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In the shadow of the secular:
Theories of reconciliation and the South African TRC

by

Jonathan Dirk VanAntwerpen

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University of California, Berkeley

Committee in charge:

Professor Michael Burawoy, Chair
Professor Peter Evans
Professor Gil Eyal
Professor Wendy Brown

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Abstract

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Theories of reconciliation and the South African TRC

by

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Doctor of Philosophy in Sociology

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In the aftermath of the South African Truth and Reconciliation Commission (TRC), "reconciliation" has come to the fore as a keyword in global political culture. Although the possibilities associated with the transitional politics of truth and reconciliation have been widely touted, however, and the TRC much celebrated, the South African commission and its master narrative of truth and reconciliation have also been vigorously and repeatedly criticized. Reconciliation—closely associated with both amnesty and forgiveness, and explicitly theological in many of its articulations—has been tremendously controversial. Rising to global prominence as a result of experiments with innovative truth commissions in the global South, the promise of reconciliation was received warily at best by many North American scholars and human rights activists. Yet in the midst of both spirited critique and uncertain embrace, discourses of truth and reconciliation have come to represent one of the most prolific traveling theories of our time. Examining the intellectual struggles over reconciliation that accompanied the invention of truth commissions and the rise of transitional justice, analyzing the field-transforming efforts and effects of the South African TRC, and attending in particular to the critical uptake of reconciliation within North America, this dissertation pursues a critical sociological study of the secularity of contemporary intellectual culture.

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Introduction

Focused analytically on recent struggles over the concept of reconciliation within the field of transitional justice, this dissertation is a critical sociological study of the secularity of contemporary intellectual culture. Following this brief introduction, subsequent chapters situate this study within the sociological literature (chapter two), assemble the elements of analysis (chapter three), and assay the patterns of struggle over reconciliation that emerged in the years following the South African Truth and Reconciliation Commission (chapter four). The structure of the remaining chapters is then broadly historical, as I examine reconciliation's articulation within three phases or moments in the history of the field of transitional justice, taking the reader from the birth of truth commissions (chapter five) to the pivotal South African Truth and Reconciliation Commission (chapter six) and, finally, to the North American uptake of, and critical response to, South African discourses of reconciliation (chapters seven and eight).

Secularism and intellectual culture

Reconciliation and transitional justice are important subjects of study in their own right, and this dissertation seeks to make a critical and reflexive contribution to the growing and interdisciplinary body of scholarship on both. I pursue these topics not only for this reason, however, but also in order to illuminate certain dimensions of the contemporary secularism of North American intellectual culture. I thus approach the recent history of, and struggles over, the concept of reconciliation—and, in particular, critical responses to the South African politics of truth and reconciliation among North American intellectuals— as a kind of "diagnostic of the secular."[1]

Drawing selectively on an analytical toolkit associated with the "field" analysis of Pierre Bourdieu and others, I show how reconciliation emerged as an increasingly important (though consistently contested) term within the vocabulary of a new and unsettled field of transitional justice, and how, following the South African commission, it became a matter of widespread debate—within the field, at its borders, and beyond. Reconciliation was given a decidedly ambivalent reception in North America, occasioning captivation and consternation, celebration and critique. The South African story of truth and reconciliation was both fascinating and affecting, generating substantial media attention, academic analysis, activist interest, and philanthropic support. Yet it also challenged—and thus represented an affront to—widely held secular presumptions regarding truth, justice, and democracy. Targeting the struggles over reconciliation that attended this challenge serves to illuminate both the secular presumptions and internal complexity of North American intellectual culture, just as probing the presumptions and complexity of that culture helps to explain why the North American response to

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[1] For "diagnostic of the secular," see Mahmood 2009: 148.

reconciliation took the shape and had the intensity that it did.[2]

In her introduction a recent volume on secularism and critique, Wendy Brown notes that "the Western academy is governed by the presumptive secularism of critique," and remarks on "the Western civilizational identity rooted in a presumed convergence of Christianity, secularism, liberalism, democracy, and liberty." If that identity was "opened up," Brown suggests, "Westerners might begin to think differently about themselves and their imagined global opposites" (Brown 2009: 8, 13). Conceiving of the struggles over reconciliation as a lens through which to analyze the secularism of intellectual culture, this dissertation seeks to contribute, in its own small way, to just such "opening up." Yet it does so in a way that is somewhat set apart from—while also inspired and informed by—much of the important recent work on secularism, including analyses of secularism as a logic counterposing itself to religious extremism (and, in particular, to political Islam), critiques of the close and durable affiliations between secularism and Christianity, and challenges to secularism as an enduring form of Christian imperialism. While neither denying the important historical relations between Christianity and secularism nor pretending to settle the contemporary debate as to their ongoing affiliations, I seek to show here how a specifically Christian and theological conception of reconciliation has run against the grain of—and thus ultimately served to illuminate—a presumptive secularism within the field of transitional justice.

The language of reconciliation

When South Africa's Truth and Reconciliation Commission—known to many simply as the "truth commission" or the TRC—set out to assess the politically motivated crimes of that nation's apartheid past, it did so under the rubric of "reconciliation through truth." Posters reflecting this relationship—figuring "truth" as "the road to reconciliation," or encouraging victim testimony with the suggestion that "revealing is healing"—were pasted up across the country, and the commission's charismatic leader, Archbishop Desmond Tutu, referred often to the important work of reconciliation that this quasi-judicial transitional body would enable. "We are a people who know," the archbishop said, in response to a

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[2] North American intellectual culture undoubtedly has a lot in common with a wider transnational culture of elite human rights activists, highly mobile international experts, and cosmopolitan intellectuals. While I will not be attempting to analyze this relationship in particular detail, in the context of this dissertation I focus on North American intellectual culture (a) because it is good sociological practice to be historically and geographically specific; (b) because North American intellectual culture represents that which I have studied most intensely and know best; and, perhaps most importantly, (c) because North America represents a crucial location of elite expertise and power within the field of transitional justice. While this is a culture that is in many ways global, with fluid boundaries, and one that is shaped and defined—ever more so—by transnational exchanges and linkages, and while it is thus problematic to conceive of it as tightly bounded in the sense associated with classic conceptions of "culture," it nonetheless has a particularity that can be identified and evaluated. The actors who populate the North American intellectual scene can be specified and studied, and their work analyzed. Thus, we may seek to "provincialize" North American intellectual culture without presupposing its uniqueness.

confession offered before the truth commission, "that when someone cannot be forgiven there is no future" (Tutu 1999: 151). Tutu's *ubuntu* theology of reconciliation and forgiveness proved resonant. "The process is unthinkable without Tutu," the poet Antjie Krog (1998: 201) would write in *Country of My Skull*, her lyrical account of the TRC. "It is he who finds language for what is happening…and it is this language that drags people along with the process."

In the aftermath of the TRC, the language of reconciliation proliferated widely, and reconciliation came to the fore as a keyword in global political culture. The new visibility of the politics of reconciliation was due in large part to the international prominence of the South African TRC. With its captivating and controversial spectacles of truth and reconciliation, the South African truth commission was heralded as an institutional archetype and peddled as a model for newly forming commissions, even as international experts and jet-setting consultants cautioned against uncritical attempts to reproduce it elsewhere. As the idea of reconciliation proliferated, being adopted as a frame for subsequent truth commissions and other projects of transitional justice, it was much discussed among intellectuals and human rights activists throughout the world, and taken up in particularly extensive fashion in North America, where a major new international human rights organization—the International Center for Transitional Justice (ICTJ)—was formed, and where numerous scholars and intellectuals of various stripes increasingly came to write about, and to reflect critically upon, the politics of "truth and reconciliation." Branded by one observer as the "world's first truth commission consulting firm," and well-supported by philanthropic foundations, the ICTJ quickly became a major player on the international scene, just as transitional justice increasingly became an academic fascination, as well a practical field of urgent and widespread transnational activism.

While the possibilities associated with the transitional politics of truth and reconciliation were widely touted, and while the TRC was much celebrated, the South African commission and its master narrative of truth and reconciliation were also vigorously and repeatedly critiqued. Reconciliation—closely associated with both amnesty and forgiveness, and explicitly theological in many of its articulations—was tremendously controversial, and in a manner that set it apart from other political keywords. Although the pursuit of reconciliation was frequently figured as closely allied with successful transitions to "democracy," for instance, and although its promotion was said to be crucial if not essential to the building of a sustainable culture of respect for "human rights" and the "rule of law," reconciliation would not enjoy the same ubiquity as these global master tropes. The difference here is telling, instructive, and worth pursuing. The emergence of "global human rights culture," it has been claimed, was premised on—or at least facilitated by—a "pragmatic silence on ultimate questions" that helped make the uptake of human rights discourse easier and less controversial (Ignatieff 2001: 78). As the philosopher Charles Taylor (2011: 107) has remarked, perhaps the culture of human rights "could 'travel' better if it could be separated from some of its underlying justifications." Yet it was precisely reconciliation's connection to and invocation of "ultimate questions" that made its political spectacles so captivating—and so controversial.

Controversy, however, would neither put a halt to reconciliation's vast proliferation nor arrest its uptake—critical as it often was—among a widening range of intellectuals

located on the North American scene. Rising to global prominence and becoming widely popularized as a result of experiments with innovative truth commissions in the global South—first in Latin America, and later, and most prominently, in South Africa—reconciliation was received warily at best by North American scholars and activists, political theorists and legal practitioners. At the same time, their response to reconciliation was not one of outright rejection, but rather of hesitant uptake and uncertain embrace—by turns both critical and celebratory. In the midst of such celebration and critique, discourses of truth and reconciliation came to represent one of the most prolific traveling theories of the late 20th century, closely tied to an enduring fascination with the South African "miracle" that would extend well into the early years of the new millennium. Accompanied by an at times bewildering profusion of associations and critiques, refinements and redefinitions, and in conjunction with the emergence of a new field of "transitional justice" and an increasing concern with "coming to terms with the past," the language of reconciliation continued to spread. As its promoters and critics struggled to come to terms with reconciliation's own problematic promise, a distinctive discursive formation—a constellation of competing discourses and overlapping practices within which reconciliation was figured as a goal and a process, a religious ideal and a political necessity, a moral prescription and a social scientific variable—began to crystallize.

From a certain distance, the emergence of this constellation of competing and conflicting conceptions of reconciliation might well appear to be a simple story of proliferation and discursive diffusion, aided and abetted by the power of contemporary world society. But with a view to reconciliation's genealogy, attention to its recent institutional history, and an eye to one of its transnational trajectories in particular, more specific and sociologically interesting patterns begin to emerge. Examining the intellectual struggles over reconciliation that have accompanied the invention of truth commissions, attending to the field-transforming efforts and effects of the South African TRC, and focusing in particular, and in concrete detail, on the critical uptake of reconciliation within North American intellectual culture, this dissertation is dedicated to analyzing those patterns.[3]

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[3] My approach is necessarily historical. In order to understand both the critical opposition to reconciliation and its complex reception among North American intellectuals, it is necessary to understand reconciliation's recent history, and in particular the associations it came to have in conjunction with South Africa's project of "truth and reconciliation." In contemporary debates over reconciliation, the South African TRC is far and away the most common touchstone, being referenced even when other cases and contexts are the primary objects of discussion. Not only has the South African "case" received a great deal of attention, however; it also represents a key moment in the historical development of the field of transitional justice. Thus, it is important to assess not only the South African story of reconciliation (as complicated as it has been), but also the place of the South African TRC within the history of the wider field. With this history in place, we can then examine the contemporary contours of the field, with a view to making sense of recent oppositions to, and attempted transformations of, the idea of reconciliation—nearly all of which have responded, in one way or another, to the centrality of the South African TRC.

Orthodoxy and heterodoxy

I have already emphasized that the response of North American intellectuals to reconciliation was not one of outright rejection, but was rather a matter of sustained if tentative attention, involving both critiques and defenses of reconciliation. It should therefore not be surprising that the uptake of reconciliation was also variegated, plural and at times contradictory. In its most prominent and controversial formulations, I argue, the politics of reconciliation challenged familiar (though often only partially explicit) secular orthodoxies. The reception and uptake of "reconciliation" among North American intellectuals made the power of such orthodoxies plain, but it also made clear that the orthodoxies were neither monolithic nor singular. Cracks in orthodoxy emerged, and defenses of reconciliation (which were in some cases also specific critiques of secularism) were mounted. There were multiple critiques of reconciliation politics, from a range of angles and perspectives. And these diverse critical responses to the politics of truth and reconciliation jostled alongside various attempts to defend, rehabilitate, translate, and transform the idea, in some cases by seeking to bring it more clearly in line with reigning orthodoxies.

 This jostling took place within—and the consequent and competing plurality of perspectives was a partial product of—the complex and fuzzily bounded social space in which the diverse responses to, and new articulations of, "truth and reconciliation" emerged. As this social space began to be consolidated more fully into a recognizable "field"—explicitly named as such by actors claiming both membership and field-specific authority, and with at least some of the characteristics familiar from more established fields—"reconciliation" came to occupy an uncertain and at times somewhat marginal place within it, especially in the context of elite human rights organizations such as the International Center for Transitional Justice. The vast interest in reconciliation—critical and otherwise—did not dissipate. Yet embedded within the politics of reconciliation was a heretical challenge to secular orthodoxy, the heterodox promise of nations healed through the political art of forgiveness and the foregoing of full-fledged prosecution. This "heresy" of reconciliation was only partially assimilated within the field, and there remained a good deal of disagreement about it. Due in part to its heterodox affiliations, and in part to the plurality of meanings associated with it, reconciliation proved difficult to institutionalize or fully incorporate, even despite its central standing as a keyword within the new field. Yet precisely because it was such a central keyword, it could not just be sloughed off or ignored. Seen as a problematic and unrealizable promise, a theologically informed fantasy, or simply a distraction from a more realistic and just politics of transition, reconciliation was uncomfortably situated within human rights circles. In short, while elite cosmopolitan intellectuals could speak with relative ease of a global culture of human rights—and would refer to human rights as "a secular article of faith" (Ignatieff 2001: 77)—the same could not be said of reconciliation, whose underlying religious justifications and theological associations proved less easy to unmoor, even as attempts were made to cover them over or to simply push them aside.

The sociology of intellectual production

As should be readily apparent, the narrative of arc of the story I tell here differs significantly from what is by now a well-established and readily identifiable mode of analysis, one that highlights the international export of "Western" ideals, institutions and forms of expertise, and critically charts the sending abroad of Western European or U.S.-based institutional logics and disciplinary norms, along with conceptions of state, society, and culture. This familiar tale of global power and transnational diffusion revolves around attempts to analyze the proliferation of common institutional models and cultural repertoires in various geographical locations across the globe. While it has a range of variations within the social sciences, a focus on the diffusion of "Western" models throughout the rest of the world is a remarkable constant across many of them. Whether imposed from above, mimicked from below, introduced by powerful multi-national organizations, supported by large philanthropic foundations, or carried from one place to another by seamless networks of transnational activists, global models and dominant discourses are frequently taken to emanate from "the West."

      This dissertation tracks a different sort of discursive trajectory, the movement of a discourse of truth and reconciliation from the global South to the global North—from Latin America and South Africa to the United States. Examining the ways that this discourse has been both institutionally embedded and substantially reconfigured in the course of its transnational travels, the analysis here focuses in particular on the critical reception and dynamic reworking of reconciliation among a circuit of influential theorists and activist intellectuals who populate the North American scene. Investigating and analyzing the transnational struggles over reconciliation that have attended the term's increasingly global reach, I scrutinize reconciliation's place within the field of transitional justice, considering especially the intellectual labors of those theorists of reconciliation—promoters, critics and analysts of the idea, from theologians and human rights activists to political theorists and anthropologists—who have plumbed, debated and sought to shape the word's contemporary usage. Informed by recent work within an interdisciplinary field of research on secularism and "the secular," this dissertation is centrally conceived as a contribution to the sociology of intellectual production.

      What distinguishes intellectuals, claimed Edward Shils (1972: 3), is their "unusual sensitivity to the sacred" and "an uncommon reflectiveness about the nature of the universe and the rules which govern their society." Drawing on a critical engagement with the work of Pierre Bourdieu, I employ here a different and more open understanding of intellectuals—as cultural workers situated within "fields," figured as arenas of production and circulation, networks of dissemination and distribution, and social spaces of discursive appropriation and intellectual improvisation. Within such spaces, cultural producers contend for the power to determine the legitimate descriptions and definite boundaries that define the field and delimit the range of its rightful participants. Vying for the authority to order and organize an array of intellectual content, and struggling over the field's central classifications and cultural productions, actors within the field do battle for the right to define its key terms and conceptual structures. As Bourdieu emphasized, such intellectual producers—the creators and curators of culture—hold a particular power. It is, he wrote,

"the properly symbolic power of showing things and making people believe in them, of revealing, in an explicit, objectified way the more or less confused, vague, unformulated, even unformulable experiences of the natural and the social world, and of thereby bringing them into existence" (Bourdieu 1990a: 146).

Contrasting Bourdieu's approach to the study of intellectuals with those that "begin with *a priori* definitions of intellectuals in terms of some idealized cognitive quality," David Swartz (1997: 221-222) has suggested that Bourdieu's understanding of intellectuals "permits the researcher a broader conceptual and empirical sweep than what is traditionally associated with the word 'intellectual.' It resists universalizing selected attributes of a collection of individuals and invites examination of the specific features of every historical context."[4] Thus, from this analytic perspective sites of intellectual production within the field of transitional justice are limited neither to the halls of academe nor to the recognized outlets of non-academic "public intellectuals." Like the truth commissions with which it has been closely associated, "reconciliation" has not only been an intense subject of academic study—propelling individual careers and generating conferences, seminars, courses, journal articles, and university press books; it has also entered the lexicon of—and been a topic of shifting debates within—prominent international human rights organizations, being mobilized and critiqued by a diverse array of transnational activists. Taken together, these analysts and activists have contributed substantially to reconciliation's rise to international prominence, and to its various discursive transformations. Engaging in classification struggles within an unsettled field of transitional justice, they have celebrated, critiqued and further disseminated an already widely circulating discourse of reconciliation. Yet all too frequently their intellectual role in constituting and contesting the field of transitional justice has been overlooked by scholars, as transitions and truth commissions in the global South are reified as the real sites of political urgency and the essential objects of academic analysis.

Looking forward

With one foot in the universities and one foot in the world of practical action, the field of transitional justice is a "relatively novel field" (de Greiff 2006: xi) of both scholarship and expertise. Remarkably interdisciplinary and often amorphously defined, it is a field whose porous and disputed boundaries have encompassed the work of both academic researchers and a variety of non-academic actors, while also prominently including those whose own intellectual commitments, concrete life trajectories, personal experiences and organizational efforts effectively blur the distinction between "academics" and "practitioners." Variously recognized actors within the field have included NGO specialists, journalists, policy wonks, political consultants, social movement activists, and academic researchers in a wide range of disciplines, including law, public policy, forensics, political

[4] With this contrast, Swartz has in view the perspective of Shils in particular. Although Bourdieu's analytic approach is distinctive, his wider and more inclusive conceptualization of intellectuals is of a piece in some respects with Lipset and Dobson's (1972) definition of intellectuals as "all those who create, distribute, and apply <u>culture</u>, that is, the symbolic world of man, including art, science, and religion."

science, economics, psychology, sociology, anthropology, history, philosophy, literature, and the arts. The International Center for Transitional Justice, the world's premier transitional justice organization, has opened offices in Bogotá, Brussels, Cape Town, Dili, Geneva, Jakarta, Kathmandu, Kinshasa, Monrovia and New York City, with a staff that works throughout the Americas, Africa, Asia, Europe, and the Middle East. Local activists dedicated to transitional justice—and to a host of related efforts to confront or overcome a difficult past—are scattered through the world.

Given this great diversity of efforts and actors, and in light of the wide range of processes and practices associated with "coming to terms with the past," it has been suggested that the term "transitional justice" may not be an adequate discursive marker for the field of action in question.[5] Yet the signifier, along with its attendant discourses and practices—not to mention the support of major philanthropic foundations and the efforts of legions of transnational activists—has brought into being a signified, and it has become common to speak of a "field" of transitional justice. At the same time, the field's boundaries have remained ambiguous, its key terms have been contested from within and without, and important critiques and redefinitions of reconciliation have been hatched along and across its borders. In this interstitial space of networked collaboration and discursive struggle, and through the efforts of the prominent theorists and practitioners who have been its worldwide promoters and critics, a hybrid discourse of reconciliation has been altered and adapted to suit various political values, institutional purposes, intellectual orientations and academic perspectives. Examining recent historical transformations of reconciliation discourse, the chapters that follow seek to illuminate a specific range of these alterations and adaptations.

Chapters two and three lay out the intellectual stakes, situating this dissertation within the sociological literature, and assembling the elements of its analysis. Examining one well-established family of approaches to the study of "world culture," I argue in chapter two that such approaches, while broadly useful, are limited by an under-theorization of the importance of struggle and transformation, and by a relative inattention to the critical agents whose conflicts with one another have helped to constitute the field of transitional justice and related arenas of contestation within "global civil society." Given an emphasis on the struggles through which multiple conceptions of reconciliation have developed and been deployed, chapter three moves to a fuller consideration of "field" analysis, an approach associated with the work of Bourdieu and others. The dissertation, however, does not replicate the field-analytical approach, but rather draws strategically on select elements of it.[6] The particular focus here is on the concrete analysis of classification

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[5] For example, see Timothy Garton Ash, "The Truth About Dictatorship," *The New York Review of Books*, February 19, 1998. For discussion, see Arthur 2009.

[6] In order to bring out certain characteristics of the field of transitional justice, and to examine them with greater specificity and analytic clarity, I employ a handful of concepts associated with the conceptual toolkit of sociological "field analysis," as practiced and promoted by Bourdieu and his followers. This amounts to a selective theoretical appropriation. I do not carry out a full scale field analysis of the field of transitional justice, which would involve a cataloguing of all of the actors within the field, an examination of the various positions they hold in the field in relation to one another, an assignment of the capitals they wield in the course of their struggles over and within

struggles, especially in the context of unsettled fields, in which questions of membership, legitimate participation and field boundaries are frequently more pressing and contested. In the spirit of such concrete analysis, the chapter then turns to focus more squarely on the presumed secularity of those cosmopolitan intellectuals who have conjured and contested competing conceptions of reconciliation, closing with a critical rethinking of sociological secularization stories, and a consideration of the secularist assumptions and secularizing efforts that have dominated—without defining entirely—the elite segment of the field these intellectuals inhabit.

Chapter four provides an overview of the patterns of struggle over reconciliation that emerged in the years following the TRC, as the field of transitional justice began to show signs of new development, highlighting the South African commission's innovative place within the history of truth commissions and situating debates over reconciliation within a longer history of struggle within South Africa. In light of far-reaching interest in the TRC, activists suggested that the international human rights movement was facing a "South Africa problem," as other countries sought to replicate the commission's ostensible success, and as an ambiguous and "feel-good idea" of reconciliation circulated widely. Political theorists took note of a "drift toward theological rhetoric," worrying that truth commissions seeking to emulate the TRC might get "bogged down…in the therapy of forgiveness," while proponents of the "duty to prosecute" criticized the South African amnesty provisions. Others defended the commission's pursuit of reconciliation as an exercise of "restorative" justice, or simply as one part of an ambitious attempt to learn to live together. Americans intellectuals were especially fascinated with the TRC, and the North American scene included both welcoming audiences and vocal critics of the commission's pursuit of reconciliation. Concerns about its associations with amnesty and forgiveness, along with a range of other criticisms, led to new defenses and redefinitions of reconciliation's promise, yet the term continued to occupy a controversial and heterodox place within the field. From the perspective of a dominant secular, juridical framework, reconciliation represented an ethically unwelcome and politically problematic intervention.

Plunging more fully into an examination of concrete processes, without losing site of larger historical patterns, the following chapters examine reconciliation's articulation within three moments in the history of the field of transitional justice, attending to the beginnings of the field and the invention of truth commissions (chapter five), the South African Truth and Reconciliation Commission and its master narrative of reconciliation (chapter six), and the North American uptake of reconciliation in the midst of a partially consolidating field (chapters seven and eight). Chapter five opens with an analysis of the invention of truth commissions and the rise of transitional justice, itself a transnational

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the field, an assessment of the strategies they pursue in their efforts to dominate the field, and so forth. Neither do I comprehensively employ the entirety of Bourdieu's theoretical and methodological lexicon. My focus instead is on a specific set of concepts and related analytical foci, and on how the deployment of these concepts and a concomitant focus on specific characteristics of the field serves to illuminate unique dimensions of the both arena in which debates over transitional justice have taken place and the wider cosmopolitan milieu of which many of the field's elite actors are a part—thereby shedding greater light, in turn, on the proliferation of, and struggle over, reconciliation's many meanings.

phenomenon. Latin American human rights activists played a crucial role in this process, as early truth commissions developed in Argentina, Chile, El Salvador and elsewhere. But so did the efforts of a young student from Columbia University, who was one of the first to begin to systematically conceive of "truth commissions" in the plural, and thus to gather a disparate assortment of efforts under what would become a commonly recognized and increasingly prolific institutional framework. While the concept of reconciliation has an extensive theological history, the conjunction of "truth and reconciliation," conceived as a part of an institutional response to dealing with a difficult past, is itself a discursive innovation. The first commission to prominently put the two terms together was Chile's *Comisión Nacional para la Verdad y Reconciliación*, and the theme of *reconciliación* has a long history in Chilean political culture, one tied not only to the establishment of amnesty laws, but also to a recurrent theme of "social restoration." This chapter closes with a consideration of the place of reconciliation within the work of the Chilean commission, which served as one of the models for South Africa's TRC.

Chapter six examines the Truth and Reconciliation Commission, the broader history of "reconciliation" in South Africa, and the place of the South African TRC within the history of truth commissions. The South African TRC was shaped by contact with Latin American experiences, and it quickly became the commission to which all others, both previous truth commissions and prospective ones, would be compared. As it did in Chile, the language of reconciliation has also had a distinctive, contentious and complicated South African trajectory, with a history that significantly predates the establishment of South Africa's TRC. Following on the consideration of Chile's commission, this chapter examines earlier debates over reconciliation within South Africa, with particular attention to the "prophetic theology" forwarded by the authors of *The Kairos Document*. In a subsequent analysis of the TRC, I examine both the close associations between reconciliation and forgiveness in the commission's final report, and the public, highly mediated spectacles of truth and reconciliation that set the commission apart from those that preceded it, propelling it to greater prominence. After the TRC, new commissions proliferated and the international field of transitional justice began to more clearly take shape. Yet South Africa's commission, I argue, was a potentially field-changing historical event. At the same time, the TRC was highly controversial, initiating criticisms of the commission's presumption of a causal relationship between "truth" and "reconciliation," and questions about the appropriate place of the pursuit of the latter in the context of both truth commissions and the wider field. It was also, importantly, a site for the articulation of an alternative framework for pursuing justice in the midst of political transition. The theologically inflected discursive frame of the TRC was at odds in important respects with a normative juridical framework that was and is hegemonic, both within "the international community" and, more particularly, within the upper reaches of North American intellectual culture. As subsequent debates would demonstrate, however, this powerful juridical framework— conceived in specifically "secular" terms—was not entirely monolithic.

In order to examine the power and effects of this secular approach to transitional justice, and to take stock of the proliferation of competing conceptions of reconciliation within a partially consolidating field, chapters seven and eight turn to the uptake of, and critical responses to, reconciliation in North America. Chapter seven presents a detailed

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consideration of the International Center for Transitional Justice (ICTJ), founded with the aim of "helping societies heal" after periods of intense conflict or repressive rule. The establishment of the ICTJ, with substantial support from the Ford Foundation, signaled a new direction in human rights advocacy, and its rapid growth paralleled that of the larger field, as new truth commissions were born and the range of arguments over truth and reconciliation continued to multiply. Putting ICTJ's ambivalent handling of "reconciliation" in the wider context of North American intellectual culture, chapter eight then analyzes the multiple transformations and redefinitions the term underwent as it traveled north in the wake of the South African commission. The language of reconciliation wasn't foreign to the United States. But it entered with new force and significance following the TRC, being resisted and revised along the way. As North American human rights activists and NGO specialists, social theorists, moral philosophers and many others joined the fray, the idea of reconciliation was both critically attacked and creatively reconceived. Figured as a political art and a political science, reconciliation was condemned as a potentially illiberal aim, a lofty and ill-conceived goal that was—when tied to Christian calls for forgiveness—incommensurate with the reasonable demands of democratic deliberation. Yet the theological conception of reconciliation was also defended. Reconciliation was, on this account, a compelling approach to the restoration of wounded relationships—one whose warrants might lie outside the liberal, but whose promise was such that hopes of a *rapprochement* with liberalism should not be abandoned. Others were less certain, seeing reconciliation as little more than a "saccharin-coated" rhetoric that had helped to manufacture legitimacy for the state in transition, obscuring the reality of amnesty for past human rights abuses in the process. While no one made a precise count, the critics seemed to have the strength of numbers. In a milieu defined by opposition to impunity and suspicion of religious politics, to defend reconciliation, with its intimations of forgiveness and its associations with amnesty, amounted to heresy. At the same time, if reconciliation could be suitably reconceived—if it could be brought closer in line with liberal and secular orthodoxies—perhaps it could be saved.

Following a brief concluding chapter, I close the dissertation with a series of methodological reflections on "going out." While I discuss the sociological practice of field analysis in some detail in chapter three, it is also common practice among sociologists who conduct fieldwork to report and reflect not only on their analytic strategies, but also on the investigative activities that have led to the production of arguments laid out in the course of a dissertation. Such reportage and reflection are not infrequently deposited in an appendix on research "methodology." Thus, following the practice of many who have gone before me, in a closing essay I make my own deposit. This dissertation is based on several years of research in and on the field of transitional justice. The closing essay describes, and reflects on, my fieldwork strategies and experiences, scrutinizing my own research practice.

The sociological stakes

In the aftermath of the South African TRC, as the language of reconciliation has proliferated widely, the TRC has repeatedly been touted as an innovative "model" that transitional states in Africa and elsewhere might emulate. The South African story is undeniably captivating, and there has been no shortage of potential audiences for it. The pursuit of reconciliation has been on the political agenda throughout Africa, Latin America, Eastern Europe and Asia. Whether through the establishment of Truth and Reconciliation Commissions (such as those in Peru, Sierra Leone, and elsewhere), through the formation of governmental ministries devoted to promoting reconciliation, or through other governmental and nongovernmental initiatives, reconciliation has become a nearly ubiquitous watchword for states and societies in transition.

As I emphasized in the introduction, this specifically national and localized interest in the prospects and promises of reconciliation has been attended by the work of an increasingly vocal international audience of transnational activists and border crossing academics, in whose hands the language of reconciliation has become a widely disseminated form of cosmopolitan discourse. In the small number of years since the first volumes of its report were published, the politics and presumptions of South Africa's TRC—and to a lesser extent the workings of the various truth commissions that both preceded and followed it—have been the subject of scores of books and articles, written by political theorists and moral philosophers, anthropologists and NGO specialists, scholars of international law and human rights activists, Christian theologians and critical intellectuals. At the same time as an intellectual cottage industry has grown up around the topic of "truth and reconciliation," an emerging field of transitional justice has expanded and come at least partially into its own. As a result of numerous conferences held throughout the world, scholars studying various processes of truth and reconciliation, in addition to other aspects of transitional justice—from reparations to international tribunals—have increasingly been linked with each other, as well as with practitioners of transitional justice and NGO professionals.

Recent years have also witnessed the establishment of major new international NGOs dedicated to the transnational promotion of truth and reconciliation—from International Center for Transitional Justice, which quickly became the world's leading organization devoted to transitional justice, to smaller, regional organizations such as the Institute for Justice and Reconciliation in Cape Town, which sought to be a "conduit" through which expertise about reconciliation might travel from South Africa to other parts of the continent and beyond. Like the establishment of truth commissions themselves, the birth of these international organizations—both founded by former staff members of South Africa's TRC—marked a shift within a transnational field devoted to the promotion and expansion of human rights.

Thus, in recent years the language of reconciliation has become both the focus of a great deal of practical activity and the basis for no small amount of discourse, academic and

otherwise. In the midst of the "flood of political transitions that has marked the turn of the twenty-first century" (Sarkin and Daly 2004: 661), there has been an inundation of talk about reconciliation, and the language of reconciliation—if not its reality—has proliferated wildly. The frequently ambiguous discourse of truth and reconciliation, full of shifting meanings and multiple significations, has come to represent one of the most prolific traveling theories of our time.

      In conjunction with this dissertation's critical analysis of proliferating theories of "reconciliation, " in this chapter I lay out the sociological stakes. I begin by examining a well-established framework in American sociology for explaining processes of transnational proliferation or "diffusion," suggesting that sociological approaches to the study of "world culture" are both broadly useful and generally limited by an under-theorization of the importance of struggle and transformation, and by a relative inattention to the critical agents who engage in the conflict and contestation that is a constitutive element of transnational activity in the field of transitional justice and related arenas within "global civil society."

      In order to place the focus on the struggles through which multiple conceptions of reconciliation have developed and been deployed, and to highlight the fact that particular representations of reconciliation have issued from specific social and institutional locations, I then turn in chapter three to an engagement with the analysis of "fields" associated closely with the work of Pierre Bourdieu, focusing in particular on the concrete analysis of classification struggles. With an eye on the theorists whose efforts have led to transformations of contemporary discourses of reconciliation, I adumbrate a critical perspective on the secularizing discourses of cosmopolitan elites.

Truth commissions and moral globalization

What should be made of the unprecedented proliferation of discourses of reconciliation? While proposed answers to this question have been as diverse as the field of transitional justice itself, more than a few observers have complained that an increasing focus on reconciliation represents an unwelcome moralization of political conflict. Such moralization may be seen as an important element of the broader "politics of regret" in which both the discourses of reconciliation and the practices of transitional justice participate. If those individuals and institutions mobilizing discourses of reconciliation have participated in the moralization of political conflict, however, it has not been a moralization of their own making.

      First, while the rise of "truth and reconciliation" is a relatively recent phenomenon, the "politics of regret" has a much longer historical trajectory (Olick and Coughlin 2003). Second, and more specifically, the political and discursive frameworks for conceiving reconciliation and transitional justice have been substantially influenced and inflected by the broader movement for international human rights, a movement that provided the context in which those frameworks were initially articulated and developed. This movement itself represents a substantially moral enterprise, inhabited by the "global moral entrepreneurs" (Keck and Sikkink 1998) who have been responsible for the transnational spread of human rights discourse and practice. In other words, while the proliferation of

discourses of reconciliation may be seen as a power example of what Michael Ignatieff (2001: 14) has called "moral globalization," it is important to recall that the paradigm case of such moral globalization for Ignatieff was in fact the global diffusion of "human rights" discourse.

And, in fact, it is within the field of international human rights that many of the vigorously contested debates over reconciliation have taken place. Writing in *The Nation* magazine in 2001, Reed Brody, a lawyer for Human Rights Watch, took aim at the rise of truth commissions, and particularly the workings and international effects of South Africa's TRC, bemoaning the fact that the "international community" has become "blindly besotted with truth commissions," while international donors had been captivated by the "feel-good idea" of reconciliation. As a result, Brody suggested, the international human rights movement was facing a "South Africa problem," since the conditions that made the TRC a notable success were difficult to replicate elsewhere, though far too many were beginning to try.

Had the "international community" really become "blindly besotted with truth commissions" and romanced by the "feel-good idea" of reconciliation, as Brody claimed in 2001? While it is important to distinguish between the diverse work of multiple truth commissions and the varying pursuit of reconciliation, the sharp debates and transnational struggles over reconciliation in recent years suggest a more complicated reality. There has been a certain appeal among many donors in the broadly hopeful discourse of reconciliation. Yet among the cosmopolitan activists and academics that have occupied positions in the emerging international field of transitional justice, and among the theorists and critics of reconciliation who are the particular focus of this dissertation, there has also been no small amount of struggle over the meaning and appropriate usage of the term. Indeed, Brody is not alone in his identification of a "South Africa problem," and his serious reservations regarding the concept of reconciliation are representative of widely held concerns among human rights activists, academic analysts, and others. Rather than adequately or fully representing the contours of an international love affair with "truth and reconciliation," then—to be fair, not his primary intention—Brody's critical remarks might better be viewed as a rhetorical intervention in an ongoing dialogue and wide-ranging debate over the appropriate place of conceptions of reconciliation within the political discourses and state-sponsored institutions that figure and enact the post-conflict work of peacebuilding and transitional justice.

This debate, and the various transformations of the concept of reconciliation that it has produced, is a significant part of the story of reconciliation's international proliferation. Attention to its dimensions suggests not simply a proliferation of reconciliation discourse, but in fact a profusion of competing, conflicting, and at times overlapping conceptions. Whether in the work of international NGOs, or in the academic formulations of scholars across the humanities and social sciences, the language of reconciliation has been reworked and refigured in provocative and interesting ways. There is little consensus regarding the appropriateness of its place and uses in political life, and even less agreement regarding its meaning. It is rather a term whose vast proliferation is aided and abetted by its ambiguity and multiple significations.

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Many of the cosmopolitan intellectuals and activists who have celebrated or critiqued reconciliation are examples of the actors Keck and Sikkink call "global moral entrepreneurs," and at first glance the recent proliferation of discourses of reconciliation does appear to be a good example of what Ignatieff has called "moral globalization." Linked to practices of public confession and political forgiveness, and to notions of cathartic testimony, redeemed suffering and healing truth, a frequently Christian discourse of "reconciliation" has been conjoined with the language of "human rights" to produce a distinctive trope of transitional justice, a discourse that was consolidated and transformed by the work of South Africa's TRC. As political transitions have proliferated, this alternative approach to "justice in transition," sometimes captured under the rubric of "restorative justice," has since been reproduced in multiple forms. Hybrid products of historical and political particularities, discourses of reconciliation have been reproduced in a variety of disparate locations and institutional contexts.

World definitions and the "clergy" of world culture

In light of this discursive reproduction, the proliferation of "reconciliation" might be figured not simply as an instance of "moral globalization," but as a function of what John Meyer and his colleagues have called "world culture," and a product of the workings and power of "world society." With an emphasis on moral suasion rather than economic sanction, Meyer's reworking of world-systems theory sometimes looks a bit like an updated version of modernization theory—albeit shorn of its explicitly normative aspirations. If Michael Ignatieff is moral globalization's liberal prophet, then perhaps we may call John Meyer its subdued sociological analyst. In Meyer's theoretical register, global political culture is identified with a shared set of global rules. These global rules—"world definitions," Meyer once called them—are taken to have a powerful political and cultural effect. They also serve a useful explanatory purpose, accounting for the transnational diffusion of both ideas and institutional forms, and explaining "isomorphic expansion" that crosses national borders.

Work in this broadly "institutionalist" mode has had a wide appeal in sociology, much of it frequently referencing DiMaggio and Powell's now canonical "The Iron Cage Revisited" (1983) one of the most widely read articles in the field. In this influential piece, the authors made the explanation of "startling homogeneity," rather than variation, their aim, thus elucidating an agenda for research that would rely on "institutional isomorphism" as a "useful tool for understanding the politics and ceremony that pervade much modern organizational life." Even as DiMaggio and Powell were helping to lay the groundwork for what has become an expansive form of organizational analysis, scholars concerned with the transnational diffusion of both ideas and institutional forms were already taking a keen interest in "isomorphic expansion" that crossed national boundaries. Borrowing the language of Wallerstein (1974), these theorists identify national locations in both the "core" and "periphery" of the world system, seeking to explain the flow of cultural or institutional forms from the first to the second, the distribution or reproduction of the dominant forms of the center in various peripheral locations. "The contemporary world is rife with modeling," write Meyer and his colleagues, the most prolific proponents of world-cultural

theory. "The poor and weak and peripheral copy the rich and strong and central" (Meyer et al. 1997: 164).

Yet such mimesis is not seen as produced primarily by the direct control of elite actors in the core. Critics of the "realist models" suggested by theories of the world system such as Wallerstein's—which, they write, "envision chains of organizational control from major powers downward"—theorists of world culture claim a concern with "the direct effects of world-cultural models on the creation and sustenance of domestic actors" (Meyer et al. 1997: 161). From the perspective of Boli and Thomas (1997: 172), for instance, "the assumption that core elites can shape world culture to their liking ignores the complexity and stubbornly decentralized character of the world polity." While cast at the conceptual level of Wallerstein's world system, then, world-cultural explanations draw on a different sociological lineage, opposed both to their functionalist predecessors and to macro-realist explanations that adopt reductionist accounts of culture. Thus, Meyer—in an early, much-cited article—rejected theories that viewed world politics as "simply a direct reflection of world economic relations." Seeking to explain the puzzle of "a world-wide system of structurally similar nation-states," Meyer (1980: 117) proposed instead the concept of a powerful "world polity," representing worldwide political culture as a "shared and binding set of rules exogenous to any given society."

Operating at a relatively high level of abstraction, Meyer's argument was most undeveloped, if still evocative, when he turned to the "mechanisms of transmission" that would explain international isomorphism. His explicitly brief notes on the topic did little more than provide a short laundry list of possible explanations, just as his closing consideration of "the elites of the world political culture"—those "modernizing intellectuals" he deemed the "clergy" of that culture—was sketchy, if suggestive. Nearly three decades later, and despite further elaboration and an outpouring of empirical work, the broad strokes of Meyer's approach have not significantly changed. As a result, critics have continued to call for a clearer articulation of the "mechanisms" of transnational transmission and transformation. "What connects concrete organizations to international models?" asked Charles Tilly, in response to Meyer's explanation of state transformation. "Meyer does not state a clear answer," wrote Tilly (1999: 407), and "his frequent resort to passive voice masks the critical agents and agency of the transformation."

Alongside related forms of institutional analysis, and under the umbrella of the "new institutionalism," Meyer and his colleagues have generated an expansive theory of organizations and the world system. Yet, as Tilly's remark indicates, one of the limitations of world-cultural explanations derives from a relative shortage of detailed analysis of concrete conflict and change, struggle and transformation.[7] Thus, political scientists and policy theorists concerned with the shape of global culture have criticized world-cultural sociologists for ignoring both the sources of "global cultural norms" and the processes

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[7] The inclination of theorists of "world culture" towards abstract generalization—and away from complicated and complicating histories, from concrete conflict and change within world culture, and from the critical agents of such struggle and transformation—is epitomized, for example, by the recourse of Meyer et al., in a theoretical summation published in the late 1990s, to the fantasy of a newly discovered island society, a philosophical thought experiment that they return to throughout their article (Meyer et al. 1997).

through which such norms develop and change (Keck and Sikkink 1998; Khagram, Riker, and Sikkink 2002). Likewise, sociologists have recognized the need for consideration of such sources and mechanisms, calling for further analysis of transnational networks (Evans 1999) and additional examination of the "genesis of legitimated models" and "the definition and elaboration of organizational fields" (DiMaggio and Powell 1983).[8]

Such constructive criticisms notwithstanding, Meyer and his colleagues have developed a formidable approach to world culture. Pitching their explanations at the level of the planetary, and aiming to parse transnational patterns of convergence, their concern with global intellectuals and institutions is especially promising. "Diffusion among nation-states is heavily mediated by scientists and professionals who define virtuous instances, formulate models, and actively support their adoption," they have written, and "the models of national development or human rights carried by international associations have their roots in scientific and legal knowledge" (Meyer et al. 1997; see also Boli and Thomas 1999). At the same time, Meyer et al. represent such "scientific and professional authority" as "rooted in universal, rationalized ultimate principles of moral and natural law." Further, they continue—recalling Meyer's earlier reference to modernizing intellectuals and elites as the "clergy" of the world political culture—the "rationalized knowledge structures" associated with these "central and prestigious participants in world society" have come to "constitute the religion of the modern world, replacing in good measure the older 'religions' that have been spiritualized and reconstructed as more ordinary organizational actors" (Meyer et al. 1997: 165-166).

While the suggestion that science and the professions have simply replaced religions deserves further scrutiny—a matter to which I return below—Meyer et al.'s references to the "roots" of both transnational models and the professional and scientific authority deemed to stand behind them do at least point in the direction that Tilly earlier suggested, and indeed beyond, to further investigation of the connections between internationally powerful models and the concrete organizations that transmit them, to an attention to the producers of ostensible "models," and to an analysis of the histories and practices that shape their productions. "World definitions," Meyer and his colleagues argue, are located not only in the sentiments of individual global elites or powerful cosmopolitans. They are also lodged in and championed by world-cultural institutions such as the United Nations, and promoted by numerous international nongovernmental organizations—the "carriers" and "enactors" of world culture (Boli and Thomas 1999).

The struggle within global civil society

Meyer et al. are certainly not alone in their attention to the global circulation of political and cultural forms. "Over the past several decades," wrote Michael Hardt and Antonio Negri (2000: xi) in a widely discussed book, "we have witnessed an irresistible and irreversible globalization of economic and cultural exchanges." As major political transitions have proliferated, these and other authors argue, a new "global order" has emerged—and along

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[8] I consider the project of field analysis in greater detail in the next chapter.

with it, some have claimed, both an emerging "global civil society," and a "new transnational activism" (Tarrow 2005).[9]

While many of the recent considerations of global civil society and transnational activism have been appropriately concerned with global civil society as a source of transnational resistance to market fundamentalism, global capitalism, state tyranny, and the "neoliberal order"—and with the transnational "solidarity beyond the state" and the projects of "counter-hegemonic globalization" that are forged in the midst of such resistance—we might also attend to the at times contentious struggles that take place within the context of global civil society, and among cosmopolitan intellectuals and transnational activists themselves. A critical sociology of "global civil society" calls for an investigation of the struggles over the practices of "moral globalization" and the prerogatives of "human rights" and other ostensibly universal values that are frequently part and parcel of the "new transnational activism." Sociological investigation of moral globalization and transnational activism, in other words, should be concerned not simply with "the struggle *for* global society" (Smith 2005, my italics), but with the struggle *over* and *within* the sphere that the concept of global civil society is intended to mark out.

