that resentment guards, leaving a void where violence can grow and be repeated.

⁷⁴ Edkins, 51.

Quantitative analysis between attitudes of forgiveness and indicators of social reconstruction show us that we needn't secure forgiveness in order to avoid cycles of violence and revenge. Although those who identify as unforgiving are more likely to hold attitudes considered undesirable for political reconstruction, the difference between the attitudes of the forgiving and the unforgiving to political violence, systemic discrimination, respect for the rule of law and a shared understanding of the past is not great. It is also importantly tempered by income and education. So, support for societal repair comes with greater economic and educational opportunities.

Our advancing understandings of trauma remind us that respect for survivors demands that we create space for their ongoing experiences of trauma. Processes that seek to honor human dignity must therefore relinquish their demand for forgiveness. Moreover, not only the refusal to forgive, but the active praxis of memory, indignation and resentment can produce individual and social goods. Resentment is not only a reasonable response by a survivor, but an act of resistance against communities that would ignore or dismiss the violence that has been inflicted on them. Their voices demand recognition and transformation.

To be unforgiving needn't be seen as a threat to building and sustaining a peaceful new order, but it should be seen as a threat to the old order and the structures that underpin it. The moral stance embodied by the unforgiving calls us to rebuild in more robust, critical and transformative ways. It draws our attention to what remains in the order that is truly unforgivable. To build new foundations on these old structures only allows the original seeds of violence and oppression to persist. Not only can we rebuild in the face of unforgiving attitudes, but we need those attitudes in order to imagine and rebuild communities torn apart by violence and conflict. The unforgiving can transform transitions in ways that we ignore at our peril. We marginalize these voices to the detriment of our transitions.

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APPENDICES

APPENDIX 1: REPORTING ALL PREDICTED PROBABILITIES

Table 3. All Models: Predicted Probabilities of Agreeing with the Statement				
Variables	Violence	Apartcrime2	Discrimination	Rule of law
Forgiving	0.14*	0.93**	0.52**	0.22**
Unforgiving	0.19*	0.78**	0.66**	0.29**
Race: Black				
Forgiving	0.16*	0.94**	0.54**	0.25**
Unforgiving	0.24*	0.81**	0.74**	0.33**
Race: White				
Forgiving	0.09	0.82**	0.33	0.16
Unforgiving	0.08	0.60**	0.33	0.19
No education				
Forgiving	0.13*	0.93**	0.58*	0.20*
Unforgiving	0.24**	0.81**	0.77*	0.31*
Most education				
Forgiving	0.11	0.92**	0.39	0.17
Unforgiving	0.13	0.76**	0.40	0.15
Lowest income				
Forgiving	0.16	0.94*	0.49**	0.24
Unforgiving	0.20	0.84*	0.70**	0.30
Highest income				
Forgiving	0.09	0.88**	0.41	0.14
Unforgiving	0.11	0.70**	0.43	0.19
* Indicates significance at 95% **Indicates significance at 99.9%				

APPENDIX 2: INSTITUTE FOR JUSTICE AND RECONCILIATION SURVEY
QUESTIONNAIRE

**METRO/NON METRO
EXEC: ANNEKE**

SECTION – RECONCILIATION BAROMETER 2008

- ASK MALES AND FEMALES -

INTRODUCTION: I would now like to ask you some questions about relationships between South Africans in general and your perceptions about government in dealing with reconciliation issues.

SHOWCARD: Please could you tell me how much you agree or disagree with the following statements? Would you say you strongly agree, agree, are uncertain, disagree or strongly disagree?

	STRONGLY AGREE	AGREE	UNCERTAIN	DISAGREE	STRONGLY DISAGREE	DON'T KNOW DNRO
1. The people who run the country are not really concerned with what happens to people like me.	-5	-4	-3	-2	-1	-6
2. Most of the time I can trust the country's national leaders to do what is right.	-5	-4	-3	-2	-1	-6
3. It is all right to get around the law, as long as you don't actually break it.	-5	-4	-3	-2	-1	-6
4. It is desirable to create one united South African nation out of all the different groups who live in this country	-5	-4	-3	-2	-1	-6
5. If public officials are not interested in hearing what people like me think, there is really no way to make them listen.	-5	-4	-3	-2	-1	-6
6. The South African Parliament treats all people who come before it – whether black, white, coloured or Indian – the same.	-5	-4	-3	-2	-1	-6
7. It is possible to create one united South African nation out of all the different groups in this country	-5	-4	-3	-2	-1	-6

SHOWCARD: Please indicate how much confidence you have in each of the following institutions? Would you say a great deal, quite a lot, not very much or none at all?

