



Institute on Culture, Religion & World Affairs



Key Issues in Religion
and World Affairs



An Ethic of Political Reconciliation

Daniel Philpott

University of Notre Dame
January 30, 2014

My talk is based on a book that I published in 2012, *Just and Unjust Peace: An Ethic of Political Reconciliation*, which finds its setting in an intense wave of efforts all over the world over the past generation to rebuild political orders in the aftermath of civil war, genocide and dictatorship has taken place. Beginning at the end of the Cold War, a “United Nations revolution” multiplied by several times the number and ambition of peace operations. A multifold increase in civil war settlements during the same period and a “third wave” of democratization beginning in 1974 have left scores of societies dealing with past injustices as they strive to build the rule of law. Over 30 truth commissions have

taken place. In the 1990s two international tribunals resurrected the judicial precedent of the Nuremberg Tribunals and were then replicated permanently in an International Criminal Court. Reparations and public apologies are now common political practices. Peacebuilding has arguably been the most difficult foreign policy dilemma of western governments, far more difficult than military victory itself, as the United States found in Somalia, Afghanistan, and Iraq.

The intensity and variety of such activities in the past generation make it an age of “peacebuilding.” A range of ethical dilemmas is entailed. What authority do states or outside international organizations exercise in rebuilding transitional societies? Is it justifiable to forego the prosecution of war criminals in order to elicit a peace settlement? Can conditional amnesties be justified? May leaders apologize or forgive on behalf of



Daniel Philpott, Ph.D. Harvard, 1996, pursues interests in international relations, political philosophy, and peace studies. His research focuses on reconciliation in politics. His most recent book is *Just and Unjust Peace: An Ethic of Political Reconciliation* (Oxford University Press, 2012) which derives from theological and philosophical roots an ethic of reconciliation that offers concrete guidelines to political orders facing pasts of authoritarianism, civil war, and genocide. Philpott also directs a research program on religion and reconciliation at the Kroc Institute.

entire states or nations? On behalf of dead people? Do states owe reparations to representatives of victims of past generations? How are amounts to be determined? Is forgiveness justifiable? Or does it indefensibly sacrifice just punishment?

Which, if any, traditions of ethics propose unified answers to these dilemmas? Dominant among international organizations and western governments has been the “liberal peace,” prioritizing the building of liberal institutions and the prosecution of war criminals. But at least one other orienting ethical concept has emerged from global peacebuilding efforts around the globe: reconciliation. Though it encompasses some of the core commitments of the liberal tradition like human rights, its central idea, restoration of right relationship, is far more holistic, both in its recognition of the harms that human rights violations and war crimes inflict but also in the set of restorative practices it proposes. Such a concept of justice has been advocated disproportionately, though not exclusively, by the religious, though it can also be articulated in secular language.

Both the recent entry of reconciliation in the politics of peacebuilding and the ancient presence of reconciliation in religious traditions create potential for but also leave undeveloped an ethic of political reconciliation that would derive from philosophical and theological fundamentals a set of concrete guidelines for recovering political orders. An outline of such an ethic is what I propose here.

The central claim of the ethic is that reconciliation is a concept of justice. This may seem strange to modern western ears. But the texts of Abrahamic religious faiths, Judaism, Christianity, and Islam, the thought of the contemporary restorative justice movement, and the rich rituals of reconciliation found in several tribal traditions around the world conceive of justice as something very much like comprehensive right relationship – the definition of reconciliation.

A closer look at the Abrahamic faiths and restorative justice shows how particular traditions can ground and articulate this notion of justice as well as other core concepts in an ethic of political reconciliation. The rationales that the Abrahamic

“...reconciliation can be understood as a concept of justice.”

faiths provide for the ethic give it a global reach – a wider reach than the liberal peace can obtain – since Christianity and Islam alone make up roughly half the world’s population. Abrahamic rationales also offer an ethical underpinning for the efforts of religious leaders and activists to deal with the past, as they have in Guatemala, Brazil, Chile, South Africa, Sierra Leone, Morocco, Afghanistan, Iraq, East Timor, Peru, El Salvador, Northern Ireland, East Germany, and elsewhere.

Justice, in the scriptures of each of the Abrahamic traditions, commonly means righteousness, understood comprehensively as right relationship between all the members of a community in all of their affairs. This is also the meaning of reconciliation, understood either as a state of right relationship or a process of restoring right relationship. It follows that reconciliation can be understood as a concept of justice.