As Michael Burawoy (2006: 9) has suggested, "one must be wary of romanticizing this embryonic global civil society." Burawoy's call for critical watchfulness is not unfounded. There has in fact been a tendency to romanticize global civil society, as in the following fairly breathless opening to a discussion paper written by the celebrated transnational activist and intellectual Vandana Shiva and her colleagues at The People-Centered Development Forum:

> Humanity has entered into the final stage of an epic struggle between the forces of imperial rule (empire)—presently represented by the institutions of elite globalization—and the forces of democratic rule (community)—presently represented by global civil society. (Korten et al. 2002)

Without belittling or cynically dismissing the admirable aspirations and audacious hope that stand behind such visions of global civil society and its many possibilities, we can and should think twice about the opposition they introduce between the institutions and agents of "elite globalization" and the forces of "global civil society." Our analysis is sharpened if we look, as Craig Calhoun (forthcoming) suggests, at "actually existing international civil society," seeking out instances of both solidarity and struggle. As Burawoy (2006: 10) writes, there are "deep and abiding fissures" within global civil society, "fissures brought about through the collusion of markets and states." Following this line of argument, we might see global civil society not simply as a source of "democratic" resistance to "empire" and "imperial rule," but as a site of struggles in the course of which various positional campaigns are conducted—an emphasis that is no doubt intended by such notions as "counter-hegemonic globalization" (Evans 1999).

What I want to suggest is that global civil society is also a site of contestation and a space of struggle between the would-be representatives of counter-hegemonic

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[9] Among the many books that celebrate the possibilities of "global civil society," see Kaldor 2003.

globalization themselves. This is not a novel suggestion. But it does enable a different series of questions than those that have frequently been considered primary in many recent discussions of globalization, transnational activism and global culture—questions about struggles over political strategy and ethical substance in a diverse and kaleidoscopic set of transnational movements that have nonetheless been loosely unified by their mobilization under the signs of global justice, democracy and human rights, and by the widespread sense that they have contributed to an increasingly vibrant global civil society.

Recent disputes concerning the concept of "reconciliation"—and the contestation and contention that have emerged in the midst of that concept's transnational proliferation—represent one such set of struggles. In the midst of these struggles, the various would-be purveyors of reconciliation's incipient "world definition" have crafted significantly different conceptions of reconciliation, complicating any attempt to render reconciliation as a monolithic institutional logic or model that might be neatly packaged and sent abroad to various receiving organizations or institutions. The story of reconciliation's transnational proliferation, further, is not particularly well captured by the language of sending and receiving, diffusion and reception, in part because much of the uptake of reconciliation discourse has been among those North American intellectuals who populate the elite sphere that is generally conceived of as doing the "sending." As Meyer and his colleagues put it, intellectuals such as these are taken to "define virtuous instances, formulate models, and actively support their adoption." Yet whether or not they seek to promote a certain vision of reconciliation, these intellectuals can also be conceived of as the "receivers," the ones doing the borrowing, taking up the concept of reconciliation, disagreeing with one another about the aims and ambitions associated with it, and transforming the concept in the process. Borrowing the ever more popular language of South Africa's TRC, and trading on its prominence in the cosmopolitan imaginary, many of them have stepped away from the theological specificities of the TRC's "religious-redemptive narrative." Yet this stepping away, and the transformations of the concept of reconciliation it has entailed, has itself been far from uniform, such that it is more appropriate to speak of multiple attempts to transform the concept of reconciliation, resulting in a plurality of would-be world definitions of the term.

The most developed of these different and frequently competing definitions of reconciliation have their own specific historical trajectories, or are at the very least situated within relatively well-articulated political and theoretical frameworks. Given the international acclaim that has been visited upon South Africa's TRC, reference to the South African commission's conception of reconciliation is common, if only for the purposes of differentiation and distinction from it. To come to terms with the contemporary proliferation of discourses of reconciliation, therefore, we must situate these discourses both within an historical context substantially influenced by the South African commission and its international reception, and within a wider discursive network—one in which the practices of "truth commissions" have been defined, discussed and debated, and in which a field of "transitional justice" has been distinguished and delimited, even in the midst of disagreement over the appropriate subject matter, suitable scope, existing boundaries and accurate definitions of both.

The elements of analysis

Focusing on debates over "world definitions" of reconciliation among an elite segment of those cosmopolitan intellectuals John Meyer dubbed the "clergy" of world culture, highlighting one specific set of struggles within global civil society, and attending in particular to the transnational space of positions in which contestations over the concept of reconciliation have taken place (including an emerging and unsettled field of transitional justice which has been a prominent site of scholarship and discussion regarding truth and reconciliation commissions), this dissertation forwards the concept of "field" in order to critically analyze the recent historical transformations of reconciliation. What is distinctive about field analysis?

Field analysis, fieldwork and reflexivity

Consider the images of exploration and representation put forward in the preface to Barrington Moore's classic work of comparative/historical sociology, *Social Origins of Dictatorship and Democracy*. In his preface, Moore compares sound generalizations to "a large-scale map of an extended terrain, such as an airplane pilot might use in crossing a continent." "Such maps," he continues:

> are essential for certain purposes just as more detailed maps are necessary for others. No one seeking a preliminary orientation to the terrain wants to know the location of every house and every footpath. Still, if one explores on foot — and at present the comparative historian does exactly that a great deal of the time — the details are what one learns first. Their meaning and relationship emerge only gradually. There can be long periods when the investigator feels lost in an underbrush of facts inhabited by specialists engaged in savage disputes about whether the underbrush is a pine forest or a tropical jungle. He is unlikely to emerge from such encounters without scratches and bruises. And if he draws a map of the area he has visited, one of the natives may well accuse him of omitting his own house and clearing, a sad event if the researcher has actually found much sustenance and refreshment there. The outcry is likely to be all the sharper if at the end of the journey the explorer tries to set down in very brief form for those who may come later the most striking things that he has seen. (Moore 1966: xx)

Moore's analogy provides a useful way into a discussion of the branch of historical investigation and sociological explanation that has come to be associated with the analysis of "fields."

First, note the emphasis on the uses of ethnographic exploration. Attempts to draw on "knowledge from the field" have a long and illustrious history in sociology. In this tradition of fieldwork, sociological researchers are exhorted to "go to the people," and

tasked with "bringing back the news" (DeVault 2007: 156). While such admonitions are useful—and at the heart at a good deal of important sociological work—the conceptions of the "field" they generally employ are not to be confused with the concept of "field" that emerges in the context of the tradition of field analysis I will discuss here. Each of these two different conceptions of "field" has its own distinctive history (although the potential affiliations between the two should not be overlooked). Perhaps the most significant difference is this: While "field" in the ethnographic tradition is frequently understood as marking out a space or domain of inquiry into which the fieldworker enters—"going into the field" in order to collect "data" or to explore the terrain being investigated in greater detail and *in situ*[10] ("on foot," as Moore would have it)—the concept of "field" that emerges in the context of field analysis is seen as an analytic tool that should be "put to work" in the act of "constructing the object" to be analyzed (Bourdieu et al. 1991; Bourdieu and Wacquant 1992). The use of the word "field" in this second sense bears a closer resemblance to Moore's map-making project than it does to any terrain that map seeks to represent.[11]

Notwithstanding this broadly constructivist account of the field, any maps an analyst of fields might create *are* intended to be representational. Nonetheless, the precise epistemological status of the "fields" these maps represent is a matter of significant debate among those who write about fields—with some emphasizing that they are primarily a heuristic or analytic device whose worth should be assessed largely as a result of the sort of explanatory purchase or "epistemic gain" they enable, while others suggest that the potentially demonstrable "existence" of any particular field is a matter of some import, given the longstanding scientific priority on "getting at" the "real world" (Martin 2003: 10). Even proponents of the "existence" of the fields described and analyzed by field analysts, however, consistently see the "field" as not simply a space that the researcher enters, but as a concept that she mobilizes as part of a distinctive "analytical approach" (Martin 2003: 24). And this does seem to mark a significant difference with the well-established usage of the term "field" within the ethnographic or fieldwork tradition.

Not all fields are recognized and explicitly named as such by the actors that inhabit them, but some are, further adding to the nomenclatural challenges faced by the field analyst. Thus, there has been a debate in transitional justice circles about whether or not there in fact *is* a "field of transitional justice," when it can be said to have come into existence, who is or should be a part of it, how it should be defined, and so forth—and in this debate the term "field" has specifically been deployed.[12] Actors within this "field," whether or not they are recognized as such, have a stake in how such questions are answered. With support from the Ford Foundation and other funders, for example, a new nongovernmental organization devoted to assisting countries pursuing accountability for mass atrocity or human rights abuse—the International Center for Transitional Justice—

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[10] *In situ*: in its (natural or original) place or position.
[11] Though note that with a shift to "global ethnographies" and a focus on transnational networks, the "terrain" in question shifts. How does one take an ethnographic approach to the study of a transnational field? I discuss my own ethnographic fieldwork at greater length in the methodological appendix.
[12] I discuss this debate briefly in subsequent chapters.

was founded with the explicit mission of "strengthening the emerging field of transitional justice."[13] Having provisionally distinguished the field the ethnographer enters from the field the analyst constructs, therefore, we can add yet a third usage of the term—field as a folk-theoretical category employed by the actors whose discourses and practices the analyst or ethnographer seeks to understand. These three usages of the term "field" may overlap in any given situation or research setting, but they can nonetheless be recognized as analytically distinct.

There is a second point to notice about Moore's analogy. Moore likens the generalizing theorist to a continent-traversing pilot, and his own explorations were inter-continental and his explanatory ambitions global. Air travel, whether as pilot or passenger, can be an important part of research intended to generate a compelling explanation of a transnational or "global" phenomenon, and the investigation of a specifically transnational field will often require it. Because of the distorted perspective frequent travel can engender (Calhoun 2002), and because there are some things that can be learned only by crawling through the underbrush on the ground, it is necessary both to "self-consciously combine dwelling with traveling," and to recognize that transnational researchers "cannot be outside the global processes they study" (Burawoy 2000a: 4). While Moore's image suggests the self-conscious combination of both fieldwork and flying, though, it represents the latter largely as something that occurs in abstraction and at a distance from the world under exploration. Given the historical distance Moore enjoyed from the political transformations he theorized, this is perhaps understandable. For a student of a field whose vintage is more recent, however, such distance is difficult either to maintain or to justify. Field analysis has a specific response to this predicament, and one that is bound up with its commitment to sociological reflexivity. The practice of constructing the object of analysis itself—and the analytical uses to which the resulting understandings of the "field" are put—ought to be made an object of reflection and scrutiny.

There are a variety of ways that this commitment to "reflexivity" has been put into analytical practice. One of the most compelling of these conceptions of reflexivity, though not one that is regularly associated with dominant conceptions of field analysis in sociology, involves the suggestion that the researcher's own positioning in the field, if thematized and reflexively considered, can become the basis for knowledge-producing engagement and dialogue (Burawoy 1998).[14] A slightly different vision of "reflexive sociology"—and one that might be seen as related to the first in interesting ways—insists that critical attention must be paid to the objectifying tendencies of the social scientific disposition itself, thus insisting that efforts must be made to "objectify the objectifiers" (Bourdieu and Wacquant 1992; Bourdieu 2004). Both of these conceptions of reflexivity suggest that critical reflection on the production of knowledge—attention, in a sense, to the sociologist's truth-producing practices—is crucial. It is no accident, furthermore, that proponents of reflexive sociology have also frequently demonstrated an interest in the critical study of academic and scientific disciplines, including the field of sociology itself.

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[13] Mission Statement, International Center for Transitional Justice (ICTJ), Annual Report, 2001-2002.
[14] For reflection on my own shifting experience of engagement in the field, see the methodological appendix.

This leads to yet a third point to be made with reference to Moore's analogy, and one that is closely related to the first two. Struggling through the process of research and analysis, and sometimes feeling "lost in an underbrush of facts"—represented for Moore by a vast historical literature, but just as easily imagined as a dense and potentially bewildering array of other discursive encounters or field investigations—he nonetheless emerged with a "large-scale map of an extended terrain," not entirely unlike the sorts of provisional maps that a field analyst might create in constructing a field as an object of analysis. This was Moore's attempt, he tells the reader, to provide a "preliminary orientation" to some of "the most striking things" he had encountered in the course of his explorations. But why had those things *in particular* been "most striking" to Moore? To understand the genesis and meaning of Moore's map, one would need to answer this question. Here the reflexivity associated with field analysis would point not only to Moore's *own* "social origins"—and thus to the set of dispositions and preoccupations those origins engendered—but also to his specific intellectual situation, including his position and trajectory within the academic field.[15] The projects and particular preoccupations of scholars—and along with them the often more explicit explanatory tasks they set themselves—are, in no small part, products of the academic field in which they are located, issuing from the specific positions they occupy within that field. The existing constellation of forces in the field, and the scholar's own location within that field of forces, set the stakes for, and significantly shape, this work.

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[15] Different academic disciplines, of course, involve different stakes and have different dominant logics. But, according to Pierre Bourdieu—the sociologist whose name is commonly associated, perhaps more closely than any other, with field analysis—they also tend to share a striking similarity. This is, in the words of Bourdieu's former student and collaborator Loïc Wacquant, an "*intellectualist bias* which entices us to construe the world as a *spectacle*, as a set of significations to be interpreted rather than as concrete problems to be solved practically." For Bourdieu, a confrontation with, and critique of, this intellectualist bias was an integral part of attempts to come to grips with why and how scientific knowledge is produced. Wacquant calls this focus on an intellectualist bias the "most original to Bourdieu's understanding of reflexivity." Comparing it to two other types of bias that may "blur the sociological gaze"—both of which I have alluded to above (the social origins of the individual researcher and the position of the analyst within the academic field)—Wacquant refers to the intellectualist bias as "more profound and more distorting" than the other two (Wacquant and Bourdieu 1992: 39). Referring to "the social presuppositions that are inscribed in the scholastic point of view," and pointing to the "economic and social conditions of the scholastic posture," Bourdieu claimed that such an emphasis was "not designed to condemn or instill a culpability complex," and did not involve a "logic…of conviction or denunciation" or an attempt to judge this situation "good or bad." Rather, the aim was one of "epistemological questioning": "This is a fundamental epistemological question since it bears on the epistemic posture itself, on the presuppositions inscribed in the fact of thinking the world, of retiring from the world and from action in the world in order to think that action. What we want to know is in what ways this withdrawal, this retirement, this retreat impact on the thought that they make possible and thereby on what we think" (Bourdieu 1990b: 381-382). Bourdieu would take up the question of "the scholastic point of view"—and of the *skholè* (or unfettered free time) from which it issued— again in *Pascalian Meditations* (1997).

Plunging into the concrete

Thinking reflexively about fieldwork and field analysis is related to another important dimension of the "theory" of fields, and connected to a point about the meaning and use of "theory" itself. Put simply, field analysis looks much more like Burawoy's "extended case method" (Burawoy 1998) and collective project of "grounded globalizations" (Burawoy 2000b) than it does like the contemporary equivalents of Moore's search for "sound generalizations" or the "methodological positivism" that Steinmetz (2005a; 2005b) associates with much of American sociology since WWII.[16] In this dissertation, the purpose of thinking in terms of fields is not simply to generate a map, however large or small, of the field in question. Likewise, the goal is neither to end with a survey of the field from on high nor to simply "go to the people" and "bring back the news" from some foreign land or previous understudied social location. Neither is it to build up the edifice of general sociological theory brick by empirical brick. Rather, the point is to see what analytical advantage there might be in the analysis of a specific field, and thus to put that analytic construction itself to work, in the course of undertaking a definite intellectual task. Although the shape, scope, style and substance of that task will differ from analyst to analyst, there is a consistent emphasis within theorizing about fields on a combination of "analytic insight" and "concrete analysis" (Martin 2003: 1, 34-37). "Plunging into the concrete" (Martin 2003: 37) field theorists argue that the quality of the explanations their theory enables in the process should form the fundamental basis of its assessment. "The proof," as John Levi Martin writes in his discussion of the potential utility of field theory, "must be in the pudding" (Martin 2003: 37). Instead of the being simply the final *outcome* of evidentiary testing and argument making, "theory"—from this perspective—is an *instrument* of research and analysis. The core concept of field analysis, then, is a tool that constructs and infuses analysis, with an emphasis on the specific explanatory purchase, epistemic gain, and concrete analysis enabled by the mobilization of the concept of field and its related sociological vocabulary. In this sense, field analysis represents a decidedly pragmatic approach to critical sociological theory.

　　While field analysis has a longer history in sociology than one might imagine, the concept was actually imported from outside the discipline, and its roots are in the physical sciences. Nonetheless, the specifically sociological concept of "field" is at this point well developed enough that in 2003 it was the subject of a long article in the *American Journal of Sociology* by John Levi Martin.[17] The concept of field was popularized in American sociology by DiMaggio and Powell's 1983 article in the *American Sociological Review*, "The Iron Cage Revisited: Institutional Isomorphism and Collective Rationality in Organizational Fields," one of the most widely cited articles in sociology. As Martin shows, the concept had been invoked in sociological literatures in the decades prior to DiMaggio and Powell's article. Yet

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[16] Notwithstanding his critique of the dominance of "methodological positivism" in postwar American sociology, Steinmetz offers a somewhat more hopeful assessment of current openings and disciplinary possibilities.

[17] While pursuing his PhD in sociology at Berkeley, Martin worked on the concept of fields with Neil Fligstein, whose own 2001 article on "Social Skill and the Theory of Fields" (published in *Sociological Theory*) drew on and critically reworked "new institutionalist" analyses.

their direct citation of the work of Pierre Bourdieu in conjunction with their use of "field" was nonetheless significant, and Bourdieu's work has arguably been one of the major forces behind the increasingly widespread engagement with field analysis in American sociology.[18]

Like the rest of Bourdieu's theoretical lexicon, and the research program associated with it, the concept of "field" is intended to be generative. The relative "openness" of the concept—while the source of some of the most frequent criticisms leveled at field analysis—also makes it particularly useful, and I do not think it would be completely unreasonable to suggest that it fits well with the pragmatic ethos of the American intellectual scene. Such openness is importantly connected to the analytical possibilities opened up by more explicitly improvisational uses of the field concept. Some of the most interesting and potentially productive new directions in field analysis seem to take seriously Loïc Wacquant's "invitation" not only "to think with Bourdieu" but also "to think beyond Bourdieu, and against him whenever required." Drawing on Wacquant's rendering of Foucault's relationship to Nietzsche's writings, contemporary sociologists mobilizing Bourdieu's concept of "field" should not be afraid "to use it, to deform it, to make it groan and protest."[19]

While it might be suggested that efforts to put the spirit of Wacquant's exhortation into practice actually preceded the publication of his invitation by a few years—with the concept of field being prematurely detached from the rest of Bourdieu's theoretical arsenal (and I use this term advisedly, since sociology is, for Bourdieu, a "martial art" and an exercise that involves symbolic struggle on a landscape of conflict)—Martin see substantial "commonalities" in existing versions of field theory. In particular, he identifies a "tendency for field theorists to use the word 'field' in three overlapping or interrelated senses." Field is conceived as: (1) "an analytic area of simplified dimensions in which we position persons or institutions;[20] (2) "an organization of forces";[21] and (3) "a field of contestation, a battlefield."[22]

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[18] Over the last several years, the concept of "field" has been mobilized by an increasing number of sociologists and sociological theorists, becoming the basis for a wide range of emerging work, including more improvisational uses of the concept. All of this signifies something resonant in the work of Bourdieu—as well, perhaps, as indicating the extent to which American sociological theorists continue to look to Europe for intellectual inspiration and greater academic legitimation, an impulse as old as the discipline of American sociology itself, and one exemplified by such divergent theorists as Talcott Parsons and C. Wright Mills. On Bourdieu's influence in the United States, see Sallaz and Zavisca (2007), and Sallaz and Zavisca (2008).

[19] Wacquant and Bourdieu 1992: xiv.

[20] Martin's emphasis on the placement of both "persons" and "institutions" within the field involves a certain extension of Bourdieu's approach, and one that draws substantially on well established attention to organizational and institutional fields in American sociology. Notably, Bourdieu's work has a "tendency to give minimal attention to organizations," and an engagement with organizational fields and institutional analysis may be seen as a corrective. "Without the specificity afforded by attention to concrete organizational forms," Martin writes, "the field is only seen in subjective dispositions, and hence there is a tendency to oscillate between subjectivist constructions and structural analysis of the largest kind" (Martin 2003: 25). The emphasis on the field as an analytic *area*—or space of positions—is related to another aspect of Bourdieu's approach to field analysis.

If a field is, as Martin's third sense of the term suggests, an arena—a space of struggle, contention, and contestation—how does the analyst determine a more specific focus on particular actors and struggles within the analytic area the field marks out? For the purposes of this dissertation, the beginnings of an answer are given in good part by a core focus on understanding discourses of reconciliation and their articulation and re-articulation in the context of truth commissions and transitional justice. Attention to "world definitions" of truth and reconciliation, suggested by an engagement with theories of world culture, sharpens this focus. Yet world culture theory generally operates at a relatively lofty level of abstraction, flying high to take in the big picture as opposed to setting out on foot and scrabbling through the underbrush. Doing field analysis doesn't mean we can't think big, as theorists of the global encourage us to do. But it does suggest the importance of concrete analysis and historical particularity, as well as attention to specific struggles and changes, contentions and transformations. With this approach, we fly the plane to a lower altitude and dig out our telephoto lens, zooming in to capture more detail, specificity and nuance, and making note of the things we've seen so that we might come back later on, in order to take a slower and more meticulous look around.[23] There is no handbook which tells us precisely where to point our lens, so we rely both on the reports of those who have come before us and on the tips and tools our theoretical

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An emphasis on the analysis of fields shifts the primary focus of sociological attention from attribute-bearing individuals to the relations between them, thus affirming the "primacy of relations" (Bourdieu and Wacquant 1992: 15). As Bourdieu says elsewhere, "To think in terms of field is to think *relationally*" and "I could twist Hegel's famous formula and say that *the real is the relational*…" (Bourdieu and Wacquant 1992: 96-97). The sociology of fields, then, is a "relational" sociology. Gil Eyal puts it this way: "One of the crucial contributions of the concept of "field" is that it requires us to stop thinking in terms of entities, proper names, concrete individuals, things, and begin grasping all of these as bundles of relations. The prophet, the priest or the magician, for example, in Bourdieu's masterful conversion of Weber's *Sociology of Religion*, are neither concrete individuals nor ideal types, but certain intersections of the relations of dependence and independence on the consumers of salvation, definite regions within the religious field" (Eyal, "Spaces Between Fields"). How this requirement plays out in sociological practice is an interesting and somewhat complicated question.

[21] Interestingly, while Martin notes "that social scientists should be extremely wary of sloppy importations from other disciplines, especially those of the most prestigious natural sciences," he is not convinced to give up the concept of a field of "force." Social scientists, Martin admits, have been "too frequently burned by such panaceas," and should thus "bear in mind that something useful in one science may be worthless for another" (Martin 2003: 29). Yet field theory's demand—in Bourdieu's words—for "a conversion of the whole ordinary vision of the social world which fastens only on visible things" (Wacquant and Bourdieu 1992: 96, fn. 48) places a limit on the "'homeyness' of our theoretical arguments" and thereby has "the notable advantage of forbidding us to apply our self-understanding wholesale" (Martin 2003: 14). Martin appears to see invocations of unseen "forces" within the field in this light (see Martin 2003: 29-30).

[22] Martin 2003: 28.

[23] I'm borrowing loosely here from informal comments on ethnography made by Paul Lichterman, during a conference at Yale University on "Exploring the post-secular" (April 3-4, 2009).

approach affords. And when we get stuck, aren't sure which way to turn, or can't seem to bring things into clearer focus, we improvise.

Classification struggles, unsettled fields, and borderlands

"The individual or collective classification struggles," Bourdieu (1984: 483) wrote, "aimed at transforming the categories of perception and appreciation of the social world and, through this, the social world itself, are indeed a forgotten dimension of class struggle." Taking its cues from Bourdieu, this dissertation focuses in particular on the discursive struggles over reconciliation that have taken place in the midst of diverse intellectual responses to the work truth commissions, spotlighting the social and historical context in which these struggles have been carried out, and attending to the struggle over the definition and boundaries of the field of scholarship and expertise that has sprung up around the assessment, evaluation and international management of new and emerging commissions. The space in which struggles over reconciliation have taken place—only partially, incompletely and imperfectly captured under the label "field of transitional justice"—has been a space of struggle and competition over the legitimate and authoritative definitions of that ostensible field's key terms and concepts, including reconciliation. But it has also been a space of vigorous classification struggle over the very terms of—that is, over the legitimate definition of—the emerging field itself. As Bourdieu's own approach would lead us to expect, such definitional struggles have been importantly linked to struggles over the appropriate boundaries of the field (Bourdieu and Wacquant 1992: 245). These struggles over the boundary have taken place in a relatively unsettled arena, one in which the borders and limits of a nascent field remained, at least for a time, more fluid, uncertain and ambiguous than those of established fields. Which sorts of actors should be included in the field, for instance, and which should be excluded? Such questions of membership and legitimate participation are raised more frequently in unsettled or emerging fields, and their proposed answers are often more contested.

Bourdieu had less to say about such unsettled arenas, and some have suggested that their relatively porous boundaries and limited autonomy make it difficult to see them as "fields" in his sense. In her study of a transnational feminist counterpublic, for example, Millie Thayer (2004: 32-34) seeks to go "beyond Bourdieu's conception of fields as isolated and autonomous containers of particular logics and systems of value." Thayer critiques Bourdieu's "compartmentalized" understanding of fields and the actors within them as inadequate to an analysis of "hybrid" social arenas and the "intersections among publics," where "contradictory logics and clashing systems of value" allow for the development of "critical perspectives" in the midst of solidarities and collaborations as well as struggles and scattered hegemonies. "By definition, for Bourdieu," she writes, "where the effects of one field cease, the power of another begins. One is either inside or outside of the field; straddling fields is not an option." In a similar vein, Gil Eyal (forthcoming) has criticized Bourdieu for failing to apply his relational approach to the distinction among fields themselves, which remain "distinct 'spheres' whose contents are clearly bounded and well distinguished from one another." Despite Bourdieu's rendering of fields as distinct spheres, Eyal argues, "there is no easy, clear cut, self-evident criteria by which the various fields

could be distinguished," and the "proper names" given to various fields are simply "shorthand for bundles of relations." Like Thayer, Eyal has his eye on actors who seem to sit astride more than one field. Yet Bourdieu's conception of fields—and, in particular, his treatment of their borders and frontiers, where such straddling might take place—does not lend itself particularly well to the analysis of boundary-work. "If the field has a boundary," Eyal argues, "then it is imagined as a line in Euclidean geometry, without any width to it. You are either excluded or included, either on this side or the other side."

Conceiving of the boundary differently—as "a real social entity with its own thickness"—Eyal suggests that the volume of the boundary be seen a space which both separates and connects different fields, the place "where struggles take place to apportion actors and practices this way and that" and where networks connecting different fields are established and nurtured. Eyal wants to conceive of these borderlands as "spaces between fields," and to make peace in French social theory by giving fields to Bourdieu, and the spaces between fields to Bruno Latour and his "actor network theory." The approach adopted in this dissertation is somewhat less radical, though indebted to Eyal's encouragement to attend to the struggles over (and within) the boundaries of (and between) fields. If classification struggles over the legitimate and authoritative definitions of a field's key terms and concepts (and over the very definition and character of the field itself) are importantly related to struggles over the frontiers of the field, and if unsettled fields are characterized in part by the uncertainty, ambiguity and fluidity of their discursive and practical edges, then an analysis of major discursive struggles within an unsettled field should attend not only to the relationship between these discursive struggles and attempts to more clearly demarcate an otherwise indistinct boundary, but also to the sites of struggle and networked collaboration scattered along the field's border. It is here in particular that we look out for the "contradictory logics and clashing systems of value" to which Thayer referred, as well as attending to the critical perspectives and discursive transformations that appear in their midst. For as an "underdetermined" space, the borderlands represent a "space of opportunities," and one that "generates change." Given the relative indeterminacy and instability of this space—especially in the context of an unsettled field, whose rules are shifting, uncertain, and open to greater contestation— different forms of improvisation, different "combinations and conversions," hybrid definitions and innovative formulations of familiar orthodoxies, are made possible. Borrowing from Michael Mann, Eyal calls such spaces "interstitial."[24]

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[24] The boundary, then, is not simply to be equated with the margin, as it is frequently conceived, and actors who occupy the space of the boundary are not necessarily marginal within the wider field. Indeed, their work along the boundary, and the networked collaboration it affords, may well strengthen their relative position within the field, and those who straddle two or more fields may eventually come to occupy central positions in one or more of them, possibly as a result of transformations within the fields themselves.

Secularizations

As I noted above, John Meyer once referred to elite intellectuals as the "clergy" of the world political culture, while Meyer and his colleagues later claimed that the "rationalized knowledge structures" associated with these "central and prestigious participants in world society" have come to "constitute the religion of the modern world, replacing in good measure the older 'religions' that have been spiritualized and reconstructed as more ordinary organizational actors" (Meyer et al. 1997: 165-166). That such elites represent "central and prestigious participants in world society" is one justification for the core focus on these actors in this dissertation. It is important to study the powerful as well as the powerless. Yet the attendant suggestion here—that "religions" have simply been replaced by "rationalized knowledge structures," which now "constitute the religion of the modern world"—deserves more scrutiny, especially in light of a wave of recent scholarship that reconsiders the main tenets of classical sociological theories of secularization.

The transnational proliferation of reconciliation—the spread of both reconciliation discourses and the institutional practices such discourses articulate, infuse, and circumscribe—has occurred during a contemporary period that has come to be associated with the "worldwide resurgence" (Berger 1999: 11) and "deprivatization" (Casanova 1994: 5) of religion. In the context of new claims about religion's public role, as well as revisionist attention to the generalized historical assumptions and teleological premises of older theories of secularization, previously dominant approaches to the study of secularization have seen mounting critical scrutiny, even as scholars in various fields have sought to deal in more detailed and nuanced ways with the processes of "secularization," the practices of "the secular," and the political ethic of "secularism." Sociologists of religion have sought to "rethink secularization" (Smith 2003: 1) and a raft of contemporary theorists across the humanities and social sciences has brought greater attention to the "conceits of secularism" (Connolly 1999: 19-46) and "formations of the secular" (Asad 2003).

Secularization stories are as old as sociology itself. As Christian Smith writes in his introduction to a recent special section of *Social Forces* dedicated to "future directions in the sociology of religion":

> For much of the history of modern sociology, it was believed that modernity would undermine the plausibility and influence of religion. That belief was advanced in secularization theory, which elaborated different explanations of how and why that religious decline and perhaps extinction would occur. Secularization theory predicted that more modernity – particularly as represented by science, rationality, individual freedom, institutional differentiation, market competition and cultural pluralism – would mean less religion. (Smith 2008: 1577-78)

This theory of secularization, José Casanova (1994: 17) has written, "may be the only theory which was able to attain a truly paradigmatic status within the modern social sciences." Given the theory's apparently definitive standing, it went relatively unchallenged for many years and was often simply assumed. As Casanova writes, "the consensus was such that not only did the theory remain uncontested but apparently it was not even

necessary to test it, since everybody took it for granted." The classical (and now much contested) understanding of secularization notwithstanding, "there is no single or widely accepted definition of secularization" within sociology, and the multiple sociological understandings of secularization both draw on and depart from a diverse range of "presociological" variants, as Philip Gorski and Ateş Altınordu (2008: 57) emphasize in a recent review article. "If the secularization concept has contradictory meanings," they write, "this is not just because sociologists cannot agree; these contradictions are often the semantic legacies of the political and theological struggles of the past" (Gorski and Altınordu 2008: 61). The plural and divergent meanings of "secularization" within sociology are one reason to take Rodney Stark's epitaph for secularization theories with the grain of salt. "It seems time to carry the secularization doctrine to the graveyard of failed theories," Stark (1999: 270) wrote, "and there to whisper '*requiescat in pace*'." Yet despite the efforts of Stark and others, theories of secularization are not dead yet.

At the same time, older theories of secularization, such as those that reigned in postwar American sociology—linking processes of modernization with the inevitable decline of religion—have given way to more complex and reflexive approaches, including scholarship that emphasizes the historical contingency, geographical variation and political inflection of secularization processes, as well as their multidimensionality. Thus, in Casanova's work on "public religions" one finds a distinction among three different ways of conceiving of secularization—"what passes for a single theory of secularization," he writes, "is actually made up of three different propositions: secularization as religious decline, secularization as differentiation, and secularization as privatization" (Casanova 1994: 7)— along with a related argument that "differentiation" actually paves the way for the "deprivatization" of religion. Gorski (2000), meanwhile, has responded to debates between Stark and other critics of secularization theory, on the one hand, and revisionist defenders of the theory, on the other—in a debate which generated an outpouring of work in the sociology of religion during the 1990s—by calling for a fuller "historicizing of the secularization debate." And Smith (2003) has emphasized the extent to which "the secular revolution" was a matter of power and contentious struggle among concrete organizations and individuals who actively supported or opposed secularization, rather than simply the function of a glacial and ethereal macro-social process.

In light of these developments in sociological scholarship—not to mention rising attention to religion's prominence throughout the world—even previous proponents of older theories of secularization have reversed course. In the late 1990s, for example, Peter Berger—one of the "principle architects of secularization theory" (Gorski and Altınordu 2008: 56; Berger 1969)—offered a "desecularization thesis" intended to make sense of a "massively religious" global scene. "The world today," Berger (1999: 9) wrote, "is anything but the secularized world that had been predicted (whether joyfully or despondently) by so many analysts of modernity." Yet there were two exceptions to the "desecularization thesis," he claimed. The first possible exception was Western Europe, where, "if nowhere else, the old secularization theory would seem to hold" (Berger 1999: 9). Regarding the second exception, Berger was more emphatic. It involved what he called a "globalized *elite* culture":

The other exception to the desecularization thesis is less ambiguous. There exists an international subculture composed of people with Western-type higher education, especially in the humanities and social sciences, that is indeed secularized. This subculture is the principle "carrier" of progressive, Enlightened beliefs and values. While its members are relatively thin on the ground, they are very influential, as they control the institutions that provide the "official" definition of reality, notably the educational system, the media of mass communication, and the higher reaches of the legal system. (Berger 1999: 10)

What did Berger mean when he referred to this elite subculture as "secularized"? One possibility is that he meant to refer to the religious beliefs and practices of the people who populate it (and thus to "secularization as decline" in Casanova's tripartite distinction)—and Berger did refer to people within this subculture as "prone to secularization" (10). A second possibility is that this subculture represents one in which religion has been effectively privatized (as opposed to its "deprivitization" in other public arenas), such that it has come to represent "a haven largely freed from religious perspectives"—as George Marsden (1994: 430) has suggested with respect to elite American universities.

With respect to both possibilities, however, recent research suggests a more complicated picture. Take, for example, the elite American universities to which Marsden refers—a central part of Berger's "globalized elite culture." Are faculty members in these universities "secularized"? Surveying the contemporary American professoriate, Neil Gross and Solon Simmons (2007) found "substantial variation in religiosity from discipline to discipline and across types of institutions." While professors are less religious than the general U.S. population, and while professors at elite universities are much less religious than those teaching elsewhere, Gross and Simmons' research nonetheless indicates that "a higher proportion of professors are religious than the usual story of academic secularization would have us believe." What about possibility number two, that elite universities represent what Marsden called "a haven largely freed from religious perspectives"? Again, recent research suggests a different story. As John Schmalzbauer and Kathleen Mahoney (2007) argue, while "there is strong evidence that something close to the secularization of scholarship did occur" in an earlier period, their research on contemporary American higher education indicates that "more and more scholars are challenging the boundary between faith and knowledge, acknowledging the importance of religion as a social phenomenon and as a way of knowing." In sum, Berger's suggestion that a globalized elite subculture, "composed of people with Western-type higher education, especially in the humanities and social sciences" is secularized—*tout court*—is simply too simplistic. Like the older secularization thesis, the claim is too general, and does not admit of the possibility of variation and diversity. To further explore Berger's claim about the secular qualities of "globalized elite culture," we need a more fine-grained analytical approach to secularity.

The force of secularist spin

One such approach is suggested by the recent work of philosopher and political theorist Charles Taylor, who revisits historical questions of secularization in his book *A Secular Age* (2007), distinguishing three different senses of the shift toward secularity. Taylor's elaboration of a third and novel sense of secularity is an innovative move—Robert Bellah (2007) has called it "a revelation." To the two familiar senses of secularization I have just considered above—the removal of religion from public spaces (secularization as privatization) and the decline of religious belief and practice (secularization as decline)—Taylor adds what he calls "secularity 3": the transformation of the conditions of belief, experience and commitment that have led to the formation of "the immanent frame," the "sensed context in which we develop our beliefs" (Taylor 2007: 549). Reworking and substantially revising Weber's understanding of "disenchantment," Taylor suggests that "the spiritual shape of the present age" can be characterized by the religious and secular possibilities the immanent frame affords, including—centrally—the possibility of unreflective unbelief introduced by the idea of a self-sufficient immanent order, a naturalist conception of the world made possible and reinforced by a range of other historical changes. Yet religion and spirituality are not extinguished in this "secular age," but have rather been refigured. We should not confuse disenchantment with the end of religion, therefore, as religious commitments and openings to "transcendence" remain possible even from within the immanent frame. At the same time, as Taylor emphasizes, something has changed. Religious faith has become "one human possibility among others" (3) and—at least in some environments—a "secularist" take on the world has "sunk to the level of…an unchallenged framework" (551, 549).

While limiting his attention to the West (or "the North Atlantic world"), Taylor paints on a large historical canvas, unabashedly referring to his own argument as a "master narrative." The historical transformations that gave rise to the immanent frame have deeply affected the lives of "all of us in the modern West" (543), he writes, and they "represent profound changes in our practical self-understanding" (542). Yet Taylor is also at pains to emphasize the diverse range of new possibilities these transformations engender, and the importance of local particularity in their realization. Thus, for example, he describes the immanent frame as "spun" towards openness or closure, leaving room for it to be "lived as inherently open to transcendence" or as conducive to the reinforcement of "closed world structures." And he suggests that the "local dominance" of one spin or another strengthens its hold as "an unchallenged framework" or what Wittgenstein called a "picture" of the world, "a background to our thinking, within whose terms it is carried on, but which is often largely unformulated" (549-551). Taylor says that the "spin of closure…is hegemonic in the Academy" (549) and suggests, more broadly, that "the force of secularist spin" enjoys a wide "intellectual hegemony" in the contemporary period (551). Although he does not elaborate in great sociological detail on secularist hegemony within contemporary intellectual circles, Taylor's work does provide the tools with which to forge a new perspective on the cosmopolitan intellectuals who occupy what Berger deemed an unambiguously "secularized" elite subculture. The degree to which this subculture is in fact secularized can be determined by considering religious belief and practice, or by attending

to the extent to which religious perspectives have effectively been privatized, of course. But it can also be evaluated in terms of Taylor's "secularity 3." To what extent, we may ask, has a "secularist" perspective "sunk to the level of…an unchallenged framework" within this subculture? To what extent, in other words, has a secularist perspective achieved here the degree of "uncontested acceptance" that Bourdieu associated with "doxa" (Bourdieu and Wacquant 1992: 73)?

Yet there is a further question. Whether it represents doxa or a more explicitly articulated—and at times contested—orthodoxy, what makes this framework or perspective specifically "secularist"? Taylor's own answer to this question—in *A Secular Age*—is generally quite closely linked to his understanding of religion as defined in terms of "transcendence" (Taylor 2007: 20).[25] As Talal Asad (forthcoming) suggests, Taylor works here with "an intuitive definition of religion in terms of transcendent – Christian – *beliefs*." Taylor would certainly not deny that there is more to religion than belief, and his book is about much more than simply belief and unbelief. Yet—as Asad indicates, and as others have noticed—belief is undoubtedly a central concern for Taylor in *A Secular Age*. Thus, when he turns to discussion of contemporary conflict involving religion, Taylor is largely concerned—as he says in the book's first chapter—with "the struggle, rivalry, or debate between religion and *unbelief* in our culture" (Taylor 2007: 20, my emphasis).[26] Such "unbelief," furthermore, is figured as the denial of transcendence and the "closure of immanence" that Taylor associates with what he calls "closed world structures" (546, 551). When Taylor refers to the "secularist" take on the world that has "sunk to the level of…an unchallenged framework," then, he is referring to this particular perspective on immanence and (the denial of) transcendence.

Taylor's conception of religion notwithstanding, sharp distinctions between "religious" and "secular" or "secularist" perspectives are particularly difficult to draw, as

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[25] *A Secular Age* forwards a multidimensional understanding of transcendence, which Taylor initially articulates in explicitly Christian terms. "In order to understand better the phenomena we want to explain," Taylor writes, "we should see religion's relation to a 'beyond' in three dimensions. And the crucial one, that which makes its impact on our lives understandable, is the one I have just been exploring: the sense that there is some good higher than, beyond human flourishing. In the Christian case, we could think of this as agape, the love which God has for us, and which we can partake of through his power. In other words, a possibility of transformation is offered, which takes us beyond merely human perfection. But of course, this notion of a higher good as attainable by us could only make sense in the context of belief in a higher power, the transcendent God of faith which appears in most definitions of religion. But then thirdly, the Christian story of our potential transformation by agape requires that we see our life as going beyond the bounds of its 'natural' scope between birth and death; our lives extend beyond 'this life'" (Taylor 2007: 20).

[26] Given what Taylor writes about "closed spin" on the immanent frame, "unbelief" is perhaps an at least partially misleading label for religion's rival. "The immanent frame," Taylor writes, is "not usually, or even mainly a set of *beliefs* which we entertain about our predicament, however it may have started out; rather it is the sense context in which we develop our beliefs" (549). Yet while Taylor refers at times to religious "commitments" or "experience," for example, the immanent frame itself is consistently conceived as a framework in which "beliefs" emerge, just as secularity 3 is conceived as a matter of conditions of *belief*, and in various formulations throughout *A Secular Age* it is the lack of religious belief that defines religion's other.

scholars of religion and the secular have increasingly emphasized. These categories are not only historically interdependent and frequently overlapping, they are also shifting, contingent and contested. "Nothing," as Talal Asad (2003: 25) has put it, is "*essentially religious.*" At the same time, the concepts of religion and secularity are not without a certain analytic utility, although it is important to be reflexive in their usage. Given criticisms of attempts to develop a universal conception of religion, for example, some scholars have gone in the opposite direction, suggesting that there is no such thing as religion or that academic usage of the word ought to be more or less discontinued. Yet what such suggestions overlook, as Asad has emphasized, is that "the concept 'religion' is not merely a word: it connects to vocabularies that bring persons and things, desires and practices together in particular traditions in distinctive ways." The same is true, Asad (forthcoming) continues, of "religion's twin"—secularity. It too "brings different sensibilities into play in different historical contexts."

In the context of the transformations of reconciliation I elucidate in this dissertation, the concept of religion is salient primarily as a result of its mobilization by critics and defenders of avowedly "religious" understandings of reconciliation. I have not, therefore, employed the concept of religion as a sociological category, but rather have sought to understand the various ways that concerns about "religion" and the "religious"—and, more specifically, the "Christian" and "theological"—have shaped debates over reconciliation. It is in this sense that specifically secular or secularist perspectives become important. If "the secular" is a "central modern category" mobilized in the midst of secularizing efforts "to construct, codify, grasp and experience a realm or reality differentiated from 'the religious'" (Casanova 2007), then secularist perspectives—or secularisms—cannot be understood apart from such efforts.[27] Secularisms may be—and not infrequently are—tied to the "closure of immanence" and the "unbelief" (conceived as denial of "transcendence") that Taylor associates with a "secularist" take on the world.[28] Yet they are also centrally bound up with projects of distinction from religion.

It is has been noted that such projects—secularizing efforts to dissociate people and things, meanings and ideas, practices and institutions from their associations with religion[29]—not infrequently carry over elements of ostensibly discarded religion, though

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[27] "Secularisms" are conceived here as secular worldviews (or "Weltanschauungen") that "may be either consciously held and explicitly elaborated" or "unreflexively held and phenomenologically assumed as the taken for granted structure of modern reality, as a modern *doxa* or as an 'unthought'" (Casanova 2007).

[28] While Taylor's narrative about the historical shift to secularity is intended as an alternative to previous accounts of secularization, it should be noted that there is very little explicit discussion of secular*ism* in the pages of *A Secular Age.* He has, however, discussed multiple "modes of secularism" elsewhere (Taylor 1998). Following Taylor, one mode of "secularism" can be seen in demands that a political ethic be defined and justified independent of any particular religious tradition or even of any specific moral philosophy.

[29] The verb "to secularize" may be defined, as it is by the OED, as an effort to "dissociate from religious or spiritual concerns." See Connolly's (1999: 21-22) critique of "the OED story" as "a partisan secular history of the sacred/secular division in the West, adopting as neutral terms of analysis several concepts and themes that became authoritative only through the hegemony of secularism." This contested definition is nonetheless closely connected to a widely held

which elements these are and whether they remain "religious" is a matter of contention. John Rawls (2005) famously figured "political liberalism" as historically tied to Protestant religion and supportable from within multiple religious perspectives, while also capable of being "freestanding" and not dependent on any one of them—thus being fully secular. Jacques Derrida (2001: 117), on the other hand, riffing on Carl Schmitt's *Political Theology*, claimed that Western culture "lives" on "secularized theological concepts," and that the central political concepts of Western society—including the concept of modern democracy—are "still theological." In a somewhat different register, Jürgen Habermas (2006: 10, 17) has noted the importance of "secular translations" of the "moral intuitions" lodged within religious traditions, writing:

> Philosophy has recurrently found in its encounters with religious traditions, and they include Muslim traditions as well, that it receives innovative stimulation if it succeeds in liberating the cognitive substance from its dogmatic encapsulation in the melting pot of rational discourse.