	A GREAT DEAL	QUITE A LOT	NOT VERY MUCH	NONE AT ALL	DON'T KNOW DNRO
8. The Presidency	-4	-3	-2	-1	-6
9. National government	-4	-3	-2	-1	-6
10. Provincial government	-4	-3	-2	-1	-6

11. Local government	-4	-3	-2	-1	-6
12. Parliament	-4	-3	-2	-1	-6
13. Big companies	-4	-3	-2	-1	-6
14. Political parties	-4	-3	-2	-1	-6
15. The Police	-4	-3	-2	-1	-6
16. Print media e.g. newspapers	-4	-3	-2	-1	-6
17. Broadcast media e.g. radio & TV	-4	-3	-2	-1	-6
18. The SA Human Rights Commission	-4	-3	-2	-1	-6
19. Religious institutions	-4	-3	-2	-1	-6
20. The Constitutional Court	-4	-3	-2	-1	-6
21. The legal system in general	-4	-3	-2	-1	-6

SHOWCARD: Once again, please tell me whether you strongly agree, agree, are uncertain, disagree or strongly disagree with the following statements.

	STRONG LY AGREE	AGREE	UNCERT AIN	DISAGR EE	STRON GLY DISAGR EE	DON'T KNOW DNRO
21. The South African Parliament can usually be trusted to make decisions that are right for the country as a whole.	-5	-4	-3	-2	-1	-6
22. If the South African Parliament started making a lot of decisions that most people disagree with, it might be better to do away with Parliament altogether.	-5	-4	-3	-2	-1	-6
23. The rulings of South African courts should be in accordance with the South African Constitution, even if it contradicts what the majority of South Africans want	-5	-4	-3	-2	-1	-6

SHOWCARD: The issue of race remains present in all areas of public debate, ranging from politics and economics to issues such as public health, sport and the environment. It evokes strong emotions, yet, because of its sensitive nature, some South Africans are not willing to publicly express their true opinions about how the issue of race affects our lives. Please look at the different situations below and tell us under which circumstances you would be willing to tell us what you really think about this issue.

<u>READ OUT BEFORE EACH STATEMENT.</u>					
Would you reveal your true thoughts about how racial issues affect your	ALWAY S	ONLY UNDER CERTAIN CIRCUMS TANCES	NEVER	DON'T KNOW	REFU SED

	life ...					
24.	When interviewed in the street by a reporter for television news	-5				
25.	When phoning in to a radio talk show	-5				
26.	When writing a letter to your local newspaper	-5				
27.	When posting a comment on the Internet	-5				
28.	When debating the issue with people from your own racial group	-5				
29.	When debating the issue with people from different racial groups	-5				

SHOW CARD: Now I would like to hear about your expectations for the future. Please tell me whether you think it will get a lot better, get a little better, stay about the same, get a little worse or get a lot worse?

	GET A LOT BETTER	GET A LITTLE BETTER	STAY ABOUT THE SAME	GET A LITTLE WORSE	GET A LOT WORSE	DON'T KNOW DNRO
30. How do you think the economic situation of people like you will change during the next two years? Will it ...	-5	-4	-3	-2	-1	-6
31. How do you think the personal safety of people like you will change during the next two years? Will it....	-5	-4	-3	-2	-1	-6

SHOWCARD: The South African Constitution requires the state to guarantee and protect the rights of citizens like you and me, so that we may practice our cultures and religions and use our mother tongue language. Please look at the statements below and indicate to which extent you agree. Would you say you strongly agree, agree, are uncertain, disagree, or strongly disagree?

	STRONGLY AGREE	AGREE	UNCERTAIN	DISAGREE	STRONGLY DISAGREE	DON'T KNOW DNRO
32. In South Africa, all religious groups enjoy equal rights.	-5	-4	-3	-2	-1	-6
33. My mother tongue language gets the recognition it deserves in a democratic South Africa	-5	-4	-3	-2	-1	-6
34. The promotion of the rights of other social or cultural groups is done to the detriment of the group that I belong to.	-5	-4	-3	-2	-1	-6

SHOW CARD: Now I would like to hear about your living conditions. Please tell me whether you think it got a great deal better, got a lot better, stayed about the same, got a little worse or got a great deal worse?