Abrahamic concepts of justice converge closely with Abrahamic concepts of peace, bolstering political reconciliation's status as an ethic of peacebuilding as well as of justice. Peace corresponds to the sense in which reconciliation is a state of justice. There is one other concept in the Abrahamic scriptures that resonates closely with reconciliation: mercy, which can be thought of as reconciliation's animating virtue. It corresponds to the sense in which reconciliation is a process of justice. Finally, it is not only in their linguistic concepts that the Abrahamic scriptures support the core concepts of an ethic of political reconciliation, but also in their broad narrative account of God's response to evil, which is, by and large, a restorative response.

How are the core concepts of an ethic of political reconciliation enacted in political orders – within states and in relations between states? Through a wide range of practices whose goals is to restore right relationship -- that is, a just peace. There are at least six dimensions along which political injustices inflict wounds on persons and right relationships: 1) the violation of the victim's basic human rights; 2) the range of harms to the person of the victim that political injustices inflict; 3) victims' ignorance of the source and circumstance of the political injustices that harmed them; 4) the failure of members of the surrounding political community to acknowledge victims' suffering; 5) the "standing victory" of the political injustice that the perpetrator committed; 6) the wound to the perpetrator himself that a crime inflicts. When these "primary" wounds redound in further acts of injustice, they result in "secondary" wounds.

Recognizing this array of wounds, an ethic of political reconciliation proposes an array of matching practices that seek to restore persons who have suffered them and, more broadly, to restore right relationship in or between political orders. There are also six of these practices: 1) building socially just government institutions based on human rights and respect for international law; 2) acknowledgment of the suffering of victims by the community through authoritative political processes; 3) reparations in the form of material compensation to victims; 4) punishment, which takes place through trials in national or international courts, vetting (or "lustration) procedures that disqualify the guilty from holding office, and other forms of accountability; 5) apology, which is conferred by perpetrators for their own misdeeds and by political officials for acts done in the name of the political order; and 6) forgiveness, which is performed by individual victims and, in theory but rarely in practice, by a political official on behalf of a group. Parallel to the logic of wounds, primary restorations may then redound to bring about "secondary restorations" that involve a refashioning of citizens' judgments.

I close with a closer look at two of the ethic's practices – punishment and forgiveness – thus illustrating in a limited domain how the ethic can deliver guidance for action. I show how the logic of the ethic helps to resolve an important debate that has pervaded the politics of past injustice all over the world: that of punishment vs. forgiveness, or of reconciliation vs. retribution. According to a holistic, restorative logic of justice and peace, these two practices can be viewed as compatible in principle; the conceptual barrier to their antagonism can be overcome.

“...Restorative punishment points to forms of accountability that aim to reintegrate perpetrators into communities.”

Punishment is justified as “restorative punishment,” a third alternative to retributivism and consequentialism, which have dominated western thought. Restorative punishment arises from the moral logic of reconciliation and can be supported through the scriptures of the Abrahamic traditions. In the political realm, restorative punishment points to forms of accountability that aim to reintegrate perpetrators into communities, such as the forms that have been adopted in countries like Timor Leste and Rwanda.

On a restorative justification, punishment can be compatible with forgiveness. Forgiveness is the rarest and most controversial of the six practices in politics. It is defined here as involving not only a relinquishment of resentment and of claims owed but also as a constructive act that seeks to build right relationship. Again, a consonant justification can be found in the Abrahamic faiths. While forgiveness has been rare at the level of collectives or of national leaders, it has been advocated and practiced far more commonly among ordinary victims in countries like South Africa, Uganda, and Timor Leste.

The discussion of punishment and forgiveness illustrates important features of all six practices of the ethic of political reconciliation: they are interdependent and complementary. Each redresses a different set of wounds of political injustice in a unique way; each restores a dimension of human flourishing and of just political orders. All of the practices find application in various institutional contexts, including within states in the wake of civil war and authoritarian rule, between states that have fought war, or in the wake of armed intervention, though how the practices find application in each context differs and requires further exploration. The fundamental contention of the ethic is that addressing the range of wounds of injustice, both for their own sake and because they may lead to further injustices, is a matter of justice, the justice of right relationship. So, too, it is a matter of peace and a matter of mercy. Et o