Figuring discursive secularization as a form of both necessary translation and intellectual liberation, Habermas suggests the possibility that world religions "still bear a semantic potential that unleashes an inspiring energy for all of society as soon as they release their profane truth content." (Habermas 2006: 17). While Derrida emphasizes that even supposedly secular concepts such as modern democracy" are "still theological," then, Habermas expects that religious intuitions can be effectively secularized, if only profane truth can be released from religion's grip, "liberating the cognitive substance from its dogmatic encapsulation." The hopes of Habermas notwithstanding, however, such discursive liberation is difficult, complicated and often incomplete. Thus, while a widely held understanding of "secularism" involves an assumption, variously articulated, that religious language must be put in its appropriate place within the public sphere—and as such must possibly be removed, regulated or suitably revised—in practice, secularizing projects frequently seek not simply to "banish religion from the public domain but to reshape the form it takes, the subjectivities it endorses, and the epistemological claims it can make" (Mahmood 2006: 326).

Within the increasingly vast scholarly literature devoted to reconciliation, truth commissions, and transitional justice that has grown up in recent years, it has become commonplace to highlight the "religious" and even "theological" dimensions of reconciliation. Yet—the iconic importance of Desmond Tutu and the important efforts of some theologians and religious activists notwithstanding—political theologies of reconciliation continue to occupy a relatively uneasy place within both the international field of transitional justice and the world of liberal political theory. More common than defenses of such theologies—especially among cosmopolitan elites—have been efforts to turn back, to tame, to contain or to substantially reconceive conceptions of reconciliation.

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understanding of secularization, as José Casanova has emphasized. "As indicated by every dictionary of every Western European language," Casanova writes, secularization "refers to the transfer of persons, things, meanings, etc., from ecclesiastical or religious to civil or lay use, possession, or control" (Casanova 2006: 7-8).

Among both liberal theorists and elite practitioners, there has been a concerted push to "secularize" reconciliation discourse. Yet such efforts have not been monolithic, and "secular translations" of reconciliation—worked amidst the enthusiasm or the horror, the inspiration or the disgust, the longing or the anxiety that the language of reconciliation has evoked—have been multiple and diverse.

Nor is the arena in which these efforts have taken place adequately captured by the simple designation "secularized." Recent debates over reconciliation have been carried on in a field in which "the force of secularist spin" is strong, and in which secularist presuppositions have in places sunk to the level of unchallenged doxa. But there has also been struggle within this field, including over the place of religion and the role of theology in formulations of reconciliation and related terms. If secularism has here been "hegemonic," then, it has not been entirely uncontested. Thus, in light the proliferation and profusion of reconciliation discourses and ensuing counter-discourses, it would be a mistake to think that the "secularizing" labors of some—efforts to strip away the theological baggage associated with prominent conceptions of reconciliation such as those forwarded by the South African TRC—have resulted in anything like widespread uniformity or consensus. The extensive usage of the word "reconciliation" continues to hide a great diversity of meaning. Reconciliation, wrote Jonathan Tepperman in 2002, has come to be a "much used" but "seldom defined" word. On the contrary, I would suggest. While reconciliation has indeed been a "much used" word, it has also been much defined. The wonder of reconciliation is not an absence of definitions, but an abundance of meanings.

Attention to some of these many meanings helps to illuminate an important dynamic at play in recent engagements with the politics of reconciliation, as secular forces have confronted calls for forgiveness and promises of redemption within a still evolving conversation about truth, justice, and transition. Yet to investigate recent efforts to transform contemporary understandings of reconciliation is neither to assign an essentially religious origin or identity to the concept of reconciliation, nor to plot a linear historical narrative for the concept's recent development or deployment—and it is not to assume that the religious-secular binary is capable of carving the social world at its joints. It is, rather, to ask whether these discursive labors, along with various responses and resistances to them, may not themselves have represented and initiated "breaks between Christian and secular life in which words and practices were rearranged, and new discursive grammars replaced previous ones" (Asad 2003: 25)—and to suggest that these breaks, along with the shifts that they have marked and enabled, are worth exploring further.

As Saba Mahmood (2008: 451) has recently written, "While it is common to ascribe passion to religion, it would behoove us to pay attention to the thick texture of affinities, prejudices, and attachments that tie us (cosmopolitan intellectuals and critics) to what is loosely described as a secular worldview" and to seek to better "apprehend the visceral force that secular discourses and practices command today." Political theologies of reconciliation represent one of an increasing number of heterodoxies currently afloat within the "secular" sphere occupied by the cosmopolitan intellectuals and critics Mahmood describes. Like all heterodoxies, the presence of these theological voices forces an increasingly explicit, and at times vociferous, articulation of what are often otherwise

unstated secular presumptions, giving rise to new and diverse assertions of secular orthodoxy—and engendering novel conceptions of reconciliation in the process. Detailed attention to the discursive politics of reconciliation, in other words, not only requires a more concrete analysis of the classification struggles of cosmopolitan intellectuals within the field of transitional justice and related arenas. It is also one way to bring into bolder relief the peculiar yet contested force that secular discourses command in the particular fields these cosmopolitans populate.

Reconciliation and secular justice

In September of 2001, a former professor of religious studies named Charles Villa-Vicencio was invited to give the keynote address at the inaugural workshop of a new multidisciplinary research project at the University of Notre Dame, just outside South Bend, Indiana. The new project, sponsored by Notre Dame's Kroc Institute for International Peace Studies, was dubbed RIREC – shorthand for the Research Initiative on the Resolution of Ethnic Conflict. Villa-Vicencio's address to the RIREC workshop, entitled "Lessons from South Africa's Truth and Reconciliation Commission," was drawn from his own personal experience with South Africa's path-breaking and internationally heralded attempt to come to grips with its violent past, to pursue national healing, and to build a bridge between the old Apartheid system and the "New South Africa."

Villa-Vicencio was well placed to speak about his country's Truth and Reconciliation Commission, regularly referred to simply as the TRC. A veteran of the South African struggle against Apartheid, he had taken leave from his position at the University of Cape Town in order to serve as the Research Director for the TRC, coordinating an effort that eventually led to the publication of that commission's massive seven-volume report. With the major activities of the truth commission winding down—although the final version of its report would not be presented to South African President Thabo Mbeki until 2003, the first five volumes had been completed and published by 1998—Villa-Vicencio hatched a plan for a successor organization, a small NGO that would carry forward the work of promoting reconciliation started by the TRC. The Institute for Justice and Reconciliation opened its doors in March 2000, just down the road from the University of Cape Town, joining other local NGOs and civil society organizations in the ambitious aim of "transcending a century of injustice," as South Africans continued to struggle through their storied transition "from Apartheid to democracy." Archbishop Emeritus Desmond Tutu, the TRC's charismatic chairperson, was named the Institute's Patron—an exemplary model of the spirit of reconciliation to which the organization would aspire—and Charles Villa-Vicencio became its Executive Director.

A major theme of Villa-Vicencio's presentation to the RIREC workshop that September day at Notre Dame was, inevitably, the question of "reconciliation." Under the leadership of Archbishop Tutu, the quest for reconciliation and forgiveness had become a master narrative of the TRC, whose rituals of public truth telling were promoted throughout South Africa as "the road to reconciliation." Villa-Vicencio's own vision of reconciliation differed in important respects from that of the archbishop. Perhaps most importantly, he was uncomfortable with Tutu's close association between reconciliation and forgiveness, preferring an explicitly more "modest" conception of reconciliation that would not necessarily involve or depend on the prerequisite of moral absolution. Despite his apparently more "realistic" approach, however, he did not shy away from the lofty rhetoric often associated with the TRC's rendering of reconciliation. Archbishop Tutu had claimed that the relatively nonviolent South African transition was a "miracle," and Villa-

Vicencio, who had lived through that transition, was not beyond seeing things that way. "We were anticipating a bloodbath," he told me later, expressing a frequently repeated perspective among proponents of reconciliation in South Africa. "The fact that we got away with a very messy negotiated settlement—shot through with compromises and negotiations and limitations and 'yes buts'—is nothing short of amazing."

A religious-redemptive narrative

In the American popular imagination, the TRC's dominant discourse of reconciliation— what anthropologist Richard Wilson has called its "religious-redemptive narrative" (Wilson 2001: 109)—has come to be closely associated with South Africa's "miraculous" political transition, an association even more pronounced among international observers of the South African saga. In the context of that transition, the nation's search for reconciliation has been tied not just to the individual stories of confession and forgiveness that became the basis of some of the TRC's most memorable public theater, but also to an innovative amnesty agreement that attempted to steer a middle course between the "blanket" amnesties associated with previous political transitions and the unimpeded pursuit of prosecution on the model of the Nuremberg trials. Many have claimed that without that agreement—which eventually resulted in the TRC's uniquely individualized "truth for amnesty" arrangement—South Africans would have lost the linchpin of their negotiated settlement, an essential element of their successful transition.

By the time Villa-Vicencio addressed his Notre Dame audience in the fall of 2001, these associations were well known. In the aftermath of the South African commission, the language of reconciliation had proliferated widely, and the TRC was being repeatedly touted as an innovative "model" that transitional states in Africa and elsewhere might emulate. There had already been noteworthy emulation on the part of practitioners of "transitional justice" operating in other national locations, and even more international attention on the part of academics, journalists and transnational activists. In the late 1990s, Antjie Krog had complained publicly about the dozens of scholars that were flooding South Africa to study the TRC, providing material for the stereotypical image of the jet-setting international academic who flew in for a few days of TRC hearings, a visit with Archbishop Tutu, and a trip to Kruger National Park. By 2001, Desmond Tutu was a much sought after global prophet of reconciliation, and others associated with the TRC—including Villa-Vicencio and the former Deputy Chairperson of the TRC, Alex Boraine—were traveling the world to talk about their experiences with the commission and the various "lessons" it might afford.

Although they were in no position to constitute their own national, state-sponsored truth commission, Americans seemed peculiarly captivated by the South African story of reconciliation.[30] In 1999, a group in Greensboro, North Carolina, began discussions that

[30] Proposals for a United States "truth commission," Senator Patrick Leahy's the most prominent and recent among them, have referred overwhelmingly to South Africa's TRC. For a detailed argument in favor of such a commission, see Valls 2003a and Valls 2003b. President Clinton's Commission on Race, Valls suggests, looked in some ways like a truth commission, but was significantly different in important respects (for more detail, see Valls 2003b: 166). In the

would lead to the establishment of a Truth and Reconciliation Commission for that city, a truth seeking body charged with investigating the "Greensboro Massacre" of 1979, "as a means to fostering reconciliation and healing in the community."[31] The Greensboro TRC would draw explicit inspiration from the South African commission. A year later, Princeton University Press published an edited volume entitled *Truth v. Justice: The Morality of Truth Commissions* (Rotberg and Thompson 2000). The product of a 1998 conference held in South Africa, the volume consisted almost entirely of chapters written either by U.S.-based academics or by South Africans associated closely with the TRC. At Emory University in Atlanta, the 2000-2001 academic year was christened the "Year of Reconciliation," and Villa-Vicencio participated in one of numerous campus workshops, speaking about his role in the design of an MA "program in reconciliation," offered jointly by three South African universities.[32] "The world, especially the United States, is much more fascinated and impressed by the TRC than people in South Africa are," wrote Frederik van Zyl Slabbert a few years later, referring to his friend Alex Boraine's successful academic adventures at New York University as "a case of the prophet not being honoured in his own country" (van Zyl Slabbert 2003: 321). Meanwhile, new truth commissions were being formed throughout the world, including Truth and Reconciliation Commissions in Nigeria, Peru, and Sierra Leone. "The truth business," as Jonathan Tepperman wrote in a 2002 article for *Foreign Affairs*, was "booming." So, one might convincingly suggest, was the business of "reconciliation."[33]

A South Africa problem

Despite all the acclaim, truth commissions, and the reconciliation they sought, were not without their vocal critics. As a result of the prominence of South Africa's TRC, wrote Reed Brody of Human Rights Watch, in a 2001 article for *The Nation*, the "international community" had become "blindly besotted with truth commissions." The international human rights movement, he argued, was facing a "South Africa problem," since the conditions that made the TRC a notable success were difficult to replicate elsewhere, though far too many were beginning to try. For Brody, as for countless other international human rights activists, the "heart of the matter" was "whether to prosecute those who have committed atrocities," and in that respect South Africa was far from the perfect model. Truth commissions, Brody worried, were too easily "seen by abusive governments as a soft

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introduction to a recent volume on *The Age of Apology*, Howard-Hassmann and Gibney (2008: 1) write that "the truth commission phenomenon has been a non-Western affair," and suggest that "it would not be an exaggeration to say that apology has become the West's own version of the truth commission."

[31] http://www.greensborotrc.org/

[32] http://www.emory.edu/PROVOST/ReconciliationSymposium/

[33] There has been a great deal of writing, academic and otherwise, about reconciliation, truth commissions, and transitional justice, and in particular about "truth and reconciliation" in South Africa. And the books and articles keep coming. I discuss a number of them in the chapters that follow. Among the several recent books on reconciliation in South Africa, see especially Doxtader 2009 and Philpott 2006a.

option for avoiding justice." As for "reconciliation," it was at best an ambiguous concept, difficult to define and "too contested an ideal on which to base policy." Yet international donors were attracted to the "feel-good idea" of reconciliation, an idea that Brody contrasted with the "potentially messy affair" of retributive justice, "in which there are not only winners but losers." Articulating a widely held view among human rights activists, Brody argued that the vigorous pursuit of prosecutions was the best way to advance an ongoing struggle to "end impunity." "The perpetrators of atrocities should be losers," he wrote. "If the leaders used repression to empower themselves, then in an ideal transition they are disempowered, something that trial, conviction and punishment does most effectively" (Brody 2001).

Brody was not alone in his identification of a "South Africa problem," and his serious reservations regarding the concept of reconciliation were representative of widely held concerns among human rights activists, academic analysts, and others within the rapidly expanding interdisciplinary field of transitional justice. The lessons to be drawn from the South African experience with truth and reconciliation would continue to be debated in the years that followed. Yet not all concerns about the TRC had the same source or rationale, and not all reservations about its quest for reconciliation were articulated in the same spirit. Some prominent academics had largely welcomed the discourse of reconciliation associated with the TRC, even when they viewed truth commissions as only one option among several, and not always ideal. Martha Minow's consideration of the South African case provided a compelling centerpiece for her 1998 book, *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence*, which represented the TRC as admirable in its pursuit of social and national healing. Truth commissions that pursued and promoted reconciliation could offer a viable, and at times a preferable, alterative to prosecutions, Minow suggested.

Others embraced the growing importance of truth commissions, while taking issue primarily with the South African approach to reconciliation. During a 1996 roundtable sponsored by the World Peace Foundation and held at Harvard Law School, a small group of scholars, journalists, and human rights activists were given the task of examining "the relevance and efficacy truth commissions and the truth commission concept." South Africa's TRC, then underway, was a recurrent topic of discussion. In one telling exchange, André du Toit, a professor at the University of Cape Town who was involved in the commission's formation, noted a shift in the meaning attributed to "reconciliation" in the South African context. Initially discussed in political terms, he said, reconciliation in South Africa had taken a religious turn, coming to signify "something akin to forgiveness." Evincing concern over "the drift toward theological rhetoric in the South African case," Harvard political philosopher Dennis Thompson worried that his colleagues around the table were conceiving of truth commissions as inspired and informed solely either by "theology" or by "law." There had to be other alternatives. "How can we design a truth commission," he asked, "that does not get bogged down in legal procedures or the therapy of forgiveness" (Steiner 1997: 51)?

Along with Amy Gutmann, a Professor of Politics at Princeton University who would eventually go on to become President of the University of Pennsylvania, Thompson would later author an important contribution to *Truth v. Justice*. This chapter, on "The Moral

Foundations of Truth Commissions," considered South Africa's TRC as an example of a "paradigm" commission. Philosophically sophisticated and full of analytical nuance, Gutmann and Thompson's argument nonetheless extended an unambiguous critique of some of the TRC's fundamental and explicitly articulated ambitions. While Archbishop Tutu and others had voiced the hope that the commission's search for reconciliation would contribute to "the healing of the nation," what Gutmann and Thompson saw in Tutu's theological vision of reconciliation was the danger of a "deeply illiberal idea," an idea that involved the expectation that all of South African society would "subscribe to a single comprehensive moral perspective" (Gutmann and Thompson 2000: 32).

Prophets, pastors, and professors

Engaged in conversations with his RIREC colleagues, Villa-Vicencio was facing similar criticisms. Some in his audience in that inaugural workshop at Notre Dame were especially mystified by the South African emphasis on "reconciliation." As Villa-Vicencio recalled, the "secular academics" in the group reacted in a particularly "violent" way. "How can you call the South African project a 'Truth and Reconciliation Commission'?" they stood up and asked him. The question was not an idle one. While a handful of significant "truth commissions" had been established prior to South Africa's TRC, only one—in Chile—had prominently figured the notion of reconciliation. Other commissions had primarily highlighted their pursuit of truth, publicly construing their work as a matter of "inquiry" or "investigation." In Guatemala, the truth commission was known as a "Comisión para el Esclarecimiento Histórico" (Commission for Historical Clarification), and featured much less emphasis on reconciliation.[34] South Africa's TRC had been different, connecting the public articulation of "truth" with a national quest for "reconciliation." While most in Villa-Vicencio's audience were receptive to his compelling narration of the South African transition, however, there were those who thought he and others would do better to leave the word "reconciliation" behind. (One of the exceptions was the Mennonite theologian and Professor of International Peacebuilding, John Paul Lederach, who would later write a personal letter to Villa-Vicencio, encouraging him to hang on to the word.)

Villa-Vicencio's response to the concerns raised about reconciliation that September day was to note that it was "a word that's being adopted all over the world, whether rightly or wrongly." If the academics in the room had problems with the word reconciliation, he suggested, why not "go and ask people out there what they mean by reconciliation." Back in Cape Town, this was exactly what the staff of Villa-Vicencio's new Institute would do. What they found, among the South Africans they surveyed, was that "reconciliation" was associated with a wide range of meanings, including a substantial association between reconciliation and "forgiveness." Yet Villa-Vicencio was in broad agreement with Gutmann and Thompson's view that reconciliation ought not to be too closely tied to a theology of forgiveness, and in the very same newsletter in which the results of the Institute's initial survey on reconciliation were reported, he articulated a vision of "political reconciliation"

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[34] The full formal name of the Guatemalan commission, translated into English, was the *Commission to Clarify Past Human Rights Violations and Acts of Violence That Have Caused the Guatemalan People to Suffer*. See Hayner 2001, and Ross 1999.

that emphasized the pursuit of "peaceful coexistence" and the importance of "learning to live together," rather than the more "intimate" and theologically-loaded concept of forgiveness (Villa-Vicencio 2003).

There is little doubt that Villa-Vicencio's own conception of reconciliation had changed and developed significantly over time. Ordained as a Methodist minister, in the 1980s he joined a group of South African religious leaders who articulated a "prophetic theology" for the South African situation, collectively arguing that there could be "no true reconciliation and no genuine peace *without justice*."[35] By the time he and others launched the Institute for Justice and Reconciliation, his understanding of the relationship between reconciliation and justice had been turned around somewhat, and he had come to see practices of reconciliation as an important step along a path toward greater justice. While in an earlier period reconciliation had been conceived largely as a goal whose attainment required major social and political transformation, it could also be seen as a process through which such transformation might be further pursued. "Today," he told me a few years later, "I would want to take a more pastoral approach to reconciliation…and I would want to say that reconciliation can in fact be the vehicle through which we attain justice."

If Villa-Vicencio's ideas about reconciliation had changed over the years, so had—and so would—the views of others. The discussions of the Kroc Institute's RIREC workshop turned out to be one of the many venues in which such changes were manifest. Describing the debates over reconciliation that took place during his 2001 visit to Notre Dame, Villa-Vicencio recalled that the philosopher Pablo de Greiff, one of the participants in the original RIREC workshop, was at the outset one of his "staunchest critics." A professor at the State University of New York at Buffalo, de Greiff had just become the Director of Research at the International Center for Transitional Justice in New York City, a recently established international NGO, amply funded by the Ford Foundation and led by Tutu's former Deputy Chair at the TRC, Alex Boraine. While he was initially critical, however, by the time the RIREC workshop participants met again the following year, de Greiff—who would later defend a conception of reconciliation that was closely tied to the establishment of "civic trust"—appeared to have changed his mind somewhat, and his estimation of the value of "reconciliation" seemed to have shifted.

The shifting personal perspectives of Villa-Vicencio, de Greiff, and others theorists and practitioners of reconciliation were, it should be emphasized, not simply a matter of individual changes of heart or mind, but embedded in and consonant with a broader series of historical changes. As proponents of reconciliation in South Africa moved from the challenges of political struggle to the compromises of political transition, and as a South African tale of "truth and reconciliation" subsequently became a familiar subject of intense international scrutiny, the politics of reconciliation posed a significant challenge to the presumptions of a dominant secular approach to justice in transition, and increasingly diffuse conceptions of reconciliation were subjected to a contentious array of secularizing translations and wider historical transformations.

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[35] The results of these explicitly "prophetic" efforts were published as *The Kairos Document*. On the Kairos theologians, see Doxtader 2001a and de Gruchy 2002.

Transitional justice and the restoration of right relationship

By the time Villa-Vicencio gave his talk at the RIREC workshop, signs of a burgeoning "field" of transitional justice were emerging. Not only had the Institute for Justice and Reconciliation (IJR) and the International Center for Transitional Justice (ICTJ) recently been founded, but academics were increasingly turning their attention to the various issues raised by truth commissions and reconciliation, as well as to questions specific to other modalities of transitional justice, including the push for reparations and the operation of international war crimes tribunals. These developments occurred in tandem and were intertwined. They were marked by increasingly widespread debate over the relationship between the institutional efforts of truth commissions, the promotion of reconciliation, and the pursuit of "justice in transition." In the context of political transition, some charged, processes of "truth and reconciliation" were little more than a poor substitute for the criminal justice that ought to have been meted out in response to human rights abuses committed under previous regimes.

      Proponents of reconciliation such as Desmond Tutu responded by claiming that the pursuit of reconciliation carried out by vehicles of transition such as the TRC were, in fact, concerned with questions of justice. But this was justice of a different sort. Tutu and others referred to the efforts of the TRC as an exercise in "restorative" justice, an emphasis that resonated well with the concept of "reconciliation," which might be defined in a fairly general way as "the restoration of right relationship."[36] In its most prominent and controversial formulations—including those associated with Tutu and his *ubuntu* theology—the politics of reconciliation was positioned as a challenge and alternative to secular (or "Western," or "liberal") forms of justice, with the central target being those approaches to justice that made prosecution and punishment central, while eschewing the possibility (or appropriateness) of political forgiveness. While such challenges were at times direct and explicit, the question of secularism—and of religion's proper role in the public sphere—was frequently not fully theorized in debates over reconciliation. Just as often, what Charles Taylor (2007: 551) has called "the force of secularist spin" operated in a more subterranean way. The politics of reconciliation was not simply an affront to the beliefs and commitments of many elite intellectuals; it was also, and more importantly, a challenge to the presumptions associated with an intellectually hegemonic framework of justice. This framework was in many other instances unchallenged, uncontested, and taken-for-granted, serving as an often largely unformulated background of thinking and debate. As such, it amounted to a form of secular *doxa*. Counterposed to the dominant secular framework of justice, then, reconciliation became a heterodox challenge that forced the more explicit and widespread articulation of secularist orthodoxy.

      To those working within the predominant secular and juridical framework, the South African TRC's approach to justice and reconciliation frequently figured as both ethically problematic and politically unwelcome, an innovation whose aspirations and rhetorical promise could compensate for neither the intrusion of theology into public life nor the flouting of prevailing international norms. As reconciliation became a matter of

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[36] On reconciliation as "restoration of right relationship," see Philpott 2006b: 14.

increasing concern on the North American intellectual scene, and the heterodoxy of theological conceptions of reconciliation confronted widespread secular presumptions (both within the field of transitional justice and beyond), taken for granted assumptions within the hegemonic secular framework became more readily apparent, even as they were contested and debated. Defended by advocates of restorative justice and others, the politics of truth and reconciliation formed the basis of an alternative framework for doing justice in the aftermath of mass atrocity. Compared and contrasted with the juridical and "prosecutorial" approach, the alternative framework outlined by advocates of reconciliation promised collective healing through the public telling of difficult truths, and the language of reconciliation figured centrally in an emerging alternative lexicon for the pursuit of justice in transition.

Yet just as the politics of reconciliation—and its ambivalent handling among North American intellectuals—made the power of such secularist orthodoxy more readily apparent, it also made clear that secularism's intellectual power was neither monolithic nor singular. Defenses of reconciliation were mounted, at times involving explicit critiques of secularism. Critiques of reconciliation politics were likewise leveled, and from multiple intellectual perspectives, jostling alongside efforts to rehabilitate, translate, and transform the idea and practice of reconciliation. And thus, just as the stakes and substance of the international debate over reconciliation and justice seemed to some to be settling into a somewhat predictable pattern—with champions of a "prosecutorial approach" in the human rights movement being pitted against mostly South African proponents of "truth and reconciliation" and the "restorative approach" to transitional justice[37]—developments within the field began to call the sharp distinction between these two models into question. Perhaps the two approaches were not as mutually exclusive as the debates sometimes seemed to assume. Many of the critical responses to reconciliation, including those that emerged on the North American intellectual scene, did not involve outright rejection of the term and its promise, but rather amounted to a form of hesitant uptake and uncertain embrace. Attention to the politics of reconciliation was both sustained and tentative, issuing in severe critiques, vigorous defenses, and ambivalent acceptance of reconciliation's increasing ubiquity as a global keyword of politics in transition, while the uptake of reconciliation was also variegated, plural and at times contradictory. Even as advocates of transitional justice called increasingly for responses to mass atrocity that went "beyond truth versus justice" (Roht-Arriaza and Mariezcurrena 2006) or argued for approaches to post-conflict accountability that went "beyond transitional justice" (Hughes et al. 2007), reconciliation remained an unstable, polysemic, and regularly contested term within the wider field.

Proliferation, profusion, and struggle

In the course of the earlier debates, meanwhile, and as the field of transitional justice developed and expanded, discourses of reconciliation had continued to circulate, and the growth of the field corresponded with an extension of reconciliation's transnational reach.

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[37] This master distinction was employed by Leebaw (2002), among others.

As it grew, the field became in various respects somewhat more "field-like," being explicitly referred to as the "field of transitional justice" by those claiming membership and authority within it, and showing signs of characteristics familiar from more established fields. At the same time, "reconciliation" came to occupy an increasingly contested—and, in a complex way, somewhat marginalized—place within the consolidating field. This was especially the case in elite human rights organizations such as the International Center for Transitional Justice. Particularly in such contexts, reconciliation was only partially assimilated, and it proved difficult to institutionalize or fully incorporate. Unlike the cosmopolitan defense of "human rights," the promotion of reconciliation did not come to be seen as "a secular article of faith" (Ignatieff 2001: 77).

Nonetheless, there was both a proliferation and a profusion of "reconciliation" discourse, and the meanings associated with the word multiplied madly. New definitions, typologies, and visions of reconciliation sprouted in the offices of NGOs, at international conferences, on the op-ed columns of prominent newspapers, and within the pages of academic books and journals—not to mention in the programmatic statements of newly emerging truth commissions. Some of these renderings of reconciliation drew substantially on the well-established religious affiliations of the word, while others sought distance from its theological inflections and assumptions, pursuing instead an association with the wildly prolific tropes of "democracy," "human rights" and liberal "tolerance." At the same time, there was no small amount of promiscuous mixing of reconciliation's various significations—indeed, the South African TRC's own representations of reconciliation had amounted to an only loosely unified amalgamation of meanings and associations—and this gave rise to the production of still further discursive hybrids.

In the midst of this profusion there was struggle—not simply between advocates of restorative justice and human rights activists firmly wedded to the widely cited "duty to prosecute" (although such debates were considerable and significant), but also among the proponents of reconciliation themselves. As reconciliation became a significant topic of study and debate within North America, a series of competing conceptions of reconciliation emerged, some vying for a place within the growing field and others content to sit at its margins. Strikingly, the politics of reconciliation seemed to be both everywhere and yet stuck at the margins—and some of the most important struggles over reconciliation would figure as boundary disputes within the field of transitional justice, being caught up in related debates over the meaning, shape, scope and limits of the field itself.

As an important site of such national and transnational contestation, the South African TRC was, in important respects, a pivotal and field-shaping historical event, and even as the debate emanated outward, taking on a semi-autonomous shape of its own, the TRC remained a recurrent touchstone. As the debates over reconciliation and transitional justice continued, the shape of reconciliation's dominant meanings and associations shifted, becoming increasingly difficult to identify. In an earlier period in South Africa, apartheid-era debates over reconciliation—carried out in the public sphere and specifically in the theological field—led to the generation of theories of reconciliation that emphasized liberation and political struggle, conceptions laid out in an attempt by avowedly radical proponents of "just war" (against agents of the apartheid state) to distinguish their political and theological visions of reconciliation from those offered by a more "mainstream"

opposition, one that figured reconciliation as the hoped for outcome of nonviolent "witness" against oppression. Both sides in these debates drew substantially on theological traditions. Under Tutu's leadership, the TRC continued this emphasis on reconciliation as both a theological ideal and a collective social end. But it also worked in the context of a larger process of national transition that made reconciliation a prominent part of political, nation-building discourses, in which the prerequisite of the "political" was something like "secularity" (nonetheless, secular and religious discourses of reconciliation in South Africa remained difficult to pull apart, even in this more narrowly political realm, though some would try). The TRC brought the specifically theological concept of reconciliation more fully into the political realm, making it an integral part of the stated purposes and day-to-day workings of the state-sponsored commission.

Significantly, the commission also mixed discourses of reconciliation with an individualizing discourse of "human rights"—becoming widely associated with tales of personal forgiveness and individual healing (or lack thereof), but also with the specter of impunity. Reconciliation in the TRC was associated with attempts to build a "human rights culture" in the new South Africa. But it was also associated, in both South Africa and around the world, with individual amnesty for some of those who had committed human rights abuses, with challenges to its authority to grant such amnesty, and with the images of forgiveness its leaders hoped would accompany the amnesty process.

It was in good part the international prominence of the South African TRC that brought concerns about the specifically "religious"—and, more particularly, Christian—connotations and assumptions of reconciliation discourse to the fore, especially within the growing discussions of transitional justice. It's not that these issues were absent from the debates in South Africa that accompanied the TRC. Such debates—interestingly and importantly—did occur. But as the TRC garnered increasing international attention, debates over its religious particularity proliferated, expanding well beyond South Africa's borders. Critiques of the overt religiosity associated with the South African quest for reconciliation eventually led to various attempts to transform the concept, with the aim of making it more widely, and less controversially, applicable to situations of national transition and the post-transition politics of peace and justice. Both Charles Villa-Vicencio's (2003) articulation of a "political" conception of reconciliation and Pablo de Greiff's (2008) elaboration of a conception of reconciliation as the condition under which "civic trust" is possible were significant examples of this trend. Among those theories that focused substantially on individuals, more explicitly secular conceptions of reconciliation forwarded its potential associations with liberal "tolerance," as an antidote and preferable alternative to both the political valorization of "forgiveness" and the frequently ambiguous rhetoric of "national healing" (a rhetoric that sometimes mixed Christian discourses of reconciliation with more therapeutic tropes of personal and social repair).

The history of reconciliation's intimate associations with amnesty—and thus, in the eyes of some, with impunity—was a slightly different matter. For transnational activists and human rights lawyers whose activism was rooted especially in the context of Latin America, the aversion to the rhetoric of "reconciliation" was often a strong one—precisely because it was seen as just that, a rhetorical subterfuge intended to hide the grim reality of the state's failure to carry out its "duty to prosecute" perpetrators of human rights

violations. The association of reconciliation with the history of impunity in Latin American countries such as Argentina and Chile was thus one important source of critical responses to the South African TRC, where the offer of amnesty was individualized and made demands of those who would apply for it, but resulted nonetheless in amnesty for some of the most notorious agents of the apartheid state. Politically, one activist scholar told me, the conjunction of "truth and reconciliation" in Latin America had sought to satisfy claims emanating from both ends of the political spectrum: "truth" was for "the left," and "reconciliation" for "the right."

Some would attempt to apply a similar logic to the South African situation, a comparison that threatened to miss the different trajectories and significations of reconciliation in that context. But the South African TRC's visions of reconciliation had seemingly made the prospect of political amnesty more palatable, and as a result both the TRC and its prominent conceptions of reconciliation became a lightening rod for debates over amnesty within the human rights movement, and within the "international community" more broadly. Reed Brody's diagnosis of a "South Africa problem" was one indication of this, and his concerns were widely shared by other advocates of the "prosecutorial approach." While Brody would not forward a positive conception of reconciliation, when critics of the idea did approve a specific understanding of reconciliation, it was most often an ostensibly "secular" one—and the unease or anger regarding reconciliation's association with amnesty frequently intersected with anxieties about its particularistic Christian vision of political forgiveness and national healing. Thus, efforts to loosen the grip of reconciliation's theological resonances and complicities—and in particular its strong association with forgiveness—sometimes went hand-in-hand with attempts to sever it from a close association with amnesty, or to critique it on the assumption that such a dissociation was relatively unviable.

Yet opposition to amnesty did not always overlap neatly with concerns about religion's place in the public sphere. While for some the essential problem with reconciliation was its use to justify various state failures to exercise a "duty to prosecute," for others the trouble was located elsewhere—not in reconciliation's associations with impunity, but in its established affiliations with Christian theology. Still others criticized reconciliation's terminological ties to social and political amnesia, bemoaned its insertion as a cheap substitute for wider programs of social justice, or simply decried its discursive ambiguity. With these and other critiques—along with subsequent defenses of reconciliation, involving both re-articulations of its older meanings and revisions of its contemporary possibilities—came new significations of the term, as reconciliation was seen as both a process and a goal, a concrete set of institutional practices and a lofty ideal, a theological master concept and a tool of political transition.

Even with the global celebration of the South African TRC, specifically theological conceptions of reconciliation continued to occupy a relatively uneasy place within an emerging and amorphously defined field of transitional justice. More common than defenses of such theologies—especially within the elite segments of the field—were critical efforts to tame, to contain, and to substantially reconceive reconciliation. Liberal theorists and political scientists looked both to secularize the concept of reconciliation and to render it as a dependent variable subject to social scientific investigation. Proponents of these two

approaches (sometimes, but not always, intersecting) attempted to rend asunder what the South African TRC had so controversially joined—"reconciliation" and "forgiveness." Suggesting that forgiveness was not necessary for reconciliation—or, even more forcefully, that forgiveness represented a politically inappropriate and potentially illiberal aim, liberal theorists sought to constitute reconciliation as a scientifically definable end capable of being consistently pursued in a wide variety of transitional contexts. Here the theological language of forgiveness gave way to the liberal discourse of tolerance. If the results of these efforts were uneven, as specifically theological and at times anti-liberal discourses of reconciliation continued to circulate, they nonetheless illuminated powerful political currents and intellectual presuppositions within elite segments of transnational society. In their most familiar, forthrightly theological formulations, theories of reconciliation challenged the secular, broadly liberal orthodoxies that reigned within this sphere. Such theories represented the articulation of a distinctly heterodox position. In the broad shadows cast by the secular presumptions of cosmopolitan culture, the defense of reconciliation was tantamount to heresy.

The invention of truth commissions

Truth commissions, as many have emphasized, are a recent phenomenon, and their numbers have increased exponentially in the last decade or so. According to a list of truth commissions prepared by Amnesty International, in the course of the 1970s and 1980s, at least five truth commissions had been established. By the end of the 1990s, that number rose to 16, including commissions in Argentina, Bolivia, Chad, Chile, Ecuador, El Salvador, Germany, Guatemala, Haiti, Nepal, Nigeria, South Africa, Sri Lanka, Uganda and Uruguay.[38] And that, it seemed, was just the beginning. From 2000-2007, truth commissions were inaugurated in the Democratic Republic of Congo (DRC), the Federal Republic of Yugoslavia, Ghana, Grenada, Indonesia, Liberia, Morocco, Panama, Paraguay, Peru, Sierra Leone, South Korea and Timor-Leste (formerly East Timor), while Chile, Ecuador, Uganda and Uruguay, which had already held commissions, formed new ones.[39] All told, Amnesty reported that at least 32 truth commissions had been established in 28 different countries, with additional commissions being considered. Depending on how truth commissions were defined and counted, those numbers might well have been higher. Others, for example, have claimed that "by mid-2004 a cumulative number of thirty-five truth commissions had been established worldwide."[40]

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[38] Amnesty International: http://www.amnesty.org/en/international-justice/issues/truth-commissions (accessed March 3, 2009). Hayner (2001) book considered four additional commissions not on the Amnesty International list: a "Commission of Inquiry" (1985) in Zimbabwe; an "International Commission of Inquiry" in Burundi (1995); and two commissions of enquiry established by the African National Congress (ANC). The first ANC commission, in 1992, was a "Commission of Enquiry into Complaints by Former African National Congress Prisoners and Detainees" (also known as "The Skweyiya Commission"); the second, in 1993, was a "Commission of Enquiry into Certain Allegations of Cruelty and Human Rights Abuse against ANC Prisoners and Detainees by ANC Members" (also known as "The Motsuenyane Commission"). As Hayner noted, the two ANC commissions were "of a different nature from the other commissions, as they were created by a nonstate opposition body rather than by the state itself" (Hayner 2001: 263, n. 33). In a public statement responding to reports issued by the two commissions, the ANC called for the "establishment of a Commission of Truth, similar to bodies established in a number of countries in recent years to deal with the past. The purpose of such a Commission will be to investigate all the violations of human rights...from all quarters. This will not be a Nuremberg Tribunal. Its role will be to identify all abuses of human rights and their perpetrators, to propose a future code of conduct for all public servants, to ensure appropriate compensation to the victims and to work out the best basis for reconciliation. In addition, it will provide the moral basis for justice and for preventing any repetition of abuses in the future" (as quoted in Hayner 2001: 64).
[39] Again, according to Amnesty International: http://www.amnesty.org/en/international-justice/issues/truth-commissions (accessed March 3, 2009).
[40] See Sikkink and Walling (2006: 309), who also emphasize the rapid increase in the number of truth commissions and their regional concentration, especially in Africa and the Americas. Sikkink and Walling's list of truth commissions was drawn from Hayner (2001); it includes four

Nunca más

Little more two decades earlier, when what is now widely seen as the first significant truth commission was established in Argentina, the idiom of the "truth commission"—let alone its usage as a common term applied across national contexts to refer to a group of similar institutions—had not yet been invented. In 1983, following a decree from newly elected president Raul Alfonsín, Argentina had formed La Comisión Nacional Sobre la Desaparición de Personas.[41] The ten-member commission, chaired by author Ernesto Sábato and appointed by Alfonsín, was tasked with investigating the fate of an estimated 10,000 to 30,000 people who had been "disappeared" during a period of military rule from 1976-1983. The establishment of the commission has since come to be seen as a watershed and perhaps even originary moment in the history of truth commissions. As the "first important truth commission in the world," Kathryn Sikkink and Carrie Booth Walling have written, the commission in Argentina provided a model for subsequent institutions of its kind and thus "initiated" a "cascade of truth commissions" (Sikkink and Walling 2006: 305-206). As Alfonsín later reflected, the Argentine authorities understood they were doing something new. They were forced, he said, to "invent" their approach "from nothing" (Kritz 2002: 23).

  International human rights organizations, invested in the practices of "naming and shaming" that were central to the "transnational information politics" of the human rights movement, initially wondered what part they might play in Argentina following the election of Alfonsín.[42] Since the country had "turned a new leaf," as Juan Méndez, an Argentine exile and leading figure in the human rights movement, would later say, the conventional wisdom was that perhaps there "was no role for us." Yet "that wisdom did not last for very long." As the government formed the new commission, and also sought to prosecute military leaders, human rights work "almost seamlessly turned…from an adversarial to a supportive position."[43] Thus, while they were initially critical of plans for the commission, human rights organizations played an important and supportive role in its work, as they would in the work of subsequent commissions.[44] Although it did not hold public hearings—as later truth commissions would—the commission did maintain a public presence, identifying and investigating detention centers and clandestine cemeteries, taking statements from returning exiles (and from others, in embassies throughout the world), interviewing those who had survived detention, documenting disappearances, and

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commissions not on the Amnesty International list, in Burundi, Central African Republic, the Philippines and Zimbabwe, though not the two ANC commissions (Sikkink and Walling 2006: 308-310; 322). I discuss below some of the alternative ways truth commissions have been defined, including by Hayner; Amnesty International's own list was not accompanied by a definition.
[41] National Commission on Disappeared Persons, also known as CONADEP. For details on the formation of the Argentine commission and subsequent history of transitional justice in Argentina, see Lichtenfeld 2005.
[42] On "transnational information politics," see Ron et al. 2005.
[43] At the time, Méndez was the Washington director of Americas Watch, which later became Human Rights Watch. As quoted in Arthur 2009: 335.
[44] See also Hayner 2001: 33-34.

submitting a full report to President Alfonsín.[45] Entitled *Nunca Más*, the report was the basis for a shorter book that became "an immediate best-seller" (Hayner 2001: 34) in Argentina shortly after its publication, providing the commission the central means used to disseminate its findings. It has been "constantly in print" (Sikkink and Walling 2006: 306) ever since, and has been called "one of the best-selling books ever in Argentina's history" (Hayner 2001: 34).

The impact of the National Commission on Disappeared Persons did not stop at Argentina's borders, however. *Nunca más*—"never again"—would become "a slogan and a symbol of the transitional justice movement" (Sikkink and Walling 2006: 305-206), and the work of the Argentine commission would eventually have a transnational influence on a number of subsequent commissions, including those that followed in Chile, El Salvador and, a few years later, South Africa.[46] Sikkink and Walling are therefore voicing a widely held view in characterizing Argentina's commission as both the world's first important truth commission and a model for those that followed.[47] And the Argentine commission's emphasis on investigation of past human rights abuses, statement taking from victims, and the publication and dissemination of a final report would all come to be seen as integral elements of the work that truth commissions do.[48] Yet despite its influence on subsequent commissions, the Argentine commission was often referred to by its Spanish acronym, CONADEP,[49] and there is no evidence that it was widely referred to at the time of its work as a "truth commission." It would be a decade before that label would be applied and begin to take hold, as it did only after subsequent commissions were formed and direct

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[45] CONADEP. 1985. *Argentina Nunca Más.* Buenos Aires: Commisión Nacional sobre la Desaparición de Personas. CONADEP. 1986. *Nunca Más: The Report of the Argentine National Commission on the Disappeared.* New York: Farrar, Straus.

[46] The South Africans had in view all three of these Latin American commissions. See, for example, Boraine 2000.

[47] Indeed, Ruti Teitel has claimed that "Argentina established the first official transitional commission of inquiry in the modern period" (Teitel 2003: 78). While truth commission experts have claimed that earlier such commissions had already been established, they have agreed that the Argentine commission was of central, early importance. "Most experts agree that truth commissions first commanded attention with the experience of the National Commission on the Disappearance of Persons in Argentina in the early 1980s. The commission inspired several subsequent commissions, including ones in El Salvador and Chile. Its influence, however, was mostly limited to Latin America" (Freeman 2006: 25-26). One of the ways that ideas about, and strategies for, truth commissions (and other approaches to "transitional justice") spread was through a series of international conferences. At an important conference on "State Crimes" held at The Aspen Institute in November 1988, for example—in between the time of the Argentine commission and those formed in Chile and El Salvador— "the case of Argentina loomed large" (Arthur 2009: 322).

[48] It should be noted, however, that the approaches taken to these and other components of a truth commission's operations and strategies have varied from commission to commission, perhaps especially following the emergence and widespread usage of public hearings as an significant institutional innovation. I discuss this innovation, along with attempts to offer a definition of truth commissions, below.

[49] Hayner 2001: 33; Lichtenfeld 2005.

comparisons between them began to be more regularly made.

Truth and transition

When the notion of a "truth commission" did eventually take hold, however, such commissions fairly rapidly came to be seen as one of the major global political developments of the post-Cold War era, wrapped up with the international promotion of democracy and human rights, and tied to a "third wave" of democratization that spurred new developments within the emerging field of "transitional justice."[50] The attempt to seek justice in the wake of political transition was neither historically unique nor specific to democratic transitions. As Jon Elster (2004: 1) has emphasized, "transitional justice is not limited to modern regimes nor to democratic regimes." Yet the emergence of a network of interconnected scholars, human rights advocates, and policymakers devoted to the theory and practice of something called "transitional justice" was in fact a new development, and one substantially linked to, and structured by, a normative framework that emerged from concern with "transitions to democracy," as the phrase "transitional justice" at least partially suggests.[51] As this network emerged, the efforts of truth commissions would figure centrally in its operations and discussions.

In her "Transitional Justice Genealogy," legal theorist Ruti G. Teitel argues that a post-Cold War "paradigm" of transitional justice emerged after 1989, a model that "largely eschewed trials to focus instead upon a new institutional mechanism: the truth commission" (Teitel 2003: 78). Like other scholars of transitional justice, Teitel contrasts this "paradigm" with a model of transitional justice that emerged following World War II, a period she characterizes as "the heyday of international justice," and one associated most frequently with the Nuremberg Trials (Teitel 2003: 73). Painting with a broad brush, Teitel argues that the "core dynamic" that emerged in post-Cold War transitional justice was one that "suggested that there existed necessary conflicts among justice, history, and memory," conflicts frequently captured by the suggested tensions between "truth" and "justice." There were also, as she notes, related suggestions of similar tensions between "justice" and "peace," and regular intimations that the former might have to be sacrificed in order to pursue or preserve the latter, as a "jurisprudence of forgiveness and reconciliation"

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[50] The source of the frequently referenced "third wave" is Huntington 1991.