	A GREAT DEAL BETTER	GOT A LOT BETTER	STAYED ABOUT THE SAME	GOT A LITTLE WORSE	GOT A GREAT DEAL WORSE	DON'T KNOW DNRO
35. How does your financial situation compare to what it was like 12 months ago? Is it...	-5	-4	-3	-2	-1	-6
36. How do your living conditions compare to what they were like 12 months ago? Are they...	-5	-4	-3	-2	-1	-6
37. Whether you currently have a job or not, how do the chances of you finding a job compare to what they were like 12 months ago? Are they...	-5	-4	-3	-2	-1	-6

SHOW CARD: I just want to ask two more questions about your future. Please tell me whether you think the following is highly likely, likely, likely nor unlikely, unlikely or highly unlikely.

	HIGHLY LIKELY	LIKELY	LIKELY NOR UNLIKE LY	UNLIKE LY	HIGHLY UNLIKE LY	DON'T KNOW DNRO
38. How likely is it that your house, property or land rights will be taken away from you during the next 12 months?	-5	-4	-3	-2	-1	-6
39. How likely is it that the houses, properties or land rights of people like you will be taken away during the next two years?	-5	-4	-3	-2	-1	-6

We want to know how you would compare the South Africa of today with the country it was in 1994, when it became a democracy. Would you say that the following have improved a great deal, improved somewhat, stayed the same, worsened somewhat, or worsened a great deal?

	IMPROV ED A GREAT DEAL	IMPROV ED SOMEW HAT	STAYED THE SAME	WORSE NED SOMEW HAT	WORSE NED A GREAT DEAL	DON'T KNOW
40. Personal economic circumstances	-5	-4	-3	-2	-1	-6
41. Race relations	-5	-4	-3	-2	-1	-6
42. Moral values	-5	-4	-3	-2	-1	-6
43. Family life	-5	-4	-3	-2	-1	-6
44. The gap between rich and poor	-5	-4	-3	-2	-1	-6
45. Employment opportunities	-5	-4	-3	-2	-1	-6
46. Your hope for the future	-5	-4	-3	-2	-1	-6
47. Your personal safety	-5	-4	-3	-2	-1	-6

SHOW CARD: Please tell me whether you think the following are certainly true, probably true, probably not true or certainly not true.

	CERTAIN LY TRUE	PROBABL Y TRUE	PROBABL Y NOT TRUE	CERTAIN LY NOT TRUE	DON'T KNOW DNRO

48. Apartheid was a crime against humanity.	-4	-3	-2	-1	-6
49. South Africa has great income differences today, because in the past, black people were not given the same education opportunities as white people.	-4	-3	-2	-1	-6
50. In the past, the state committed horrific atrocities against those struggling against apartheid.	-4	-3	-2	-1	-6

SHOW CARD: Here are some different actions people could take if government was **disregarding** or **violating** or **going against** their human rights. I would like you to tell me if it would be justified if some people did the following? Would it be completely justified, probably justified, uncertain, probably unjustified or completely unjustified.

	COMPLETELY JUSTIFIED	PROBABLY JUSTIFIED	UNCERTAIN	PROBABLY UNJUSTIFIED	COMPLETELY UNJUSTIFIED	DON'T KNOW
51. Took part in demonstrations.	48-5	-4	-3	-2	-1	-6
52. Joined strikes.	49-5	-4	-3	-2	-1	-6

SHOW CARD: If this does not work, would it be justified to:

	COMPLETELY JUSTIFIED	PROBABLY JUSTIFIED	UNCERTAIN	PROBABLY UNJUSTIFIED	COMPLETELY UNJUSTIFIED	DON'T KNOW
53. Use force or violent methods, such as damaging public property or taking hostages.	50-5	-4	-3	-2	-1	-6

SHOW CARD: Please could you tell me how much you agree or disagree with the following statements? Do you strongly agree, agree, are you uncertain, or do you disagree or strongly disagree?

	STRONGLY AGREE	AGREE	UNCERTAIN	DISAGREE	STRONGLY DISAGREE	DON'T KNOW
54. I think it is fair that the people who discriminated against others during apartheid feel what it is like to be discriminated against.	-5	-4	-3	-2	-1	-6
55. Sometimes it might be better to ignore the law and solve problems immediately, rather than wait for a legal solution.	-5	-4	-3	-2	-1	-6
56. Government has done enough to prosecute perpetrators of apartheid crimes.	-5	-4	-3	-2	-1	-6
57. It is not necessary to obey the laws of a government that I did not vote for.	-5	-4	-3	-2	-1	-6

58. Government has not done enough to support victims who experienced human rights abuse under apartheid.	-5	-4	-3	-2	-1	-6
59. The use of racial categories must be retained to measure the impact of government programmes on previously disadvantaged communities	-5	-4	-3	-2	-1	-6
60. It should be a national priority to make the workforce of each South African institution representative of all races	-5	-4	-3	-2	-1	-6