[51] See Arthur 2009, who stories and analyzes in detail the emergence and initial circulation of the term "transitional justice." Elster himself notes that as late as the academic year of 1998-99, the rubric of "transitional justice" had yet to become standard (Elster 2004: xii). Theorists of "transition" borrowed the notion from Marxists, who had previously, according to Arthur, "had a virtual lock of the concept." As Arthur writes: "In recycling the concept of a 'transition,' analysts in the 1970s and 1980s recast it in terms of political reform, rather than social transformation. In this model, transitions were construed as taking place primarily at the legal-institutional level of politics" (Arthur 2009: 338). On the concept of "transition" is both Marxism and the social sciences, see Guilhot 2002.

developed, along with "a universalizing language about the aims of forgiveness and the possibility of political redemption" (Teitel 2003: 81-82).[52]

As Teitel (2003: 81) argues, many of these post-1989 "dynamics" in the emerging field of transitional justice may be appropriately understood as "a critical response to the prior postwar model." Yet there is also a sense in which this "postwar model" has only really come to be seen as such—as a paradigm or approach to the dilemmas and challenges of "transitional justice" that can and should be usefully contrasted with others—with the recognized articulation of a distinct alternative. Transitional justice has come into its own as a field and as a recognizable domain of inquiry, in other words, in the same period in which this variously defined "alternative" to the postwar model has emerged.[53] Not simply promoted in the name of truth or peace, "truth commissions"—frequently seen as an explicit alternative to the pursuit of post-transition prosecution and criminal justice— would also increasingly be defended in the name of both reconciliation and restorative justice. Among academic students of transitional justice, the South African TRC's associations with a "restorative" approach to transitional justice would be widely cited, and compared and contrasted with the "prosecutorial approach" associated with Nuremberg, or more recently with International Criminal Tribunals for the former Yugoslavia and Rwanda.[54] This was a contrast explicitly articulated and encouraged by those directly involved with the South African commission. If trials are understood to focus primarily on

[52] Although the theme of reconciliation had not figured centrally in Teitel's own book on transitional justice, published in 2000, an image associated with an ancient story of reconciliation—Delacroix's painting, *Jacob Wresting with the Angel*—was selected for the book's cover. For her brief discussion of the story, see Teitel 2000: 113-114.

[53] Scholars within the field of transitional justice have increasingly begun to discuss the timing of the emergence of their own field. While Teitel (2008: 1) claims to have coined the expression "transitional justice" in 1991, Arthur (2009) notes that there were other usages of the phrase around the same time (and even somewhat earlier), suggests that the conceptual origins of both the term "transitional justice" and the field it names be located in a series of international conferences held in the late 1980s and early 1990s, and cites the central importance of Kritz's massive multi-volume study on transitional justice (Kritz 1995), which she calls "a key driver in the early proliferation of the term." Bell cites Kritz as well, writing that these volumes "mapped out a coherent area of study of mechanisms still considered central to transitional justice inquiries today, such as commissions of inquiry, trials, vetting and restitution or reparation" (Bell 2009: 8). However, although Bell suggests that "transitional justice can be argued to have experienced a dramatically compressed trajectory of fieldhood" (Bell 2009: 7), she also concludes that "a self-conscious field of practice and study consistently termed 'transitional justice' only really came into being around 2000 and after," citing the formation of ICTJ as one indicator of this shift (Bell 2009: 8-9). In the same article, Bell later goes on to suggest that perhaps transitional justice is not a coherent field after all, but rather "merely a label that gives apparent coherence to particularized practices of conflict resolution, emanating from diverse contexts and diverse actors with diverse goals, and moreover, a label that simultaneously obscures the quite different political and moral implications of these practices. This is a story of transitional justice as a 'cloak' rather than a 'field,' or of transitional justice as a 'non-field'" (Bell 2009: 13). Priscilla Hayner suggests in an interview that actors within the field of transitional justice only "started to think of this as a field" shortly after the founding of ICTJ (Taylor, L. 2007).

[54] See, for example, Leebaw 2002.

criminal prosecution and retributive justice, commissions such as the TRC ought to be seen, in Villa-Vicencio's words, as "essentially instruments of *restorative* justice" (2000: 68)—a formulation that draws on an understanding of justice closely linked with the concept of reconciliation and its goal of the "restoration of right relationship."[55] In typologies of the mechanisms or models of transitional justice, then, trials and prosecutions have frequently been taken to represent one model, while projects of truth and reconciliation are taken to represent a new and potentially controversial alternative.[56]

As valuable as they can be in highlighting the historical novelty of various projects carried out in the name truth and reconciliation, what risks getting lost in such typological distinctions is the historical dynamism of the institutional form of the "truth and reconciliation commission" itself, the diversity among the different bodies that have been labeled truth commissions, and the extent to which newly forming commissions have both built upon and transformed the institutional "models" that preceded them. Even Ruti Teitel's generally historicist approach, which traces three phases of transitional justice— from the postwar model of international justice, to the rise of the investigatory model of the truth commission, to a third phase in which, she argues, we are witnessing the attempted normalization of transitional justice—tends to elide important differences among different truth commissions, specifically with respect to their pursuit and promotion of reconciliation. As Teitel notes, the "investigatory model" of the truth commission has come to be widely associated with the South African TRC. But, as she also notes, South Africa's truth commission was not the first such effort. Earlier commissions—such as those bodies in Latin America that initially drew the interest of Teitel and other scholars of transitional justice—differed from the South African commission in important ways. In particular, they neither uniformly carried out their work under the banner of "reconciliation" nor held high profile public hearings. Teitel is right to highlight the extent to which discourses of forgiveness and reconciliation have emerged forcefully as central elements of post-1989 transitional justice. But this emergence should not simply be equated with the establishment of a truth commission "paradigm." Rather the paradigm or model of "truth and reconciliation"—to the extent to which one can reasonably speak of a singular or

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[55] Daniel Philpott (2006a: 3) has suggested that reconciliation "essentially means 'restoration of right relationship.'"

[56] As Teitel's rendering of the post-1989 dynamics in the field of transitional justice intimates, trials and truth commissions have frequently been seen not simply as different mechanisms of transitional justice, but as mutually exclusive alternatives. This "common misperception," as Neil Kritz wrote in 1996, has obscured the extent to which truth-seeking bodies can generate information that might subsequently be used in the service of prosecution (Kritz 1996: 143), and has repeatedly frustrated advocates of a multifaceted or "holistic" approach that includes prosecutions, truth-telling and other "mechanisms" of transitional justice, such as reparations. From a rather different perspective, the typological impulse behind various attempts to draw on historical cases in order to outline different mechanisms of transitional justice—an impulse central to the social scientific literature, sometimes referred to as "transitology," that has helped to define the field—has also been criticized because "the very meaning of the terms and the units of analysis can be radically different" across different contexts of transition. "In what sense," ask Olick and Coughlin (2003: 45), "can we speak of the problems of restitution as comparable in Rwanda and Argentina?"

paradigmatic approach—has emerged as an innovation on, and partial transformation of, the "truth commission" as an institutional form. To refer interchangeably to "truth commissions" and "truth and reconciliation commissions"—as Teitel and others sometimes do—tends to obscure the historicity of this institutional emergence and transformation.[57]

Definitional struggles

A similar point was made in 2001 by ICTJ's Priscilla Hayner, whose book on truth commissions, *Unspeakable Truths: Confronting State Terror and Atrocity*, has become required reading for both scholars and practitioners of transitional justice. Adopting the general label "truth commission" to apply to a range of investigatory commissions, Hayner explicitly criticized "the increasing use of *truth and reconciliation commission* as the generic," a trend she saw as the result of the widespread influence of South Africa's TRC. To refer to various commissions under the common rubric of truth and reconciliation, Hayner (2001: 23) suggested, was "inaccurate and should be avoided, since many of these commissions on the truth have not held reconciliation as a primary goal of their work, nor assumed that reconciliation would result." Hayner's point was undoubtedly more persuasive in 2001 than it would be in the years that followed, as the concept of reconciliation became increasingly intertwined with the work of truth commissions, and as observers referred in ever greater numbers to the work of the various "truth and reconciliation" commissions that were subsequently established. Yet it is nonetheless a point worth lingering on, signaling as it does not only the extent to which the naming and

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[57] Although Teitel does gesture at differences among truth commissions here and there in footnotes, her treatment of "Phase II" (which involves the post-Cold war rise of "the investigatory model" of the truth commission—which Teitel also associates with "the restorative model") generally tends to collapse them. The South African TRC looms large in her account, and the discourses and practices of this commission at times seem to stand in as the paradigm itself. Yet this remains somewhat ambiguous in Teitel's article. When Teitel writes that in Phase II "the form of law adopted offers a universalizing language about the aims of forgiveness and the possibility of political redemption," for example, a footnote indicates that "this aim is made clear in the Truth Commission Reports," though no specific reports are specified (Teitel 2003: 82, n. 85). The footnote directs readers to Teitel's book, *Transitional Justice*, yet the passage cited does not specifically discuss truth commission reports, and the only mention in this passage of the relationship between truth and reconciliation comes in a quotation from a report of an international conference sponsored by the Aspen Institute (Teitel 2000: 69). Important as they are to understanding the wider field, reports from international conferences discussing the importance of post-transition truth-telling, should not simply be conflated with reports of specific truth commissions (which have themselves tended to vary in the amount of space afforded to, and the specific inflections of, discourses of reconciliation and/or forgiveness, a point Teitel earlier hints at in passing with respect to the Argentine commission). In sum, while Teitel is largely right to stress the centrality of the South African commission—as she puts it, that "while first used in Argentina, the investigatory model is now associated with the response adopted in post-apartheid South Africa in the 1990s" (Teitel 2003: 78)—important differences among truth commissions (both before and after South Africa's TRC), including with respect to their mobilization of discourses of "reconciliation" and "forgiveness," should not be overlooked.

classification of truth commissions has been a matter of struggle—and quite often struggle revolving around the appropriate place and definition of reconciliation in the proposed goals and self-representations of such commissions—but also the variable centrality of the theme of reconciliation in the work of truth commissions, especially those formed prior to the establishment of South Africa's TRC. It was in the context of these early truth commissions, the most prominent of which were formed in Latin America, that Hayner and other human rights advocates came to understand what these institutional bodies could— and should—seek to accomplish. And thus it was in this regional political context—a context in which serious criticisms of the language of reconciliation were common, especially among human rights activists—that many first (and, for some, lasting) impressions of reconciliation were formed.

　　Priscilla Hayner cut her own activist teeth in Latin America. A student at Columbia University's School of International and Public Affairs (SIPA), she spent the summer of 1992 working as an intern with the truth commission in El Salvador. Returning to New York after her internship, Hayner did an independent study with Columbia Law School's Alejandro Garro and wrote a paper comparing the work of 13 "truth commissions," building on work she'd done for a class the previous spring and drawing on her own experience in El Salvador. Despite the fact that she was only a master's student, her work was breaking new ground, and would turn out to shape international discussions of truth commissions for years to come. At the time, there was very little scholarly discussion of truth commissions, and almost no one had treated them systematically as comparable institutions or objects of academic inquiry. Even the label was new. Yet activists and those directly involved in the various commissions knew that there were connections and similarities. The Salvadoran commission had self-consciously attempted to learn from the experience of Chile, just as the Chilean commission had been established with the precedent of Argentina in view. What was missing was a common terminology. Hayner remembers sitting a her desk, wondering how to capture the range of institutions she was writing about, and laying down the phrase "official inquiries looking at a period of past human rights violations." It was a mouthful. She settled instead on calling them "truth commissions," following the example of El Salvador's own *Comisión de la Verdad*.[58]

　　Having completed her independent study with Garro and her other coursework, Hayner prepared to graduate from SIPA. It hadn't occurred to her that she might publish her work on truth commissions. Encouraged by others to do so, she updated the paper— adding two additional commissions to the mix—and submitted it for publication to the *Human Rights Quarterly*. It was published in 1994, in the same issue as another article on truth commissions, which compared commissions in Chile and El Salvador (Hayner 1994; Ensalaco 1994.) Seven years later, her own article became a book, including discussion of 21 truth commissions, and Hayner helped found the International Center for Transitional Justice, playing a pivotal role in a series of meetings, sponsored the Ford Foundation, that would eventually lead to the Center's formation (Korey 2007: 259-261). Of the three founders, she would be the only one whose primary focus and experience had been in Latin America, where the early and important experiments with truth commissions and

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[58] Interview with Priscilla Hayner, February 14, 2005, ICTJ.

transitional justice had taken place. The same year that Hayner's article was published in *Human Rights Quarterly*, South Africa had held its first fully democratic elections. A year later, their own Truth and Reconciliation Commission was underway, conducting work that would catapult Hayner's two ICTJ co-founders—both of whom had been prominently associated with South Africa's TRC—onto an international stage. The South Africans knew, however, that the Latin American cases were significant. The leaders of the TRC had self-consciously sought to learn from earlier experiences in Argentina, Chile and El Salvador, and other transitional justice experts with experience in Latin America were added to the ICTJ's staff. When the ICTJ's president, Alex Boraine, later relinquished that role, returning to his home in Cape Town, he was replaced by Juan Méndez, the Argentine exile and human rights activist who had once worked to support the efforts of the truth commission in Argentina. Reviewing Hayner's book in 2003, Méndez had found still more truth commissions and other truth-seeking endeavors to discuss, including innovative "truth trials" in his own Argentina, which he and his co-author figured as a second moment in the country's history of official truth-seeking (Mendez and Mariezcurrena 2003: 245). Again, the case of Argentina loomed large.[59]

While Argentina's commission is regularly regarded as the first important truth commission to be established, however, it is not always said to be the very first, a fact that reveals at least as much (if not more) about the ambiguities associated with defining truth commissions as it does about Argentina's historical significance. Other similar attempts had preceded the Argentine commission, including a "commission of inquiry" in Uganda established in 1974 by former Ugandan president Idi Amin, the earliest of the 21 commissions discussed in Hayner's book, *Unspeakable Truths* (Hayner 2001: 51-52). The work of a *spectateur engagé*—in the words of Timothy Garton Ash (2001: xii), who wrote its preface—Hayner's book would set the terms of much subsequent discussion. Yet not everyone has agreed with her decision to dub the Ugandan commission of inquiry a truth commission. As Hayner's ICTJ colleague Mark Freeman (2006: 23) suggests, the commission in Uganda—along with a handful of other commissions of inquiry characterized by Hayner as truth commissions—actually "resembled something older and more familiar: standard commissions of inquiry into public controversies." Like Hayner, Freeman had been with ICTJ from the outset, starting as a senior consultant and later becoming the head of its Brussels office. In his own book on truth commissions, he would survey a wide range of such commissions of inquiry, carefully distinguishing them from "the modern truth commission." The truth commission, Freeman (2006: 53-54) suggests, represents one kind of human rights related commission of inquiry, but there are many other kinds, and thousands of examples of such inquiries could be adduced. Novel and inventive, the truth commission was nevertheless not created out of whole cloth. Often established under "fresh legislation" rather than formed under existing statutes—a feature that has permitted borrowing from earlier statutes while also allowing for adaptation— truth commissions have been able to draw in new elements introduced by commissions

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[59] As Sikkink and Walling (2006: 321) would later suggest, "Argentina is more than just another case in a volume on transitional justice" since "the Argentine example was very influential for other experiences of transitional justice."

elsewhere, through a process of both mimicry and innovation.[60] By Freeman's lights, a commission in Bolivia, which began work in 1982 and disbanded two years later without ever completing a report, represents the first truth commission (Freeman 2006: 318).

Such disagreement notwithstanding, truth commission insiders still refer at times to "Hayner's classical definition." According this definition, truth commissions share four "characteristics": they focus on the past, investigate a pattern of abuses over a period of time (as opposed to a specific event), are temporary bodies that complete their work with the submission of a report, and are "officially sanctioned, authorized, or empowered by the state (and sometimes also by the armed opposition, as in a peace accord)" (Hayner 2001: 14). As Hayner's conception of truth commissions circulated more widely, she became *the* expert on subject, interviewed in the press and invited to give talks about truth commissions in various locations—including in countries that were considering the formation a commission of their own, with processes of informal consultation well underway even prior to the founding of ICTJ. Mark Freeman would come to refer to Hayner as "the leading authority" of truth commissions, and in 2003 the two ICTJ colleagues co-authored a chapter on "truth-telling" for a handbook on *Reconciliation After Violent Conflict* produced by the Stockholm-based International Institute for Democracy and Electoral Assistance (IDEA), calling truth commissions "one of the most popular transitional mechanisms in recent years" (Freeman and Hayner 2003: 123). The following year, United Nations Secretary-General Kofi Annan issued a landmark report on transitional justice, devoting a distinct section of the report to "facilitating truth telling," and discussing exclusively in this section the work of truth commissions—"official, temporary, non-judicial fact-finding bodies that investigate a pattern of abuses of human rights or humanitarian law committed over a number of years."[61] The report was one more sign of just how important truth commissions had become. It was also an indicator of an emerging orthodoxy within the field of transitional justice, as a secular, juridical framework for conceiving justice in transition was refined and consolidated.

In the course of this consolidation, reconciliation was not infrequently represented as more marginal to the field than it was in actual practice. In fact, as Ruti Teitel emphasized, forgiveness and reconciliation had emerged forcefully as core features of post-1989 transitional justice, during the same period that the "model" of the truth commission took hold. As we have seen, however, some elite advocates of truth commissions and transitional justice were opposed to reconciliation's intrusion into the perceived model. Their reasoning was by turns empirical and normative, and on occasion it was difficult to clearly distinguish the former from the latter. Was the "truth and reconciliation commission" label to be avoided primarily because it masked the diversity of truth commissions themselves, not all of which had prominently figured the pursuit of reconciliation as central to their goals and operations? Or was the label problematic for yet

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[60] Freeman emphasizes the particular importance on Commonwealth commissions of inquiry, which "greatly resemble the modern truth commission" (Freeman 2006: 23).

[61] Report of the UN Secretary-General, "The Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies," UN doc. S/2004/616 (2004): 17. For a similar definition, see the UN's subsequent "Updated Set of Principles for the Protection and Promotion of Human Rights Through Action to Combat Impunity," prepared by Diane Orentlicher (UN doc. E/CN.4/2005/102/Add.1).

another, perhaps more important reason—namely, the ethically suspect and politically problematic character of much reconciliation discourse itself? The answer was not often crystal clear, or at least not fully explicit in its articulation.

Both Mark Freeman and Priscilla Hayner, for example, were hesitant about—if not downright skeptical of—an excessive focus on reconciliation as a hoped-for end of truth-telling processes like truth commissions. In their handling of reconciliation, in this sense, they were grappling with what Reed Brody earlier called "the South Africa" problem, since it was largely the South African TRC that inaugurated the worldwide romance with reconciliation. Yet there was an important difference. Whereas for Brody the problem was that the "international community" had become "blindly besotted with truth commissions, which were too easily "seen by abusive governments as a soft option for avoiding justice," Freeman and Hayner saw truth commissions—when properly developed and implemented—as consonant with the quest for justice. Yet they generally agreed with Brody that "reconciliation" was at best an ambiguous concept, difficult to define and "too contested an ideal on which to base policy." It was, Brody had written, a "feel-good idea" that provided an all-too-easy alternative to the "potentially messy affair" of retributive justice, "in which there are not only winners but losers." One strategy for dealing with the problematic idea of reconciliation would be to downplay its significance or importance for the work of truth commissions. A second strategy would be to explicitly criticize the increasing prominence of reconciliation. Like other transitional justice experts, Freeman and Hayner employed both strategies.

Despite such criticisms, it was becoming increasingly clear—and would be even more so in retrospect (as we shall see in greater detail in the next chapter)—that reconciliation had become interwoven with both public representations and popular perceptions of the new commissions of inquiry, as the "truth and reconciliation commission" emerged as a historical innovation on, and partial transformation of, the institutional form of the "truth commission." Although the concept of reconciliation has an extensive theological history, then, the conjunction of "truth and reconciliation," conceived as a part of a state-sponsored response to dealing with a difficult past, was nonetheless a discursive and institutional innovation. The first commission to prominently put the two terms together was Chile's *Comisión Nacional para la Verdad y Reconciliación*, and the theme of *reconciliación* has a long history in Chilean political culture, one tied not only to the establishment of amnesty laws, but also to a recurrent theme of "social restoration." I turn now to that history, and to the work and report of the Chilean commission.

Verdad y reconciliación

On September 11, 1973, a violent military coup overthrew the Popular Unity government of Chilean President Salvador Allende and brought General Augusto Pinochet to power. Thus began an era of political repression and military dictatorship, a period brought to an significant symbolic close sixteen and a half years later when, in March of 1990, President Patricio Aylwin took office.[62] In the years following the coup, the military killed thousands,

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[62] For a detailed history of this period of political repression, see Ensalaco 2000.

and committed "gross human rights violations" such as arbitrary detentions, disappearances and torture (Weissbrodt and Fraser 1992, 601). Such repression, Mark Ensalaco (2000: xi) has argued, was "a matter of state," as Pinochet's government set out, "relentlessly and ruthlessly," on a "mission to extirpate Marxism from the Chilean body politic," and thus to transform Chilean political culture.

With this history in mind, and in the midst of a political transition "from dictatorship to democracy"—the photograph of the political ceremony in which President Aylwin took office, sharing the stage with Pinochet, being an iconographic representation of such change—the Comisión Nacional para la Verdad y Reconciliación (National Commission on Truth and Reconciliation) was created in 1990, by a presidential decree.[63] Aylwin produced this decree only weeks after taking office, citing the demands of "the moral conscience of the nation." "Only upon a foundation of truth," the decree claimed, "will it be possible to meet the basic demands of justice and create the necessary conditions for achieving true national reconciliation" (Berryman 1993: 5).[64]

No one can deny, the Truth and Reconciliation Commission would finally claim, in concluding its two-volume report, that "Chile has undergone a wrenching tragedy." "The depth of this suffering," the Commission concluded, "must be made known"— and not just known, but also collectively acknowledged.[65] Only then would reconciliation and "forgiveness" be possible (Berryman 1993: 886).

The theme of *reconciliación*, as Brian Loveman and Elizabeth Lira (2000; 2007) have documented, has a long history in Chilean political culture. Loveman and Lira (2000: 21-23) tie this political history not only to establishment of amnesty laws, but also to the recurrent theme of "social restoration." If the amnesty law already in place when Aylwin took office represented a significant constraint on the political possibilities open to his transitional government, the theme of moral restoration provided a language through which to negotiate this potential impasse. In the wake of "a period of complete breakdown of any moral order," José Zalaquett would later argue, the chief task was one of "moral reconstruction." A Chilean human rights lawyer, Zalaquett was one of eight truth commissioners and has been heralded as one of the commission's chief architects.[66] The general question in situations of transitional justice, he suggested, when asked what might be "universalized from the Chilean experience," "is how the moral order and values that were broken can be restored" (Roht-Arriaza 1999: 196). Such moral reconstruction was to be backed by a "theory of reconstructing values" (Roht-Arriaza 1999: 197, 205). In such a situation, Zalaquett continued, forgiveness and reconciliation are a "possible major policy component" (Roht-Arriaza 1999: 197).

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[63] For immediate historical background relevant to the commission's establishment and work, see Correa 1992, Weissbrodt and Fraser 1992, and Zalaquett 1992.

[64] The text of the decree was included in Phillip E. Berryman's 1993 translation of the *Report of the Chilean National Commission on Truth and Reconciliation*. Subsequent references to the report refer to the Berryman translation.

[65] On the distinction between knowledge and acknowledgement, see Weschler 1990. On the theme of acknowledgement, see Cohen 2001.

[66] The commission was headed by the former Senator Raul Rettig, and thus is sometimes referred to as the Rettig Commission.

Zalaquett defined forgiveness as "a process designed to restore the moral order, to reaffirm the validity of the norm that has been violated" (Roht-Arriaza 1999: 197). Thus, while he elsewhere celebrated Weber as his "beloved" social theorist—frequently citing Weber's "ethics of responsibility" as a basis for "balancing ethical imperatives and political constraints" (Zalaquett 1992)—Zalaquett's figuration of forgiveness as that which reaffirms a violated norm had a definitively Durkheimian resonance. Where Durkheim made punishment the norm-restoring act, however, Zalaquett substituted forgiveness, explicitly contrasting the two. While punishment might play an important part in the process of moral reconstruction Zalaquett envisioned, he was at pains to emphasize reconciliation's essential role. Punishment would not enough:

> I used to argue that the twin objectives of policy should be repairing past violations and preventing further ones. But the bigger objective, lurking behind and encompassing both, was this more comprehensive theory of moral reconstruction. It includes elements of shaming, truth telling, institution building, punishment, but also of forgiveness, to the extent that forgiveness is legitimate. (Roht-Arriaza 1999: 206)

Discussing the "crime against humanity" of South African apartheid—the "major evil fact at the base of the whole immoral order"—Zalaquett said: "We are not in the realm of punishment here; we are in the realm of moral discourse, reconstruction, and atonement. If white people do not publicly acknowledge the immorality of apartheid, there is never going to be a sense of fully having overcome the past" (Roht-Arriaza 1999: 200-1).

In Chile, the "acknowledgement" sought through the truth commission, and the goal of a national reconciliation that would, it was hoped, follow such official truth telling, had its basis in well-developed narratives of human rights violations previously established by organizations in civil society. Internationally, NGOs such as Amnesty International had already published the results of their investigations into human rights abuses in Chile.[67] The United Nations also published several reports (Correa 1992: 1468). Domestically, organizations sustained by the Catholic Church, such as Vicaría de la Solidaridad and its predecessor the Comité de Cooperación para la Paz en Chile, had "documented tens of thousands of cases of violations of human rights in Chile" (Correa 1992: 1468, fn. 39).[68] Most of this documentation was made directly available to the truth commission. Likewise, the Church had already published some of the results of its investigations, and journalists had written about a number of cases as well. As Jorge Correa (1992: 1469) recalls, these publications "had already become long-standing best-sellers. Legal and illegal copies were sold at bookstores, newsstands, and on the streets in all the cities and towns throughout the country."

The Catholic Church and associated organizations not only played an important role in documenting human rights abuses under the dictatorship. They also helped to lay the groundwork for the language of reconciliation that would frame the truth commission's

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[67] On the role of international organizations in documenting human rights abuses in Chile, see Hawkins 2002.

[68] For detailed discussion of these organizations, see Lowden 1996. See also Hawkins 2002.

report. The theme of national reconciliation had already emerged by the early 1970s, in pronouncements made by the Chilean bishops shortly after the September 11 coup. These were further elaborated in "La Reconciliación en Chile" and other statements from the bishops (Sanders 1981: 5-6).

One important theme of these interventions—with significant if divergent parallels in South Africa—involved the relationship between this re-emerging theological discourse of reconciliation and an already (somewhat precariously) established theological language of liberation. As Loveman and Lira (2007: 43) write, there was resistance across Latin America to associations between reconciliation, impunity and amnesia:

> The notion that reconciliation required forgetting the recent past, with the consequence of impunity for the guilty, was resisted by those who believed that true reconciliation required just the opposite. A small cadre of intellectuals and theologians even suggested that true reconciliation required eliminating the conditions that had given rise to the civil wars and political repression—defined as the evils of capitalism in an almost classical Marxist critique of capitalism and imperialism offered by radical Catholic theologians.

In Chile, when Pinochet requested the dissolution of Comité de Cooperación para la Paz, he argued that it was an instrument of Marxists and Communists. While the issue of the Church's relationship to socialism was never a simple one, prior to the 1973 coup Chile had become an epicenter of sorts for a transnational Latin American liberation theology, a movement with close if complicated ties to Marxism. The organization Christians for Socialism was founded in Santiago in 1972, following the high profile 1971 liberationist declaration by a group of 80 Chilean priests. Something of an apparent force in Allende's Chile, however, radical priests were restrained by the nation's bishops even prior to the coup. Following Pinochet's rise to power, 140 Chilean priests were harassed, tortured or expelled, and Christians for Socialism was banned, with many of its leaders exiled (Eagleson 1975).[69] As Fleet and Smith (1997) have shown, tensions between Church authorities and activists continued throughout the Pinochet years.

Throughout these changes, Church authorities tended to remain relatively cautious, although events of the late 1970s and the early 1980s did prompt somewhat more aggressive criticisms of state abuses.[70] Nonetheless, even Cardinal Silva of Santiago, an

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[69] See also Villa-Vicencio 1999. On repression of Chilean priests, see Smith 1991: 194. On liberation theology, religion and politics in Chile, see Sigmund 1990 (esp. chapter 3); Fleet and Smith 1997; and Smith 1982.

[70] Fleet and Smith (1997: 64) suggest that attacks on their authority and "on people whom they respected"—the public mistreatment of three bishops in 1976—prompted the bishops to pursue "more aggressive moral-tutorial efforts" vis-à-vis the regime. Likewise, in the early 1980s, the bishops adopted what Fleet and Smith refer to as a stance of "non-neutral mediation," partially abandoning the cloak of neutrality in response to attacks on their priests, lay workers and church buildings (119-121). I draw here on Fleet and Smith's detailed account of the activities of the bishops and the broader Catholic community during both the Pinochet period, and the period of transition to, and consolidation of, democracy (Fleet and Smith 1997; see esp. chapters 2, 4 and 5).

outspoken critic of the regime's abuses, would be praised by for his "great moderation and balance" (Fleet and Smith 1997: 70) in a world of political extremes. Officially, the initial reaction of the Church, while introducing the important theme of reconciliation, did little to question the legitimacy of Pinochet's leadership. Despite signaling their first public criticism of abuses by the regime, the bishops letter "Reconciliation in Chile" was a strikingly moderate document. Worrying about a "climate of insecurity and fear," the bishops nonetheless declared their confidence in the "good intentions" and "good will" of the government (Fleet and Smith 1997: 60). Thus, the rhetoric of reconciliation seems to have entered the post-coup Chilean public sphere as a moderating and cautious discourse, and from a distinctly "conciliatory"—appeasing, pacifying, mollifying— angle. As a gauge for their initial attitude toward the Pinochet regime, the vast majority of bishops appeared to have believed that "there was no alternative to a military coup in September 1973" (Fleet and Smith 1997: 305, n. 47) and a statement made just two days after the coup gave, as Fleet and Smith (1997) put it, "tacit moral legitimacy to the new regime."

  Was the invocation of "reconciliation" language following the coup therefore simply a moderating move on the part of the Church, aimed at pacifying a highly polarized and increasingly repressive political culture by indirectly downplaying or directly rejecting the liberationist claims of a strong affinity between Christianity and socialism? Although this is one compelling reading, it underplays the extent to which reconciliation was a contested concept in Chilean political culture, and within the Church itself. Late sixties liberation theology had already invoked the theme of reconciliation, a theme that was central to a 1968 conference in the Columbian city of Medellín—a conference which has been called "the key historical turning point for the liberation theology movement" (Smith 1991: 150).[71] In Chile, church activists would invoke the memory of Medellín as they critiqued the mediating and moderating efforts of Cardinal Silva's successor, Don Pancho Fresno, generally less publicly critical of the regime than Silva had been. Fresno was "far from being a true reconciliator," claimed one activist of the Izquierda Cristiana (Christian Left), since he failed to acknowledge that successful mediation in the Chilean political context required one to "take a position...with the exploited." Another activist accused Fresno of being "afraid that the idea of real reconciliation cost too much," and suggested that Fresno's version of reconciliation "means not being on bad terms with the dictatorship." Such an understanding of reconciliation, the activist concluded, was "a distortion of what Puebla and Medellín have said about the Church's role of service."[72] These references to a "true" or "real" reconciliation—as opposed to the falsely conciliatory practice with which it is implicitly contrasted—suggest the shifting and contested meanings of the term.

The cleansing power of truth

In his introduction to Phillip E. Berryman's 1993 English translation of *The Report of the Chilean National Commission on Truth and Reconciliation*, José Zalaquett notes that it was

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[71] On the centrality of reconciliation to the Medellín conference, see Villa-Vicencio 1999: 155.
[72] Both activists quoted in Fleet and Smith 1997, 125-26. Puebla refers to the 1979 conference held in Puebla, Mexico, to mark the 10th anniversary of Medellín. For a brief historical account of both meetings, see Smith 1991, chapter 1.

"confined to the terms of its relatively narrow mandate and restrained in its style" (xxxii).[73] While the report did mobilize the discourse of reconciliation, it provided very little substance regarding its supposed shape and scope. What was meant by "national reconciliation"? On the basis of the report alone, it would be difficult to say, and historical linkages to previous trajectories of reconciliation—either within Chile or internationally— were not explicitly drawn.

What the report did make was the explicit link between truth and reconciliation. If "truth and justice" were to be the primary means of President Aylwin's plan of political transition and moral restoration, wrote Zalaquett, then the expected result was "to achieve a genuine reconciliation of the divided Chilean family and a lasting social peace" (xxx). "Those who worked to produce this report became keenly aware of the cleansing power of truth," Zalaquett continued, invoking the purifying power of acknowledging in officially published detail what had previously been denied. The "necessarily rigorous method" of interviewing victims and witnesses, he says, proved to be "a means to heal the wounds, one by one, and thus to contribute to the building of a lasting peace" (xxxiii).

Primarily the meticulous compilation of detailed accounts of case after case of deaths and disappearances, the 1800 page report was published in February 1991, after 9 months of investigation. While providing a brief analysis of the historical and political context prior to the coup, the specific cases of human rights violations it covered spanned the period from September 11, 1973, to March 11, 1990. 95% of the human rights violations it covered were attributed to state agents (Hayner 2001: 36). The nearly 3,000 cases covered by the commission's work included those involving "disappearance after arrest, execution, and torture leading to death committed by government agents of people in their service, as well as kidnappings and attempts on the life of persons carried out by private citizens for political reasons."[74] The commission's powers of investigation were fairly limited: it had no powers of subpoena, and little support from the armed forces. Furthermore, Pinochet's 1978 institution of an amnesty law initially made legal convictions in the cases it covered unlikely, and although evidence from the commission was sent to the courts, perpetrators remained unnamed in the commission's final report, since "only the courts of justice can determine the responsibility of particular persons for crimes committed."[75]

As to the theme of reconciliation, the report opened with a reference to President Aylwin's statement, upon taking office, that "one of his most ardent longings was to bring about the reconciliation of all Chileans." Aylwin, the report went on to claim, "was thereby expressing the fervent desire of the vast majority of the citizenry." "No one," the commissioners wrote, "can question the need for such a reconciliation…" (Berryman 1993: 1). By grounding the report's introduction in the language of reconciliation, the commissioners would frame the hundreds of pages of attention to death and disappearance that followed.

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[73] The report was originally published as *Informe de la Comisión Nacional para la Verdad y Reconciliación*.

[74] Cited in Hayner 2001: 303. While torture was extensively discussed in the report, cases of torture not ending in death were not considered acts officially covered by the commission.

[75] On evidence sent to the courts, see Berryman 1993: 22. On perpetrators, see Berryman 1993: 42.

While grounding its task in a supposed national desire for reconciliation, however, the commission's report did not claim to have worked any reconciliation—although Zalaquett's introduction to the English version would hint at the case-by-case personal healing process worked by the commission's interviewers. Nor did it provide any roadmap or elaborated theory regarding the relationship between truth and reconciliation. Indeed, "reconciliation" in the Chilean report seemed to serve largely rhetorical purposes, in the narrower sense of that word. A brief invocation of reconciliation bookmarks—both opens and closes—a lengthy and detailed report of the commission's substantive findings. In its introduction, the report simply locates truth—less dramatically than Zalaquett would in his English-version introduction—as a basic pre-condition for reconciliation. The latter is conceived as a yet to be undertaken national project: "If this Commission has had the arduous task of reestablishing the truth, it is now the delicate but fundamental task of all Chileans to utilize that truth for the sake of national reconciliation" (Berryman 1993: 4).

Thus, the commission's report adopted a rendering of reconciliation pitched somewhere in between the conciliatory tone of the bishops and the much more confrontational invocations of "real reconciliation" made activists and radical priests. In keeping with Aylwin's Christian Democratic centrism, this rendering suggested—as did subsequent statements made by Zalaquett—a fairly close relationship between the Aylwin government and the truth commission itself. As Loveman and Lira (2007: 63) write, the report "created a short-term furor in Chile, validating the victims' claims of abuse and state terrorism in agonizing detail and providing rationale for policies dedicated to reparations."[76] There was immediate resistance to the commission and its report, as well as to the call for reconciliation, and "*resistance* to reconciliation" has been "a recurrent aspect of Chilean history, both by the victors and the vanquished" (Loveman and Lira 2007: 51). The commission's report was denounced by leaders of the armed forces and the police, as well as by the Supreme Court, and Pinochet himself referred to the commission as a "sewer." At the same time, there was also protest from the left. A headline in *El Siglo*, the Communist Party newspaper, asked: "Crimes without Punishment?"[77]

In addition to its references to reconciliation, the Chilean report also placed the commission's work in a more generally moral domain. The truths articulated by the report would constitute "moral convictions" (Teitel 2000: 89; Correa 1992: 1466). The realm of

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[76] The report itself took a somewhat moderate stance on the relationship between reparations and reconciliation. While other renderings of reconciliation have made reparation a prerequisite for reconciliation, for example, the Chilean report suggested that the "great ideals" of "truth, justice, forgiveness, reconciliation" must come first, since measures of reparation "will obviously be unable to accomplish anything by themselves." Reparation was figured as potentially dividing society, rather than bringing it together, and when the two concerns conflict, the ideal of reconciliation should be given priority: "Measures of reparation must aim to bring society together and move toward creating conditions for true reconciliation; they should never cause division" (Berryman 1993: 837). Nonetheless, as Loveman and Lira (2007: 64) note, the commission's report provided "a foundation for what would become a rather extensive politics of reparation over the following fifteen years." For an account of the commission's "Proposals for Reparation," see Berryman 1993: 837-51.

[77] See Loveman and Lira 2007: 63-64; Loveman 2001: 315-317.

the moral—with its attendant discourse of "human rights" and the "natural dignity of the human being"—thus stood in as an interpretive device of sorts, mediating between the more overtly religious language of reconciliation and the language of the law (the commission had no power to convict in the law's terms, or even to name perpetrators, but it would make "convictions" nonetheless, and figure them as such, with the twist that such convictions would be made in specifically moral terms).[78] As the first chapter of the report made clear, given its limited legal authority, the commission understood its fundamental aim as a specifically moral one:

> Thus the task was understood as being moral in character: to examine as much evidence as possible about the most serious human rights violations of this period and report its finding based on its honest and considered judgment. The aim was to enlighten the country and its government officials, so that knowing this truth might help them to make the decisions they determined most apt for bringing about national reconciliation. (Berryman 1993: 14-15)

Thus, the commission's explicit mandate was to seek "truth for reconciliation," and its "clear and specific purpose" was "to work toward the reconciliation of all Chileans" (24). In pursuing this objective, the commission drew substantially on the perspectives and resources of several groups, including those representing relatives of the disappeared, human rights organizations, political parties and the churches, whom the report called "the moral authorities in the country" (24). Near the end of its two volume report, the Commission called on Chileans to take up the process of reconciliation themselves: "it is hoped that those who are in a position to help advance reconciliation with some gesture or specific act will do so" (886). Only such steps would advance the country further toward the "utter necessity" of "national reconciliation," a reconciliation that "is also the primary condition for avoiding a repetition of past events" (886).[79]

According to Jorge Correa and others, President Aylwin himself took one such step upon delivering the Commission's report to the nation. "In a solemn and emotional moment of his speech," Correa reports, "and with a broken voice," Aylwin said: "That is why I endeavor, as the President of the Republic, to assume the representation of all the nation in order to, in its name, acknowledge accountability to the relatives of the victims." This speech, Correa (1992: 1483) concludes, "was a major sign of reconciliation."[80] Likewise, José Zalaquett has emphasized the "sacramental value" of Aylwin's public acknowledgement. Such acts, Zalaquett claims, "can become indelibly etched in the moral slate of the society and have a long-term effect" (Roht-Arriaza 1999: 206-7). While artists and playwrights may also contribute to the important work of reconciliation, Zalaquett said

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[78] "…we maintain that human rights fully in operation constitute the foundation of the democratic order that is now accepted by the community of nations. They are its foundation in themselves and not in terms of other objectives. That means upholding the national dignity of the human being" (Berryman 1993: 892).

[79] A number of truth-seeking inquiries in Latin America have published their results under the title "Nunca Más" (Never Again).

[80] Correa 1992: 1483.

in a 1995 interview, "something has to be done in the civic temple itself...And that's why President Aylwin's great intuition in presenting the Truth Commission's report publicly and personally was to give it a sacramental value. That intangible sacrament went farther to promote healing in Chile than practically anything else" (Roht-Arriaza 1999: 209).[81]

Zalaquett went on to recommend a similar sacramental act and aspect in South Africa, suggesting that Mandela publicly endorse the South African truth and reconciliation commission and its report. Perhaps even Zalaquett himself did not anticipate just how "sacramental" the South African approach would be. Having witnessed the hearings of the South African TRC, Jorge Heine, the Chilean ambassador to South Africa, would write:

> The powers and resources (of the South African TRC) are much more significant than those of the Chilean commission...Yet, ironically for a body with such strong statutory powers, the South African Commission stands out for the relative absence of lawyers (except the amnesty committee) and an extraordinary religious component. Sitting at the hearings held at the Central Methodist Church in downtown Johannesburg some time ago, watching Archbishop Desmond Tutu say a prayer and Alex Boraine call on some of the witnesses, I could not help but reflect that this would have been unthinkable in many countries where the separation of church and state is taken seriously.[82]

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[81] For his part, Pinochet stated his "fundamental disagreement" with the report (Hayner 2001: 37). In the following months, the report received limited public attention, despite plans to hold national reconciliation events centered around it. Four weeks after its release, political killings—in particular the assassination of Pinochet's associate Jaime Guzmán—shifted public attention. The report did continue to reverberate, however. In 1998, a Spanish judge seeking to extradite Pinochet (arrested in London) cited it directly in Pinochet's arrest warrant.

[82] As quoted in Meiring 2000: 131.

Truth and reconciliation in South Africa

While it has become a ubiquitous element of truth commission discourse, "reconciliation" is a complex, complicated and frequently slippery term, with many possible significations and multiple historical trajectories. "This much used (but seldom defined) word," claims Jonathan Tepperman (2002: 134) in an assessment of South Africa's TRC, "permeated all of the commission's work." Much used in the South African context—and in no small part due to the South African experiment, elsewhere throughout the world—the word has (*pace* Tepperman) often been defined. In the context of truth commissions like the South African TRC, "reconciliation" thrives not in the absence of attributed meaning, but in the presence of a multiplicity of at times opposing significations. We might say, therefore, that in this context the word lacks an unchallenged authoritative definition—an importantly different claim than the one Tepperman makes.

To capture something of the diverse uses to which the concept of reconciliation has been put—as well as the specificity of its most central historical significance—consider Michael Hardimon's discussion of Hegel's philosophy of reconciliation. A philosopher, Hardimon is concerned with reconciliation as a basic concept of Hegel's project. In a set of preliminary remarks on that concept, he takes pains to distinguish common understandings of the English word "reconciliation" and the German word Hegel uses, *Versöhnung*. One important difference, Hardimon (1994: 85) notes, is that *Versöhnung* "strongly connotes a process of transformation," a process in which "getting along" is the result of a newly transformed relationship. *Versöhnung*, writes Hardimon, "tends to sound churchy," and its etymological roots lie in the word *Sühne*, which means "expiation" and "atonement" (86). "Reconciliation," on the other hand, claims Hardimon, may imply "submission" or "resignation" (86), with suggestions of "surrender" or "acquiescence." A person can, for instance, "become reconciled to a circumstance that is completely contrary to one's wishes" (86). But "if *Versöhnung* is possible," Hardimon writes, "resignation is unnecessary" (87).

We may pick up on Hardimon's discussion of *Versöhnung* and "reconciliation" to suggest that there are at least two quite different ways to think about "reconciliation": first, reconciliation may strongly connote a process of transformation, a process which results in transformed social relations; on the other hand, reconciliation may be figured as a form of resignation, a process which results not in transformed social relations, but in acquiescence to the existing order of things. In the debates about reconciliation that prefigured, attended and followed the South African TRC, there have in fact been many more attempted figurations of reconciliation's meaning and potential, yet these two divergent sets of significations do suggest how wide the spectrum of possible meanings might be. While some have worried that talk of reconciliation signals a call for unjust acquiescence, others have sought to emphasize the transformative potential of "true" or "real" reconciliation. And not a few have worried that certain renderings of reconciliation—and not just those invoking German philosophy—can sound a little too "churchy."

One reason certain renderings of "reconciliation" tend to "sound churchy" is undoubtedly connected to the concept's extensive theological history. A central theme in Paul's *Second Epistle to the Corinthians*, the idea of reconciliation has long had distinctly Christian overtones and implications. It has also been a recurrent topic in modern European theology and philosophy—Karl Barth (1961) devoted four large tomes to the subject, and it was one of Hegel's significant preoccupations. While the concept of reconciliation is an old one, however, the conjunction of truth and reconciliation is a discursive innovation. It represents "a new language of social order" (Sewell 1996: 847). Discourses of reconciliation have figured prominently in the historical contexts that gave rise to the first truth and reconciliation commissions. As we saw in the previous chapter, Catholic bishops in Chile called publicly for social reconciliation only one year after a coup that toppled the socialist Salvador Allende and brought General Augusto Pinochet to power, and more than a decade and a half prior to the formation of that nation's Truth and Reconciliation Commission. Likewise, in South Africa, discourses of reconciliation also extend further back than many commentators on the TRC have acknowledged. During the years of struggle against apartheid, activist church leaders and South African theologians regularly debated the meanings and prerequisites of Christian reconciliation. As state repression intensified, and religious leaders were dragged further and further into the anti-apartheid struggle, calls for reconciliation became more controversial. In the years just prior to South Africa's political transition, debates over reconciliation culminated in 1985 in the publication of *The Kairos Document*, a theological intervention in the South African public sphere that critiqued both conservative and liberal invocations of reconciliation.

In this chapter, I trace out these early instances of the discourses of reconciliation in the context of the South Africa, attending to the historical trajectories of "reconciliation" in this context (with particular attention to the "prophetic theology" forwarded by the authors of *The Kairos Document*), to the renderings of reconciliation within and by the South African truth commission itself, and to the place of the South African TRC within the wider history of truth commissions. The work of the South African TRC was directly shaped by an engagement with and understanding of earlier truth commissions in Latin America. Much more than previous commissions, moreover, the South African commission would itself quickly become a common reference point within the field, the commission to which all others seemed inevitably to be compared—serving as either an exemplary touchstone to be emulated or an example of the sort of morally compromised truth commission that ought to be rigorously avoided. As in Chile, discourses of reconciliation have a distinctive, contentious and complicated history in South Africa, and one that significantly predates the establishment of the TRC. Drawing on and adapting the discursive and theological repertoires made possible by this history, the TRC itself closely associated reconciliation with both forgiveness and *ubuntu* (a central term in the theology of Archbishop Desmond Tutu, the chair of the South African commission). In combination with the public and highly mediated spectacles of truth and reconciliation that set the South African TRC apart from those commissions that preceded it, the commission's grand narrative of truth and reconciliation propelled it to greater public prominence, while also making it a subject of intense international scrutiny.

After the TRC, new commissions proliferated and the international field of transitional justice began to more clearly take shape. In this context, South Africa's commission represented a field-changing moment. It was also significantly controversial, drawing criticisms of its presumption of a causal relationship between "truth" and "reconciliation," and questions about the promotion of reconciliation in the context of both truth commissions and the wider field. As a site for the articulation of an alternative framework for pursuing justice in the midst of political transition, the TRC—along with its theologically inflected discursive frame—was at odds in important respects with the dominant secular, juridical framework the remained hegemonic across "the international community," within the field of transitional justice, and throughout the upper reaches of North American intellectual culture. When the United Nations issued its 2004 report on transitional justice, while there were relatively vague references throughout the report to the quest for, and promotion of, reconciliation, there was no mention of reconciliation in the section of the report devoted to "facilitating truth telling," which specifically concerned the work of truth commissions.[83] A sign of just how important truth commissions and transitional justice had become, the report was also an example of the tentative and ambivalent approach to the politics of reconciliation on the part of international actors.

The centrality of South Africa

The United Nations report wasn't just a sign that truth commissions were being more widely discussed, at the United Nations and elsewhere. There was also a related surge of associations between "truth" and "reconciliation," as more and more observers began referring to the work of "truth and reconciliation commissions," and debating the increasingly prominent rhetorical place of reconciliation in the definition of such commissions. In fact, while "commissions of inquiry" had been the most common framework for these commissions when Priscilla Hayner wrote her first article on truth commissions in the mid-1990s, a decade later the field had shifted, and "truth and reconciliation" became the predominant way that such commissions were named, though there remained variety and complex specificity across different institutions and cases. This is not to say that all these new commissions prized reconciliation equally or conceived of it in the same way. There continued to be great and important institutional diversity in this respect. Yet as the list of truth commissions produced by Amnesty International (to which I referred in the previous chapter) suggests, something had shifted. The language of reconciliation had taken a much more prominent place in the lexicon of truth commissions.

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[83] Report of the UN Secretary-General, "The Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies," UN doc. S/2004/616 (2004): 17.

The establishment and naming of truth commissions[84]

1974 * Uganda (Commission of Inquiry)[85]

1982 * Bolivia (National Commission of Inquiry into Disappearances)[86]

1983 * Argentina (National Commission on the Disappearance of Persons)[87]

1985 * Uruguay (Investigative Commission)[88]

1986 * Uganda (Commission of inquiry into Violations of Human Rights)

1990 * Chile (National Commission for Truth and Reconciliation)[89]
      * Nepal (Commission of Inquiry)[90]

1991 * Chad (Commission of Inquiry)[91]

1992 * El Salvador (Commission of Truth)[92]
      * Germany (Commission of Inquiry)[93]

1994 * Sri Lanka (Presidential Commissions of Inquiry)[94]

1995 * South Africa (Truth and Reconciliation Commission)
      * Haiti (National Commission for Truth and Justice)

1996 * Ecuador (Truth and Justice Commission)

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[84] Source: Amnesty International: http://www.amnesty.org/en/international-justice/issues/truth-commissions (accessed March 3, 2009).
[85] Uganda: Commission of Inquiry into the Disappearance of People in Uganda
[86] Bolivia: Comisión Nacional de Investigatión de Desaparecidos
[87] Argentina: Comisión Nacional para la Desaparición de Personas
[88] Uruguay: Comisión Investigadora sobre la Situación de Personas Desaparecidas (Investigative Commission on the Situation of Disappeared People and its Causes)
[89] Chile: Comisión Nacional para la Verdad y Reconciliación
[90] Nepal: Commission of Inquiry to Locate the Persons Disappeared during the Panchayat Period
[91] Chad: Commission of Inquiry on the Crimes and Misappropriations Committed by the ex-President Habré, his Accomplices and/or Accessories.
[92] El Salvador: Comisión de la Verdad para El Salvador
[93] Germany: Commission of Inquiry for the Assessment of History and Consequences of the SED Dictatorship in Germany
[94] Sri Lanka: Presidential Commission of Inquiry into Involuntary Removal and Disappearances of Persons in Western, Southern and Sabaragamuwa Provinces, Presidential Commission of Inquiry into Involuntary Removal and Disappearances of Persons in the Central, North Western, North Central and Uva Provinces and Presidential Commission of Inquiry into Involuntary Removal and Disappearances of Persons in the Northern & Eastern Provinces, 1994

1997 * Guatemala (Commission for the Historical Clarification)[95]

1999 * Nigeria (Human Rights Violations Investigation Commission)

2000 * Peru (Truth and Reconciliation Commission)
  * South Korea (Presidential Truth Commission on Suspicious Deaths)
  * Uruguay (Peace Commission)

2001 * Grenada (Truth and Reconciliation Commission)
  * Panama (Truth Commission)
  * Yugoslavia, Federal Republic of (Truth and Reconciliation Commission)

2002 * Ghana (National Reconciliation Commission)
  * Sierra Leone (Truth and Reconciliation Commission)
  * Timor-Leste (Commission for Reception, Truth and Reconciliation)

2003 * Chile (National Commission on Political Imprisonment and Torture)
  * Democratic Republic of Congo (Truth and Reconciliation Commission)
  * Paraguay (Truth and Justice Commission)

2004 * Indonesia (Truth and Reconciliation Commission)
  * Morocco (Equity and Reconciliation Commission)

2005 * Liberia (Truth and Reconciliation Commission)

2007 * Ecuador (Truth Commission)

In multiple ways, South Africa's Truth and Reconciliation was the pivotal commission in this trajectory. It was, as I have already suggested, a field shaping "historical event," a remarkable occurrence with "momentous consequences" (Sewell 1996: 842), and a crucial moment in the historical trajectory of the truth commission as an institutional form—not only with respect to the prominence of reconciliation, but also with regard to its innovative use of public hearings. At the same time, the South African commission was also distinctive and even idiosyncratic, including institutional elements that were not widely reproduced elsewhere. The most conspicuous and controversial of these was its individualized truth-for-amnesty provision. Thus, it is not that all of the subsequent truth commissions were suddenly following the lead of the South Africans, mimicking the TRC in every respect, or even being encouraged to do so. Rather, when the possibility of a new commission was identified, South Africa's TRC was frequently the most widely discussed

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[95] Guatemala: Comisión para el Esclarecimiento Histórico; Commission for the Historical Clarification of Human Rights Violations and Acts of Violence which Caused Suffering to the Guatemalan People

starting point, the commission everyone was talking about. Centrally, attention to the TRC also produced a huge pile of commentary and scholarly literature (much of it devoted to the topic of reconciliation), forming an important part of the newly developing field of transitional justice. So much attention was paid to the South African commission, in fact, that the International Center of Transitional Justice regularly found itself burdened with having to remind its partners and constituencies that the TRC was unique—and thus not to be copied thoughtlessly, if at all. A critique—either implicit or explicit—of the TRC's approach to reconciliation, forgiveness and amnesty often accompanied such reminders.

Reconciliation, amnesty, and ubuntu

Proposed as early as 1992, the idea for a truth commission in South Africa became a serious possibility after Nelson Mandela was elected president in April of 1994. Mandela had been a political prisoner for 27 years. Apartheid—its principles and practices of racial separation, discrimination and oppression implemented in the context of longstanding colonial segregation—had lasted four and a half decades. The proposed truth commission would investigate atrocities and abuses committed during the Apartheid era, in the context of an amnesty agreed to in the course of the nation's negotiated transition. In a post-amble to the 1993 interim constitution, the promise of amnesty had been linked to "acts, omissions and offenses associated with political objectives and committed in the course of the conflicts of the past." This amnesty, wrote the authors of the post-amble, would "advance" reconciliation. [96] Thus, says Erik Doxtader, a scholar of reconciliation closely linked to Cape Town's Institute for Justice and Reconciliation, the post-amble "mandated amnesty in the name of reconciliation." The interim constitution, he writes, "gave its last words to defining reconciliation, announcing its achievement, and calling on citizens to undertake its practice" (Doxtader 2009: 201). In the words of the post-amble:

> The pursuit of national unity, the well-being of all South African citizens and peace require reconciliation between the people of South Africa and the reconstruction of society. The adoption of this constitution lays the secure foundation for the people of South Africa to transcend the divisions and strife of the past, which generated gross violations of human rights, the transgression of humanitarian principles in violent conflicts and a legacy of hatred, fear, guilt and revenge.[97]

Hitching amnesty to the language of reconciliation, the post-amble also articulated the "need for understanding but not for vengeance, a need for reparation but not retaliation, a need for ubuntu but not for victimization."[98] Writing about truth and reconciliation, Martha Minow (1998: 52) has represented the important concept of *ubuntu* as a matter of "humanness, or an inclusive sense of community valuing everyone,"[99] while Erik Doxtader

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[96] As cited by Hayner 2001: 41; Doxtader 2009: 215.

[97] As cited by Doxtader (2009: 213).

[98] As cited by Doxtader (2009: 213).

[99] The term itself has been much discussed, though generally much more among theologians than philosophers or social theorists. For a more philosophical treatment, see Bell 2002.

(2009: 9, 72) has noted its connection to a "cultural interest in realizing a common humanity," figuring ubuntu as "part of reconciliation's revealing light." Others have represented ubuntu as "an alternative way of being in a hostile world" (Battle 1997: 5), and identified it as standing for "an ethic of interdependence, which informs social structures and ethical practices throughout southern Africa" (Neuman 2010).[100] Central to the theology of Desmond Tutu, the chair and leader of the South African TRC, ubuntu came to be closely associated with the commission's discourse of reconciliation, especially as represented by Tutu—so much so that John de Gruchy, a longtime scholar of reconciliation and religion in South Africa, suggested to me that Tutu had come to use the two terms relatively interchangeably. Perhaps even more than reconciliation—though certainly in connection with it—ubuntu has come to stand for the promise of post-apartheid South Africa, especially in global media representations, and this itself is in good part the product of Tutu's transnational prominence and the TRC's global visibility.[101]

　　According to Tutu, ubuntu "speaks to the very essence of being human," signaling that "we belong to a bundle of life," and that "harmony, friendliness, community are great goods." Ubuntu, wrote Tutu in *No Future Without Forgiveness*, says, "My humanity is caught up, is inextricably bound up, in yours," and "a person is a person through other persons." Opposing this notion to "I think therefore I am," Tutu suggests instead that ubuntu says, "I am human because I belong" (Tutu 1999: 31). The opposition to Descartes' well-known philosophical formulation is no accident, and—like the South African brand of reconciliation—ubuntu has frequently been rendered as a distinctively African product, to be contrasted with the ethos of "the West." This is a contrast to which Tutu has regularly returned. As he wrote in "Where Is Now Thy God?":

> Unlike Westerners, Africans have a synthesizing mind set, as opposed to the occidental analytical one. That doesn't mean Africans are better or worse; it just says God is smart. Westerners have analysis. We have synthesis. Westerners have a very strong sense of individualism. We have a strong sense of community. Because Westerners have a strong sense of the value of the individual, they are able to take personal initiatives. It's not so easy, when you are a community-minded person, to go against the stream….This feel for religious and spiritual realities has made it difficult for atheistic and materialistic ideologies, such as communism, to attract many African adherents.[102]

　　If ubuntu is thus figured as a central feature of what Tutu (1973: 38) once called "the African *Weltanschauung*"—being strategically deployed, in the words of Justin Neuman (2010), as "a rival normative framework to Western ideas about sovereignty,

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[100] Note, however, that Neuman (2010), who provides this last description, brackets "questions about whether descriptions of ubuntu should be taken as empirical claims about actually existing social norms or are, rather, better seen as utopian longings."

[101] For critical reflection on the South African history and global circulation of ubuntu, written just prior to the 2010 World Cup—during which ubuntu figured prominently in television and other media coverage—see Neuman 2010.

[102] As cited by Battle (1997: vii).

utility, and individual autonomy"—it was also a central and strategic part, along with reconciliation, of the TRC's effort to mobilize these and other "Western" values, and to embed them in South African political culture. As Neuman (2010) puts it, ubuntu was "called upon to translate these very norms—and the attendant discourses of human rights and civil society—into African vernaculars."

While the post-amble to South Africa's interim constitution—with its oft-repeated references to reconciliation and ubuntu, and its controversial provision of amnesty—did not, as is often claimed, mandate the formation of the TRC, it did provide the political context for its creation. [103] In this context, the commission would bring together the promise of pardon and the need for understanding, pursuing the project of national reconciliation through truth-telling confessions made in exchange for amnesty. The South African Parliament passed the Promotion of National Unity and Reconciliation Act in 1995, and a 17-member commission, to be led by Archbishop Tutu, was subsequently appointed. Tutu was to become the charismatic leader of the TRC. Bringing a distinctive and influential theological spin to the commission's work, Tutu referred prominently and often to reconciliation, linking it not only to ubuntu but also to forgiveness. "We are a people who know," he said, in response to a statement made in front of the TRC, "that when someone cannot be forgiven there is no future" (Tutu 1999). What has been called Tutu's "ubuntu theology"—with its strong associations with reconciliation and forgiveness—was compelling and widely celebrated, while also controversial and adamantly contested. Along with Nelson Mandela, he became the figure most often taken to represent the truth commission's ways and watchwords.[104] And it was ultimately the Archbishop, Antjie Krog (1998: 201) would write, who found "language for what is happening." That language, she said, "drags people along with the process" of the TRC.

Reconciliation and *kairos*

This language of reconciliation—embodied so powerfully and persuasively by Tutu, but certainly not limited to him—has had a distinctive, contentious and complicated history in South Africa, a history at once theological and political. Indeed, politics and theology in South Africa have been importantly and at times inextricably intertwined, especially in the years prior to apartheid's demise. Literary critic Susan Gallagher (2002: 44) makes this point well, in the course of discussing the significant theological disputes and South African "confessional discourse" of the 1980s:

> Secular observers may find such theological battles esoteric and peripheral.
> However, because theological paradigms have been repeatedly employed to validate
> apartheid, and because the political struggles of South Africa are so deeply
> implicated in religious beliefs and Church politics, anti-apartheid confessional
> discourse was a much more visible and significant aspect of South African life than
> similar movements in other countries…in South Africa, theological debates about

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[103] For a more detailed discussion of the post-amble and its centrality in South African discussions of reconciliation, see Doxtader 2009.
[104] For further discussion of Tutu's "ubuntu theology," see Battle 1997.

confession have been conspicuous, consequential, and continual, forming a prominent social discourse.[105]

The extent to which theological paradigms were "employed to validate apartheid" was significant enough to lead writers of one declaration to refer to a "state theology" (Kairos Theologians 1986). A story recounted by Pumla Gobodo-Madikizela puts flesh on this concept of an apartheid state that fell back on theology for its justification. Bibles distributed to soldiers of the South African Defense Force, she writes, included both "the gold star-shaped army insignia embossed on the maroon front cover" and an inscription on the first page, in Afrikaans, from State President P.W. Botha. "Even this tampering with the book that many Christians consider sacred," Gobodo-Madikizela (2003: 53) writes, "was not enough to provide the condemnation it deserved from the church: the Afrikaans Church stood by silently and watched apartheid's murderous plan unfold."[106]

If the discourse of the apartheid state was theological, so also was much of the discourse associated with the struggle against apartheid and the resistance to the state. In the theologies of struggle and resistance that emerged in direct and explicit response to the South African political context, the language of reconciliation was both central and contested. At the heart of the "church struggle against apartheid," John de Gruchy (2002: 33) has written, "was a theology of reconciliation that fundamentally challenged both the politics and theology of racial separation." By de Gruchy's lights, *The Message to the People of South Africa*—published in 1968 by the South African Council of Churches—was, while not the first church statement critical of apartheid, the "most trenchant, unambiguous, and ecumenical to date" (de Gruchy 2002: 34). The debate that followed the publication of *The Message*, however, was one that took place almost entirely among white South Africans. This fact, combined with the recourse to reconciliation discourse on the part of the "reformist" apartheid state, made many anti-apartheid activists, including proponents of the Black Consciousness movement, suspicious of the rhetoric of reconciliation.

Yet from other positions within the theological field there soon issued new and more radical responses to, and interventions in, the debate over reconciliation, as both subsequent developments within black theology—"the theological reflection of black Christians on the situation in which they live and on their struggle for liberation"[107]—and after it contextual theology, came to ground "a new language of protest" (Borer 1998: 91). Spearheaded by figures such as Desmond Tutu, Beyers Naudé, Denis Hurley, Allan Boesak, Smangaliso Mkhatshwa and Frank Chikane, these theological movements evolved in the midst of an increasing "spiral of involvement" in the liberation struggle on the part of South African churches. The result was not only a closer relationship between religious communities and the liberation movement, but also a series of documents, declarations and other publications that produced and promoted new discourses of liberation, justice and

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[105] Gallagher's invocation of "confession" is meant to extend not simply to the sorts of confessions made in front of the TRC, but rather to a "confessional mode" that includes, in this context, theological statements and declarations.

[106] For a detailed consideration of the theology of apartheid and various theological responses to it, see Doxtader 2009: 35-84.

[107] Allan Boesak, as cited in Borer 1998: 91.

reconciliation.[108] Products of South African political struggle, these new theologies were influenced intellectually by black theology in the United States, Latin American liberation theology and European political theology. Like their Latin American counterparts—contextual theology, which according to one scholar replaced black theology and thereby shifted the emphasis from "race" to "class" (Borer 1998: 98-99), may be seen as a particular incarnation of liberation theology—South African theologies of liberation have continuously invoked notions of "real reconciliation."

Possibly one of the most important theological statements to be produced in the course of the anti-apartheid struggle—and certainly one of the most controversial—was the 1985 *Kairos Document*, which has been "recognized as the definitive statement of contextual theology in South Africa" (Borer 1998: 108). The document's multiple authors (there were over 150 individual signatories) critiqued not only the "State Theology" of Apartheid, but also a "Church Theology" that emphasized mediation and liberal reform.[109] As Tristan Borer writes, "For the Kairos theologians, reconciliation through compromise could never be made into an absolute principle that must be applied in all cases of conflict…In contrast to reconciliation, *The Kairos Document* challenged churches to respond with a theology of confrontation and resistance" (Borer 1998: 109). The "Prophetic Theology" promoted by *The Kairos Document* did not, however, reject the language of reconciliation altogether. Rather, like liberation theologians in Chile and elsewhere, the authors made "true reconciliation" contingent on liberation from unjust and oppressive social structures upheld by a tyrannical regime:

> The can be no doubt that our Christian faith commits us to work for *true* reconciliation and *genuine* peace. But as so many people, including Christians, have pointed out, there can be no true reconciliation and no genuine peace *without justice*. Any form of peace or reconciliation that allows the sin of injustice and oppression to continue is a *false* peace and a *counterfeit* reconciliation. This kind of "reconciliation" has nothing whatsoever to do with the Christian faith. [110]

In seeking to respond to the violent rush of protest, repression and brutality that characterized South Africa in this period—"in the middle of 1985," writes Doxtader (2009: 36), "the state of emergency in South Africa was both rule and reality"—the authors of *The Kairos Document* figured "Prophetic Theology" as a theology that "would include a reading of the signs of the times" (Brown 1990: 49). An opening of opportunity, *kairos* has been

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[108] For an extensive discussion of the "spiral of involvement," and of the theological developments that accompanied it, see Borer 1998. See also: Doxtader 2009.

[109] The TRC report would borrow this notion of "state theology" in its consideration of the role of "faith communities as agents of oppression." See *Truth and Reconciliation Commission of South Africa Report*, vol. 4: 69.

[110] For this statement from *The Kairos Document*, see (Brown 1990: 38). For further discussion of *kairos*, see Brown 1990: 1-14. On *The Kairos Document*, see Appleby 2000: 34-40; Borer 1998: 108-110; Botman 1996; Doxtader 2001a and 2009; and Gallagher 2002. A copy of the document's text is also included in Doxtader and Salazar's (2007: 50-56) compilation of "fundamental documents" pertaining to the South African TRC.

taken to signify "a time when conditions are right or propitious for the accomplishment of an important task or undertaking" (Tavuchis 1991: 87-88). According to Doxtader and Salazar (2007: 99):

> The word *kairos* has in fact two political meanings in ancient Greek. One refers to an opportunity for decisive action arising in the course of a political debate, and to the ability of one of the contestants to see that there is an opportunity not to be missed in order to resolve an issue. The other is found in the New Testament, to designate that special moment of time when God visits his people to offer them a unique opportunity for repentance and conversion, for change and decisive action. A time of *kairos* indicates a moment when belief is confronted with action, a critical moment (*krisis*, in turn, denotes 'choice').

Doxtader and Salazar (2007: 100) go on to figure Tutu's "insistence on reconciliation" as "the recognition of a Christian *kairos*, in politics, and the acknowledgment that a *krisis*, a radical choice (reconciliation, not vengeance), was at hand." As Wendy Brown has emphasized, the practice of *krisis* itself also has "a restorative aim." "Critique as political *krisis*," Brown writes, "promises to restore continuity by repairing or renewing the justice that give an order the prospect of continuity, that indeed makes it continuous" (Brown 2005: 5, 7). The link between reconciliation and restoration has in fact been a common one, and it is notable that Tutu and others moved to connect reconciliation with a "restorative" approach to justice. At the same time, there remains some rhetorical distance between reconciliation and restorative justice. As John de Gruchy (2002: 2) has written, for example, despite the thematic and theological links to restorative justice—which de Gruchy calls "a form of justice that has to do with healing relationships"—the phrase "does not carry the wealth or the warmth of meaning embedded in the word 'reconciliation'."[111] Yet *The Kairos Document* was written at a moment of urgency and opportunity when reconciliation's promise of justice restored (let alone the "warmth" of its "healing") could not be immediately fulfilled. And thus the document defined reconciliation, in the words of Erik Doxtader (2009: 80), "as a rhetorical process that could begin a time of transition."

While the publication of *The Kairos Document* was a significant step in the development of contextual theology, earlier South African references to reconciliation had also emphasized its social and material conditions.[112] In an open letter to Prime Minister John Vorster written in May 1976 (a month before the Soweto uprising), Desmond Tutu noted that "a people made desperate by despair, injustice and oppression will use desperate means" and worried about "a point of no return, when events will generate a momentum of their own" and about a "bloody denouement." In this context, Tutu introduced the language and possibility of real reconciliation. "I am deeply committed to

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[111] For further discussion of *kairos*, see Brown 1990: 1-14. On *The Kairos Document*, see Appleby 2000: 34-40; Borer 1998: 108-110; Botman 1996; Doxtader 2001a and 2009; Gallagher 2002; and de Gruchy 2002. A copy of the document's text is also included in Doxtader and Salazar's (2007: 50-56) compilation of "fundamental documents" pertaining to the South African TRC.

[112] "Reconciliation" does have a longer history in South Africa. I have not attempted to trace that history here. For more detail, see de Gruchy 2002 and Doxtader 2009.

real reconciliation with justice for all," he wrote, "and to peaceful change to a more just and open South African society in which the wonderful riches and wealth of our country will be shared more equitably" (Bell 2002: 86). Thus, Tutu—who would ultimately refuse to sign *The Kairos Document*, objecting to objecting to its "attack on the underlying theology of institutional churches" (Borer 1998: 121)—closely linked reconciliation both with a dream of distributive justice and with the specter of a "bloody denouement," a vision to which he would return upon the submission of the final volume of the TRC's report in March 2003. Reminding President Thabo Mbeki of a proposal to impose a new tax on businesses in order to raise millions of dollars for reparations, Tutu argued that it was in the interest of the business community to make such contributions. "It is not altruistic," he said. "It is in their interest to help narrow the gap between the rich and the poor." "Can you explain," Tutu continued, "how a black person wakes up in a squalid ghetto today, almost 10 years after freedom? Then he goes to work in town, which is still largely white, in palatial homes. And at the end of the day, he goes back home to squalor? I don't know why those people don't just say, 'To hell with peace. To hell with Tutu and the truth commission.'"[113] Without substantial reparations, Tutu implied, real reconciliation—and the peaceful and just society it promised—would not be possible.

Reconciliation through truth

Tutu's emphasis on the connection between reconciliation and reparations was written into the final report of the South African TRC, which invoked a conception of "restorative justice" that linked the concepts of reparation and restoration. With a certain affinity to Zalaquett's vision of moral reconstruction (familiar from the Chilean context), the emphasis of restorative justice in the South African report was on "restoring the human and civil dignity of victims."[114] Tutu would regularly appeal to the concept of restorative justice when faced with criticisms that the TRC had sacrificed justice in favor of a weak reconciliation and a partial truth. Yet as the commissioners themselves realized, there were limits to the TRC's political power to enact the reparation it envisioned. While providing the public, quasi-legal, and sacramental space in which representative acts of reconciliation and forgiveness might be performed and symbolized, the TRC could not simply legislate its vision of economic reparations, however radical it might have been to do so.

Not to be confused with—although importantly related to—any actually existing processes of reconciliation worked by the TRC or other agencies within South Africa, "reconciliation" in the TRC report nonetheless retained a fairly robust set of meanings. If the report of the Chilean truth commission had provided a relatively under-theorized conception of reconciliation, the report of the South African TRC gave a much more elaborated account. Describing reconciliation as "both a goal and a process," the report's first volume characterized the "different levels" on which reconciliation might operate, discussing such themes as "coming to terms with painful truth," "reconciliation between victims and perpetrators," "reconciliation at a community level," "promoting national unity

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[113] Ginger Thompson, "South African Commission Ends Its Work," *New York Times*, March 22, 2003.
[114] *Truth and Reconciliation Commission of South Africa Report*, vol. 1: 125. Subsequent references within the text are to this report, unless otherwise indicated.

and reconciliation," and "reconciliation and redestribution" (vol. 1: 106-10).[115] Discussing the all-important relationship between truth and reconcile, the commissioners wrote: "There can be little doubt that gross violations of human rights and other similar abuses during the past few decades left indelible scars on the collective South African consciousness. These scars often concealed festering wounds that needed to be opened up to allow for the cleansing and eventual healing of the body politic" (vol. 1: 115). While the truth telling of the TRC process would facilitate such healing, the report was quick to indicate that the Commission itself could not "be expected to accomplish all the healing that was required" (vol. 1: 115), a sentiment Desmond Tutu would return to time and again in his public statements about the TRC.

Institutionally, the TRC was in many ways unlike those truth commissions that had preceded it, as Priscilla Hayner (2000) would emphasize. Its differences when compared with these earlier commissions included: the power to grant amnesty to individual perpetrators; much stronger powers of subpoena, search and seizure; public process and testimony (its public hearings being a widely remarked upon and much mimicked innovation); institutional and special hearings which "allowed for direct contributions by NGOs and those who were involved in specific areas of activism, policy proposals and monitoring in the past"; a witness protection program; and larger size of staff and budget (vol. 1: 55). Furthermore, as Hayner (2000: 39-40) noted, "the degree of reconciliation as a goal of truth-seeking has varied greatly between commissions," and while reconciliation was a major theme in South Africa and Chile, in other contexts it was rarely invoked at all. Made up of three committees—the Human Rights Violations Committee, the Amnesty Committee and the Reparations and Rehabilitation Committee—the commission took testimony from over 21,000 victims and witnesses. 2,000 of these were selected to appear in public hearings. Media coverage of the commission was massive, from newspapers to radio to television, and extended not just nationally but internationally.[116]

Notably, the commission's discussion of truth and reconciliation moved almost seamlessly back and forth between references to "reconciliation" and references to "forgiveness," at times treating the two as if they were inextricably intertwined or even simply interchangeable. Citing a "remarkable magnanimity and generosity of spirit" on the part of those who had "suffered gross violations of their human rights," the commissioners

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[115] The report also distinguished between four different notions of truth: factual or forensic truth; personal or narrative truth; social or 'dialogue' truth; and healing and restorative truth. See vol. 1: 110-14. For discussion of this "rainbow of truths," and an argument that it represents "a very wobbly, poorly constructed conceptual grid," see Posel 2002: 154-157.

[116] For discussion, see Hayner 2001. For further discussion of these differences, see Hayner 2000. For more details and further commentary on the South African commission, see Krog 1998; Minow 1998; Jeffery 1999; Meredith 1999; Ross 1999; Boraine 2000; James and van de Vijver 2000; Rotberg and Thompson 2000; Villa-Vicencio and Verwoerd 2000; Bell and Ntsebeza 2001; Marais 2001: 298-309; Wilson 2001; Graybill 2002; Leebaw 2002; Posel and Simpson 2002; Ross 2003; Villa-Vicencio and Doxtader 2003; Doxtader and Villa-Vicencio 2004; Phelps 2004: 105-117; Ashforth 2005: 270-278; Foster et al. 2005; Villa-Vicencio and du Toit 2006; Sanders 2007; Chapman and van der Merwe 2008; and Goodman 2009. For a collection of "fundamental documents" associated with the commission, see Doxtader and Salazar 2007.

located such generosity not only in the willingness of victims and survivors to "display their pain to the world," but also in a "willingness to forgive" (vol. 1: 116). A substantial segment of the report's chapter on "reconciliation"—included in volume five—involved "remarkable evidence" of this "willingness to forgive" (vol. 5: 371-82), while another section of the reconciliation chapter was devoted to "apologies and acknowledgements" (vol. 5: 382-92).

While the TRC report closely associated forgiveness and reconciliation, and emphasized the stories of apology and forgiveness that had become a part of the commission's process, the report also warned that forgiveness and reconciliation should not simply be conflated. "It is also crucial not to fall into the error of equating forgiveness with reconciliation," wrote the commissioners. "The road to reconciliation requires more than forgiveness and respectful remembrance" (vol. 1: 117). Indeed, forgiveness itself should not be misunderstood. In response to calls to "close the book on the past"—and perhaps in response to criticisms of its constitution of anti-apartheid activists as "victims"—the commission warned that forgiveness could not be about "forgetting." It was rather a matter of "seeking to forego bitterness, renouncing resentment, moving past old hurt, and becoming a survivor rather than a passive victim" (vol. 1: 116).[117]

The TRC's public confessional and the art of remorse

Given the TRC's public character, its report was not its only substantial product. Its operation "in the full glare of publicity," as Tutu put it in his foreword to the TRC Report (vol. 1: 1), was one of the unique features that set the South African commission apart from those that preceded it.[118] Since the commission did much more than simply produce a report, this also meant that the TRC's public renderings of reconciliation and forgiveness were not merely a matter of textual representation. As sociologist Tanya Goodman (2009: 30-32) has emphasized, they were also a matter of "public ritual." Drawing on the work of Victor Turner, Goodman suggests that in the liminal space occupied by the TRC, public testimonies "were an important part of the ritual bridge building that the TRC undertook."

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[117] During a presentation at the University of California, Berkeley, Pamela Reynolds reported that many of the South African youths she interviewed refused to take part in the TRC process, seeing themselves as activists and survivors rather than "victims." From yet another angle, in responding to those who recommended taking up a forgetful rendering of the past, the Commissioners might just as well have been responding to sentiments similar to those voiced by TRC Commissioner Wynand Malan. In his Minority Position (included in volume five of the TRC report), Malan attempted to reframe the prerequisites of reconciliation this way: "If we can reframe our history to include both perpetrators and victims as victims of the ultimate perpetrator – namely, the conflict of the past, we will have fully achieved unity and reconciliation and an awareness of the real threat to our future – which is dogmatic or ideological division that polarises the nation instead of promoting genuine political activity" (vol. 5: 443).

[118] As the TRC report noted, "The Latin American truth commissions heard testimony only in private, and information only emerged with the release of the final reports" (vol. 1: 54). This misrepresented, at least somewhat, what was especially novel about the TRC's public testimony, which was less about the earlier emergence of new information and more centrally about the public spectacle itself.

Such public testimonies were an integral element of both the TRC's everyday practices and its rapid and extensive international celebration, as narratives drawing on the commission's public spectacles of truth and reconciliation—along with the stories of apology and forgiveness that sometimes attended them—circulated widely, both in South Africa and beyond.[119]

The public performances of the TRC, Ebrahim Moosa (2000: 117) would write, defied "accepted conceptions of justice, law, order and fairness," and required "faith in the rite of reconciliation" and "belief in the rituals of confession." The TRC, said Moosa, had been a "mysterious" and "grotesque" performative event, a "secular Eucharist." Others recognized the distinctive "liturgy" that developed within the TRC hearings, and called attention to the "spiritual wells" that fed it, while also noting the battles that developed over the "religious trappings" of the commission's public hearings (Meiring 2000: 124-126), thus calling into question their supposed secularity.[120] Despite ongoing debates over their overt religiosity, the commission's public hearings soon came to constitute what Deborah Posel (2008: 131) has called "the TRC's confessional," the primary site for the commission's "main business of catharsis and expiation" (Bonner and Nieftagodien 2002: 173). Hearings opened the space for traumatized testimonials and the voicing of "healing truths"—as the commission's fourfold conception of types of truth would have it[121]—and became sites of confession and apology, where requests for forgiveness were sometimes flatly refused, while at other times absolution seemed to be freely offered.

Intersecting importantly with the TRC's mobilization of reconciliation discourse—and further enabling and stimulating its subsequent circulation—the use of public hearings was a major institutional innovation. As Mark Freeman (2006: 24) has noted, it was only after the South African TRC that "the idea of a truth commission holding public hearings—especially victim-centered hearings—became the norm." Previous commissions in Argentina, Bolivia, Uruguay, El Salvador, Chile, Chad, and Haiti had not held such hearings. "Everything then changed," says Freeman, "with South Africa's TRC, the first truth commission with a truly international, as opposed to local or regional, impact." While Freeman emphasizes here the TRC's "victim-centered" hearings, just as important to the

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[119] A substantial proportion of the TRC's national and international impact, writes Deborah Posel (2008: 131), "derives from one critical element in the commission's range of procedures and performances—namely, its public hearings on gross human rights violations and amnesty. It was these public hearings, televised to millions nationally and internationally, that captured the public imagination and in retrospect, as much as at the time, have become something of a symbolic précis for the TRC as a whole." For a discussion of the importance of the media in the circulation of such stories, see Goodman 2009: 73-98. As the stories circulated, they also stories about the stories were spun. As Phelps (2004: 108) writes: "The hearings spawned many articles and entire books, thereby creating another level of storytelling: the stories that were told about the process and about the people who observed the process."

[120] As Meiring emphasizes, this was a "friendly debate" between the *baruti* (pastors) and the lawyers on the commission.

[121] The TRC report distinguished between four different notions of truth: factual or forensic truth; personal or narrative truth; social or 'dialogue' truth; and healing and restorative truth. See vol. 1: 110-14. For discussion of this "rainbow of truths," and an argument that it represents "a very wobbly, poorly constructed conceptual grid," see Posel 2002: 154-157.

crafting of its tales of truth and reconciliation were the testimonies and confessions of "perpetrators," for whom commissioners also sometimes served as what Goodman (2009: 62) calls "empathic interlocutors." Both victim and perpetrator hearings were "confessional," Deborah Posel (2008: 134) writes, "in the sense that they both created opportunities for the public declaration, acknowledgment, and scrutiny of some sort of inner damage—whether pain, trauma, or guilt—regulated by the listening and questioning role of those experts to whom the confession was made, and with the offer of some sort of transcendence." As Tutu put it, "There is not a single person who has not been traumatized by apartheid—even the perpetrators. We have to pour balm on our tortured souls."[122] In the aftermath of apartheid, says Posel (2008: 135), "*all* were damaged." Thus, in pursuit of truth that would heal the damage, TRC commissioners engaged in practices of active elicitation, and Tutu, in particular, "tutored perpetrators in the art of remorse" (Payne 2008: 70).

While there were times when Tutu's pedagogy of truth and reconciliation was actively rebuffed, in other cases the discursive and affective results of his tutorials seemed tailor made for wider circulation. As many critical commentators would note, in order to meet the requirements for the granting of an individual amnesty, perpetrator testimonies before the commission were not required to involve the explicit articulation of regret or remorse. Truth—"full disclosure"—was the standard, not apology or contrition.[123] Yet in the course of the public hearings apologies were encouraged and made, with texts of these being subsequently reproduced in a section on "apologies and acknowledgements" that was part of a chapter on reconciliation included in volume five of the TRC report.

One widely circulated narrative of apology was drawn from commission's consideration of testimony regarding the "Bisho massacre." In the early 1990s, as the collapse of Apartheid seemed imminent, political violence was on the rise in South Africa. In September 1992, members the African National Congress marched through the streets of Bisho, a town in the Eastern Cape, in order to dramatize the ANC's campaign for free political activity. Local Defense Force soldiers fired on the demonstrators, and 28 of them were killed. What happened when the TRC received testimony regarding killings in Bisho was remarkable, and most would later emphasize that it was also somewhat unique. In a tension-filled hall, packed with local spectators who had been on the ANC's march or who

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[122] Tutu as quoted in Posel 2008: 134-135.

[123] In addition to full disclosure, "The Promotion of National Unity and Reconciliation Act" of 1995 also required that "the act, omission or offence to which the application relates is an act associated with a political objective committed in the course of the conflicts of the past" (Doxtader and Salazar 2007: 19). But it did not require remorse. In a classic sociological account of apology, Erving Goffman once figured apologies as ploys of self-castigation and self-derogation, suggesting that "apologies represent a splitting of the self into a blameworthy part and a part that stands back and sympathizes with the blame giving, and, by implication, is worthy of being brought back into the fold" (Goffman 1971: 113). Yet, as Nicolas Tavuchis notes, there is no discussion of sorrow or regret in Goffman's account of apology. "Thus," writes Tavuchis (1991: 138), "it is conceivable that an actor could follow all the steps described by Goffman without producing a speech act that is socially recognizable as an apology or, its moral reciprocal, forgiveness."

had lost family members killed that day, a white officer, Colonel Schobesberger of the local Defense Force, asked for forgiveness:

> I say we are sorry. I say the burden of the Bisho massacre will be on our shoulders for the rest of our lives. We cannot wish it away. It happened. But please, I ask specifically the victims not to forget, I cannot ask this, but to forgive us, to get the soldiers back into the community, to accept them fully, to try to understand also the pressure they were under then. This is all I can do. I'm sorry, this I can say, I'm sorry.[124]

In response to this plea, another extraordinary thing happened. The people in the audience applauded. Then Tutu, making the link between confession and catharsis, acknowledgement and reconciliation, forgiveness and healing truth, said: "Can we just keep a moment's silence, please, because we are dealing with things that are very, very deep. It isn't easy, as we all know, to ask for forgiveness and it's also not easy to forgive, but we are a people who know that when someone cannot be forgiven there is no future."

In the months that followed, the details of this event quickly became a success story for the TRC, taken to demonstrate that "reconciliation through truth" was a real possibility. Tutu (1999) would go on to recount this story in his own book on the TRC process, as would others. In fact, the words of his response that day would come to serve as the title of his book, and in a sense the motto for his approach to the entire TRC process: *No Future Without Forgiveness.*

Stories such as this not only indicate the TRC's fundamentally public character— marking a significant shift in the institutional form of the truth commission, and one that set South Africa's TRC apart from the Chilean commission, and others that preceded it. They also clearly demonstrate the explicitly theological vocabulary that substantially shaped the commission's public hearings and report. Tutu, wrote Antjie Krog (1998: 202), "unambiguously mantled the commission in Christian language," even despite the opposition of some commissioners.[125] Along with reconciliation, both *ubuntu* and "restorative justice" were given a prominent place in the TRC report's discussion of the key "concepts and principles underlying the Commission's work."[126]

Over the course of the last decade, this unambiguous mantling of the TRC in Christian language has received a good deal of attention, both in South Africa and well beyond. Not all of it has been positive. In the words of Andre du Toit, "As religious leaders and churches became increasingly involved in the commission's work, the influence of religious style and symbolism supplanted political and human rights concerns."[127] Among

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[124] Colonel Schobesberger's testimony was reproduced in the TRC report's section on "apologies and acknowledgements" (vol. 5: 382).

[125] See also Gallagher 2002 and Meiring 2000.

[126] For the concepts and principles see TRC Report, vol. 1, chapter five. For *ubuntu* and restorative justice, see vol. 1: 125-31. On Tutu's ubuntu theology, see Battle 1997.

[127] As quoted in Minow 1998: 55. For an account that emphasizes, alternatively, that "a day at the TRC does contain much religious symbolism and rhetoric," much of which "arises spontaneously from the victims," see Gallagher 2002: 119.

North American observers, both criticisms of and concerns about the TRC's "theological rhetoric" have also circulated. Recall the words of Dennis Thompson, who worried that truth commissions adopting such rhetoric might get "bogged down in…the therapy of forgiveness" (Steiner 1997: 51). Informed, as we shall see, by his own theoretical perspective, Thompson's anxiety was not entirely unfounded. While its formation was the product of a political compromise that brought an end to apartheid, following its launch the South African Truth and Reconciliation took on a life of its own, engaging in a theologically motivated quest for forgiveness and healing, and producing in the process not simply the "intangible sacrament" that José Zalaquett had recommended, but a novel institutional form and a new global discourse of truth and reconciliation.

The truth business

Archbishop Emeritus Desmond Tutu sat at the front of the crowded hall, flanked on either side by legal scholars and prominent figures in the field of transitional justice—members of what had once been called the "truth commission mafia." It was October 2006, and I was sitting in the Greenberg Lounge at the New York University School of Law, listening to Tutu talk about reparations, reconciliation and restorative justice. Just as he had before the public hearings of the South African Truth and Reconciliation Commission—where as Chairperson of the commission he opened and closed the proceedings with a prayer—Tutu wore his archbishop's vestment, with its long black robe and white clerical collar. There was a large gold crucifix hanging from the chain around his neck.

At one of the first public gatherings of the Truth and Reconciliation Commission, held just over a decade earlier in April 1996, in a community hall in East London—and described by one observer as a "theatre of pain and catharsis"[128]—the archbishop had responded to the grief of a widow's testimony by leading those assembled in song. The TRC's deputy chairperson, Alex Boraine (2000: 102), recounted this testimony in his insider's account of the commission. In the middle of her testimony, he wrote, Nomonde Calata, the widow of Fort Calata (one of the "Cradock Four" murdered in the Eastern Cape in 1984), "broke down":

> The primeval and spontaneous wail from the depths of her soul was carried live on radio and television, not only throughout South Africa but to many other parts of the world. It was that cry from the soul that transformed the hearings from a litany of suffering and pain to an even deeper level. It caught up in a single howl all the darkness and horror of the apartheid years.

For many, this was a defining moment for the TRC. As Antjie Krog (1998: 42) would write in her account of the commission, *Country of My Skull*:

> For me this crying is the beginning of the Truth Commission – the signature tune, the definitive moment, the ultimate sound of what the process is about. She was wearing this vivid orange-red dress and she threw herself backward and that sound...that sound...it will haunt me for ever and ever.

Piet Meiring (2000: 126) recalled not only the crying and "anguished wails," but Tutu's response, which set the tone for the rest of the day, an in many respects for the rest of the life of the commission:

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[128] For reference to the TRC as a "theatre of pain and catharsis," see Doxtader and Salazar 2007: xi (citing an article in the *Mail & Guardian*).

Her anguished wails filled the hall. The audience and the Commissioners at the table were shocked into silence. When Tutu, after allowing a few minutes for Mrs. Calata to compose herself, needed to start the session again, he intoned in his own voice the Xhosa hymn *Senzeni na* ('What have we done?'). Everyone, even the journalists and security personnel, joined in the singing. Tears flowed. But the atmosphere was set for the rest of the day. The lesson was properly learnt and at many future meetings, in a particularly difficult situation, the singing of a hymn or prayer saved the day.

By the fall of 2006, when I went to hear Tutu speak at NYU, the first volumes of the TRC report had been in circulation for eight years. Many in South Africa had moved on to other preoccupations. "2006 marks the tenth anniversary of the TRC," said Deborah Posel, at a public symposium in Cape Town. "The talk about 'reconciliation' and 'nation-building' that was so common a few years ago now seems rather distant. So, too, does the TRC itself" (Villa-Vicencio and du Toit 2006: 86). Yet, as he'd said at the same 2006 Cape Town symposium, sponsored by the Institute for Justice and Reconciliation, Tutu remained convinced that South Africans needed "to keep working at reconciliation"—"to listen to one another's stories" and "to heal one another's wounds." Tutu had also continued to voice his displeasure with the South African government's failure to provide adequate reparations to the victims of human rights violations who had testified in front of the TRC. "I am disappointed with us as a nation," he said. While amnesty had been granted to individual perpetrators who had come before the commission, Tutu asked rhetorically, "What happened to the victims?"[129] Now, just a few months later, he was discussing reparations and reconciliation once again. Yet this time it was a public event in New York City, not Cape Town or East London or Johannesburg, and the occasion was not yet another opportunity to assess the TRC's successes and failures, "10 Years On," but the launch of *The Handbook of Reparations* (de Greiff 2006), a new university press book that the event's promoters described as a "groundbreaking" volume on "repairing the past."