	STRONG LY AGREE	AGREE	UNCERT AIN DNRO	DISAGRE E	STRONG LY DISAGRE E	DON'T KNOW DNRO
61. It should be a national priority to make the workforce of each South African institution representative of both genders.	-5	-4	-3	-2	-1	-6
62. It should be a national priority to make the workforce of each South African institution representative in terms of physical ability and disability.	-5	-4	-3	-2	-1	-6
63. Little progress has been made in returning land to people that have been evicted under apartheid law.	-5	-4	-3	-2	-1	-6

SHOW CARD: Once again, please tell me whether you strongly agree, agree, are uncertain, disagree or strongly disagree with the following statements.

	STRONG LY AGREE	AGREE	UNCERT AIN DNRO	DISAGRE E	STRONG LY DISAGR EE	DON'T KNOW DNRO
64. It is highly likely that you will be unemployed at some stage during the next year.	-5	-4	-3	-2	-1	-6
65. It is better to have a low-paying fulltime job than to make your own living.	-5	-4	-3	-2	-1	-6
66. Your child/children or the child/children of friends, receive education of a high standard.	-5	-4	-3	-2	-1	-6

67. The education system prepares your child/children or the child/children of friends, to find jobs.	-5	-4	-3	-2	-1	-6
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NOTE TO INTERVIEWERS: REPLACE [GROUP] AS FOLLOWS:

- IF RESPONDENT IS WHITE, INSERT (BLACK, COLOURED OR INDIAN)
- IF RESPONDENT IS BLACK, INSERT (WHITE, INDIAN OR COLOURED)
- IF RESPONDENT IS COLOURED, INSERT (WHITE, BLACK OR INDIAN)
- IF RESPONDENT IS INDIAN, INSERT (WHITE, BLACK OR COLOURED)

YOU MUST READ OUT ALL 3 POPULATION GROUPS AS THEY ARE LISTED IN BRACKETS. WE ARE INTERESTED IN TOTAL CONTACT WITH POPULATION GROUPS OTHER THAN THE ONE THE RESPONDENT BELONGS TO, IRRESPECTIVE OF WHETHER A RESPONDENT HAS MORE CONTACT WITH ONE POPULATION GROUP THAN ANOTHER.

SHOW CARD: Now we would like to ask you some questions about the contact you have with [GROUP] people. Would you say it occurs always, often, sometimes, rarely or never?

	ALWAYS	OFTEN	SOMETIMES	RARELY	NEVER	DON'T KNOW DNRO	
68. On a typical day during the week, whether at work or otherwise, how often do you talk to [GROUP] people?	-5	-4	-3	-2	-1	-6	
69. When socialising in your own home or the homes of friends, how often do you talk to [GROUP] people?	-5	-4	-3	-2	-1	-6	
70. If you had a choice, would you want to talk to [GROUP] people...?	SHOWCARD:		MORE OFTEN	ABOUT THE SAME AS NOW	LESS OFTEN	NEVER	DON'T KNOW DNRO
		65-4	-3	-2	-1	-6	

SHOWCARD: Would you say you strongly agree, agree, are uncertain, disagree or strongly disagree with these statements?

	STRONGLY AGREE	AGREE	UNCERTAIN	DISAGREE	STRONGLY DISAGREE	NOT APPLICABLE	DON'T KNOW DNRO
71. I want to forget about the past and just get on with my life.	66-5	-4	-3	-2	-1	-6	-7
72. I am trying to forgive those who hurt me during apartheid.	67-5	-4	-3	-2	-1	-6	-7

INSTRUCTION: REPLACE GROUP WITH RELEVANT GROUP. SHOWCARD: Thinking of the combination of groups previously mentioned (**NAME OF GROUP selected prior to Q.70.**) Please say whether you strongly agree, agree, are uncertain, disagree or strongly disagree that...