In one sense, it was not particularly surprising to learn that Tutu had been given top billing on the New York panel that would launch the new book, a massive volume produced by the International Center for Transitional Justice. He was one of reconciliation's global prophets, a virtuoso in the world of social and political repair who had figured prominently in many contemporary considerations of "coming to terms with the past." Closely associated with the "South African miracle"—South Africa's relatively peaceful transition from apartheid to democracy, symbolized vividly by Nelson Mandela's election and ascendance to the presidency in 1994, and by the subsequent efforts of the TRC—the Archbishop was as sought after as ever on the international circuit, if controversial among some of its cosmopolitan denizens.

As I have emphasized, over the course of the preceding decade, and due in no small part to the international attention that had been lavished upon Tutu and the TRC, a distinctly South African take on "truth and reconciliation" had circulated far and wide. With

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[129] For a transcript of the symposium, convened as part of a conference on the "unfinished business" of the TRC, see Villa-Vicencio and du Toit 2006: 8-15.

the international proliferation of truth commissions and a range of other truth-telling modes of response to mass atrocity, the language of reconciliation—if not the reality it sought to bring into being—had gone global, becoming closely intertwined with the field of transitional justice to which the new book was intended to contribute. In the midst of this proliferation there had also been discursive profusion, transformation and struggle, as reconciliation was conceived variously as a goal and a process, a religious ideal and a political necessity, a moral prescription and a social scientific variable. In the course of these struggles and transformations, new proponents and critics of reconciliation— theorists and practitioners, participants and observers—had entered the fray. As the language of reconciliation continued to proliferate, and the field of transitional justice continued to grow, the terms of debate had changed.

This chapter and the next attempt to chart and analyze some of these changes, specifically with an eye towards developments within North American intellectual culture. The institutional formation and discursive practice of South Africa's Truth and Reconciliation Commission, I have already suggested, represented a transformative moment in the development of the field of transitional justice. Within the brief history of the field, the South African TRC looms large. Yet this distinctive truth commission was also a key site for the articulation of a decidedly alternative framework for pursuing justice in the midst of political transition—and as such the TRC and its discourse of reconciliation have occupied an exceptional and somewhat unstable place in the narratives spun by actors invested in expanding the field and building its key institutions. In particular, the theologically informed master narrative of the TRC has been at odds in important respects with a normative juridical framework that defines the field both at its center, and, in a rather more complicated fashion, at various sites of struggle and debate along its contested borders. This powerful juridical framework, however, has not been entirely monolithic. In an effort to grasp the complexity of reconciliation's recent articulations, to grapple with the creativity and diversity that has defined its fluid and open discourse, and to take stock of the proliferation of competing representations of reconciliation within a partially consolidating field of transitional justice, it is important to look beyond the field's central actors and core institutions, and to destabilize the rigid secular-religious binary imposed by the field's dominant juridical framework. I turn to this task in chapter eight. Before doing so, however, in the present chapter I first consider in more detail the field's largest organization, attending in to the establishment and framework of the International Center for Transitional Justice (ICTJ). Founded in New York City, with substantial support from the Ford Foundation, the ICTJ's opening signaled a new direction in human rights advocacy. Its efforts would be explicitly oriented towards "helping societies heal" in the aftermath of severe conflict or repressive rule. The organization's rapid growth paralleled that of the larger field of transitional justice, as new truth commissions were born and the range of arguments over truth and reconciliation continued to multiply.

Helping societies heal

A significant part of the explanation for reconciliation's substantial discursive dissemination has had to do with the controversial proliferation of truth commissions

themselves, a proliferation aided and abetted, as well as opposed, by the cosmopolitan "global moral entrepreneurs" who constitute the transnational human rights movement, the field of transitional justice, and related activist arenas.[130] Conceived as a tool of transitional justice, the "truth commission" is a relatively recent institutional invention, as I outlined in chapter five. Truth commissions, wrote Priscilla Hayner as the South African TRC was still wrapping up its work, had "caught the wind of popularity" and were "fast becoming a staple in the transitional justice menu of options." The following years only served to reinforce Hayner's point, as truth commissions were formed in "transitional" societies from Ghana to East Timor, Sierra Leone to Peru. Strikingly, while a number of early truth commissions were known officially as "commissions of inquiry," many commissions following South Africa's TRC employed the discursive frame of "truth and reconciliation," and in conjunction with the wave of new truth commissions, the language of "reconciliation" became a prominent feature of both the field of transitional justice and one of the field's most innovative institutional forms.

As with other forms of globalization, the globalization of "truth and reconciliation" had both its proponents and detractors, and again South Africa figured prominently, although South African voices critical of the TRC and its approach to reconciliation—including those that might have provided a substantial challenge to the at times oversimplified perceptions of international observers—were frequently been largely neglected in the midst of the commission's celebrated international reception. Especially in the international media, the TRC was often seen as simply another uplifting element of the "South African miracle." Closer to the ground, South Africans knew that the TRC was no unqualified or uncontroversial success. "The world," as Frederick van Zyl Slabbert (2003: 321) put it, "is much more fascinated and impressed by the TRC than people in South Africa are." Referring to Alex Boraine's move from Cape Town to New York City, once his work as the Deputy Chair of South Africa's TRC had been completed, Slabbert figured the controversial Boraine's departure from South Africa, and his subsequently generous reception in New York City, as "a case of the prophet not being honoured in his own country."

Whether or not Alex Boraine represented a South African "prophet not honored in his own country," he had certainly found an ample audiences elsewhere for his vision of truth commissions and transitional justice, and it might be suggested that along the way he had traveled some distance down the road from "prophet" to "priest"—that is, from a somewhat controversial advocate of human rights heterodoxy to a defender of transitional justice's new orthodoxy. On a list of prominent "global moral entrepreneurs" responsible for the transnational spread of truth and reconciliation, Alex Boraine's name would inevitably fall very near the top, and although the organization he co-founded would be criticized by some elite actors within the international human rights movement, the International Center for Transitional Justice would nonetheless come to articulate core principles largely shared with other major human rights organizations and mainstream actors invested in the practices of transitional justice—an approach the organization took

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[130] For a discussion of the transnational networks and activist strategies of "global moral entrepreneurs," see Keck and Sikkink 1998.

as a result of ideological commitments and field placement, and in an apparent effort to solidly establish its justice-oriented *bona fides*.

Following the TRC, in any case, Boraine and other affiliated with the commission were catapulted to new prominence within the international arena. Initially moving to New York City for a stint as visiting professor at New York University, Boraine soon became the first president of the ICTJ, and the organization styled itself as a different sort of human rights organization, "founded on the concept of a new direction in human rights advocacy: helping societies heal by accounting for and addressing past crimes after a period of repressive rule or armed conflict."[131] In consultation with dozens of legal scholars, human rights activists, and practitioners of transitional justice, all brought together by the Ford Foundation, Boraine put forward a plan for the new organization along with his former colleague from the South African TRC, Paul van Zyl, an ambitious young lawyer who would eventually become ICTJ's executive vice president, and Priscilla Hayner, a longtime Ford Foundation consultant whose widely-cited book on truth commissions (Hayner 2001) was published the year ICTJ opened its doors.

Together, the Center's founders made the rubric of "transitional justice" their overarching framework and broad organizational focus, seeking to "strengthen the field of transitional justice by improving communication among the many scholars, legal professionals, activists, and policymakers engaged in this field," and establishing a series of new research projects, under the leadership of philosopher Pablo de Greiff, who became ICTJ's director of research. Prominently highlighting its ability to provide "comparative information and expertise" and an "overview of lessons learned" to government officials, human rights activists and others, ICTJ also held training sessions for, consulted with, and provided assistance to, various actors engaged in designing and implementing transitional justice measures.[132] In addition to establishing initiatives aimed at seeking the truth and promoting reconciliation—and in keeping with the central foci of work on "transitional justice"—such measures were taken to include the prosecution of perpetrators of human rights abuses, the provision of reparations to victims of such abuses, the reform of state institutions such as the police and the courts, and the removal of human rights abusers from positions of power. These different approaches to "dealing with a legacy of violence" formed part of what ICTJ dubbed a "Transitional Justice Toolkit," and they were presented not as mutually exclusive options, but rather as component parts of what Boraine referred to as a "holistic strategy" that emphasized "both judicial and nonjudicial mechanisms."[133] Much larger than any other nongovernmental organization devoted to transitional justice, the ICTJ was soon partnering with dozens of national organizations and consulting with representatives of transitional states throughout the world. Its standing was due in no small part to an expanding international interest in innovative attempts to "come to terms with the past," and to promote national and social healing through the work of truth commissions and other so-called "mechanisms" in the transitional justice "toolkit."

Headquartered in a metropolitan hub of international human rights activism, the

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[131] http://www.ictj.org/en/about/mission/. Accessed May 1, 2006; March 1, 2009.
[132] ICTJ Annual Report, 2001-2002: 5.
[133] ICTJ Annual Report 2001-2002: 9, 3. See also: "A Holistic Approach to TJ," ICTJ Annual Report, 2006-2007: 4-5; and Boraine 2006.

ICTJ very quickly became a relatively powerful and well-funded international organization—yet another sign the rising prominence of truth commissions and transitional justice on the international scene. The Ford Foundation, writes William Korey (2007: 259) of the ICTJ's establishment in 2001, "had moved in an almost revolutionary manner to establish from scratch a human rights NGO."[134] Boraine's stature as a leading South African truth commissioner doubtlessly contributed to the ICTJ's high international profile, and his central role at the ICTJ, where he was positioned to meet regularly with both high-powered visitors to New York and local human rights leaders, put him more squarely on the global stage.

Although the ICTJ was undeniably the leading international organization devoted to the establishment and practice of truth commissions, the organization's representatives increasingly found themselves actively discouraging the premature or "uninformed'" establishment of just such commissions, and, despite the impression of some, the ICTJ was not an entirely uncritical proponent of a singular "truth and reconciliation" model. Thus, while the ICTJ's work sought to ensure that countries interested in establishing truth commissions and working to implement other mechanisms of transitional justice will not have to "reinvent the wheel," the Center also regularly emphasized that each transitional situation must be seen as unique, and transitional justice mechanisms developed accordingly. Constituting a diverse group that harbored its own potent disagreements, the ICTJ staff had come to represent not simply global moral entrepreneurs of truth and reconciliation at any cost, but rather influential international managers of the complex and often contentious and controversial national and international processes that give rise to truth commissions and other approaches to justice in transition. While some would represent the Center as a group collectively lodged somewhere in between hard-nosed advocates of a universal duty to prosecute and prophets of social reconciliation highlighting the healing power of forgiveness,[135] in reality the ICTJ staff included representatives of both of these two (at times opposing) positions, though the majority tilted towards what Leebaw (2002) had earlier called the "prosecutorial approach."

Truth commissions and the need for justice

In part because of outside concerns that the organization might not be devoted enough to trials and prosecutions, the founding of ICTJ itself was not uncontroversial, and at an April 2000 meeting convened by the Ford Foundation to discuss the potential organization's mission and parameters, a "rather sharp debate" emerged over the centrality given to truth commissions in a discussion paper produced by Priscilla Hayner, then a consultant for Ford. As Korey (2007: 261) reports, Aryeh Neier, the former leader of Human Rights Watch who later became president of the Open Society Institute, challenged the paper's "altogether

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[134] Ford's support of ICTJ built on and extended earlier Foundation support for initiatives engaged in "dealing with the past." For details on Ford's earlier work in this area, see "Memory and Justice: Confronting Past Atrocity and Human Rights Abuse," International Center for Transitional Justice, August 2008.

[135] In fact, in an earlier piece on ICTJ, I represented the organization in this fashion. See VanAntwerpen 2009.

positive view of truth commissions" and advocated "the need for justice and court decisions for both victims and society as a whole." Justice, Neier and others argued, "could be obtained through legal proceedings in courts, not at disclosures made at the hearings of truth commissions." As Neier had written a few years earlier in a letter to *The New York Review of Books*, while truth commissions had "performed a valuable service in certain Latin American countries"—helping to establish the truth about "disappearances" in countries like Argentina—they would be much less relevant in other contexts. "What is it that a commission could tell us," Neier asked, "about the indiscriminate bombardment of Sarajevo or the radio-incited genocide in Rwanda that would assist in confronting such a past? Only trials of those most responsible would address crimes against humanity committed so brazenly and on so vast a scale." Given that "confronting the abuses of the past" was "a crucial question in many countries," he concluded, it would be "impossible to devise a single approach."[136]

Chairing the Ford Foundation meeting in April 2000, Alex Boraine assured those present that truth commissions would be only a "part of transitional justice" (Korey 2007: 262). What was needed, as Boraine (2006) would go on to emphasize, was a "holistic" approach. Yet as the Ford Foundation and its assembled group of experts discussed how best to respond to the challenges of transitional justice, the question of truth commissions—"always of special interest to the foundation" (Korey 2007: 262)—stood out. Truth commissions were, Korey (2007: 262, 260) reports, "at the very heart" of Priscilla Hayner's preliminary papers for Ford, which had contributed directly to the ICTJ's "founding document."

In fact, while the organization would package and seek to disseminate the contents of the "Transitional Justice Toolkit," the ICTJ's founders were neither recognized and equal masters of all the tools that made it up, nor creators of the collective association of those tools with something called "transitional justice," a phrase whose invention and initial proliferation predated the Center's founding by at least several years (Arthur 2009). Although the establishment of the ICTJ was "the result of a number of converging streams, starting with the South African TRC,"[137] as Alex Boraine would later put it, and although the organization would rapidly expand and diversify its staff, it was clearly the close association of the ICTJ's founders with recent truth commissions—and in particular with the widely discussed South African TRC—that gave the new Center much of its initial cachet (just as those associations contributed to much of the initial debate about the fledgling organization and its mission).[138] The "truth business," wrote one observer, was

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[136] Aryeh Neier, "Do Trials Work?" *The New York Review of Books*, October 19, 1995.
[137] For Boraine on the "converging streams," see "A Holistic Approach to TJ," ICTJ Annual Report, 2006-2007: 4-5.
[138] "Boraine Takes Lessons of SA Miracle to World" read the headline in the Cape Argus, a newspaper in Alex Boraine's hometown. Initial media attention to the ICTJ focused almost exclusively on truth commissions: "Can the truth heal a nation's wounds?", *Financial Times* (June 16, 2001); Tamar Lewin, "For Nations Traumatized by the Past, New Remedies," *The New York Times* (July 29, 2001); Nora Boustany, "Promoting Truth as Antidote In a World of Brutality," Washington Post (August 3, 2001); Tim Johnson, "Eager for justice, Peru turns to truth commission," *The Miami Herald* (August 20, 2001); Lynda Richardson, "Helping Countries, and People, to Heal," The New

"booming"—and ICTJ was "the world's first truth commission consulting firm" (Tepperman 2002). As a legal scholar and transitional justice expert told me a few years later, the Center in New York had quickly "cornered the market on truth commissions," coming on the scene just as interest in such commissions was on the rise, and positioning itself as an unparalleled source of comparative expertise.

Boraine, van Zyl and Hayner were already widely seen as important experts on truth commissions, and in that capacity each of them had been traveling the world. With the establishment of ICTJ, they and their colleagues were positioned as global leaders in a swiftly expanding field. During its first year, ICTJ staff members traveled to 15 different countries and informed the efforts of several truth commissions, including direct involvement in the establishment of new commissions in East Timor, Peru and Sierra Leone.[139] The organization would grow by leaps and bounds in the years that followed. Little more than five years after its founding, ICTJ had offices in Bogotá, Brussels, Cape Town, Dili, Geneva, Jakarta, Kathmandu, Kinshasa and Monrovia, in addition to its original office in New York, and its staff of more than 100 was working throughout the Americas, Africa, Asia, Europe, and the Middle East.[140]

Early critics worried that ICTJ represented the institutionalization of a "truth commission mafia," a new and controversial organization that might undermine the work of other human rights advocates, "sucking up foundation money" and "likely to stifle other ways of handling state injustice."[141] At least in part as a result of its associations with the South African experience of "truth and reconciliation," the Center was viewed by some in international human rights circles as "soft" on the "duty to prosecute" perpetrators of past abuses.[142] Recognized proponents of the view that standard forms of prosecutorial justice could often be insufficient for grappling with difficult histories of violence, repression and human rights abuse, ICTJ's leaders were nonetheless at pains to assert their membership in, and solidarity with, the broader human right community, and thus to disabuse detractors who charged them with seeking to uncritically reproduce the South African "model" in other contexts of transition, or to privilege truth commissions over other forms of transitional justice. "We always say that truth commissions and prosecutions should go side by side, and there should never be a hierarchy between them," Paul van Zyl told a reporter from *The New York Times*. "The South African model worked in the South African context, but it's entirely inappropriate in 99 percent of the other contexts in which we work."[143]

York Times (November 23, 2001); Tina Rosenberg, "Designer Truth Commissions," *New York Times Magazine* (December 9, 2001).

[139] ICTJ Annual Report, 2001-2002: 7, 11, 18, 21

[140] "From the President," ICTJ Annual Report 2006-2007: 1.

[141] See Lynda Richardson, "Helping Countries, and People, to Heal," *The New York Times*, November 23, 2001.

[142] On the "duty to prosecute," see Orentlicher 1991.

[143] Lynda Richardson, "Helping Countries, and People, to Heal," *The New York Times*, November 23, 2001. Nonetheless, the perception that ICTJ was "in part formed with the aim of disseminating the South African experience" has been a durable one (for this particular formulation, see Bell 2009: 9).

Promoting reconciliation

If their human rights colleagues in New York and elsewhere were concerned about ICTJ's apparent orientation toward promoting and propelling the work of further commissions like the South African TRC, advocates of reconciliation and restorative justice would note an opposite inclination at the Center—a tendency to focus too heavily on the importance of prosecutions, at the possible expense of supporting broader processes of social and political reconciliation. The theme of reconciliation played an important yet ambiguous and at times contentious role in ICTJ's early days. While the concept of "reconciliation" was at the organizational center of the Institute for Justice and Reconciliation in Cape Town—this one concept, Charles Villa-Vicencio said, best "captures our work"—ICTJ made the aim of "promoting reconciliation" one of the five key elements of its original institutional mission.[144] Yet given the size and diversity of its staff, as well as the organizational and political environment in which it operated, ICTJ experienced persistent difficulties in putting its avowed support of reconciliation into practice, and especially in crafting a coherent organizational strategy regarding how best to promote, advance or facilitate reconciliation processes.

Alex Boraine was by all accounts deeply committed to the importance of the concept of reconciliation, and he devoted substantial attention to the topic in his book on the TRC (Boraine 2000). Like Villa-Vicencio, Boraine sought to articulate a conception of reconciliation that drew on its long and complicated South African history, while also leaving room for criticism of the overtly religious and Christian character of reconciliation as articulated in the context of the South African TRC, and especially by Archbishop Tutu. Yet not all of his colleagues at ICTJ saw eye-to-eye with Boraine on the question of reconciliation. Continued disagreement made reaching an organizational consensus a significant challenge, and one that ICTJ faced with only limited success during its first few years. These initial disputes over reconciliation at the increasingly powerful and influential Center were both representative of and embedded within wider debates regarding truth and reconciliation that were taking place among a diverse and far-flung range of international actors.

As the number and diversity of those engaged in conversations and arguments about "truth" and "reconciliation" continued to expand, so did the number and diversity of commissions seeking some combination of those two social and political goods. "It's amazing," Priscilla Hayner said in late August of 2001, upon her return from trip to Peru to advise a new truth and reconciliation commission being established there, "they are cropping up all over the world."[145] Truth commissions, Hayner (2001: 250-51) wrote, in a widely-cited book published that same year, were being turned to throughout the world "with great expectation and hope, although often with little appreciation for the complexity of the process and the difficulty of achieving the hoped-for ends." With the advent of new commissions came new challenges, novel approaches and further innovations. As the institutional form of the truth commission moved from one national location to another, it

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[144] ICTJ Annual Report, 2001-2002.

[145] Tim Johnson, "Eager for justice, Peru turns to truth commission," *The Miami Herald* (August 20, 2001).

was transformed in the course of its transnational travel—as were the ideas about truth and reconciliation that informed its workings, and in whose name it increasingly operated. There wasn't just one truth commission, but many. At the same time, a recognizable institutional form had clearly taken shape. Built upon "lessons learned" from earlier commissions, discussed and refined in the work of activist scholars and truth commission experts, and conditioned (for better *and* for worse, said the experts) by the lofty aims and outsized rhetoric of the South African TRC, the "truth commission" had come into its own as a transposable tool of political transition. Not infrequently referred to as a "truth and reconciliation commission" (much to the consternation, as we saw earlier, of some truth commission advocates), this ostensibly reproducible traveling institution increasing took on the goal of "reconciliation" as one of the challenging and difficult to achieve "hoped-for ends" to which Priscilla Hayner had referred. Due in no small part to the prominence of the South African commission—and to widespread fascination with it, subsequent academic attention to it, and desired institutional emulation of it—the conjunction of "truth" and "reconciliation" became an increasingly prevalent, if still contested and controversial, phenomenon.

Lessons from South Africa

When Alex Boraine relinquished his position as president of the ICTJ, he was replaced by Juan E. Méndez, a former Washington director of Americas Watch, the nongovernmental human rights organization that later became Human Rights Watch. Under the leadership of Méndez, the staff members of ICTJ persisted in emphasizing that there is no single blueprint for transitional justice. In particular, they continued to argue that South Africa's unique experiment with truth and reconciliation should not be uncritically replicated elsewhere. "While there is much in the South African Truth and Reconciliation experience to celebrate," said Howard Varney, director of ICTJ's Truth-Seeking Program, in January 2009, "it is unfortunate that the world at large has come to use South Africa as the model or template for all subsequent commissions—or has at least attempted to emulate in one way or another what happened in South Africa."[146] Eduardo González, deputy director of ICTJ's America's program, had earlier voiced a similar sentiment. "The architects of transitional justice policies would pay a more appropriate homage to the South African experience," said González, "by learning both from its strengths and its weaknesses. In particular, the myth that reconciliation will automatically follow from a trade-off of victims' rights needs to be widely debunked."[147]

In its 2006/2007 "annual report magazine," whose cover theme was "Challenging Legacies of Impunity," the ICTJ featured an unsigned "reflection" on "Lessons from South Africa." "In our work," the reflection began, "we have often encountered a yearning for a South African model that could reconcile victims and perpetrators and replace criminal justice. This view is steeped in problematic or self-interested interpretations of South Africa's TRC that compromise reconciliation in the name of political expediency." The

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[146] "Lessons to Be Learned," *Transitions*, International Center for Transitional Justice, January 2009: 1.
[147] ICTJ annual report, 2006/2007: 27.

feature article highlighted the failure of the South African government to deliver on reparations recommended by the TRC, and criticized the idea of a "back-door" amnesty for perpetrators who had not been granted amnesty by the commission. It went on to criticize those "commissions that claim to model themselves on the South African TRC" while making "thinly disguised efforts to enshrine impunity under a facade of truth-seeking." And it noted the Center's efforts both to challenge the development of plans for "problematic" truth and reconciliation commissions, and "to steer other commissions away from designing their mandates as replicas of the South African model, particularly where TJ [transitional justice] is used as a convenient tradeoff for victims' rights." Itself a telling acknowledgment of South Africa's substantial and controversial influence within the field, the article also recognized in passing the centrality of South Africa's TRC in the ICTJ's own history, closing with an emphasis on the necessity of promoting "best practices" and with a call for efforts to come to terms with the past that would ensure both truth and justice:

> The ICTJ celebrates much of what the South African TRC accomplished—and we trace some of our own institutional origins to it—but we strongly believe that genuine and enduring truth-seeking requires much more than mere imitation. With the enthusiasm for truth commissions unlikely to wane, greater awareness of their real potential is vital. Consequently we are committed to fostering genuine truth-seeking efforts and disseminating basic guidelines and best practices for the implementation of truth commissions. The ICTJ fundamentally believes…that a crucial lesson from South Africa is that both truth and justice for past crimes are essential to a just and peaceful future.[148]

Crafted in the first person plural and written in a reflective mood, the closing statement read like a piece of contemporary confessional discourse, a collective statement of strong and fundamental belief celebrating the source of the organization's birth while distancing it from too close an association with problematic dimensions of "the South African legacy." It was, in this sense, a sort of institutional coming of age narrative. Yet at the same time the emphasis on challenging impunity was one that had been present from the ICTJ's earliest days.

From promotion to facilitation

With the arrival of Méndez, the Center was given a leader who had actively "championed prosecution" (Leebaw 2002: 168), a human rights advocate who had been prominently associated with a "prosecutorial approach" (sometimes figured as a distinct alternative to the "restorative approach" favored by the South African TRC).[149] Yet Méndez himself would

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[148] "Lessons from South Africa," ICTJ annual report, 2006/2007: 26-27.
[149] Leebaw (2002: 1) "charts the evolution of two distinct approaches to transitional justice: the prosecutorial approach, championed by most human rights organizations, and the 'restorative' approach, developed by South African leaders," figuring the 1983 Argentine transition as the "turning point for the human rights movement" that led to the development of the two distinct approaches. "The unprecedented effort to investigate and prosecute human rights violations

caution against overdrawn contrasts between reconciliation and prosecution—taking issue with the impression that religious actors mobilizing the language of restorative justice would generally favor the advancement of reconciliation, while international human rights organizations would tend exclusively toward the promotion of prosecutions and "retribution"—since this conjured an "artificial confrontation" between "religious" and "secular" proponents of transitional justice. "Retributive justice," he noted in a memorandum written for a workshop at the Social Science Research Council, "is a somewhat loaded term that can be a code for vindictiveness," while "restorative justice is a highly ambiguous term," and one that has in recent usages been appropriated by those promoting alternatives to prosecution. Referring to "the bad faith appropriation" of the language of restorative justice by "those who favor impunity," Méndez challenged those in the SSRC workshop to consider whether the ambiguity of such language might lend itself to this misuse.[150]

While he was referring in the SSRC Workshop to the language of restorative justice, Méndez would also voice analogous concerns about reconciliation, and his remarks were similar to worries, raised by others, regarding the appropriation of reconciliation discourse. While some focused primarily on critiquing "the saccharin-coated invocations of reconciliation" (Wilson 2001), however, Méndez would take a different stance, especially once he had stepped into his role as the president of the ICTJ. As it had under Alex Boraine, under leadership of Juan Méndez the ICTJ continued to make reconciliation a positive and central priority of the organization. Thus, when Méndez cautioned against overdrawn contrasts between "reconciliation" and "prosecution," he meant to suggest that the two should be conceived as potentially complementary, even if they had not always been rendered as such in practice.

As Méndez's predecessor, Alex Boraine had persistently defended reconciliation, at times doing so quite vigorously. Yet some of his ICTJ colleagues shared a more critical perspective, if not the precise language in which it was formulated. There had not always been complete consensus among the diverse staff of the ICTJ, and internal dialogues over reconciliation at the Center were marked by significant disagreement over what the concept of "reconciliation" could and should mean in the context of transitional justice. Such disagreements initially inhibited the operationalization of reconciliation as a substantial working principle of the organization, despite its standing as a marker for one of the five original "pillars" of the ICTJ's work. As the internal debates continued, an initial

committed under a prior regime," she writes, "brought together a network of human rights organizations to develop mechanisms to facilitate the prosecution of systematic atrocities. At the same time, the conflicts that derailed Argentina's transitional prosecutions led human rights advocates to debate the meaning of, and relationship between, the values of justice and reconciliation in the context of political transition. Some, such as José Zalaquett, argued that local reconciliation efforts would benefit human rights goals. However, most human rights advocates, including Juan Mendez of Americas Watch, rejected the case for political compromise and began to argue that international human rights law should transcend local struggles" (Leebaw 2002: 153-154).

[150] Juan Méndez, "Memorandum," Workshop on Religion, Reconciliation and Transitional Justice, Social Science Research Council, May 2, 2008.

focus on "promoting" reconciliation in ICTJ's mission statement was subsequently shifted to "advancing reconciliation," and then to "facilitating reconciliation processes."[151] But the focus on reconciliation, as one of five "key elements" of the Center's work, remained—despite a continuing lack of internal consensus. While there were internal discussions among senior staff members regarding the possibility of forming a reconciliation program within the organization, nothing major came of these, even given the presence of a number of recognized staff experts on reconciliation.

At the same time, as the Center's public stance on reconciliation would eventually note, the word "reconciliation" continued "to figure prominently both in the literature and the practice of transitional justice, despite a lack of consensus about what the term means, what activities it encompasses, or what achieving such a condition would require." Through the efforts of Pablo de Greiff, in particular, in time the ICTJ moved in the direction of a basic organizational consensus, at least in terms of its public representations, coming to endorse a "civic trust model of reconciliation" that focused substantially on the trustworthiness of institutions, a conception of reconciliation that bore strong resemblance to an understanding de Greiff (2008) had himself personally articulated and defended in greater detail. As the Center's public statement claimed, this was a conception of reconciliation would neither "lend itself to be offered as a substitute for justice," nor be "likely to lead to an inequitable burdening of victims," nor "rest on the idea that the slate has been wiped clean." It was an understanding of reconciliation that could be "articulated in terms that do not depend entirely on a particular set of religious beliefs," involving an approach that would "not require," although it might lead to, "forgiveness." On this conception, "reconciliation" became the name for "the condition under which citizens can once again trust one another." Put somewhat differently, trustworthy institutions were framed as a "precondition" of reconciliation. "It does not matter how much we talk about restorative justice, reconciliation, apologies, or pardons," the ICTJ statement concluded. "It is necessary to give citizens reasons to trust again. Only then can we properly conceive of reconciliation."[152]

The heresy of reconciliation

In addition to his work on reconciliation—both as a scholar and as a senior staff member at ICTJ—Pablo de Greiff had also taken a significant interest in reparations, directing a large project on the topic in his capacity as the Center's director of research. One result was *The*

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[151] An initial focus on "promoting" reconciliation in ICTJ's Mission Statement was subsequently shifted to "advancing reconciliation" (ICTJ Annual Report, 2002-2003; ICTJ Annual Report 2003-2004), and then to "facilitating reconciliation processes" (ICTJ Annual Report 2004-2005; ICTJ Annual Report 2006-2007). The other four "key elements" included in ICTJ's Mission Statement (nearly identical in both the 2001-2002 and 2006-2007 Annual Reports) matched the transitional justice measures outlined earlier (while omitting the removal of human rights abusers from positions of power): "prosecuting perpetrators, documenting and acknowledging violations through nonjudicial means such as truth commissions, reforming abusive institutions, providing reparations to victims."
[152] From ICTJ's website: http://ictj.org/ (accessed February 1, 2009).

Handbook of Reparations (de Greiff 2006), the ICTJ volume that Desmond Tutu had come to New York City to help launch in the fall of 2006. The handbook is a big doorstop of a book, weighing in at just over 1000 pages.[153] Published by Oxford University Press, the book consists of contributions from a diverse group of authors. "The field of transitional justice," its front matter reminds readers, "is varied and covers a range of disciplines, including law, public policy, forensics, economics, history, psychology, and the arts." The volume's final 300 pages are dedicated to a compilation of primary documents and legislation, including excerpts from the reports of truth commissions in Argentina, Chile, El Salvador, Haiti and South Africa. Those invited to contribute to the handbook included a handful of NGO program officers, two sociologists, a political scientist, an economist, a journalist, a research consultant, a cultural anthropologist, a clinical psychologist, a social psychologist, a psychotherapist, a philosopher, and the former Solicitor General of Argentina, Jaime Malamud-Goti. More than half of the book's 28 contributors were legal scholars, lawyers or law professors.

Headlining the panel discussion of handbook at NYU, Tutu was joined by two of NYU's law professors and two senior staff members of the ICTJ—de Greiff, the book's editor and central organizer, and Paul van Zyl, the South African lawyer and co-founder of ICTJ (who also regularly led courses on "transitional justice" at NYU). Almost predictably, during the Q & A session that followed the opening panel, *no one* asked about the book. All the questioners wanted to talk with Tutu. And, in response to a series of questions, Tutu began to tell stories of the TRC. He told the story of the Cradock Four, of the Guguletu Seven, and of the Bisho Massacre. Maybe this is why an archbishop was asked to chair the commission, he said, rather than "someone entirely legal"—to "remind us that each person has the potential to be a saint." Spoken into a silence that signaled a rapt and expectant audience, in a packed and palatial room at NYU, Tutu's stories—like his very bodily presence (the robe, the collar, the cross, and the legendary and charismatic Christian figure who wore them)— disrupted the secular liturgy of the book launch.[154] There was no big debate over reconciliation, no struggle—as there had been in the course of the TRC's public hearings— over the appropriateness of religious language and symbols in this secular space. "It does not matter," the ICTJ statement on reconciliation would later suggest, "how much we talk about restorative justice, reconciliation, apologies, or pardons." Tutu's words told a different story, and he was allowed his talk of saints, his tales of redemption, and his personal histories of healing truth. Yet the sense that the Archbishop was not simply central to this gathering—as he incontestably was—but also, somewhat uncomfortably, an outsider to the institutional practices that had produced the massive tome the event was meant to introduce, was palpable.

As I sat there listening to Tutu spin out what were by then familiar tales of suffering and hope, my eyes wandering the room in search of local luminaries or gazing at the ceiling high above, something else seemed amiss as well. It wasn't Tutu's admittedly affecting stories of the TRC—at times rendered disturbingly banal by their rampant repetition—that

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[153] As with reconciliation, the scholarly literature on reparations is substantial. For a dissection of the "anatomy of reparations politics," see Torpey 2006. On reparations in South Africa, see Doxtader and Villa-Vicencio 2004.

[154] For a discussion of "secular liturgies," see Smith (forthcoming).

hit me. I was tracking back instead not one decade, but two, not to opening hearings of the TRC, but to the issuance of *The Kairos Document*, with its "prophetic theology," its critique of "*counterfeit* reconciliation," and its call for active participation in the struggle against apartheid. Tutu, I knew, had refused to sign that document, objecting to its negative characterization of "Church Theology." Yet he had also regularly employed the distinction between "true" and "false" reconciliation—between the "genuine" and the "counterfeit"— and he had long been a widely recognized voice for justice and a symbol of the liberation struggle, and not just among the Christian faithful.[155] A "phalanx of iniquitous laws," Tutu said in his 1984 Nobel Peace Prize Lecture, had propped up "apartheid's ideological racist dream." Until those laws were undone, he said, there would be no justice, and without justice there would be no peace: "We see before us a land bereft of much justice, and therefore without peace and security. Unrest is endemic, and will remain an unchanging feature of the South African scene until apartheid, the root cause of it all, is finally dismantled" (Doxtader and Salazar 2007: 46, 48).

Following Mandela's election, a decade after that lecture was given, Tutu's subsequent leadership of the TRC had made him a more controversial figure in international human rights circles, and in South Africa too—his moral authority muted and muddied by an association with truth commission amnesties laden with the language of forgiveness. Yet as he held sway among the legal scholars in New York, it seemed to me, his position—anchored by an unabashedly theological vocabulary and an emphasis on the ways that restoring justice and repairing the past were intimately bound up with the work of reconciliation and the promise of forgiveness—could still be construed as "prophetic." *The Kairos Document* had explicitly contrasted "prophetic theology" with its "academic" counterpart, and Tutu's own theological position was certainly "no mere academic exercise."[156] Yet that wasn't what set Tutu apart from those around him that day, many of whom had extended their own intellectual engagements well beyond the ivory tower—and in wondering about the potentially "prophetic" qualities of Tutu's current stance, I had in mind not the earlier critiques of the *kairos* theologians, but the sociological analyses of Weber and Bourdieu.

More than twenty years after Tutu's Nobel Peace Prize Lecture and the subsequent signing and circulation of *The Kairos Document*, the struggles within which Tutu was embedded, and the terms in and through which they were carried out, had changed. In the aftermath of the TRC, with the continuing proliferation of truth commissions, an increasing institutionalization of the field of transitional justice, and striking new developments within international law—not to mention his own passage into a different stratosphere within the global elite—Tutu's critical interlocutors and arena of engagement had shifted.

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[155] False reconciliation was also figured as "anaemic" or "cheap." In an earlier address, for example, Tutu (1984: 38) had criticized "an attenuated doctrine of reconciliation" which sought to "avoid confrontation at all costs," claiming that reconciliation was "no easy option," nor did it "rule out confrontation." Advocates of an "anaemic reconciliation" did not want to mix religion with politics. But an examination of the "biblical evidence," Tutu said, required recognizing that "just as there can be no cheap grace so there can be no cheap reconciliation."

[156] From "Towards a Prophetic Theology," chapter four of *The Kairos Document* (Kairos Theologians 1986: 17).

Those who actively opposed Tutu here and now, or were at least wary of his consistent recourse to the language of reconciliation, were no longer the defenders of the "iniquitous laws" of apartheid, but rather the promoters of a progressive program of "moral globalization," international law and human rights—fellow members of the "clergy" of world culture. Tutu was in many ways one of them, but he was also dissident and divisive in this context, a critical and heterodox "prophet"—rather than an authority wielding and orthodoxy enforcing "priest" of world culture. For many of Tutu's cosmopolitan fellow travelers within the international human rights community, the "duty to prosecute" was a matter of orthodoxy, while assumptions about the dangers of religion were frequently simply tacitly assumed, assimilated as part of a larger framework that was often both unformulated and unchallenged. The "force of secularist spin" was strong.[157] In this milieu, to defend reconciliation—with its intimations of confession and forgiveness, and its associations with amnesty and impunity—was heresy.[158]

And so, despite the international celebration of the TRC, and notwithstanding the vast proliferation of reconciliation discourse, I wondered whether Tutu and other proponents of reconciliation and political forgiveness weren't losing the battle for intellectual hegemony within the field. Piet Meiring (2000: 124-125) had described the struggles over the role of religion in the South African TRC as "the *baruti* [pastors] versus the lawyers." As the battlefield became transnational, were the lawyers—the new high priests of the human rights order—taking over?

Answering such a question, of course, requires more than simply assessing Desmond Tutu's personal trajectory. And, indeed, there has been more to the wider battle over reconciliation and transitional justice—in which I have situated Tutu—than the straightforward language of triumphs and losses would suggest. Likewise, the clash over truth and reconciliation cannot be adequately understood simply as a two-sided power struggle between pastors and lawyers, coded as "religious" and "secular." As the diversity of contributors to *The Handbook of Reparations* indicates, and as those within the field have themselves emphasized, the arena of transitional justice has called forth the participation of a remarkably interdisciplinary bunch.[159] While attempts have been made to sharpen its boundaries and more clearly define its core content, "transitional justice" marks out a

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[157] See chapter three.

[158] For a critical discussion of Bourdieu's understanding of doxa, orthodoxy and heterodoxy, on which I am drawing, see Guillory (1995). Bourdieu elaborates the opposition between orthodoxy and heterodoxy (or "heresy") via a reworking of Weber's distinction between "prophets" and "priests" (Bourdieu 1987). To be clear, I invoke these distinctions here—along with the related opposition between "orthodoxy" and "heresy"—to indicate the terms of struggle over power and authority not in the religious field, but in the wider field of conflict and contestation in which discourses of reconciliation have been mobilized, critiqued and reconfigured. As Swartz (1997: 124) writes, the "fundamental structure of conflict" between "those who defend 'orthodoxy'" and "those who advocate 'heresy'" is, for Bourdieu, "paradigmatic not only in the religious field but in all cultural fields." This is figured elsewhere as a distinction between the "creators" and "curators" of culture (Bourdieu 1988), or an "opposition between those who reproduce and transmit legitimate bodies of knowledge and those who invent new forms of knowledge" (Swartz 1997: 226).

[159] On the field of transitional justice as interdisciplinary, see, for example, Bell 2009.

diverse and diffuse discursive field, with borders touching on the complementary and competing discourses of "peacebuilding," "restorative justice," "conflict resolution," and justice in the aftermath of "mass atrocity." The boundaries of transitional justice are fuzzy and contested at best, and even initially clear conceptions of the field and its limits, articulated among elite actors, have been repeatedly challenged—from within, from without, and along and within the field's borderlands. Border disputes have at times been keyed to disciplinary distinctions, and at times involved contestations over religion and secularity, yet they have also occasionally aligned with other forms of difference and disagreement. Nonetheless, "law" and "theology" are markers for two significant forces within the field, and—as the constellation of contributors to the ICTJ handbook also shows—law has become a dominant force. Widespread aversion to the South African truth-for-amnesty arrangement can be read in this light.

Legal scholars—like their counterparts in the human rights movement, many of whom have advanced degrees in law—have also been sharply critical of reconciliation. When such critics have approved a specific conception of reconciliation, it has most often been an ostensibly "secular" one—and the relationship between concerns about reconciliation's association with amnesty have frequently overlapped with concerns regarding its Christian vision of political forgiveness and national healing. This does not represent an essential connection. "Secularism" and "liberalism"—including liberal commitments to the "duty to prosecute" those responsible for human rights violations, a point of view associated with "mainstream" human rights organizations and their representatives—are often closely related, but depending on how each is formulated they need not be. Religious liberals and secular non-liberals are not a complete anachronism, and their defenses or critiques of reconciliation should not be overlooked.[160]

Distinct efforts to "secularize" or to "liberalize" the concept of reconciliation, moreover, do not require, and have not always involved, the same sort of intellectual or political work, nor had the same sort of discursive and political effects. For example, while some seeking to secularize the concept of reconciliation have labored to loosen the grip of its theological underpinnings and complicities—and in particular its persistent associations with forgiveness—such labors have not always overlapped neatly with efforts to sever it from a close association with amnesty, or to critique it on the assumption that such a dissociation was relatively unviable. Put somewhat differently, while for some the problem with reconciliation has been largely its seeming justification for various state failures to exercise a "duty to prosecute," for others the essential problem has been located elsewhere—not in reconciliation's associations with impunity, but in its established affiliations with Christian theology.

What came together so powerfully in the South African TRC, however, was the close juxtaposition of amnesty and forgiveness—or, in the eyes of the commission's many critics, impunity for human rights violations and politically suspect public religion. The language

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[160] Consequently, while one might trace some of the various strands connecting the presuppositions of liberalism and the forces of secularism in the context of debates over reconciliation, secularism and liberalism should at least provisionally be considered as distinct. As William Connolly (1999: 10) has put it: "Secularism and liberalism are connected, though neither is entirely reducible to the other. There are instances of theological liberalisms and non-liberal secularisms."

of reconciliation was the discursive linchpin that tied the two together, flying in the face of a hegemonic juridical framework that presumed the moral importance of prosecution and the ethical necessity of a strictly secular politics. The politics of reconciliation challenged, though it did not overturn, these presumptions. What had been a regularly taken-for-granted secularist framework—within human rights circles, throughout the field of transitional justice, and well beyond—was contested and subsequently more explicitly and persistently articulated, as defenders of transitional justice sought to distinguish themselves from both reconciliation's religious associations and its ostensibly compromised approach to justice, while critics of the field saw reconciliation's place within it as yet another cause for questioning the project of transitional justice itself.

The borderlands of transitional justice

As I sought to show in the previous chapter, the approach to reconciliation on the part of the International Center for Transitional Justice—the world's leading nongovernmental organization devoted to truth commissions and transitional justice—has been a decidedly ambivalent one. Despite the centrality of reconciliation in the writing and lifework of some of its key staff members (including founding president Alex Boraine), and despite the fact that a dedication to reconciliation formed one of the organization's original and core thematic foci, the Center was unable or unwilling to put serious programmatic attention to reconciliation squarely on its agenda. For many within the ICTJ, as well as for a range of other elite actors within the field, reconciliation remained heterodox and suspect. In this chapter, I situate this critical and tentative handling of "reconciliation" in the broader context of North American intellectual culture, by analyzing a number of responses to, and intellectual engagements with, the politics of truth and reconciliation.

Although the language of reconciliation was not alien to American political culture, it entered with new rhetorical force and intellectual significance following South Africa's Truth and Reconciliation Commission. As North American human rights activists and NGO specialists, social theorists, moral philosophers and many others entered the debate over truth and reconciliation, the idea of reconciliation was both critically attacked and creatively reconceived. Represented as a political art and a political science, reconciliation was also condemned as a potentially illiberal aim, one incommensurate with the reasonable demands of democratic deliberation (particularly when it was linked to the religious language of forgiveness). At the same time, theological understandings of reconciliation were also defended and further refined. From this perspective, reconciliation was conceived as a compelling approach to the restoration of wounded relationships—an approach whose full justification might extend beyond the bounds of a narrow liberalism, but whose promise was significant enough to warrant continued engagement between proponents of reconciliation and its detractors within the liberal tradition. Others were much more critical, figuring reconciliation as a "saccharin-coated" rhetoric that had helped to manufacture legitimacy for the state in transition, serving as a subterfuge that distracted attention from a politically unpalatable amnesty. In a political and intellectual context defined by both human rights orthodoxies regarding the duty to prosecute and a secularist suspicion of religious politics, to defend reconciliation—with its intimations of forgiveness and its associations with amnesty—did indeed amount to heresy. But that was not the full story. To conceive of the debate over reconciliation as a battle between "religious" and "secular" perspectives, or a straightforward struggle between those in favor of reconciliation and those opposed to amnesty and impunity, is to misinterpret reconciliation's complicated standing within contemporary political and intellectual culture, and to cede far too much analytical ground to a dichotomous approach to religion and

secularism whose "rethinking" is well overdue.[161] Along the boundaries and within the borderlands of the field of transitional justice, a more complex analytical picture of reconciliation's plural significations emerges.

Definitional struggles in an unsettled field

In order to sketch out a small part of that picture, and to make sense of the competing conceptions and critiques of reconciliation that have been produced and circulated within North American intellectual culture in the years following the South African TRC, I turn here to a range of responses to the TRC's discourse of truth and reconciliation—including those that have taken issue with its religious rhetoric and resonance—without losing sight of the theological dimensions of the term's discursive history and contemporary articulations. Articulated in the context of a truth commission that took inspiration from earlier such commissions in Latin America, South African understandings of reconciliation, as we have seen, also drew on earlier theologies of struggle and liberation.[162] Having emphasized the relative marginality of discourses of reconciliation within one of the field's most influential organizations, below I look further toward the edges, in order to consider some of the various ways that alternative articulations of reconciliation have reproduced, recycled, revised, redirected or resisted the TRC's theological discourse. Do these efforts, to adopt the language of Habermas (2006), amount to "secular translations" of certain "moral intuitions" lodged within Christian tradition? And, if so, have they succeeded in "liberating" reconciliation's "cognitive substance" from its "dogmatic encapsulation"? Such questions seem ill-formed. Yet it isn't that these efforts at "translation" (if that's in fact what they are),[163] whether explicitly secularizing or otherwise, have simply sought to expel specifically religious understandings of reconciliation from the public sphere altogether. Rather, like other secularizing projects (including those Habermas describes and defends), they have sought, in various ways, to reshape reconciliation's religious form and to revise its political and epistemological claims.[164]

　　As I have been at pains to emphasize throughout this dissertation, in the last number of years a great many contemporary understandings of reconciliation have in one way or another been inspired by, or parasitic on, the work of the South African TRC. The issue of reconciliation has been debated in many countries throughout Africa. Drawn in

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[161] For an extended discussion of the importance of "rethinking secularism," see Calhoun et al. 2011.
[162] As I emphasized in chapter five, the invention and proliferation of truth commissions involved what André du Toit calls an "international learning process," as previous commissions have become models (positive or negative) for those that follow. Thus South Africa's TRC was established in the context of conferences that drew on the expertise of international figures, including those associated with earlier truth commissions in Argentina and Chile. And many recent commissions have likewise looked to, and frequently been influenced by, the South African "model," now seen as the exemplar against which new commissions will be matched.
[163] As Judith Butler has suggested, Habermas's usage of "translation" deserves further scrutiny. See Butler's contribution to the closing discussion in Mendieta and VanAntwerpen 2011.
[164] I am here following Mahmood 2006. For further elaboration, see my earlier discussion in chapter three.

part from the experience of the Chileans and others, South African conceptions of truth and reconciliation traveled back to Latin America, where they influenced the work of the Peruvian TRC. Reconciliation became a keyword in Northern Ireland and Australia (where reconciliation processes, guided by non-state actors, pre-dated the South African TRC), and in East Timor, and Burma. It was pursued, in different ways, in Eastern Europe. It even took hold in the United States, albeit at a specific and local level (though following Barack Obama's election there were also prominent calls for a national truth and reconciliation commission in the U.S.). The quest for reconciliation became a key frame through which international journalists—whether drawing on or departing from the explicit self-understandings of those whose stories they told—measured the success of political transition or post-conflict peace making. From the perspective of the United Nations and other powerful international organizations and bodies, institutions and state-sponsored processes devoted to the promotion of reconciliation came to be seen an integral element of the so-called "transitional justice package." Organizations launched in the aftermath of South Africa's TRC—such as the Institute for Justice and Reconciliation and the International Center for Transitional Justice—contributed to the increasing dissemination, reproduction and international prominence of reconciliation discourse. Entering the lexicon of—and becoming a topic of shifting debates within—prominent international human rights organizations, reconciliation also became an intense subject of academic study, propelling individual careers and generating conferences, seminars, courses, journal articles, and university press books. Promoted and contested throughout the world, reconciliation had become substantially embedded in global moral and political vocabularies.

What are we to make of recent struggles over, and transformations of, reconciliation? And how should we understand recent debates over truth and reconciliation among North American academics, NGO specialists and human rights activists? Constituting one specific set of critical intellectual responses to—and, in some cases, attempted reconfigurations of—the discourses of reconciliation associated with the South African commission, North American theorizing about reconciliation has been embedded within an ongoing worldwide referendum on the TRC and related bodies, attention to which—as I argued in chapter two—can help to illuminate some of the fractures and fissures within an often abstractly conceived "world culture." In the aftermath of the TRC, struggles over reconciliation have been in some respects of a piece with wider classification struggles taking place within an emerging field of transitional justice, a field that may be characterized as unsettled—though there has been movement towards increasing if unsteady institutionalization, especially following the establishment of the ICTJ. In this international and interdisciplinary field, border disputes and definitional disagreements have been common. Questions of reconciliation—including uncertainties about whether and where and under what terms efforts to promote "reconciliation" belong within the field—have been one source of particular conflict and contestation.

The social and political space in which struggles over reconciliation have taken place is only partially, incompletely and imperfectly captured under the label "field of transitional justice." At the same time, this space has been a site of struggle and competition over the legitimate and authoritative definitions of that field's key terms and

concepts—including reconciliation. Likewise, as I have suggested in previous chapters, there has also been a relatively forceful classification struggle over the legitimate definition of truth commissions and the appropriate boundaries of the field of transitional justice itself. Such struggles have taken place in arena in which the borders and limits of the emerging field have remained more fluid, uncertain and ambiguous than those of established fields. Questions of membership and legitimate participation have been raised more frequently, for example, even as powerful actors within the field have sought to more sharply define its confines, and thus its constitutive outside. One result of this situation is that the margins of the field of transitional justice—its capacious borderlands and boundary regions—have allowed room for a sundry constellation of actors whose primary home is often elsewhere, from various academic disciplines to fields of practice such as peacebuilding and conflict transformation.

In the aftermath TRC, the field's conflicts over boundaries and definitions have arguably intensified, in an increasingly transnational battle over reconciliation and forgiveness, justice, truth and amnesty—a set of struggles transformed, if not inaugurated, by widespread attention to the workings of the South African commission. As reconciliation's reach has become increasingly widespread, its associations with both amnesty and forgiveness have been especially controversial. Understandings of reconciliation that emphasize forgiveness are "not easily grasped by the Western mind"— so claimed South African poet Antjie Krog, in a 2004 editorial for South Africa's *Sunday Times*. The author of *Country of My Skull: Guilt, Sorrow, and the Limits of Forgiveness in the New South Africa*, a widely read book about the TRC, Krog embedded reconciliation in an understanding of humanity based on the notion of *ubuntu*, rendering South African efforts to achieve reconciliation—including both amnesty and forgiveness—as "one of the biggest moral contributions of the 20th century." But "Westerners," as the subtitle to her editorial suggested, view such reconciliation as an "unnatural aberration."[165]

Krog's contrast—between African conceptions of reconciliation and justice and those of "the West"—has analogues elsewhere in the field. In the course of the TRC, for example, Archbishop Tutu made similar comparisons, as he defended a vision of reconciliation and restorative justice against critics calling for prosecution and retribution. While Krog's rendering of differences between African and Western understandings of reconciliation and justice seems to run against the grain of Reed Brody's 2001 worry that the "international community" was facing a "South Africa problem" and had become "blindly besotted by truth commissions," it is tempting to suggest that the two might be interwoven. Had the "international community," in fact, become smitten and obsessed with the "unnatural aberration" of South African truth and reconciliation? Perhaps reconciliation captivates most when it is required of others, and not of us.

Taken together, however, these two different responses to the international circulation of truth and reconciliation indicate that transnational struggles over reconciliation are more complicated than the simple conflict suggested by contrasts between Africa and the West—a facet of the field of transitional justice that is born out by concrete analysis of the diverse rhetorical registers in which reconciliation has been

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[165] Antjie Krog, "Embarrassed by Forgiveness," *Sunday Times*, 29 February 2004.

reconceived, including within the "international community" itself. Such diversity is apparent in North American intellectual culture, one conspicuous site in which there has been substantial uptake of the language of reconciliation. As South Africa's spectacles of truth and reconciliation have satisfied or thwarted the moral yearnings of North America's cosmopolitan residents, these intellectuals have not only resisted and critiqued the tales of forgiveness and healing truth produced by the TRC; they have also celebrated and further circulated reconciliation's seductive stories, sometimes seeking in the process to reconfigure its various significations.

Reconciliation as a political art and a political science

Alex Boraine, Juan Méndez and their colleagues at the ICTJ in New York City—and throughout the world—are cosmopolitan moral entrepreneurs who at times sought to conspicuously downplay the significance of their organization's initial national location. "We are based in New York," Boraine once said, in the days before ICTJ's vast international expansion, "but we are not an American organization. We are an international organization." Staff members at ICTJ's sister institution in Cape Town, the Institute for Justice and Reconciliation (IJR), took a different tack, celebrating their status as members of a distinctly African organization, while also drawing on regular and important intellectual linkages with North American scholars and researchers. Thus, while it might be argued that the cosmopolitan elites at the ICTJ have sometimes borne an obscure relationship to the social conditions of their own discourse, IJR's small staff saw themselves self-consciously as linked to the specifically South African situation, examples of what Tarrow has referred to as "rooted cosmopolitans."[166] Connected to and through transnational networks, institutions, and discourses—and linked to the North American intellectual scene, both by visiting fellows and the regular travels of director Charles Villa-Vicencio—they were nonetheless committed to remaining firmly embedded within the South African context.

Villa-Vicencio, the founder and first Executive Director of IJR, had long been involved in South African debates over reconciliation. Under his guidance, the Institute's Africa Program sought to be a "conduit" through which strategies for effectively pursuing and promoting reconciliation might travel to other parts of the continent. Once part of the group of Kairos theologians who promoted a "prophetic theology" of justice and reconciliation, Villa-Vicencio's more recent emphasis has concerned the need to temper such ambitious conceptions of reconciliation with a good dose of pragmatic realism. In this vein, he has promoted a particular vision of "political reconciliation." Distinguishing it from more explicitly theological conceptions of reconciliation, Villa-Vicencio (2003: 1) argues that "political reconciliation does not necessarily include forgiveness" since forgiveness is neither "a priority for nation building" nor "a political task of the state."

Although, according to Villa-Vicencio, "political reconciliation" is not a specifically theological conception of reconciliation, it is nonetheless marked by the author's earlier engagements with contextual and liberation theologies. First, it is marked by both realism

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[166] On the ways in which cosmopolitan elites often fail to recognize the social conditions of their own discourse, see Calhoun (2002) and Calhoun (forthcoming). On "rooted cosmopolitans," see Tarrow (2005).

and modesty, and explicitly contrasted with "high definitions of reconciliation that involve romanticized notions of repentance, forgiveness and restitution." From the perspective of political reconciliation, these "high definitions"—it would not be unreasonable to assume that they are of a piece with what Richard Wilson (2001: 109) called "the religious-redemptive narrative" of reconciliation—are viewed as "politically unhelpful" and even "dangerous." Theologically, therefore, Villa-Vicencio's conception of political reconciliation has been marked by what it is not. It does not demand or emphasize the necessity of forgiveness, since forgiveness is neither "a priority for nation building," nor "a political task of the state."

Yet this conception of political reconciliation has been marked not only by its modesty, its resistance to and wariness of theological models premised on repentance and forgiveness. It has also been positively marked by the traces of its engagement with such models. Thus, forgiveness, when it does come, is not figured as politically or ethically suspect. Rather, says Villa-Vicencio, it is "a bonus," it is "grace." Likewise, political reconciliation itself is characterized poetically, as "an art rather than a science." It is a vision of reconciliation looks at times like a post-Christian or humanist theology: "It is a celebration of the human spirit"; "It is about making what seems impossible possible"; "It is a glimpse of a new way of living." An inspired, expansive, capacious, and inclusive vision, Villa-Vicencio's conception of reconciliation has drawn on and overlapped with multiple discourses of reconciliation, even while remaining rooted in the South African experience.

While Villa-Vicencio characterized political reconciliation as "an art rather than a science," some academic analysts sought to establish an explicitly scientific approach to the study of reconciliation. In *Overcoming Apartheid*, for instance, James Gibson (2003) sought a scientific answer to the question begged by the TRC: does "truth" lead to "reconciliation"? A social scientist, Gibson set about to systematically investigate this question, to treat "the various components of the truth and reconciliation process as hypotheses subject to confirmation or disconfirmation through rigorous social science methods." Gibson was therefore obliged to operationalize "reconciliation." While acknowledging that "reconciliation" was "one of the most abused words in the lexicon of South Africa," Gibson nonetheless contended that both "truth" and "reconciliation" were "concepts that can be (and should be) measured and assessed using rigorous and systematic social science methods." In order to do so, he set out to award "reconciliation" and "truth" "concrete and unambiguous conceptual and operational meaning."

Emphasizing policy making, legal theorist Erin Daly (n.d.) also argued for the importance of bestowing reconciliation with an unambiguous and definitive meaning:

> It is extremely important for policymakers and others involved in the reconciliation debate to define what they mean when they use the term in any given situation. Failure to define reconciliation has both theoretical and pragmatic consequences. The undefined use of such an amorphous term impedes the development of a theory of reconciliation because it makes every statement both true and untrue simultaneously….A definitional quagmire is not conducive to good theory. The absence of precise definition also interferes with the effective promotion of reconciliation at a pragmatic level. If we do not know what a particular mechanism

was intended to achieve, we can not know whether it was successful, or whether it should be copied or modified.

The debate over reconciliation's status as art or science continues, spurred on by the contributions of both practitioners and academic observers like rhetorical theorist Erik Doxtader, who has put forward one of the most sophisticated and historically specific academic conceptions of reconciliation to date. Doxtader's conception of reconciliation has been firmly rooted in a substantive engagement with the rhetorical history of reconciliation in South Africa. Thus, unlike many commentators on contemporary reconciliation politics, Doxtader connects his consideration to the concept's complex theological history. Yet his understanding of reconciliation has not stopped there. Doxtader also advances a positive and even poetic conception of reconciliation, as in this oft-cited rendering:

> When distanced from the divine, released from the notion that it is strictly a gift and action of God, the faith of reconciliation appears poetic. Reconciliation promises a beginning, the creation of that which we can neither hold nor control. It is something that goads our imagination and extends our knowledge. We quantify reconciliation at the risk of rendering it banal.

While his intellectual sensibility sets him apart from the quantifiers—those who seek to establish a political science of reconciliation—Doxtader has been equally aware of the "serious problems" that attend "ideal visions of reconciliation." He thus seeks a conception of reconciliation that would be neither "quasi-scientific" nor "idealistic," but would rather locate "the middle ground of reconciliation's meaning." Reconciliation, he argues, "is about turning historical animosity into relationships that contain the potential for peace"; it is "neither a reality nor an abstract promise."

Perhaps most importantly, Doxtader has conceived of the work of defining reconciliation—and the dialogue that has wound around such definitional debates—as part of the process of reconciliation itself. At the heart of this conception of reconciliation, to which Doxtader has returned to time and again in various essays on the topic, is a vision of reconciliation as mutual engagement and dialogic process, a vision rooted in reconciliation's long and contentious South African history (Doxtader 2001b).

Reconciliation as a potentially illiberal aim

According to Amy Gutmann and Dennis Thompson, any amnesty-granting truth commission "carries a heavy moral burden," since it would sacrifice the pursuit of justice in the name of truth and reconciliation. "In a democratic society," Gutmann and Thompson (2000: 22) have written, "and especially in a society that is trying to overcome injustices of the past, trading criminal justice for a general social benefit such as social reconciliation requires a moral defense if it is to be acceptable." Yet while Gutmann and Thompson—whose analysis, like so many others, took South Africa's TRC as its exemplary case—concluded that such a defense of amnesty would in the last analysis be feasible, they remained noticeably skeptical of the overt religiosity with which reconciliation was

represented in South Africa, and with its close associations with a theology of forgiveness.

Critically considering both therapeutic and theological approaches to the understanding (and moral justification) of truth and reconciliation commissions, as well as their civic and seemingly more secular (and liberal) cousins, Gutmann and Thompson suggested that an adequate defense or justification of a justice-sacrificing truth commission would be moral in three important respects. In keeping with a "consistent democratic perspective," it would be moral in principle, moral in perspective, and moral in practice. By *moral in principle*, Gutmann and Thompson meant that the justification would "explicitly appeal to rights or goods that are moral and therefore are comparable to the justice that is being sacrificed." By *moral in perspective*, they meant that the reasons offered by such a justification ought to be "as far as possible broadly accessible and therefore inclusive of as many people as possible who seek moral terms of social cooperation." Given "the need for citizens of a morally pluralistic democracy to work together in seeking fair terms of social cooperation," this requirement of inclusiveness demands, ideally, a justification that "cannot reasonably be dismissed by people who seek moral terms of cooperation." And by *moral in practice*, the authors meant that the justification "should offer reasons that are to the extent possible embodied or exemplified by the commission's own proceedings" (Gutmann and Thompson 2000: 23). Since the possibility of just punishment was sacrificed in order to create a truth commission, the commission itself—and not simply future government policies or programs—should involve compensating practices, practices which concretely justify the sacrifice of justice.

In addition to considering "realist" and "historicist" responses to the moral burden of truth and reconciliation commissions—which emphasize necessary political compromise on the one hand, and the establishment and acknowledgement of past wrongs on the other—Gutmann and Thompson also considered responses that emphasize reconciliation, restoration and forgiveness. How well had these "compassionate" approaches to truth and reconciliation—theological, therapeutic, and civic—lived up the "moral burden" imposed by the TRC's "sacrifice" of justice? As the theoretical umbrella of these various approaches, they wrote, *restorative justice* "remains a relatively undeveloped conception of justice" (Gutmann and Thompson 2000: 29). Yet, in the name of victims of historical injustice, this incipient alternative conception of justice did offer an explicitly moral response to Gutmann and Thompson's burden, thus meeting their first challenge. Nonetheless, they questioned the extent to which truth and reconciliation commissions "actually serve the victims who testify before the commission as well as these justifications claim" (Gutmann and Thompson 2000: 30). Citing reports from Cape Town's Trauma Center for Victims of Violence and Torture indicating that "50 to 60 percent of the victims they had seen suffered serious difficulties after giving testimony," they suggested that claims regarding the promotion of individual healing needed to be carefully considered, especially in light of the limited counseling resources the TRC employed (Gutmann and Thompson 2000: 30).

The most demanding of Gutmann and Thompson's criticisms of the so-called "compassionate" approach, however, were reserved for "proponents of forgiveness" such as Archbishop Desmond Tutu. "The difficulty," they wrote, "is that many victims do not share Archbishop Tutu's Christian faith, and even those who do may hold a different view

about the appropriateness of forgiveness in such situations" (Gutmann and Thompson 2000: 30). To Tutu's spectacles of forgiveness and personal reconciliation, therefore, Gutmann and Thompson counter-posed a South African story indicating the limits—and refusal—of forgiveness. Careful not to dismiss the goal of forgiveness out-of-hand, they nonetheless suggested that forgiveness was an aim that might be "reasonably" resisted, thus challenging its ability to meet the requirement of inclusiveness:

> Many citizens (including the victims themselves) may reasonably believe that it is morally inappropriate to forgive people who are unwilling to be punished for their crimes or unwilling to offer their victims restitution. Many may also reasonably think that although forgiving does not logically entail forgetting, it makes forgetting much easier, and the crimes of apartheid should not be made easier to forget (Gutmann and Thompson 2000: 31).

Not only had restorative justice of the South African variety problematically emphasized forgiveness and therapy, it had done so at the apparent expense of "establishing a more democratic society for all South Africans who are willing to recognize the reasonable demands of a democracy" (Gutmann and Thompson 2000: 32). As such, it failed to be as inclusive as it might.

This was an important and illuminating aspect of Gutmann and Thompson's critique, and it deserves particular attention. If reconciliation was taken to mean "comprehensive social harmony," then the authors perceived it to be a profoundly *illiberal* idea. "Reconciliation," they wrote, " is an illiberal aim if it means expecting an entire society to subscribe to a single comprehensive moral perspective… Reconciliation of this comprehensive sort is also deeply undemocratic. A democratic society should still seek reconciliation on some fundamental matters of political morality…but a democratic society that strives for consensus on such fundamental matters of political morality must still recognize that moral conflicts in politics more generally cannot be overcome or avoided" (Gutmann and Thompson 2000: 32-33).

Reconciliation of this "comprehensive sort" would thus be problematic for reasons particular to liberal or democratic political theory, reasons closely tied to what Gutmann and Thompson call the "requirement of inclusiveness" (Gutmann and Thompson 2000: 23).[167] If the project of reconciliation involved seeking "comprehensive social harmony," then it would fail to respect reasonable moral pluralism, a form of respect central to liberal democratic societies. Likewise, although Gutmann and Thompson did not make this point entirely clear, reconciliation-as-forgiveness would also be suspect for similar democratic or liberal reasons, to the extent that the concept of forgiveness is particular to a "single comprehensive moral perspective," or what political philosopher John Rawls called a "comprehensive doctrine." In the context of a truth commission—a public, state-sponsored institution that is one element of a transitional political project aimed at creating a more

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[167] For a detailed treatment of the shared theoretical perspective that formed the background for Gutmann and Thompson's intervention in the debate over reconciliation and truth commissions, see Bashir 2008.

democratic society—the official invocation of forgiveness represents an unwelcome intrusion of religious discourse into the public, political sphere.

To what extent does this line of thought help illuminate Thompson's earlier worries—articulated in the context of a roundtable discussion on truth commissions at Harvard Law School—that truth commissions under leaders like Tutu could get "bogged down in the therapy of forgiveness"? Such worries might be seen as of a piece with the broadly liberal concern to keep the invocation of particularistic religious commitments from undermining the deliberative potential of public reason. But they also might be read as a explicit manifestation of an otherwise partially obscured secularist antagonism, a hostility toward the specific substance of Christian theologies of forgiveness, and more generally, toward those conceptions of reconciliation tagged as specifically "religious," and therefore out of touch with secular realities and inappropriate to the public sphere.

As Gutmann and Thompson would write, "If 'the healing of the nation' is taken to mean forgiveness by the victims and repentance by the perpetrators of apartheid crimes, it is a utopian aim, and not even a positive one" (Gutmann and Thompson 2000: 32). In their own outline of a possible justification for amnesty-granting truth commissions, Gutmann and Thompson would approvingly cite Arendt's declaration that "only love has the power to forgive," and "love…is not only apolitical but antipolitical" (Gutmann and Thompson 2000: 39). Their version of liberal democracy and disagreement would therefore not require democratic citizens to "love," but rather to develop, in the name of reciprocity, some degree of respect for one another. Acting in accord with a principle of the "economy of moral disagreement," such citizens would "search for significant points of convergence between their own understanding and those of citizens whose positions, taken in their more comprehensive forms, they must reject" (Gutmann and Thompson 2000: 38).

With this model of democratic deliberation and disagreement in sight, the discourses of reconciliation prominent in South Africa's TRC begin to look especially suspect. Although Gutmann and Thompson were at pains to emphasize the successes as well as the limitations of the South African model, it is hard to avoid the conclusion that their ideal truth commission would look quite different. In particular, it would resist demands for convergence around one particular rendering of a repressive history, and—in the name of inclusion and respect—also resist a discourse of reconciliation that emphasized public calls for forgiveness or aimed to produce psychological or spiritual redemption. In the context of such a commission, benevolent acts of forgiveness would be considered "supererogatory" and thus officially unexpected (Gutmann and Thompson 2000: 42). "Reconciliation" would be re-figured as a somewhat more mundane—as opposed to transcendent or transformational—task. It would be a matter not of absolution or admiration, but of "civic acknowledgment" and "recognition" (Gutmann and Thompson 2000: 39). Thus—or so it seems to me—although critical of certain prominent renderings of reconciliation, Gutmann and Thompson did not reject the concept of reconciliation outright, but rather sought to re-articulate it to fit their own democratic aims and liberal dispositions.

Returning to the question of amnesty and forgiveness, impunity and theology, when Gutmann and Thompson located in certain South African representations of reconciliation a "deeply illiberal idea," they were responding in good part not to the amnesty provision of

the TRC, but rather to the theological particularity of Archbishop Tutu's vision of truth and reconciliation. Drawing implicitly on a specific "mode of secularism,"[168] their aim was to make a case that truth commissions, properly established and conducted, could in fact meet the complaints of their critics with a "robust justification for their moral foundation," and without necessarily foregoing the provision of amnesty (Gutmann and Thompson 2000: 42). As we have seen, the task of their entire argument was set by the demand that truth commissions meet the "heavy moral burden" imposed by amnesty provisions. In contexts such as South Africa's TRC, they argued, which involved the "sacrifice [of] the pursuit of justice as usually understood for the sake of promoting other social purposes, such as historical truth and social reconciliation," a truth commission whose moral foundations were based on "democratic reciprocity" represented the best alternative (Gutmann and Thompson 2000: 22, 35-38). Yet reconciliation (appropriately understood) remained, in this argument, closely associated with amnesty. Thus, the thrust of this argument was not simply to critique the language of reconciliation as a form of ideological cover for the unpleasant reality of amnesty, nor to show how the two concepts had been unhappily married in South Africa and elsewhere. That task would be left to others. From Gutmann and Thompson's perspective, the dangerous illiberality associated with prominent South African conceptions of reconciliation lay not, fundamentally, in their association with political amnesty, though the sacrifice of justice such amnesty involved did impose a substantial burden on the institutional bodies and political processes that granted it. Rather, it was the close association of reconciliation with the language of forgiveness that needed to be guarded against. For the concept of reconciliation to be serviceable, it would need to be secularized.

Issuing in good part from their own approach to deliberative democracy, Gutmann and Thompson's critical response to the South African TRC sought to assimilate "reconciliation" to liberal democratic theory, cautioning in the process against potentially illiberal understandings of the concept. To the extent that the pursuit and promise of reconciliation was at odds with their deliberative conception of democracy, or with the fundamental value of democratic reciprocity around which that conception was constructed, it was the approach to reconciliation—not the democratic theory—that would have to give. Reconciliation would need to be reshaped in light of the norms and ideals that characterized a liberal—and secular—model of democratic deliberation. But to what extent must reconciliation be at odds with liberal theories of democracy?

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[168] For "modes of secularism," see Taylor 1998. Following Taylor, one mode of "secularism" can be seen in demands that a political ethic be defined and justified independent of any particular religious tradition or even of any specific moral philosophy. A more general understanding of "secularism" is that it involves an assumption—articulated variously—that religious commitments, values, and language do not have an appropriate place in public debate or political discourse. I have discussed secularism in greater detail in chapter three.

Reconciliation as a theological graft

Just how compatible is reconciliation with political liberalism? This is precisely the question taken up by political scientist Daniel Philpott. Reconciliation, Philpott has argued, referring both to its recent proliferation in contexts of transitional justice and to its ancient and theological roots, "goes beyond politics as usual"—and to the extent that it does, it is in tension with liberalism. From Philpott's point of view, it is difficult to see how the approach to reconciliation associated with South Africa's TRC could be adequately defended or embraced from within liberalism. "The liberal tradition," he writes—having just rehearsed the perspectives of a range of liberal critics and defenders of reconciliation, including Gutmann and Thompson—"yields too many strong objections and does not provide strong warrants of its own for viewing justice as centrally concerned with the restoration of wounded individuals and relationships" (Philpott 2006b: 40). In this light, any "properly deep arguments" or "grounds" for reconciliation—theological or otherwise—are "likely to lie outside liberalism" (Philpott 2006b: 41).

At the same time, Philpott suggests, a productive "association" between reconciliation and liberalism "may not be entirely impossible" (Philpott 2006b: 41). Given the "promise" of reconciliation, he writes, "we should not abandon hope for the prospect of grafting reconciliation into liberal thought" (Philpott 2006b: 13). Yet the graft of reconciliation will only hold if the form of liberalism to which it is attached is suitably receptive. Adopting certain attributes not always associated with contemporary versions of political liberalism—such as a flexible view of retribution and a chastened version of the public-private distinction—this form of liberalism would also "renounce any strong requirements for 'public reason' and be open to importing into the political order concepts whose roots lay in theology or other comprehensive conceptions" (Philpott 2006b: 41).

Thus, while Gutmann and Thompson were significantly wary of a conception of reconciliation with close associations to, and ethical roots in, a "comprehensive moral perspective," Philpott would argue that these suspicions—and by implication the assumptions and presuppositions associated with them—must be revisited and rethought, with a view to easing the tensions between reconciliation and liberalism. And while Gutmann and Thompson suggested that reconciliation be reconfigured in order to fit more smoothly with their model of deliberative democracy, Philpott would suggest nearly the reverse—attempting to motivate a reconfiguration of widely held liberal understandings of democratic deliberation and public reason, a rethinking of liberal theory prompted by both the promise and the challenge associated with political theologies of reconciliation. The upshot, only hinted at and hoped for in the context of Philpott's book chapter, would be an alternative conception of democratic deliberation. This conception would call for, among other things, a reflexive reconsideration of the secular demands associated with political liberalism and the idea of public reason. And, in doing so, it would involve the articulation of a form of liberalism that would open more space for the legitimate circulation of explicitly theological conceptions of reconciliation, both within the workings of truth commissions and other transitional bodies, and within broader public spheres.

Reconciliation as an ideological accessory

"The most damaging outcome of truth commissions," writes anthropologist Richard Wilson, "is a result of their equating human rights with reconciliation and amnesty."[169] Wilson's *The Politics of Truth and Reconciliation in South Africa: Legitimizing the Post-Apartheid State* is one of the most systematically critical accounts of the TRC to emerge in the last few years, and—in the frenzy of current writing on truth commissions—perhaps one of the most overlooked. His critique of truth commissions, and specifically his vigorous critique of South Africa's TRC, shares with others an aversion to both the religious dimensions and the amnesty provisions of the TRC.[170]

Yet Wilson's work also added another dimension to critical perspectives on the TRC, reading the Commission's linking of "human rights" and "reconciliation" as part of "an elite project of nation-building" (230) that sought to "manufacture legitimacy"—not altogether successfully—for the new, post-apartheid South African state.[171] Conjoined with the language of human rights, reconciliation discourse represented "the discursive linchpin" of this project, and thus Wilson figures the TRC as "one effort on the part of the new government to formulate a moral leadership and to establish a unified and uncontested administrative authority" (128-29). The TRC's "weaving together of religion, liberation and reconciliation," he writes, "was central to the wider hegemonic project of the first post-apartheid regime" (131), a project for which "organized religion proved a reliable ideological accessory" (142). Thus, Wilson brings a critical sociological perspective to the liberal project of theorizing democratic transitions, with South Africa's TRC as his key empirical site.[172]

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[169] See Wilson 2001: 228. Unless otherwise noted, all citations here are to this text.

[170] In South Africa, critiques of reconciliation were regularly tied to the issue of amnesty. "They think justice is of less value than their reconciliation showbiz and avalanche of tears," said Lybon Mabaso, AZAPO Gauteng chair, at a 1997 Johannesburg news conference about the TRC. (Cited in Wilson, 167.) AZAPO, a political party, was one of the TRC's chief critics, pressing the case made against the TRC's amnesty provisions by the families of Steve Biko and Griffiths Mxenge.

[171] "The TRC's actual ability to generate legitimacy was questionable," writes Wilson (29). In any case, he clearly sees the TRC's approach as mistaken: "In an international context where the jurisdiction of human rights institutions is intensifying and broadening, it is misguided to delegitimize human rights at the national level by detaching them from a retributive understanding of justice and attaching them to a religious notion of reconciliation-forgiveness, a regrettable amnesty law and an elite project of nation-building" (230). Thus, behind Wilson's critique of the TRC is an incipient and ultimately democratic – if not necessarily "liberal" – program for human rights in political transition: "Turning human rights talk into a moral-theological treatise which extols forgiveness and reconciliation in an effort to forge a new moral vision of the nation in the end destroys the most important promise of human rights; that is, its possible contribution to a thoroughgoing transformation of an authoritarian criminal justice system and the construction of real and lasting democratic legitimacy" (230).

[172] "The study of transitional truth and justice has been too dominated by philosophical discussions abstracted from specific contexts, and we should instead examine how the politics of punishment and the writing of a new official memory are central to state strategies to create a new hegemony in

Relying on his own anthropological fieldwork, Wilson seeks to raise "a serious question mark over the TRC's motto of 'Reconciliation Through Truth'" (173). With this rhetoric of reconciliation in sight—he refers to TRC's "the saccharin-coated invocations of reconciliation" (160)—Wilson's fieldwork focused on practices of vengeance, revenge and retribution in the townships of the Vaal region to the south of Johannesburg. Locating a yawning gap between the TRC's rhetoric and the realities of South African popular justice, he hammers away at "the contradiction between national human rights talk about reconciliation and what happens in townships where there is no retributive justice, only unhindered revenge in a context of impunity" (182).[173]

From Wilson's perspective, truth commissions are best served when they stick mainly to historical recovery and truth telling. What truth commissions can "achieve well," he writes, "if carefully designed, is a sophisticated historical account of a violent past which integrates a structural analysis with the consciousness of those who lived through it" (228). He holds up the Guatemalan commission as a virtuous example, to be contrasted with South Africa's TRC (225-26), whose scripted "religious-redemptive" approach to truth and reconciliation set it apart from others. "More than any other truth commission before it," writes Wilson, "the TRC sought reconciliation as a basis of nation-building" (121).[174]

While unveiling the technological tricks of the TRC's "truth making machine," therefore, Wilson reserves his perhaps most severe criticisms for the commission's invocations of reconciliation and forgiveness. Of Tutu's beloved concept of *ubuntu*, he writes: "*Ubuntu* should be recognized for what it is: an ideological concept with multiple meanings which conjoins human rights, restorative justice, reconciliation and nation-building within the populist language of pan-Africanism. In post-apartheid South Africa, it became the Africanist wrapping used to sell a reconciliatory version of human rights talk to black South Africans" (13). Indeed, reconciliation as ideological cover is a recurrent theme for Wilson. New political leaders in South Africa, he writes later, "wrap their complicity with the sophistry of reconciliation talk" (97). "Reconciliation," he continues, altering the metaphor only slightly, "was the Trojan horse used to smuggle an unpleasant past (that is, impunity) into the present political order, to transform political compromises into transcendental moral principles" (97). Reconciliation, in other words, hides the plain fact of amnesty for apartheid-era violators of human rights.

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the area of justice and construct the present moment as post-authoritarian when it includes many elements of the past" (xvi).

[173] In another of Wilson's formulations, "contra the established view within the Truth and Reconciliation Commission, retributive understandings of justice are much more salient in South African society than versions emphasizing reconciliation as forgiveness" (27). Further, "the TRC's version of human rights as reconciliation did little to challenge the prevalence of revenge in the townships because it could not meaningfully engage with a punitive view of justice" (161).

[174] See Hayner 2000 for a similar judgment regarding the unique strength—when compared with previous truth commissions—of the South African TRC's emphasis on "reconciliation."

Conclusion

As I wrote in the introduction, this dissertation is conceived as a critical sociological study of the secularity of contemporary intellectual culture. Examining the articulation of various conceptions of reconciliation within the field of transitional justice, I have highlighted how the theological conception of reconciliation closely associated with South Africa's Truth and Reconciliation Commission became a touchstone for debates within the emerging field. And I have analyzed, in some detail, the ambivalent handling of reconciliation by actors located in the United States. Why approach the study of secular culture from within the recent history of the concept of reconciliation, and in particular its political mobilization in the South African context and its subsequent critical uptake on the North American intellectual scene? A critical consideration of reconciliation's disputed promise, I have suggested, can serve as a diagnostic of the secular, an illuminating site through which to examine the dominant secular presumptions and the complex secularity of contemporary intellectual culture. But the question can also be put the other way round: why make questions of "the secular" central to an examination of the recent history of reconciliation and transitional justice? The answer lies in the ambivalent and complex response to reconciliation on the part of North American intellectuals. Attention to the contested secularity of North American intellectual culture helps to explain why the North American response to (and appropriation of) the language of reconciliation took shape as it did.

Drawing on an increasingly robust field of interdisciplinary scholarship on secularism, I have pursued a distinctly sociological approach to the study of secular intellectual culture. As José Casanova has recently written, "while the social sciences have dedicated much effort to the scientific study of religion, the task of developing a reflexive anthropology and sociology of the secular is only now beginning."[175] Riffing on a question once posed by Talal Asad, one might ask: what would a sociology of secularism look like? This is a critical question, and one that has yet to be taken seriously by most sociologists of religion—let alone by sociologists who study law, culture, and politics. Rather than attempting to provide a definitive and fully articulated answer to it, however, my ambition in this dissertation has been more modest. I have sought to show how the selective mobilization of certain constructs drawn from an analytic toolkit associated with the approach to field analysis championed by Bourdieu and others, when combined with attention to questions of secularism and religion, can aid and abet our critical understanding of contemporary debates over reconciliation and transitional justice. At the same time, I have not simply pointed the sociological lens at field sites abroad, but rather made my own intellectual home a central object of analysis. In this concluding chapter, I want to further consider some of the implications of the analysis laid out in the preceding pages, attending briefly to the complexities of critically analyzing secularism, to the diversity and potential creativity of unsettled fields, and to way that the politics of

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[175] See Casanova 2011: 54.

reconciliation has challenged dominant understandings of secular justice within North American intellectual culture.

Rethinking secularism

As increasingly global spectacles of truth and reconciliation have satisfied or thwarted the moral yearnings of cosmopolitan intellectuals, these analysts and activists have both critiqued reconciliation's seductive stories and sought to reconfigure its various significations. Although I have focused substantially on intellectual developments within North America, it will be clear from the foregoing that the South African commission is a pivotal part of the story. From the standpoint of the secular, juridical framework that was predominant as the field of transitional justice began to consolidate, the approach to justice associated with the South African TRC amounted to an ethically problematic and politically unwelcome intervention—an unorthodox and heretical challenge to prevailing norms of international justice. As questions of reconciliation were taken up with increasing vigor by North American actors, the heterodoxy of theological conceptions of reconciliation confronted widespread secular presumptions, both within the field of transitional justice and beyond. Taken for granted assumptions within a hegemonic secular framework—assumptions about punishment and justice, religion and public life, forgiveness and politics—became more readily apparent as they were contested and debated. At the same time, the challenge posed by theological conceptions of reconciliation prompted new articulations of secular orthodoxy, including both outright critical rejections of the idea of reconciliation and attempts to reconceive it, in order to bring it more fully in line with the dominant presumptions of the reigning juridical approach to justice. With these new conceptualizations, what had been a specifically South African—and particularly Christian—understanding of reconciliation was recast as potentially universalizable. This gesture, which aimed to make the particular universal, recapitulated a common sign of secular presumption, even if it was not always explicitly seen as such.

The new "secular" conceptions of reconciliation, however, were far from universally accepted, and enduring tensions remained between discourses of reconciliation—laden with both theological baggage and the mark of impunity—and the dominant legal frameworks articulated by elite actors within the field of transitional justice. Defended by advocates of restorative justice and others, practices of truth and reconciliation came to represent an alternative framework for doing justice in the aftermath of mass atrocity. This was a framework that could be—and would be—productively compared and contrasted with the standard juridical (and "prosecutorial") approach. Promising social and even national healing through the public telling of difficult truths, the discourse of reconciliation had become a central facet of an alternative lexicon for the pursuit of justice in transition. Thus, while narrating the rise of reconciliation as a contingent historical process, I have also sought to explicitly contrast a theological framework of justice (within which reconciliation was situated) with a secular framework of justice that alternatively opposed and sought to appropriate the language of reconciliation. Yet to talk simply of two competing normative frameworks—one "religious," and the other "secular"—would be misleading, and in multiple ways.

First, as scholars of religion and the secular have increasingly emphasized, these categories are themselves problematic, contested, and historically contingent. In both historical and contemporary usage, the categories of the "religious" and the "secular" are not simply analytic constructs, but rather abstract designations that take on a particular shape and valence within specific practical domains, theoretical projects, and semantic fields. Frequently taken for granted as merely the enlightened absence of religion, secularism represents, among other things, a form of theoretical discourse that defines what religion is, and in the process seeks to set itself apart from it. Understood in this sense, secularism isolates "religion" as both a stable, readily identifiable object of social scientific analysis and explanation, and, not infrequently, as a social force whose role in the public sphere is inevitably dangerous and normatively unwarranted. Rather than being comprised by absence, however, secularism constitutes its own distinctive social and cultural formation. It does not suffice to conceive of secularism simply as other than—or that which has freed itself from—religion, since to do so merely reiterates a primary mode of disavowal through which secular intellectual culture defines itself. Instead, the challenge is to see how specific forms of secular culture mobilize the categories of "religion" and the "religious," and to what effect.

Making questions of "religion" and "the secular" central to an examination of the uptake of reconciliation within North American intellectual culture serves to illuminate the ambivalent and complex response to reconciliation on the part of the cosmopolitan actors who have both dominated the field of transitional justice and been arrayed along its intellectual and institutional borders. It provides one critical angle on the North American appropriation of, and resistance to, the language of reconciliation, while also throwing into bold relief the orthodoxies of transitional justice and the secular fundamentalism of international human rights culture. Although I have forwarded the notion of "orthodoxy" in a sociological register—drawing on a tradition of analysis running from Weber through Bourdieu—to speak of secular orthodoxy or "fundamentalism" in this context is also to play a rhetorical game of sorts, in an effort to call attention to the frequently unreflected dogmatisms of intellectual and human rights culture. Yet I would reject the suggestion, potentially implied by the use of such language, that the competing frameworks at stake are both ultimately "religious," or that cosmopolitan liberalism, while ostensibly secular, is in truth simply another form of religion. While I have contrasted a presumptively secular framework of justice with the avowedly theological and Christian framework in which reconciliation has been situated, I have explicitly avoided the use of "religion" as an analytic category, and have conceived the distinction between these two frameworks as a strategically useful tool, a ladder to be climbed and kicked away in the course of analysis.

Marked by close associations with religious figures and theological vocabularies, the politics of truth and reconciliation was taken to represent a morally suspect and politically unproductive project, in need of secular rearticulation, if not straightforward rejection. Attending to the struggles over reconciliation is thus one way to cast light upon certain of the particular presumptions of secular culture, and to illuminate how those presumptions shape and inform both dominant secular understandings of transitional justice and proposed rearticulations of reconciliation's religious promise. While prevailing distinctions between the religious and the secular—frequently rooted in an unreflective and uncritical

secularist perspective—have often either embedded an assumption that religion has been effectively privatized (and thus is no longer relevant in modern politics), or figured religion's place in the public life as fundamentally dangerous and unwarranted, the approach I have applied here points to, and seeks to critical analyze, the particularity of secularism itself. The point of this endeavor is neither to valorize nor to demonize secularism—or religion, or reconciliation—but rather to critically analyze forms of theorizing that have counterposed the urgent embrace of secular values against the threat of politically suspect public religion, and at the same time to examine efforts to translate an avowedly religious perspective into an acceptable secular idiom.

Unsettled fields and multiple secularisms

The diversity of such critical evaluations and efforts at translation suggests a second way in which it would be misleading to speak simply of two competing normative frameworks, one secular and the other religious. The language of "framework" calls up images of the structural and the systematic, while the forms of understanding and modes of evaluation in question are in reality multifarious, diffuse, and even contradictory. I have emphasized in particular how this has specifically had to do with the shape of the field of transitional justice and its own fuzzy and inchoate boundaries, a product of the field's unsettled character. Just as South Africa's experiment with truth and reconciliation was shot through with multiple and competing understandings of reconciliation, so too has the wider field of transitional justice been home to a diverse set of conceptions of what reconciliation means, requires, and entails.

We can better understand the field's diversity of competing conceptions of reconciliation not only by attending to the term's own complicated theological and political history, but also by highlighting certain dimensions of the field in which these multiple conceptions of reconciliation have emerged and been debated. The battle over reconciliation is not simply a struggle between a presumptively secular framework committed to certain a conception of what justice requires, on the one hand, and a religious, theological, Christian framework, on the other (although there is a certain epistemic gain to be had in the pursuit of this contrastive analytic approach). Rather, the avowedly post-theological or "secular" approaches to understanding reconciliation have been multiple. Despite the dominance of the approach I have associated with the hegemonic juridical framework, other normative interventions have also been made, especially along and within the borderlands of the field. The diversity of the field, then, and in particular the very "thickness" of its boundary spaces—those areas along its edges that are neither fully within nor entirely without—make it a site particularly well-suited to the investigation of secularism's own multiplicity. When we look closely, we see multiple forms of secularism at play in the field of transitional justice. Here, at least, the secular has not been singular and monolithic, but plural and contested.

The field of transitional justice itself was formed at the confluence of several academic disciplines, and oriented towards a set of practical questions raised by the challenge of seeking justice in the time of political transition. Even as the field has taken on greater definition, its boundaries have remained fuzzy and fluid, and its definition and

purposes continue to be contested. While this has vexed some, the open qualities of the field, deriving in part from its remarkable interdisciplinarity—and aided by its wide and interstitial borderlands, the well populated territory *within* its contested boundary— have lent the debate over reconciliation a fertile, creative dimension, allowing room for both intellectual improvisation and substantial disagreement. This has been a space in which the heresy of reconciliation could be articulated—in various, more or less heterodox, guises— and openly debated. Within and along the borders of the field, then, alternative conceptions of reconciliation and justice have flowered, most of them not easily or adequately captured by a simple binary pitting the secular against the religious. The flowering of these alternative conceptions—especially within the North American corners of the field I have considered—calls into question the presumptive hegemony of the secular, juridical framework, and suggests as well that a sociological reconsideration of the ostensible secularity of North American intellectual culture is in order. Both the commonly unreflected and taken for granted secularism of many elite intellectuals, and the charge of thoroughgoing secularism on the part of their critics, misrecognize secularism's real power and complexity.[176]

The challenge of reconciliation

A source of both indignation and inspiration, the politics of reconciliation distress and disturb accepted understandings of secular justice. They force us to think anew, to reconsider deeply held convictions, and to examine more critically the terms and assumptions of our own politics and secularism—challenging us to reflect upon both who "we" are and what justice requires, for ourselves as well as others. The South African experiment with truth and reconciliation has undoubtedly proven to be a compelling and enduring object of academic study, and across a wide range of disciplines. Yet recent struggles over reconciliation, stirred by the TRC, also shed light—in a historically specific manner—on the regnant secularism of cosmopolitan intellectual culture. While I have focused here primarily on contemporary North American intellectual culture, the assumptions about justice in question are arguably much more widespread among cosmopolitan intellectuals today, especially in the context of an international approach to transitional justice dominated by a particular accounting of human rights and their protection. This is an approach that sees impunity as an evil to be despised above all others, and conceives post-conflict justice as centrally a matter of punishment and prosecution.