	STRONG LY AGREE	AGREE	UNCERT AIN	DISAGR EE	STRONG LY DISAGR EE	DON'T KNOW DNRO
73. You find it difficult to understand the customs and ways of [GROUP] people.	68-5	-4	-3	-2	-1	-6
74. You want to learn more about the customs and ways of [GROUP] people	-5	-4	-3	-2	-1	-6
75. [GROUP] people are untrustworthy.	69-5	-4	-3	-2	-1	-6
76. You could never imagine being part of a political party made up mainly of [GROUP] people.	70-5	-4	-3	-2	-1	-6
Which ONE of the following groups, apart from your own, do you find most difficult to associate with? READ OUT. ONE MENTION ONLY.	1. Black South Africans				1	
	2. Indian South Africans				-2	
	3. White South Africans				-3	
	4. Coloured South Africans				-4	

SHOWCARD: Now I would like you to tell me how you feel about the following. Again, think of ... **[GROUP MENTIONED IN Q78]** tell me in each of the following statements whether you would strongly approve, approve, neither disapprove nor approve, disapprove, or strongly disapprove any of the following things?:

	STRONG LY APPROV E	APPROV E	NEITHE R DISAPPR OVE NOR APPROV E	DISAPPR OVE	STRONG LY DISAPPR OVE	DON'T KNOW DNRO
78. Living in a neighbourhood where half of your neighbours are [GROUP] people.	-5	-4	-3	-2	-1	-6
79. Having to work for and take instructions from a [GROUP] person.	-5	-4	-3	-2	-1	-6
80. Having a close relative marry a [GROUP] person.	-5	-4	-3	-2	-1	-6
81. Having a [GROUP] person sitting next to my child, or the child of a family member, at school	-5	-4	-3	-2	-1	-6

82. SHOW CARD WITH STATEMENTS 1 - 12: In all societies, people belong to one or more social groups. Some of these groups, like social clubs, we choose to belong to, while others, such as religious, racial or gender groups we may not belong to by choice, but by virtue or by birth. In this list you will find a number of social groups that people typically associate with. When you think of yourself and your daily interaction with others, which group do you associate with primarily? And which group is the secondary one you feel you belong to? (NOTE TO INTERVIEWER: ONLY ONE RESPONSE PER COLUMN)	1. Those who speak the same language - mother tongue- as I do	-1	-1
	2. Those who belong to the same ethnic group as I do e.g. Zulu, Xhosa, Afrikaner, Venda, Sesotho	-2	-2
	3. Those who belong to the same racial group as I do e.g. Black, Coloured, Indian, White	-3	-3
	4. Those who are in the same economic class e.g. poor, middle class, upper income	-4	-4
	5. Those who live in the same neighbourhood as I do	-5	-5
	6. Those who have the same religious beliefs as I do e.g. Christian, Muslim, Jewish, atheist, agnostic.	-6	-6
	7. Those who regard themselves primarily as South Africans.	-7	-7
	8. Those who belong to the same social, savings or sports club as I do.	-8	-8
	9. Those who work or study with me.	-9	-9
	10. Those who are in the same age group as I am.	-10	-10
	11. Those who regard themselves as primarily African.	-11	-11
	12. Those who are the same gender as I am -male or female-.	-12	-12
83. SHOW CARD: Still looking at the list, how important is this primary identity to you? Would you say that it is very important; somewhat important; not very important; not important at all?	4. Very important	-4	
	3. Somewhat important	-3	
	2. Not very important	-2	
	1. Not important at all	-1	
	9. Don't know	-9	
	6. Refused	-6	

SHOW CARD: People have different feelings because they are members of a certain group. Which of the following characteristics describes how you feel about the primary group you associate yourself with, namely **(READ GROUP FROM Q.21) [PRIMARY GROUP IDENTIFIED IN ABOVE QUESTION]?**

<u>READ OUT BEFORE EACH STATEMENT.</u> To which extent do you agree that ...	STRONG LY AGREE	AGREE	UNCERT AIN	DISAGR EE	STRONG LY DISAGR EE	DON'T KNOW DNRO

84. belonging to this group makes you feel good about yourself	-5	-4	-3	-2	-1	-6
85. belonging to this group makes you feel important	-5	-4	-3	-2	-1	-6
86. belonging to this group makes you feel secure	-5	-4	-3	-2	-1	-6

87 **SHOW CARD:** People sometimes talk about the divisions between people in South Africa. Sometimes these divisions cause people to be left out or discriminated against. In other instances it can lead to anger and even violence between groups. What, in your experience, is the biggest division in South Africa today? Record first mention. **READ OUT**
ASK: Apart from this one, which would you say is the second biggest division in South Africa today? **READ OUT** Record as second mention

	FIRST MENTION	SECOND MENTION
A. The division between the supporters of different political parties.	-1	-1
B. The division between poor and middle class or wealthy South Africans	-2	-2
C. The division between those living with HIV/Aids and other infectious diseases and the rest of the community	-3	-3
D. The division between members of different religions	-4	-4
E. The division between black, white, coloured and Indian South Africans	-5	-5
F. The division between South Africans of different language groups	-6	-6