Yet as Mahmood Mamdani (1996) emphasized in his scathing response to the TRC, if it is not "joined to a form of justice other than punishment," truth alone cannot provide the basis for "durable reconciliation," but is rather likely to breed both "fear" and "outrage."

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[176] Peter Berger's claim, for example, regarding the thoroughgoing secularity of a "globalized elite subculture"—an intellectual culture "composed of people with Western-type higher education, especially in the humanities and social sciences" (Berger 1999: 10)—is too simplistic and too general, not unlike the older secularization thesis itself. To weigh the variation and diversity within the elite subculture Berger specifies, a more fine-grained analytical approach to the sociological study of secularity is called for.

Critical of the TRC's approach to truth and reconciliation, Mamdani was not exercised—as many others had been—by an ostensible "duty to prosecute." He was invested, rather, in a specifically secular project of social justice. "The strength of secular thinking," he wrote, "lies in its long tradition of understanding justice as social justice, as systemic justice." By Mamdani's lights, that strength had been largely overlooked by the TRC's chief architects, and eclipsed by "the moral fervour of a missionary enterprise" animated centrally by the quest for confession and forgiveness. Yet at the same time, Mamdani also sees the South African transition, and what he has recently called its "key principle"—"forgive but do not forget"—as the "prototype" for an alternative approach to justice. This is neither victor's justice, nor victim's justice, but "survivor's justice."[177]

Although Mamdani has not discussed it, a specifically theological understanding of the connection between reconciliation and this alternative approach to social justice has in fact long been a part of the South African scene. "There can be no true reconciliation and no genuine peace *without justice*," wrote the Kairos theologians in the mid-1980s. While such commitments were rhetorically carried over into the TRC, however, they had been both toned down by post-transition political realism, and further muted by the cacophony of competing discourses that characterized the South African commission and its international reception. Yet very few of the most prominent contemporary conceptions of reconciliation—"secular" or otherwise—have looked to the Kairos theologians for inspiration or insight, and their earlier theological intervention has been outshone by the public theater of the TRC, itself now increasingly compared unfavorably to more secular approaches to transitional justice and international law. Among elite practitioners of transitional justice and international human rights activists, the TRC figures at this stage as neither miracle nor model, but rather as an anachronistic effort "from another era," an approach whose attempted replication would now "likely be seen as a step backwards by victims whose expectations for justice have changed as a result of the rise of international criminal law."[178] Transitional justice can be conceived as of a piece with this rise of international criminal law, and indeed it is. But it is also, as I have attempted to show, a site of contestation over, and critique of, the new and ambitious global order envisioned by advocates of international law, humanitarianism and human rights. While in one frame it may be taken to represent the moralized articulation of, and justification for, the exercise of international power within this new order, the language and politics of reconciliation also provides the material basis for its reflexive, if not immanent, critique.

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[177] Mahmood Mamdani, "The new humanitarian order," *The Nation*, September 29, 2008.
[178] "Selling Justice Short: Why Accountability Matters for Peace," Human Rights Watch, July 2009.

Methodological reflections: Going out

The glimmer of an idea, not even half-formed, that I might research and write about truth and reconciliation first began to take shape while reading a borrowed book on a sunny beach in Santa Barbara, California. The book was *Country of My Skull: Guilt, Sorrow, and the Limits of Forgiveness in the New South Africa*, a "searing and luminous" piece of writing by Antjie Krog (1998), an Afrikaner poet who covered the South African Truth and Reconciliation Commission as a journalist.[179] At the time, though I had heard of the TRC and read about its public hearings in the *New York Times* and elsewhere, I knew very little about what "reconciliation" was or was thought to be. And I had never visited South Africa. Yet I was captivated—taken by the spectacle and the emotive force of the TRC's public theater, overwhelmed by the history of suffering it storied, and moved by the varied struggles of South Africans who were attempting to reach forward while also looking back.

This initial captivation was naïve and uninformed in many ways, of course, culturally problematic and politically loaded. But it would be an exercise in cheap reflexivity and empty pretense, I think, to recall the initial impulse behind what would become years of work and then simply cast it aside as ignorant and misguided, while striking the pose of the knowing, savvy, critical (and, dare I say, jaded) sociologist. Instead, I suppose what I've tried to do along the way is to understand—to make some sense of—my own captivation with the spectacle of truth and reconciliation. Mostly, however, as I hope the previous pages begin to make clear, I have sought to understand the captivation of others—to plumb the enthusiasm or horror, inspiration or disgust, longing or anxiety that the language of reconciliation has evoked, and to render and read the discourses and counterdiscourses spun out in its midst of such affect.

I have no expertise to claim about what does, or does not, bring about peace and justice. I do not know what leads to reconciliation, or how to assess with social scientific precision whether or not it has arrived. Indeed, I'm often not sure I know—and here I take comfort in the fact that I am clearly not alone—what reconciliation *is*. One response to not knowing, to ambiguity, to conceptual confusion, to polyvalence, is stipulation. We sweep away uncertainty by laying down an operational definition at the outset. Because to proceed in such a manner would have foreclosed attention to the particular definitional struggles I sought to study, I chose—and have stubbornly stuck with—a different investigative and analytic strategy. It is precisely the struggle over the meaning and mobilization of reconciliation and related concepts that has most interested me, and that I have sought to story, to analyze, to understand. I have therefore worked with an open understanding of reconciliation and a fluid conception of the social and political spaces in which it has been repeatedly deployed.

Given the proliferation of discussions about, and debates over, reconciliation and transitional justice, both scholarly and political, this has meant reading a substantial number of books (many, though certainly not all, included in my bibliography), and the primary sources for my research have been published texts on reconciliation, truth

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[179] "Searing and luminous" is the way Mark Sanders (2007: x) describes the book.

commissions, transitional justice and related topics. Yet in my attempt to grasp and construct the field, and to come to terms with the mobilization of discourses of reconciliation within it, I have not limited myself to such texts. The writing of sociology, as Harvey Molotch (1994: 232) once put it, is helped enormously by "going out—not as leader but earnest listener who stays awhile." Although I first came to sociology as a student of philosophy who lived with and through books, and although my first real foray into sociological research had given me a taste for the archive, I have nonetheless tried to follow Molotch's excellent admonitions against always "staying inside," and to heed the guidance of my dissertation advisor, who encouraged me from early on to get out of Berkeley. In other words, while a great bulk of my research was inevitably conducted in the stacks of the library, with my nose in one book or another, or, more often than not—in this age of "info-glut"—wired up to a T1 connection and with the soft glow of a laptop my only company (and much of this was, importantly, its own sort of fieldwork), I did go out "into the field" as an observant participant in social practices defined by, and defining of, contemporary understandings of reconciliation.[180]

Global ethnography: Berkeley, Cape Town, New York

I took my inspiration in good part from those who had come before me at Berkeley, perhaps especially Michael Burawoy's group of "global ethnographers." Among other things, this meant taking certain cues from, and attempting to take part in, a collective effort to "rethink the meaning of fieldwork, releasing it from solitary confinement, from being bound to a single place and time," and thus seeking to "endow fieldwork with the flexibility to adjust to the space-time coordinates of the subject population" and to "self-consciously combine dwelling with traveling" (Burawoy 2000a: 4). Like Burawoy's global ethnographers, I have sought both to "dwell" and to "travel." But I have also sought to dwell, I might say, with the travelers, and especially with those cosmopolitan "frequent travelers" (Calhoun 2002) whose elite location both affords them particular social power and reflects a peculiar perspective on the world. In the process, I have focused in particular on a specific set of actors within a larger network—or field—of transitional justice: theorists of reconciliation. "Even in our theoretical stance to the world," Charles Taylor once wrote, "we are agents" (Taylor 1995: 11). I have attended, then, to those mostly cosmopolitan agents who theorize—some more explicitly and systematically than others—about reconciliation.

My research was multi-sited. It began with a period of initial historical and textual field research in Berkeley, during which time I worked especially on truth and reconciliation commissions in Chile and South Africa, while also beginning to familiarize myself with what was then already a voluminous academic and popular literature on truth and reconciliation. Reading edited volumes like *Dealing with the Past: Truth and*

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[180] I borrow the idea of "info-glut" from an illuminating and engaging book on research methods by Kristin Luker, my first year methods professor in the graduate program at Berkeley, who taught me, among other things, that the word "Harvard" was not just a noun and the name of an elite university in Cambridge, Massachusetts, but could also be used as a verb and the name of an activity essential—alas, I sometimes think—to academic life. On the rise of "info-glut," see Luker 2008: 13-15. On the importance of knowing how to "Harvard," see Luker 2008: 93-96.

Reconciliation in South Africa (Boraine et al. 1994) and *Truth v. Justice: The Morality of Truth Commissions* (Rotberg and Thompson 2000), as well as poring over a wide range of other regularly cited texts, from Neil Kritz's (1995) massive three-volume collection on transitional justice to Mahmood Mamdani's (1996) piercing critique of the TRC, I began to get a feel for the contours of the field, a sense of its recent historical trajectory, an impression of its keywords and its discursive centers of gravity, and an inkling of the shape and focus of some of its most central and persistent matters of disagreement.

In the fall of 2003, I left for Cape Town, where, supported by a fellowship from the Social Science Research Council, I spent most of my six months working out of yet another library—though this was not a university library but rather the basement room of a relatively small, local NGO called the Institute for Justice and Reconciliation (IJR). There I sat, surrounded by the Institute's collection of books and pamphlets on truth, reconciliation and the South African transition, and by an increasingly tall stack of my own books, carried back from regular trips to Clarke's Bookshop on Long Street. From Cape Town I went on to New York City, where the International Center for Transitional Justice (ICTJ) had recently set up shop, near Wall Street. I was keen to learn more about the Center and its approach (or lack thereof) to reconciliation—just as I had been interested in efforts to promote reconciliation being made by the Institute in Cape Town. But what I had proposed, and what I sought to carry out, was not simply a study, comparative or otherwise, of the two organizations. Rather, by linking up with two recently established NGOs devoted to the work of truth, reconciliation, and transitional justice—both with direct connections to South Africa's TRC, and both established in its aftermath—I sought to position myself at two key hubs in an emerging transnational network, two vantage points from which to assay both the nascent field and the South African commission's effects on it.

There was another reason to go on from Cape Town to New York, and that had something to do with the geography of power and with the flow of resources and people, information and ideas, from one part of the world to another. "The contemporary world is rife with modeling," John Meyer and his colleagues had written. "The poor and weak and peripheral copy the rich and strong and central" (Meyer et al. 1997: 164). I sought to trace a different sort of discursive trajectory, the movement of an idea from the global South to the North, from the so-called semi-periphery to the center, and to see how the idea had been shaped and reshaped in the course of its travel. Here I was not interested simply in reconciliation's place at the ICTJ, but in its reception and reworking among a wider circuit of powerful theorists and activists who populated the North American scene, many of them living in or near, or regularly passing through, New York. My time in Cape Town was an opportunity to dig deeper into the place of reconciliation discourse in South Africa's political transition. Yet it also gave me—more forcefully and compellingly than I had imagined it might—both the feel of a field stretching well beyond North America and a critical set of questions and preoccupations to take back with me when I returned to the United States.

Once in New York, I was fortunate enough to have a desk to use at the Social Science Research Council. When my fellowship funding ran out, I began working part-time for the SSRC in order to make ends meet, and I stayed on in New York. I'd gone from the basement in Cape Town to an office on the 31st floor in midtown Manhattan, and I joked with friends

that while the views were splendid I sometimes found it hard to breathe way up there in high social science society. In a sense, it didn't really matter where I was. At the same time that he'd encouraged me to visit South Africa, my advisor had also admitted that I could probably do much of my research from anywhere. And to a certain extent he was right. I engaged in extensive email correspondence and web-based research, regularly monitored a "Transitional Justice Network" listserv, analyzed truth commission reports and related documents (much of this available online), and read and re-read the seemingly endless stream of new books and working papers, editorials and articles on reconciliation and transitional justice—and none of that depended, particularly, on being anywhere other than someplace with a decent connection to the internet.

The wonders of the web aside, however, I didn't simply sit at my desk, but also engaged in extensive discussions, sat in on invitation only meetings and conferences, and attended public events, workshops and seminars. In Cape Town, for example, I participated in a Transitional Justice Fellows Program, cosponsored by the Institute and the ICTJ, which drew young human rights activists from throughout Africa for an intensive several weeks of training in the ways and means of transitional justice, with a focus on the South African situation. Further into my fieldwork, I accompanied two senior staff members of the Institute to a three-day conference on transitional justice for the Democratic Republic of Congo, sponsored by the ICTJ and held at a beach resort in Noordhoek, not far from Cape Town. Participants in this small gathering included both the DRC's Minister of Human Rights and Bishop Jean-Luc Kuye, Chair of the then nascent Truth and Reconciliation Commission for the DRC, as well as ICC Chief Prosecutor Luis Moreno-Ocampo and representatives from Amnesty International and Human Rights Watch. Back in New York, I continued my discussions with theorists of reconciliation and transitional justice, attended events on transitional justice at the ICTJ, New York University, and the United Nations, organized reading group discussions on the history of human rights and transitional justice, and went further afield for conferences on peacebuilding, reconciliation and closely associated themes at Notre Dame, Harvard, UW-Madison, Indiana University, UC-Santa Barbara, and Queens University, as well as attending gatherings on related topics in Cairo, Istanbul and Delhi.

The value and purpose of these assorted fieldwork activities, and others like them, wasn't exclusively, or even primarily, a matter of "data collection." Rather, the ethnographic element of my research, and the engagements and exchanges it enabled, gave me a different—and, I hope, better—"sense of the game" (Bourdieu and Wacquant 1992: 120-21; 128; Bourdieu 1977), one that has inflected and informed my analysis of the field, and of the published texts on reconciliation that are my primary sources, in untold ways. Through these face-to-face interactions I added to outreach efforts I'd also made by email, meeting new people, making new contacts, and extending my network of relationships with actors in the field. This snowballed into further opportunities, discussions and conversations. Carried out with select representatives of IJR, ICTJ, and other organizations dedicated to promoting human rights and transitional justice, as well as with a wide range of theorists, many of whose work I had been reading, these exchanges were nearly always informal, semi-structured and wide-ranging, with a recurrent focus on questions of reconciliation and religion in the context of transitional justice. They varied in both length

and style, from relatively brief and spur of the moment conversations to extended and more formal discussions (or, in some cases, sequenced sets of discussions). I engaged in dozens upon dozens of such exchanges, avoiding a rigid questionnaire format in favor of a searching and investigative approach that could be adapted to the specific knowledge, orientation and position of my interlocutor. Among the advantages of such an approach to investigative interviewing—and to research more generally—are "the ability to change one's mind, learn as it goes, turn on a dime" (Molotch 1994: 234), and I sought to remain agile in these respects, while not entirely losing sight of the questions I was ultimately out to answer.

Although I haven't always been as agile (or as swift) as I or others might have hoped, and though I have at times stubbornly stuck to my guns even when those wiser or more experienced suggested I pursue a different path, I have not been averse to changing my mind, though I have consistently attempted to do so in the context of a larger conversation, and in response to concrete challenges from the field. "We are in danger of straitjacketing the world we study," Michael Burawoy (2000a: 28) has warned, "disciplining it so that it conforms to the framework through which we observe it. We must expose our theories to continual critique from those they presume to understand, we must search for anomalies that challenge our theories…" Sitting in Berkeley, and just beginning to think through the terms and ambitions of my research, I had expected to turn up a story about elite actors and organizations dominating the scene, imprinting their conceptions of reconciliation throughout the world. What I found was something more interesting and more complicated: a field shot through with contestation and confusion regarding the meaning and value of reconciliation, not least among the elite intellectuals and activists who preoccupied me. So I set out to tell the story of that contestation and confusion, and to show how it had shaped and transformed prominent theories of reconciliation in a variety of ways.

From investigation to intervention

Getting overly caught up in the beginning with questions of research design, Harvey Molotch suggests, can be a disaster for sociological work, and a preoccupation with highly detailed advance specification of our plans can serve to undermine "empirical accomplishment." Rather than staying the course "through a field experience that shifts with new possibilities," why not "notice the serendipity bouncing all around" (Molotch 1994: 234) and do something about it?[181] Serendipitous findings—accidental discoveries of something you weren't looking for or didn't expect to uncover—can be a welcome surprise. And I suppose there were some of those. But there were also unanticipated setbacks and

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[181] In fact, I had hoped and expected that fieldwork would overturn some of my assumptions, forcing me to rethink my conjectural hypotheses about what was happening in the field (and indeed about what the field *was*). As Kristin Luker asks, "why go out and find what you already know?" By Luker's lights, the twin goals of "methods" are to frame a course of research that lends itself to both "serendipity" and "persuasiveness," to the capacity to be surprised by what Weber called "the inconvenient fact," and to be able to draw on one's research in order to make a compelling case to others. See Luker 2008: 6, 244 n. 5 and n. 8.

seemingly less productive surprises, unexpected challenges and frustrating twists in the road.

One such twist came along just a few days after my arrival in Cape Town, when I attended a conference at the Institute for Justice and Reconciliation. I had no idea yet about the library in the Institute's basement, let alone imagining that I might find a way to occupy it. In fact, although I had proposed an affiliation with IJR when I'd initially outlined my plans for research in South Africa, as I began to lay out more detailed plans for research in anticipation of my trip abroad, I had a hard time getting the Institute's attention, let alone an invitation to affiliate. The Institute's Executive Director, Charles Villa-Vicencio, was ignoring my emails. Without much time left to secure a research visa, which I'd been advised to obtain before leaving, I wrote to the department of sociology at the University of Cape Town (UCT). A faculty member in the department agreed to send me a letter of affiliation (required to obtain the visa). I breathed a sigh of relief, and off I went. And when I arrived in Cape Town, I had a place to stay on the UCT campus, an office in the sociology department, and access to the library. But I still hadn't heard a word from IJR.

I'd been doing my homework and knew that the Institute had a conference in the works on religion and violence. Members of the Institute and others would be presenting papers, and R. Scott Appleby was set to give the keynote address. A professor of history of Notre Dame, Appleby had been the co-director of a major multi-volume project on religion called the "Fundamantalism Project," and he was currently director of Notre Dame's Joan B. Kroc Institute for International Peace Studies, the host of the workshop on conflict resolution that I described at the beginning of chapter one. He had also authored an important book on religion, violence and reconciliation, *The Ambivalence of the Sacred*. Given my focus on theorists of reconciliation, and especially on the still apparently buzzing connection between North American theorists and the South African "case," I knew this was a conference that I ought to attend, and it would be, I figured, my first serious moment of face-to-face fieldwork in Cape Town. So I registered for the conference, nervous and more than a little unsure of myself, but also curious and excited, and intent among other things on meeting Charles Villa-Vicencio in person, and seeing what might be possible regarding my still unresolved relationship to IJR.

Just prior to the formal start of the conference, I saw an opportunity and jumped at it, introducing myself to Villa-Vicencio, briefly describing who I was and what I was doing, and telling him that I was particularly interested in learning more about the work of his Institute. It wasn't much, but it was a start. Then, during a break between sessions, I passed him again in a hallway just outside the auditorium where the conference was being held. No one else was around, and I made a movement to say hello, perhaps with the thought that we might chat a bit further. I don't really remember anymore what I was thinking. But what I do remember, and vividly, is that I never even managed to get the first word out. He blew right by me. I'd been to enough academic gatherings by that point to be familiar with the conference brush-off, but this wasn't that, exactly. To be snubbed, one most be noticed. I was invisible. Or so it felt. It was a condition I might well have anticipated, and it seems so small and inconsequential in retrospect, but I was devastated nonetheless. In that moment, my feet barely having hit the ground, anxious and uncertain about the months of work I had ahead, self-conscious and worried about being seen as yet another interloping and

parasitic American academic who'd come to study the South African "miracle," my head spun. The session that followed was Appleby's keynote. I slouched in my chair, in the back of the auditorium, listening to Appleby wax poetic about township jazz and the spirit of reconciliation, and mulling over what to do next.

There were other moments from that first conference in Cape Town that stuck with me, and subsequently shaped my work, perhaps most memorably a talk by Letlapa Mphahlele, former director of operations of the Azanian People's Liberation Army, an armed wing of the South African liberation movement.[182] But I dwell now on this seemingly trivial non-encounter with Charles Villa-Vicencio as a way of indicating something of my place within the wider field, as I began my research in earnest in late 2003. "You sit around the edges," says Kristin Luker (2008: 163-64), in her discussion of initial fieldwork strategies for gaining access to, and assessing the power structure of, new groups and unfamiliar networks. And, in a sense, that's what I was doing, only partly by choice. Yet the part that *was* by choice was important too. One sees things differently from a position at the edge, along the boundary, or even from the other side of the border. "Looking obliquely at the edges of things," wrote Clifford Geertz, "where they come together with other things, can tell you as much about them, often, as can looking at them directly, intently, straight on."[183]

In her introduction to the practice of fieldwork, Kristin Luker also helpfully conjures a continuum of forms of "participation observation." On one end are the observers, epitomized by the research for a study of gender and games by Janet Lever, who watched the play of children in a schoolyard "while standing on a sidewalk on the other side of the fence" (Luker 2008: 155). On the other end are those ethnographers who immerse themselves so completely in the field that they become full-fledged participants (or perhaps were so before their explicit research even began, as has been the case for more than a few sociologists). Especially in the early days of my research, I tilted self-consciously toward the former pole, not because I thought that would somehow make my research more "objective," but rather because what I wanted to comprehend and to critically analyze was precisely the often taken-for-granted "common sense" of actors within the field. Without having a fully worked out justification for this approach, I nonetheless had a considered hunch that certain forms of participation—interning with one of the organizations I'd set out to study, for instance, or presenting myself at conferences and workshops as yet another "expert" or "specialist" on matters of truth and reconciliation— might compromise my intellectual credibility or, more importantly, perhaps surreptitiously begin to eat away at my ability to clearly see just the sort of struggle that often goes unmarked as such, and thus unremarked upon, by actors within the field. I also surmised that positioning myself at the boundary of the field—as one who had set out to critically

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[182] Shortly after the conference, I read Mphahlele's memoir of his years as a freedom fighter, *Child of the Soil*, and came to see that his testimony before the TRC was another piece of a South African puzzle of truth and reconciliation that is much more complicated than many international observers had let on. Mphahlele testified openly about his actions as a freedom fighter, and at a 2001 symposium in Cape Town with George Bizos, Leonard McCarthy and Albie Sachs, he argued the case for a "general" amnesty (Mphahlele 2003).

[183] As quoted in Brown 2005: 60.

study it, rather than one who was single-mindedly intent on making his way into and up through its hierarchies—might give me the trust and support of precisely those critical actors within and outside the field whose insights I was eager to glean.

While I have since come to see some of the limitations of this approach, I do not think my initial conjectures, and the concerns behind them, were entirely without foundation. There are inherent dangers, epistemological and otherwise, in getting too deeply enmeshed in the field you set out to critically understand. As Kristin Luker (2008: 157) puts it: "the price of becoming one of the gang, often enough, is to agree not to notice precisely those things that you went in to study." Because the field I was looking to study was in certain respects adjacent to academic fields with which I was familiar, and in which I had already been at least a nominal or fledgling participant, and because it was an emerging, expanding and undeniably vital arena of intellectual debate, "becoming one of the gang" would have looked in many ways like a positive and welcome next step in my own academic trajectory. I also saw the potential of benefits and insights that might emanate from fuller existential immersion in the field—not least the ability to formulate a more sophisticated and nuanced understanding of its *doxa* and various orthodoxies. Yet I sensed as well that "going native" would mean taking an intellectual turn that I—as a sociologist—was not sure I wanted to take.

Further complicating things were complex questions of social solidarity, ethical commitment and political engagement. Here I wasn't so much worried about the possible effects of whatever work I might personally accomplish. I couldn't imagine that my work would have much effect at all beyond my narrow academic circles, if it even managed to have any effect there. Rather, I was beginning to see that there were profound ethical disagreements and political struggles that divided the field and determined its stakes, and—at least in the early going, with only a provisional understanding of the terms of debate, and with little or no standing to intervene productively in it myself—I did not want to loudly lay claim to one position or another, but aspired instead to come more fully to grips with the principles of vision and division that informed the position-taking of those already enmeshed within the field.

So I sat and stood and circled around at the edges, at least at first. And when I did finally find my way somewhat more fully into the field's networks of relation, I remained rather unstably placed within them. I'm not sure I ever really became one of the gang— though I think it's fair to say that I did become a regular fixture in the neighborhood. With respect to my relation to the field, I began to feel as though I was something of an "outsider-within," not entirely unlike the figure of Georg Simmel's stranger, who is "both near and far at the same time." Simmel (1971: 148) wrote that the stranger's relation to the group is a combination of "remoteness and nearness, involvement and indifference," and while I've never felt particularly indifferent to the debates that have animated the field, the seemingly contradictory qualities of proximity and distance do capture something of the experience of the position I eventually located, and in some ways continue to inhabit.[184]

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[184] In my own mind, Simmel's stranger bears an interesting resemblance to Edward Said's figure of the exilic intellectual, who is "constantly unsettled and unsettling others" (Said 1996).

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Given my persistent sense that I was "in but not of" the wider network I was studying—and that this might not be an entirely bad place to be, as a sociologist—I did what I could to situate myself somewhere near the middle of Luker's continuum, as an awkward though increasingly active participant in—and, or so I hoped, a relentlessly critical analyst of—the field. This led to a definite shift away from my initial orientation, a movement that was aided and further shaped by changes in my own academic career. After an extended stay in New York, I had headed back to the San Francisco Bay Area, taking a room in a big old rambling house near Piedmont Avenue in Oakland, where I planned to devote myself to writing. Just as I was getting settled in Oakland, however, I received an email from Craig Calhoun, with the offer of a position as a research fellow and program officer at the Social Science Research Council. The SSRC was about to receive funding for a new project on religion and international affairs, and Calhoun wanted me to run it. The hitch was that the position required me to be in New York City. Despite my reluctance to leave the Bay Area, my funding situation at Berkeley was tenuous, and the SSRC's offer proved too good to pass up. So after a brief period of negotiations, and a few more months in Oakland, back to New York I went.

My position at the SSRC would have an impact on my own research in multiple ways, including—as a result of a series of projects that I subsequently developed with Calhoun and others, and through which I worked closely with leading scholars across the social sciences and humanities—informing my understanding and enriching my analysis of both "religious" and "secular" engagements with the politics of reconciliation and transitional justice. What I want to especially emphasize here, however, is the manner in which it subtly but importantly transformed both the nature of my fieldwork and my relation to the field. More than any other factor, I think, it was my new status at the SSRC that— notwithstanding its many other demands on my time—enabled me, in a manner I had certainly not anticipated, to take up a renewed and more robustly participatory relation to the field. Confronted with opportunities I could not turn down, including invitations and access I doubtless would not otherwise have received, I was thrust back into my fieldwork in a new way, and from a different angle.

Looking back from where I now stood, my relation to the field had undoubtedly changed. I'd started out by reading papers and books, lurking on listservs, digging through truth commission reports, engaging in targeted discussions with theorists of reconciliation and doing historical analysis, even as the field was beginning to more fully emerge. History was being made, and I most certainly was not at the center of it, or anywhere close. I was simply quietly observing, reading, listening, and taking notes. Then, over a period of time, something shifted. It wasn't that I'd suddenly been catapulted into the center of things. It was still others, not me, who were making history. But I'd gotten a different vantage on that history making, had come to see things from another standpoint, and had gotten engaged within the field in new and sometimes unsettling ways.

Back at the beginning of my field research, attempting to reconstruct a history of the young field, I'd made my way carefully through edited university press volumes that had resulted from conferences on reconciliation, truth commissions and transitional justice. Now I was being invited to contribute to yet another of those volumes, this one being edited by the philosopher Will Kymlicka and published by Oxford University Press. And I

was organizing a reading group in lower Manhattan featuring the work of a junior historian and recent PhD from Berkeley who had joined the International Center for Transitional Justice and was writing her own history of transitional justice. Back in Berkeley, dipping my foot tentatively into the field, I'd come across a challenging and widely cited article on the South African TRC written by Mahmood Mamdani, a piece that had not only informed my intellectual preoccupations from the outset, but had also—more importantly—shaped debate within the field itself. Now I found myself next to Mamdani on a short list of outside participants invited to give papers as part of a small workshop on "Voice, Violence, and Democracy," held at the Center for the Study of Developing Societies in New Delhi. Preparing to present my own paper on reconciliation, I listened to Mamdani talk about the political distance between a misguided "war on terror" and an alternative approach to justice that he associated with the "great achievement" of Kempton Park, the site of South Africa's negotiated settlement. Back in Cape Town, finally, still trying to get the attention of Charles Villa-Vicencio and the Institute for Justice and Reconciliation, I'd sat slumped in the rear of that auditorium, listening to Scott Appleby give a keynote address on violence and reconciliation. Now I was inviting Appleby and other key actors within the field—including Juan Méndez, who had by then replaced Alex Boraine as the President of the International Center for Transitional Justice—to attend a two-day workshop I'd organized on "Religion, Reconciliation, and Transitional Justice," built in part around discussions of an SSRC working paper (Philpott 2007) I'd commissioned on the topic.

Writing about "spirituality," ethnographer Courtney Bender (2010) has suggested that "whatever it is, and however it is defined," spirituality "is entangled in social life, in history, and in our academic and non-academic imaginations." Proliferating contemporary understandings of spirituality, Bender says, have been "forged in ongoing conversations" between scholars and a range of others. The same is true of "reconciliation," as I have emphasized in the foregoing pages, and in my own fieldwork—as in Bender's—"the ubiquity of other scholarly observers and collaborators was clear at every turn." It was difficult to stand entirely outside of these circuits of observation and collaboration, even as I sought to stake out a critical and reflective position, and eventually I became at least somewhat entangled within them. As Sheba George (2001: 260) has written, reflecting on her own ethnographic entanglements, "involvement begets even more involvement." In the course of my extended fieldwork, I had undeniably become more involved—caught up and invested in the world I'd set out to study—but I had also gotten drawn into and implicated in that world in a different fashion. It was, in short, no longer possible to keep pretending that I was merely an analyst and an observer. I was *intervening* in the field, and had come to make dialogue with a range of actors in the field a "defining principle" (Burawoy 1998: 14) of my ongoing research. Without backing away from my self-conscious position as a "stranger" to the field, I'd allowed myself to explore new forms of participation within it, while regularly calling attention to my ethnographic and historicist pretensions. Highlighting my intent to be not only a participant but also a continuing observer, I began as well to become more articulate in my analysis of the field—not just in conversation with my own academic colleagues, but within the field itself. I was, in other words, beginning to "return" my findings to participants within the field I'd been studying. Yet rather than conceiving of this as a final intervention performed on the occasion of my departure from

the field, I made it yet another moment in an ongoing dialogue with participants, a continuing conversation that had come to constitute an important part of my research.

Here I was following Michael Burawoy (1998: 14), who has written:

> In the view of reflexive science, intervention is not only an unavoidable part of social research but a virtue to be exploited. It is by mutual reaction that we discover the properties of the social order. Interventions create perturbations that are not noise to be expurgated but music to be appreciated, transmitting the hidden secrets of the participant's world.

Because the particular intervention worked by the return of findings to participants—that is, I take it, an intervention constituted by an explicit and extended analysis of the field, one issued forth within the field itself—is often the "biggest bombshell," as Burawoy puts it, some fieldworkers will no doubt seek to delay it until the very end of their field research, and thus to make it a "final intervention."[185] In some cases, including those instances in which fieldwork is being performed surreptitiously (as was the case in Burawoy's study of Zambianization), this may be necessary for pragmatic reasons. In my own practice, however, I made what I see now as a friendly amendment to Burawoy's designation of the return of findings to participants as a "final intervention" made at the end of the fieldwork process. The intervention is revelatory, as Burawoy (1998: 17) notes, precisely because it "distorts and disturbs." Dangerous and upsetting as it can therefore be, one might nonetheless see the return of findings not as a "bombshell" dropped at the very end of a long campaign of research, but rather—if we must stick with Burawoy's persistently militant metaphors—as a series of shots fired intermittently throughout that campaign, with the intent of eliciting further "perturbations" that will then reveal new directions in which to fire, new targets to attempt to hit, and new "secrets of the participant's world."

Theory at the interstices

If I had embraced participation and even willful intervention, I had also become somewhat less self-consciously marginal, and—for better or worse—a little less invisible. But I nonetheless remained centrally concerned with boundaries and borders, and continued to be convinced of the intellectual gains to be had through working along, and attending to, the edges of the field. Yet my attention was shifting somewhat, back in the direction of questions that had concerned me from very early on in my research. While I still viewed the

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[185] "Leaving the field is also an 'intervention' since it is then that participants often declare well-kept secrets, or pose revealing questions that they had never dared ask before. But the biggest bombshell often comes when outsiders return their findings to the participants. There are many reasons for this. There are few who like to be partialized, reduced to reified forces or in any other way made an object of sociological research. Second, most communities are riven by conflicts so that it is impossible to navigate them to everyone's satisfaction no matter how careful the observer. However painful, ethnographers always learn a great deal from their final intervention" (Burawoy 1998: 17).

fluid and unstable boundaries of the nascent field as important sites of struggle over definitions of the field and its core terms, as well as over rights of admission and prerogatives of inclusion and exclusion, I also returned to the sense that the field itself had at least initially taken shape in the interstices between other generally more established fields. Actors who were relatively marginal in those other fields had become, at least temporarily, more central in this one, while some of those who generally dominated other arenas were at times marginalized here. I thus began to see more clearly that the meaning of boundary work, and the significance of action along and within the borderlands, was neither reducible to nor fully captured by an attention to the marginal or the peripheral— something that would have been easier to miss had I looked narrowly and exclusively at attempts to more firmly establish the boundaries of the fledgling field, without also considering the larger ecology in which it was taking shape, including its genetic and parasitic relation to other fields.

In an attempt to explore the potential insights to be garnered through an investigation of such "interstitial" field formation, and to think analytically about how it might shape and inform the struggles over reconciliation that were my primary concern, I set out to reflect further on what it might mean to do the work of sociological theory "at the interstices." Here I was thinking specifically of my own sociological project of understanding the proliferation and transformations of reconciliation in the context of an emerging field of transitional justice. Yet I was doing so by seeking to put my methodological reflections in conversation with the work of both my intellectual peers and my disciplinary betters.

I originally entered sociology as a refugee from the discipline of philosophy. Shortly after my arrival, and in order to make sense of my new surroundings, I had taken up—well prior to beginning my research on reconciliation, though with encouragement from the same faculty member who would eventually become my dissertation advisor—the historical study of Berkeley's sociology department. One of the things I'd come to realize as a result of this and related research on the history of American sociology was that sociologists in the United States are a doggedly disputatious bunch. Subject to seemingly unending disagreements, they have argued since their discipline's founding over science and values, theory and methods, politics and professionalism. Characterized by one of its eminent own as a "self-destructive discipline" (Lipset 2001: 266), American sociology has been imagined in recent years via narratives of decline, its cleavages and internecine conflicts attributed in no small part to the "politicization" of an earlier era.

Yet from other disciplinary quarters—and indeed those closer to my own intellectual heart—there has issued an increasingly prominent counter-narrative. This disciplinary story construes the 1960s and 1970s as decades in which critical sociologists rose to confront the dominance of a postwar sociological establishment—challenging intellectual orthodoxies, extending radical alternatives, and seeking to transform the discipline. Inspired and informed by diverse political projects, intellectual formations, and interdisciplinary exchanges, "critical" movements within American sociology were figured in this narrative as historical precursors to a renewed promotion of "public sociologies" (Burawoy 2005a)—interventions in multiple public spheres whose "promise" (Calhoun

2005) was immense, if uncertain.[186] Working from within this second narrative, my own aim was to seek out, and to take advantage of, the current possibilities afforded critical theorists within American sociology, with a specific view not simply to the pursuit of disciplinary distinction, but also to a sustained engagement in various forms of interdisciplinary exchange, collaboration, and intervention.

Once again, I was following Michael Burawoy (2005a: 314), who had called for a "critical turn to public sociology," suggesting that "critical sociology is, and should be, ever more concerned with promoting public sociologies." Critical sociology, Burawoy (2005b: 381) wrote, "should shift its emphasis from a critique of professional sociology to the infusion of critical perspectives into public sociology." This intervention in debates among critical sociologists had come in the wake of a widely discussed series of articles and speeches—including his 2004 Presidential Address to the American Sociological Association (ASA)—in which Burawoy (2005c) made a spirited defense of "public sociology," a form of intellectual engagement that puts sociologists in conversation with a variety of extra-academic audiences. Crisscrossing the United States—and the globe—in the months preceding and following the annual ASA meetings in San Francisco, Burawoy enthusiastically debated the contradictions, dilemmas, and possibilities of public sociologies, challenging sociologists to enrich and enliven public debates by "infusing them with sociological theory and research," while simultaneously calling for a rethinking of the history and practices of American sociology as an academic discipline.

Inspired by Burawoy's call to public sociology, and heartened by the enthusiastic response to it among my disciplinary colleagues, I was nonetheless not entirely satisfied with the at times ambiguous (though ultimately very important) place of critical sociology within his narrative of public sociology. It was a narrative that suffered, I thought, from relative inattention to the productive power, historical significance, and sociological utility of various forms of interdisciplinary exchange, and from an underestimation of the importance of the intellectual imagination such exchanges might stimulate and sustain. In his many writings on public sociology, Burawoy had been decidedly critical of pleas for greater interdisciplinarity, especially those that called for a shattering of the existing disciplinary matrix or the pursuit of a post-disciplinary unification of the social sciences.[187] Nonetheless, he had also allowed for the possibility of alliances and collaborations that cross traditional disciplinary boundaries—acknowledging the positive, if limited, historical effects that "trans-disciplinary infusion" has had on critical projects within sociology, for instance, and indicating the regular importance of "multi-disciplinary collaboration" for the

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[186] Elsewhere, I have situated these reflections historically—reading against the grain, somewhat, of the counter-narrative I've briefly outlined here, and investigating the way that critical sociologists of the 1960s, 1970s and 1980s retrospectively reconstructed the postwar disciplinary "mainstream" to which they were so vigorously opposed (Calhoun and VanAntwerpen 2007).

[187] Burawoy refers to Wallerstein's perspective on the restructuring of the social sciences, for instance, as a "totalizing utopia" (Burawoy 2005d: 509) and accuses him of resurrecting a "positivist fantasy" (Burawoy 2005c: 22).

project of public sociology (Burawoy 2005c: 22-23).[188] Missing from this language of alliance, infusion, and collaboration, however, was a concept that Burawoy otherwise invoked frequently—that of critique. To Burawoy's limited consideration of forms of interdisciplinary exchange, then, I wanted to add (and would add still) both a more serious appreciation of the importance to sociologists of cultivating and sustaining what we might call an "interdisciplinary imagination," and the analytic insertion of a concept missing from Burawoy's language of interdisciplinary alliance, transdisciplinary infusion, and multidisciplinary collaboration—namely, the notion of *cross-disciplinary intervention and critique.*[189]

What this notion of cross-disciplinary critique provided me, in short, was one way to make analytic sense of my own nascent attempts at critical interdisciplinary intervention, to name my efforts to inject a critical sociological perspective not just into the project of public sociology, but into a distinctly interdisciplinary and interstitial arena of transitional justice, and thus to situate myself among my disciplinary and interdisciplinary colleagues. Thinking laterally—across the disciplines—is a necessary part of the sociological analysis of other fields that I see as one potentially fruitful endeavor for critical sociologists. But we need not simply rest with treating such fields as "objects" of our analysis. We might also seek to be productively embedded *within* the very fields we study, engaging in the discourses that constitute them and injecting a critical sociological perspective as we do. To practice this sort of cross-disciplinary critique, however, and thus to intervene in the fields that we study, is not to foreclose the possibility that we might have something to learn— and that critical sociology might have something to gain—from various forms of extra-disciplinary exchange and collaboration. If we remain open to the intellectually stimulating transdisciplinary infusions that characterized earlier forms of critical sociological theorizing, and thus to the ways that sociology can be improved, energized, and potentially transformed by contact with other disciplinary and transdisciplinary formations, we increase the range of possibilities for the expansion our own sociological imagination (just as sustained engagement with multiple publics and social movements of various kinds serves to expand the capacities of the "political imagination" that is its handmaiden).[190]

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[188] Despite such allowances, Burawoy was taken to task by his fellow critical sociologists for not grappling fully enough with the range of benefits interdisciplinary engagements might bring to the project of public sociology. See, for example, Aronowitz 2005 and Acker 2005.

[189] As I see it, the cultivation of a critical interdisciplinary imagination is an approach to intellectual inquiry that requires, among other things, the development of the "playfulness of mind" and the "capacity to shift from one perspective to another" that C. Wright Mills saw as central features of the "sociological imagination" (Mills 1959: 211). Indeed, the concept of the interdisciplinary imagination arguably captures something of what Mills was after with his now canonical formulation, which went well beyond the bounds of an academic discipline called "sociology" (Mills 1959: 19). I have explored one set of historical sources for American sociology's interdisciplinary imagination in an article for *Thesis Eleven* on "Critical Sociology and the Interdisciplinary Imagination" (VanAntwerpen 2006).

[190] On the relation between the sociological and political imaginations, see Burawoy 2008.

Revisions and rectifications

If I have lapsed, at last, into both the present tense and the first person plural, it is no doubt because I cannot but see sociology itself as an ongoing collective practice which is constantly being subjected to its own revisions, at the hands of sociologists who would rework the field and its accepted findings. To say, then, that my own attempt to do sociological work has been the result of considered improvisation is not to suggest that it is simply the ad-hoc effect of unreflective extemporizing. Instead, it means calling attention to the collective, practical, reflexive, and potentially creative dimensions of sociological work. Such improvisation occurs when theorists and researchers, prompted by the particular demands of concrete inquiries and unanswered questions, no longer "know how to go on." In searching for a way to get beyond the evident muddles and apparent mysteries with which research confronts them, they reach for existing theoretical vocabularies. When those vocabularies leave them short, they improvise. Whether or not we, as sociologists, "begin with our favorite theory," as Michael Burawoy (1998: 16) has put it, we do begin somewhere, often utilizing the theoretical vocabularies that seem most compelling to us. Improvisation on these vocabularies—shaky, exploratory and uncertain at first, more steady and confident as we get the hang of it—can lay the basis for the potential extension of specific sociological theories, and for the construction of new objects of sociological analysis.

     Sociology, it has been said, is a martial art. My dissertation advisor Michael Burawoy taught me something—or tried to, in any case (I'm afraid I have been far from the perfect student)—about such disciplinary combat. An early paper of mine, Burawoy once complained, treated other scholarly works "more like buoys to be navigated rather than warships to be engaged," and his own approach to sociology made clear that it was a disciplinary practice marked by struggle and engagement, if not outright warfare. In his chapter for a book on his own "disobedient generation," Burawoy (2005e: 70) wrote that I had "pummeled, prodded, and aided" him as he began to think more analytically about "public sociology" in the context of Berkeley's sociology department. While I don't think I ever set out to pummel him (to aid, most definitely, and to gently prod, perhaps), it might be fair to say that Michael has pummeled and prodded me rather more than I've been able to successfully land any little jabs in the other direction—though much of that pounding has undoubtedly been the product of my own imagination, the academic advisor serving as a fairly resilient intellectual super-ego in the pugilistic space of the dissertator's mind.

     In her book *Bird by Bird*, Anne Lamont has said that one important part of the practice of writing is to "clear a space for the writing voice," quieting your mind so that you can hear that voice in the midst of myriad others clamoring for your attention, and "hacking away" at those distracting other voices "with machetes." For many of us, to hear the writing voice above the din is no small challenge. And even after having left Berkeley, I've found that quite often, as I sit down to write, one among the many voices I hear, competing for my attention, is Michael's. Rather than picking up the machete and hacking away at it, however, I have attempted to pursue a somewhat more difficult and laborious, if not quite pacifist, approach—one of critical intellectual engagement. As I've shared my writing and my ideas with Michael through the years of my research, he's consistently sent me back again and

again to re-examine my project's basic aims, often with a critical word, and even, occasionally, with an encouraging one. Yet he's never told me what to think or what to write. Rather, his at times aphoristic responses to my efforts were like the cane of the Zen master, always pushing me back upon myself, back into the field to revisit my analysis of it. Whatever I'd done was never good enough. And so, I went back to work, to try again.

I have now been talking and listening, reading and writing about reconciliation for several years. In addition to the memos, analytic assignments, papers and draft chapters written for my dissertation advisor, I have spoken about the core ideas of this dissertation, from one angle or another, to more than twenty different audiences, in conferences, workshops, seminars and the like. Two of the conference papers I've given in the last few years have since been substantially revised, expanded and published in edited volumes, and I am currently at work on others. As I've done this writing and presenting and discussing, returning time and again to both my limited understanding and my sense that I did have a solid argument to make, I'd like to believe that I've learned some things along the way, that my thinking, writing and quality of work have improved, and that my argument has been refined. There were times when I felt as though I was simply starting over, back at proverbial square one. But as I circled back around yet again and took another look, I started to see that I *was* learning something, now and then, and I took encouragement from Pierre Bourdieu's reminder that the construction of the sociological object "is not something that is effected once and for all, with one stroke, through a sort of inaugural theoretical act." Sociological research, in other words, is not a matter of blueprints drawn up in advance. "It is, rather," says Bourdieu, "a protracted and exacting task that is accomplished little by little, through a whole series of small rectifications and amendments..." (Bourdieu and Wacquant 1992: 227-228. As Burawoy (2000a: 28) has written, in a slightly different vein, we can only improve our theoretical take on things "by experimenting with it in the world." If we fully embrace this experimental ethos, then we are forced to admit that all of our claims and arguments, all of our explanations and narratives, must always be subject to further revision.

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